

Yvon Bonenfant Vocal Art

CHILD PROTECTION POLICY

SECTION 1&2: WHO WE ARE AND Declaration Of Guiding Principles

Who we are, and the services or activities we provide to children and young people:

Yvon Bonenfant Vocal Art may, from time to time, deliver workshops, or make interactive artwork, that includes participation from people below age 18.

Yvon Bonenfant makes different kinds of performance and art experiences, mostly starting from the voice. Many of them involve participation.

Yvon himself is an artist and researcher who makes work and also works for University College Cork, Ireland.

Yvon has a long history of making carefully framed work that interacts with publics. Some of this work has been for or with children or vulnerable adults. He is interested in how different people's voices work, and in inviting them to explore the territory of their voices. See www.yvonbonenfant.com for further information.

This might mean:

- Yvon or his team giving voice, movement, theatre, or music workshops to young people
- Yvon or his team inviting young people to co-make work with him

Yvon or his team, people who work for or with him, undertake to provide a safe environment and experience, where the welfare and best interests of children and young people are paramount. We are committed to upholding the rights of every child and young person involved with our project, regardless of background, including the rights to be kept safe and protected from harm, treated with respect, listened to and heard.

Our guiding principles are underpinned by *Children First: National Guidance for the Protection and Welfare of Children*, Tusla's *Child Safeguarding: A Guide for Policy, Procedure and Practice*, the United Nations Convention on the Rights of the Child and current legislation such as the Children First Act 2015, Child Care Act 1991, Protections for Persons Reporting Child Abuse Act 1998 and the National Vetting Bureau Act 2012.

Our guiding principles and our welfare / child protection policy apply to all paid staff, paid freelance facilitators, volunteers and associates of our project. All staff, facilitators and volunteers must abide by these guiding principles and our child safeguarding procedures. Our guiding principles are communicated to children, young people, parents/guardians, workers and volunteers.

We will review our guiding principles and child safeguarding procedures every two years or sooner if necessary due to service issues or changes in legislation or national policy. 5/3/2024, next review

5/3/2026.

Our Designated Liaison Person is: Yvonne Coughlan
Contact Details: 086-0479228/ rsvpireland@gmail.com

SECTION 2: Key Roles and Approaches in Safeguarding

SECTION 2.1: Structure/Governance

Throughout this welfare and child protection policy, specific safeguarding roles are assigned. Ultimate responsibility for the development and implementation of this welfare and child protection policy lies with the Designated Liaison Person/ Producer of Yvon Bonenfant VA. However, safeguarding the welfare of young people is the job of everyone involved in the Yvon Bonenfant VA project and the policies / procedures included in this document apply to all paid staff, freelance staff, and volunteers.

SECTION 2.2: Risk Assessment and Child Safeguarding Statement

In accordance with the Children First Act 2015, [Yvon Bonenfant VA](#) has conducted a risk assessment of our services to young people. The risk assessment is included in the [Yvon Bonenfant VA Child Safeguarding Statement](#) which has also been created in accordance with the act.

The [Yvon Bonenfant VA Child Safeguarding Statement](#) details how we meet our obligations under the Children First Act 2015. We circulate it to all staff and volunteers. Our Child Safeguarding Statement is available to parents, guardians, venues and TUSLA on request.

We will review our Child Safeguarding Statement every two years or sooner if there is a material change in any of the issues to which it refers.

SECTION 2.3: Key Safeguarding Roles

Named Person:

[YVON BONENFANT](#) is a named person. For other projects, we may nominate other named persons who are fully able to work within this policy. This person is responsible for leading the development and review of guiding principles and child safeguarding procedures and for ensuring that policies and procedures are consistent with best practice. Guiding principles and child safeguarding procedures are reviewed every two years or sooner if necessary due to service issues or changes in legislation or national policy.

Designated Liaison Person:

A Designated Liaison Person has been appointed. The Designated Liaison Person acts as a resource to any young person, staff member and volunteer who have Child Protection concerns.

Roles and Responsibilities of the DLP

- Be fully familiar with our duties in relation to the safeguarding of children.
- Have good knowledge of our guiding principles and child safeguarding procedures.
- Ensure that our reporting procedure is followed, so that child protection and welfare concerns are

- referred promptly to Tusla.
- Receive child protection and welfare concerns from workers and volunteers and consider if reasonable grounds for reporting to Tusla exist.
 - Consult informally with a Tusla Duty Social Worker if necessary, or to a collaborating organisation who may be hosting us.
 - Where appropriate, make a formal report of a child protection or welfare concern to Tusla on behalf of their organisation, using the Child Protection and Welfare Report Form.
 - Inform the child's parents/guardians that a report is to be submitted to Tusla or An Garda Síochána, unless:
 - Informing the parents/guardians is likely to endanger the child or young person;
 - Informing the parents/guardians may place you as the reporter at risk of harm from the family;
 - The family's knowledge of the report could impair Tusla's ability to carry out an assessment.
 - Record all concerns or allegations of child abuse brought to your attention as well as any action/inaction taken in response to these concerns.
 - Provide feedback to the referrer, as appropriate.
 - Ensure that a secure system is in place to manage confidential records.
 - Act as a liaison with Tusla and An Garda Síochána, as appropriate.
 - Where requested, jointly report with a mandated person.

For projects Yvon Bonenfant VA and The Opposite of Trauma, Designated Liaison Person: YVONNE COUGHLAN

Contact Details:

Phone: 086-0479228

Email: rsvpireland@gmail.com

In the absence of the Designated Liaison Person, staff, volunteers and young people can contact **YVON BONENFANT 0868511206** for advice and support on Child Protection / welfare concerns and / or disclosures.

Mandated Persons

Mandatory reporting, as outlined by the legislation, places a legal obligation on certain individuals known as 'mandated persons' to report harm or potential harm to children.

Mandated Persons have two principal legal obligations:

1. To report concerns which meet or exceed a particular threshold
2. To assist Tusla in the assessment of mandated reports, where requested to do so.

*Note: The legal obligation on mandated persons to report only applies to information they acquire in their professional work. **It does not apply outside their work or to information they receive on the basis of a personal relationship.***

Mandated persons may make joint reports with the DLP, however, a mandated person cannot discharge their statutory responsibility to report by reporting to another person (e.g. by reporting to their DLP).

Yvon Bonenfant acknowledges that it may from time to time employ persons who are identified as mandated persons as per the list in Appendix 3. The following procedures will be followed:

- Organisational roles are assessed to identify whether a staff member carrying out a specific role is deemed to be a mandated person.

- Paid workers who are mandated persons will be made aware of their responsibilities under legislation at the commencement of their employment.
- A list of all mandated persons employed by Yvon Bonenfant VA, will be kept.

Yvon Bonenfant VA have clarified that they do not have a mandated person working within the project currently.

Yvon Bonenfant VA acknowledges that the existence of mandated persons does not remove the existing obligations on others to make a report where there is a concern for a child.

All mandated persons employed by [Yvon Bonenfant VA](#) will be inducted in, and must agree to familiarise themselves in detail with, Chapter 3 of *Children First: National Guidance for the Protection and Welfare of Children 2017*.

Relevant Person

[Yvon Bonenfant VA](#) ensures that a Relevant Person is appointed to act as first point of contact in relation to the project's Child Safeguarding Statement.

The relevant person is the lead artist and a professor and head of the Department of Theatre, and Humanities at University College Cork, and most able person to act as a point of contact for the Safeguarding Statement, as the Named Person.

[Yvon Bonenfant VA Relevant Person:](#) **YVON BONENFANT**

Contact Details:

Phone: [0858511206](tel:0858511206)

Email: ybvoiceart@gmail.com

Other Internal Welfare Structures and Roles

[Yvon Bonenfant VA](#) also operates internal welfare structures and roles which support child protection procedures. All of the team have completed An Introduction to Children First Programme at HSELand. Garda Vetting supports the Named Person and Designated Liaison Person to make decisions in a confidential manner about the engagement of a staff member or volunteer. The DLP can also contact the Child Protection and Welfare Officer at Youth Theatre Ireland for advice.

SECTION 2.4: Policies /Procedures

Policies / Procedures

[Yvon Bonenfant VA](#) has put the following policies/procedures in place to help ensure the safe participation of everyone involved in the project. We have collected these policies and procedures in this document:

- Welfare/Child Protection Policy and Procedures
- Health and Safety Policy and Procedures
- Data Protection and Confidentiality Policy/Procedures
- Complaints Policy/Procedures
- Procedures for Safe Recruitment of Staff/Volunteers
- Procedures for Supervision, Provision of Training and Support for Staff/Volunteers
- Policy on Adult/Young Person Ratios
- Policy on including YOUNG PEOPLE aged 18 or over.

- Code of Behaviour for Staff / Volunteers
- Disciplinary/Appeals Procedures
- Policy on Informing Parents
- Anti-Bullying Policy
- Procedures for Giving Lifts to Young People
- Procedures for Trips Away
- Guidelines on Dealing with Disruptive Behaviour
- Policy on Communications with young people
- Policy on Use of Images
- Working Online with Young People Policy

The implementation plan for our Welfare and Child Protection Policy takes place over a two-year cycle and includes the following keys steps:

- Write/Review & Plan: Guiding Principles and safeguarding procedures are written/ updated, and plans are put in place for implementation
- Implement & Operate: Guiding Principles and safeguarding procedures are disseminated. Staff/ volunteers are inducted into these policies, **and everyone** works to put the guiding principles and safeguarding procedures into action.
- Review and Evaluate: The guiding principles and safeguarding procedures (and their implementation) are reviewed and evaluated to ensure that all feedback and learning assists with the review of the Welfare and Child Protection Policy every two years.

SECTION 2.5: Approach to working with young people

We are committed to working with all young people regardless of their economic, social or geographical situation. We are specifically focussed on working with young people with mild to moderate learning disabilities and accommodating their needs.

Yvon Bonenfant VA collaborators are informed of safeguarding procedures and policies as they relate to their participation and are informed that they can talk to any adult should they have a concern or worry. Young people are also informed of how to make a complaint if they have concerns about the running of the project or want to provide feedback on their experiences. Their voices and opinions are taken on board.

SECTION 2.6: Approach to working with Parents / Guardians

Yvon Bonenfant VA promotes the importance of viewing young people as social and artistic beings in their own right. We aim to create a space where they can be themselves away from any pressures they may have in their lives. Parents and families are also valued supporters of Yvon Bonenfant VA, and the attendance of at least one parent or guardian with their child is required.

We encourage dialogue with parents/guardians and encourage them to contact us should they have any questions or concerns. We especially encourage ongoing communication with parents/guardians of young people who are vulnerable and/or have additional needs.

Yvon Bonenfant VA takes the following approach to parents/guardians:

- We value the cooperation of parents in facilitating young people's involvement in Yvon Bonenfant VA
- We recognise the right parents/guardians have to be informed about their young person's involvement and their right to be informed about any issues that affect their young person
- We comply with current consent law.
- We request that all children are accompanied by a responsible adult who knows them.
- We require details from parents of any allergy/medical requirements affecting a young person under

SECTION 2.7: Approach to Partnership Work

As outlined in **Children First** (2017), child protection is a multiagency, multidisciplinary activity. Agencies and professionals must work together in the interests of children.

Yvon Bonenfant VA takes the following approach to working with other agencies and organisations in relation to child protection:

- We recognise the necessity of a coordinated approach to child protection and will cooperate with the Gardaí, Tusla - Child and Family Agency and any other appropriate agency or organisation.
 - Role of An Garda Síochána - Children First 2017: The involvement of An Garda Síochána in cases of alleged child abuse and neglect stems from its primary responsibility to protect the community and to bring offenders to justice. Where it is suspected that a crime has been committed, An Garda Síochána has overall responsibility for the direction of any criminal investigation. It is the function of An Garda Síochána to interview and take any statements that will form part of the criminal investigation file.
 - Role of the Child and Family Agency - Children First 2017: Tusla has responsibility for child welfare and protection services, family support, educational welfare and a range of other services, including those relating to domestic, sexual and gender-based violence. The specific role of Tusla is to promote the welfare of children who are at risk of not receiving adequate care and protection. Under the Child Care Act 1991, Tusla is obliged to coordinate information from all relevant sources about a child who may not be receiving adequate care and protection. If it is found that a child is not receiving adequate care and protection, Tusla has a duty to take appropriate action to promote the welfare of the child. This may include supporting families in need of assistance in providing care and protection to their children.
- We are aware that there are a number of organisations that have specific expertise in relation to child protection and the welfare of children/young people. Yvon Bonenfant VA's Producer/ Designated Liaison Person, NAMED PERSON, or another staff member/volunteer, may seek advice from these organisations on a specific issue. There may be circumstances when it is more appropriate to refer a young person to another organisations/services.

Partnership Work

Yvon Bonenfant VA often works in partnership with other organisations, COPE FOUNDATION, UCC, and CORK OPERA HOUSE to deliver aspects of the project performance.

In the context of partnership work, **Yvon Bonenfant VA** will ensure there is a clear understanding as to which organisation's guiding principles and child safeguarding procedures will be followed so that all staff / volunteers are aware of their safeguarding roles and responsibilities.

Yvon Bonenfant VA will initiate child protection discussions with the partner and develop a child protection protocol for the duration of the collaborative work, including, where appropriate: garda vetting; procedures for working safely with young people; and child protection reporting procedures. Following best practice, the most robust policy and procedures amongst the partners will take precedence.

SECTION 3: Working Safely with Children and Young People

SECTION 3.1: CO-ARTISTS

CO-ARTIST professionals are people who we employ or contract to work on our projects.

A registration system is in place for each co-artist which records the young person's name, address, additional requirements, parental/guardian details and consent, and emergency contact numbers for workshops. Details such as accidents, incidents and complaints received are also noted.

SECTION 3.2: Adult / Young Person Ratios

Yvon Bonenfant VA adheres to accepted best practice adult/young people ratios: the minimum adult/young person ratio in any group should ideally be one adult per group of ten plus one other adult and allowing an additional adult for each group of ten thereafter. Local circumstances, the ages of the children, the experience of the Vocal Facilitators and the staff will be taken into consideration. We recognise that safety, disability of young people may require that these ratios be lower.

We will make an assessment of activities to determine the appropriate ratio

SECTION 3.3: Anti-Bullying Policy

Yvon Bonenfant VA has a no-tolerance approach to bullying. As emphasised throughout this document, Yvon Bonenfant VA is committed to safeguarding the wellbeing of all young people who access its services. It is essential that young people feel safe and comfortable during any event or activity. Bullying can not only destroy a young person's experience of participation but also have an impact on their physical and psychological well being. Prevention of bullying is the role of everyone from management to staff / volunteers to young people.

Children First (2017) defines bullying as follows:

Bullying can be defined as repeated aggression – whether it is verbal, psychological or physical – that is conducted by an individual or group against others. It is behaviour that is intentionally aggravating and intimidating, and occurs mainly among children in social environments such as schools. It includes behaviours such as physical aggression, cyberbullying, damage to property, intimidation, isolation/exclusion, name calling, malicious gossip and extortion. Bullying can also take the form of abuse based on gender identity, sexual preference, race, ethnicity and religious factors. With developments in modern technology, children can also be the victims of non-contact bullying, via mobile phones, the internet and other personal devices.

Preventing Bullying

Yvon Bonenfant VA has adopted the following strategy for preventing bullying and creating an anti-bullying environment:

1. Creating and implementing an Anti-Bullying Policy and procedures.
2. Encouraging an openness among adults/young people and fostering a culture of mutual respect and cooperation.
3. We will also draw attention to wider considerations such as attitudes towards each other and use of language.

How Yvon Bonenfant VA will deal with instances of Bullying

While we have developed the following approach, we recognise that every instance of bullying will be different and have its own unique considerations.

The overriding consideration in every instance will be protecting the well-being of the young person/young people involved.

Where there is a clear observable instance of bullying:

- If an adult involved in the group becomes aware of an instance of bullying, they should act immediately.
 - If they witness bullying themselves in a group situation, they should make a clear statement that the behaviour is not acceptable.
 - They should take a record of the incident and pass this on to the Designated Liaison Person as soon as possible.

Responses/Sanctions

The following are potential responses/sanctions they may be used in a case of bullying. The chosen approach will depend on the severity of the behavior and the wishes of the target.

1. An apology to the target and a commitment not to display the behavior again.
2. Time-out
3. Temporary or Permanent Exclusion. Permanent exclusion will be considered for more severe instances of bullying or where the other responses/sanctions have not worked to end the behaviour.

Cyber-bullying

Yvon Bonenfant VA is aware of the prevalence of this form of bullying and the need to take action to prevent it. We have taken the following steps:

- We have developed a **Use Of Images Policy** that describes how it gathers, uses and retains images of young people and this is in line with advised best practice.
- We make a clear statement, that online bullying is not acceptable and will be dealt with very seriously. Any instance of bullying will be reported to those who run the site and, if appropriate, to the Gardaí.
- We promote safe and responsible use of the Internet

Serious instances of bullying

In cases of serious instances of bullying where the behaviour is regarded as possibly abusive, a decision may be made to make a referral to Tusla and/or An Garda Síochána.

SECTION 3.4: Dealing with Challenging or Disruptive Behaviour

In its work with young people, Yvon Bonenfant VA emphasises the benefits and rewards for positive behaviour. However, there may be occasions when the behaviour of a young person or a group of young people disrupts the work. Yvon Bonenfant VA promotes positive behaviour and creates an environment where disruptive behaviour is not acceptable by:

- Emphasising the necessity of teamwork and cooperation, to ensure that everyone involved has a positive experience.

- Promoting awareness of the benefits to be gained from giving full commitment and focus to the experience.

Dealing with Instances of Disruptive Behaviour

There are a whole range of behaviours that could be termed 'disruptive'. It is impossible to offer appropriate responses for the full range of behaviours. The following are general pointers. If a Vocal Facilitator/ staff member/volunteer

is unsure about how to handle a specific situation, they should contact the Designated Liaison Person.

- Vocal Facilitator/ staff member/volunteer should always react calmly, regardless of the level of frustration involved. They should never act in a way that intimidates, ridicules or humiliates any young person.
- The response to any instance of disruptive behaviour should always be proportionate.
- The response should be initiated as soon as possible and should be explained in full to the participant.
- More than one Vocal Facilitator/ staff member/volunteer should be present when dealing with disruptive behaviour.
- A written record should be kept of the behaviour and the response to it. This should be given to the Designated Liaison Person as soon as possible.

Possible Responses to Disruptive Behaviour

As indicated above, each scenario will be different, and responses should always be proportionate.

- Some way of making amends/restitution – e.g. if something is broken, it is replaced or if a possession is taken, it is returned.
- Time-out
- Increased supervision
- Sanctions such as missing out on the activity
- Temporary or Permanent Exclusion. Permanent exclusion will only be considered when other possible options have been exhausted and/or when it is felt that the behaviour is putting other young people/participants at risk.

Additional Support/Referral

To ensure that a young person's needs are being met and that they are getting the best possible support, additional or specialist advice may be sought from other agencies or organisations. It may be felt that it is necessary to refer a young person to another agency.

If it is felt that the behaviour is the result of some trauma or that the young person who is displaying disruptive behaviour is at risk in any way, a decision may be taken to make a report to Tusla - Child and Family Agency.

SECTION 3.5: Communications with Young People

Yvon Bonenfant VA is committed to ensuring all communications with young people are safe, respectful, appropriate, and professional. Parent/ Guardian is at all times present, and communication is either in the parents presence or through the parent's email/ phone.

SECTION 3.6: USE OF IMAGES/VIDEO POLICY

Yvon Bonenfant VA is conscious of the responsibility it has for ensuring any images/video footage of young people are used in a safe and responsible manner that does not put any young person at risk. Photographs and visual images are regarded as personal data under the Data Protection Acts 1998/2003. Therefore, all images must be obtained fairly and used only for one or more specified purpose

We have developed the following policy on use of images/footage, informed by the Arts Council's *Guidelines for taking and using images of children and young people in the arts sector (2009)*:

- Images/videos of young people will only be recorded if there is a valid reason relating to the programme, as indicated below.
- Consent for the use of images/footage is sought from children or young people in complete conformity with current legislation.
- A refusal of permission will not restrict the participation of a young person in the project..
- No images should be taken by staff/volunteers with their own mobile phone.
- Participants and where appropriate, their guardians are informed in advance as to the specific uses of any images/video (e.g. promotional and archival purposes) and as to whether they will be provided to third parties. We will only use images/footage for the reasons specified.
- Care will be taken that young people whose images are captured are dressed in a way that is appropriate to their age.
- Every precaution will be taken to ensure no image/footage used will expose any member to embarrassment or distress.
- We only provide images/video footage to reputable third parties when there is a legitimate reason for doing so e.g. distributing images to the media when promoting Yvon Bonenfant VA. We may also share images with funders when requested to do so.
- We will only identify/provide names of individual young people to third parties in a situation where they are being publicly acknowledged. Parental consent will be sought before providing any details of a young person aged under 18.
- When using images/video the Yvon Bonenfant VA will not provide information that could be used to make contact with a young person.
- Images/video will only be used in the context in which they were captured.
- Information such as date taken, names, context of images, and consent forms will be stored with images that are retained.
- While in the vast majority of cases images of groups will be used rather than images of individual participants there may be exceptions e.g. in the case of a publicity image when it is agreed that an image of an individual young person is the best way to represent an event. If the image of a single young person is used, we will be especially careful that the image is appropriate, and that tight control is maintained over how the image is used and distributed.
- We will be particularly sensitive when using images of young people whom we are aware are vulnerable.
- Any misuse of images/footage should be reported to the Designated Liaison Person as soon as possible.
- If any individual is unhappy with the manner an image/footage is obtained, used or retained, they should follow our **Complaints Procedure**. Any such complaint will be taken very seriously, and procedures will be followed in full.
- Where we cannot completely control and regulate the taking of photos or video footage at our events by YOUNG PEOPLE or the public, we request that any such images/video are not made available in the public sphere, are used in a way that is appropriate and are kept within the context in which they were captured.
- Staff /volunteers should be alert to the possibility of young people capturing and distributing images with a view to causing another young person embarrassment or upset. Participants will

be informed that any such occurrence will be taken extremely seriously and will be treated as an instance of bullying. Depending on the circumstances, it may be treated as a child protection issue and a report may be made to the statutory authorities.

Use of images/footage on the Internet

The posting of images/footage on the Internet is an area of particular risk and [Yvon Bonenfant VA](#) is cognisant of the possibility of images and video being used and manipulated by those who seek to harm children and young people and the danger of any information provided being used to contact a young person with a view to grooming them for abuse.

[Yvon Bonenfant VA](#) takes the following steps for the use of images/footage on the Internet:

- Particular care will be taken when posting such content on the Internet that it is appropriate, does not provide any information that could be used to contact or locate a young person and does not put a young person at risk in any other way.
- While it is impossible to completely control use of images once they are posted to the internet, we request that all users of our own website and any third-party sites on which we have a presence adhere to the following Acceptable Usage Policy:
 - Do not use any content including images from the site without receiving permission from [Yvon Bonenfant VA](#).
 - Do not misuse or take out of context any content on the site including images or video footage.
 - Any comments added should be respectful and not targeted at any particular young person.
 - Do not add comments to photos that may identify young people in the photo.

SECTION 4: Health and Safety Policy and Procedures

[Yvon Bonenfant VA](#) is aware of the duty of care it has to staff, volunteers, young people and all those who access its services.

We use [Cope Foundation Facilities](#), [UCC](#), and [Cork Opera House](#) and various other contracting partners as venues for our workshops and/or productions. We request copies of the Health and Safety Policy including the Safety Statement for each venue.

In terms of [Yvon Bonenfant VA](#)'s responsibility to safeguard the physical wellbeing of young people WE HAVE taken the following steps:

- We ensure that venues for our events/activities are fit for purpose and well maintained.
- We adhere to the safety instructions and fire regulations provided by venues we use.
- If staff /volunteers identify a hazard in a venue, they should inform the venue's staff.
- Risk Assessments are carried out for general activities and for productions.
- Fire Drills are organised in cooperation with the venue.
- We ensure appropriate levels of supervision are provided for all activities/events.
- We have procedures in place should an emergency arise.
- All activities are led by practitioners who have a high level of expertise in the particular practice..
- Checks are made to ensure equipment/materials used are safe and fit for purpose.
- Activities are age appropriate and developed with the specific abilities and needs of the participants in mind.
- Health and Safety is always a factor that is considered when programming events and activities.
- [YVONNE COUGHLAN](#) is responsible for the implementation of Health and Safety policy/procedures. It is the responsibility of all staff /volunteers, to familiarise themselves with the Health and Safety policy and procedures and observe them in their work.

- TEAM will be instructed in manual handling techniques if they are moving Yvon Bonenfant VA

Risk Assessments

Risk assessments are conducted as part of [Yvon Bonenfant VA](#) programme planning.

There are seven aspects to our Risk Assessment:

- Identify Risk
- Identify people who might be harmed and how
- Potential Outcomes
- Likelihood of these Outcomes
- Potential Severity of these Outcomes
- Action Required to Reduce Risk
- Details of when and how the Action will be taken.

Incidents / Accidents Policy and Procedures

In any emergency situation, the wellbeing of the young person(s) will always be our overriding concern and any action taken should reflect this. Although every emergency situation will be different and will have its own unique factors, the following is an outline of the procedures that should be followed by staff/volunteers.

- A well-stocked First Aid Kit is identified at the venue.
- Staff /Volunteers are provided with details of local doctors/ hospitals and other local emergency services such as the Gardaí
- Staff /Volunteers are provided with emergency contact details for guardians and also details of any dietary/medical requirements a participant may have. **(This information is to be managed as outlined in the venue's Data Protection and Confidentiality Policy).**
- An **Accident Report Form** should be completed by the appropriate person as soon as possible if an accident occurs. The best person to complete this will usually be the First Aid person who made the initial assessment, but it may be that they are not aware of all the relevant information e.g. if someone else goes to the hospital with the young person. In this case, they should complete the report together. Staff should contact the Designated Liaison Person if they are unsure how to proceed with this.
- An **Incident Report Form** should be completed by the appropriate person as soon as possible if an incident occurs. An incident does not usually involve any casualty or loss of life and it should be reported separately from accidents as they may need to be referred to when considering suspected child abuse or neglect. The Vocal Facilitator should contact the Designated Liaison Person to communicate the incident so the DLP can consider any welfare or child protection implications.

Note: If a staff member/volunteer leaves the venue, for example, to accompany a child to hospital, the Designated Liaison Person should be informed as soon as possible.

Retention Periods

Risk Assessments: 5 years

Accident/Incident Reports: 5 years

Insurance

[Yvon Bonenfant VA](#) has Insurance Cover with **EVENTINSURE DUBLIN**. This is a scheme specifically tailored to the needs of Yvon Bonenfant VA. This cover includes Public Liability Insurance 6.5M and Employer Liability Insurance 13M.

SECTION 5: Recruitment and Management of Staff/Volunteers

SECTION 5.1: Recruitment of Staff and Volunteers

Recruitment of Staff

Yvon Bonenfant VA recognises good recruitment practice is an important element in safeguarding the welfare of our children involved with the project. We adhere to the following procedure for the recruitment of paid staff under employment contract (including temporary and permanent employment contracts).

We will observe the following principles:

- Roles and responsibilities will be clearly defined and a role/job description will be developed.
- Posts for employment contract positions will be advertised widely in an appropriate method
- For any roles involving *relevant work*, as defined by the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016, it will be made clear that the role is subject to garda vetting.
- Candidates will be required to complete an application form including a declaration of suitability for any role involving direct work with young people
- A panel of at least two representatives will select paid staff under employment contract through an interview process
- We will select the most suitably qualified candidate. We will re-advertise the position if we are not satisfied that we have found a suitable candidate.
- At least two references that are recent, relevant, independent and confirmed will be necessary.
- The identity of the preferred candidate will be checked as part of the Garda Vetting process.
- No person who would be deemed to constitute a 'risk' will be employed. Applicants with any child-related convictions and applicants who refuse to submit a garda vetting application will cease to be considered for a role. Where details of convictions / specified information are returned in relation to any applicant as part of the garda vetting process, the suitability of each applicant will be considered on a case-by-case basis.

Once selection has taken place:

- We will adhere to The National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016 which makes it clear that a contract cannot be issued or employment commenced until the garda vetting process is complete for any roles that involve '*relevant work*'. The garda vetting process for the successful applicant will be initiated as a matter of urgency.
- We will confirm the ID of the selected applicant. The Named Person will request official photo ID i.e. a passport or driver's licence.
- All references will be followed up. Rather than relying solely on written references, the DLP shall speak to referees by telephone.
- Once the garda vetting process is satisfactorily completed, a contract of employment will be issued. The contract will include but is not limited to the following:
 - the nature of the contract will be stated e.g. the period of time covered, part-time/full-time.
 - details of the probationary period.
 - hours of employment. It will be made clear whether additional hours may be required.
 - details of the person to whom the employee reports. This will normally be the DLP and Named Person.
 - outline of unacceptable conduct and disciplinary procedures
 - the contract will also state the staff member must adhere to Yvon Bonenfant VA's ethos, approach to working with young people, Code of Behaviour, Welfare and Child Protection Policy and any other relevant policies/procedures

- re-vetting period for all staff/volunteers i.e. every three years.
- an outline of how the contract can be terminated.

Recruitment of Volunteers

- Rather than a job description, voluntary positions will have a role description. Most of the elements of a job description will still be present. There will be a description of the role and details of the kinds of experience and qualities Yvon Bonenfant VA is seeking.
- Information such as hours of work will be outlined.
- A volunteer application/information form has been developed that includes a declaration of suitability.
- References will still be sought and checked.
- Volunteers are subject to the provisions of the National Vetting Bureau Act in the same manner as paid staff. Our **Garda Vetting Policy** will be adhered to in full for volunteers.
- Rather than a formal interview, the named person will meet with the potential volunteer. This meeting will allow them to assess the suitability of the volunteer for the role. It is also an opportunity for the potential volunteer to decide whether the role is suitable for them.

SECTION 5.2: Garda Vetting Policy

As detailed already [Yvon Bonenfant VA](#) has a robust recruitment/selection policy. While we recognise the importance of garda vetting in safeguarding the wellbeing of our YOUNG PEOPLE, we also recognise that it is only one aspect of safe recruitment.

[Yvon Bonenfant VA](#) is part of UCC's Garda Vetting, we have agreed to the following:

- We are familiar with the provisions of the **National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016**.
- It is an offence to engage a person, paid or voluntary, to carry out relevant work without having first received a garda vetting disclosure.
- We cannot issue a contract of employment or make any agreement with an employee or volunteer until the vetting process is complete.
- It is an offence to use garda vetting disclosures in any way that contravenes the legislation including the sharing of garda vetting disclosures with any third party.
- We are required to inform all applicants they can request a copy of their garda vetting disclosure. If requested, we will provide a copy of his/her disclosure to an applicant.
- The Minister for Justice may set a period for re-vetting of employees/volunteers. It will be an offence under the legislation not to submit employees/volunteers for re-vetting within this period. (Until this period is prescribed the re-vetting period is a matter of organisational policy. Yvon Bonenfant VA re-vetting takes place every three years).
- We will not accept an existing garda vetting disclosure from an individual.
- We will inform any person to whom we have provided a copy of their garda vetting disclosure, that the disclosure cannot be used as proof of vetting.
- We will retain a vetting disclosure on file for each staff member/volunteer in Yvon Bonenfant VA who works with children or young people.
- We have nominated a Named Person for garda vetting. We recognise that the Named Person is the only person with whom UCC's Liaison Person will share or discuss garda vetting disclosures.
- We recognise that each applicant must complete a Vetting Invite Form and we will provide applicants with a copy of the **Information For Vetting Applicants** provided by UCC. We will also supply them with a copy of the UCC Garda Vetting Policy should they request it.
- We will validate the identity of all vetting applicants as outlined in the policy. The Named Person will forward a copy of the proof of identity documents to UCC's Liaison Person with the completed Vetting Invite Form.
- We will adhere to the guidance provided by the National Vetting Bureau when validating identity.

- We accept that garda vetting is only one aspect of good recruitment and child protection/welfare practice.
- We accept it is Yvon Bonenfant VA's responsibility and not that of UCC to ensure all employees/volunteers who carry out relevant work submit a garda vetting application.
- We will ensure all applicants are aware of the necessity of submitting their vetting application without delay.
- We understand that vetting disclosures are of a highly sensitive nature and subject to data protection legislation. We will follow the guidance on confidentiality and retention of garda vetting disclosures provided in the policy.
- We agree to develop a mechanism and procedure for decision-making and appeals based on best practice as contained in the policy.
- We recognise the necessity of managing disclosures within a legislative, human rights and natural justice framework.
- We acknowledge that it is the responsibility of Yvon Bonenfant VA, and not that of UCC, to make decisions on garda vetting disclosures.

Our NAMED Person for Garda Vetting is YVON BONENFANT

Who do we Vet?

We will adhere to the garda vetting legislation and vet those who carrying out relevant work:

Relevant work is defined by the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016 as follows:

any work or activity which is carried out by a person, a necessary and regular part of which consists mainly of the person having access to, or contact with children in:

- *Childcare Services*
- *Schools*
- *Hospitals and health services*
- *Residential services or accommodation for children or vulnerable persons*
- *Treatment, therapy or counselling services for children or vulnerable persons*
- *Provision of leisure or physical activities to children or vulnerable persons (unless this is incidental to the provision of services to a mixed group including adults)*
- *Promotion of religious beliefs*

The only exemptions to vetting listed are:

Persons who assist occasionally and on a voluntary basis in certain activities or events be they school, sport or recreational. This provision recognises the occasional but necessary involvement or assistance of parents or other persons in certain activities in which children or vulnerable persons are participating. [The National Vetting Bureau Act].....will apply where such involvement includes coaching, mentoring, counselling, teaching or training of children or vulnerable persons.

Hence we require all staff/volunteers who have any facilitation, training or teaching role in Yvon Bonenfant VA to submit a vetting application form.

We also vet those who fall into the following categories:

- Any person whose role involves supervision of young people e.g. VOCAL FACILITATOR or a volunteer/staff member who fulfills the 'second adult' in the workshop space role. Also included is anyone engaged to carry out extra supervision for productions etc.

- Any person with an admin role who may carry out supervision of YOUNG PEOPLE or have direct contact with YOUNG PEOPLE through their role.
- Those documenting events
- Those evaluating events
- Any person whose role may involve communicating directly with young people.

We recognise that we cannot issue a contract or engage the services of anyone carrying out relevant work without receiving a garda vetting disclosure. Therefore, when planning our programme, we will make an assessment of the individuals we will need to deliver elements of the programme that involve relevant work with children/young people. Once these potential staff /volunteers have been identified, we will contact them to begin the garda vetting process.

Decision-Making on Garda Vetting Disclosures

We recognise that while the well-being of children/young people is of paramount importance, receiving a disclosure outlining a conviction in relation to a potential staff member/volunteer, does not necessarily mean this person cannot be employed by Yvon Bonenfant VA

We will adhere to the decision-making guidance provided in UCC's Garda Vetting Policy including the factors to be considered when making decisions on garda vetting disclosures.

We will also follow UCC's advised procedure for Disputes/Appeals as contained in the organisation's Garda Vetting Policy.

For details of our approach to confidentiality and retention of garda vetting disclosures, see our **Confidentiality Policy**.

Garda Vetting of Under 18's

We do not permit any person under 18 to assume a position of responsibility or supervise YOUNG PEOPLE. For this reason, we do not require anyone under 18 to be vetted.

International Vetting

Under the Irish vetting system, even if an applicant has no Irish addresses, they are still required to make an application for garda vetting. The e-Vetting system allows inclusion of addresses from anywhere in the world.

Where a potential staff member/volunteer has no Irish addresses (or has spent a considerable period of time outside Ireland) we will also request a copy of the standard police clearance available in the jurisdiction(s) in question.

5.3: Support, Supervision and Training of Staff and Volunteers

Support and Supervision

- Yvon Bonenfant VA recognises that in order to ensure the wellbeing of YOUNG PEOPLE is safeguarded, volunteers are subject to the same policies and procedures as paid staff.
- All new staff and volunteers are inducted into the ethos, policies and procedures of the Yvon Bonenfant VA. The DLP or NAMED PERSON will meet with them, carry out an induction session and assess child protection training needs.
- All new staff /volunteers will be advised who to report to and who to contact should they have any issues or concerns relating to their work. This will be the DLP or NAMED PERSON

- The DLP will meet with staff / volunteers at agreed intervals to ensure supervision. These meetings will offer staff /volunteers an opportunity to discuss their work, review their progress and discuss future plans. These meetings will offer Yvon Bonenfant VA an opportunity to support staff / volunteers, identify strengths and training needs, ensure good communication and encourage the staff /volunteers to take responsibility for their work,
- All staff / volunteers, including those who work on a short-term basis, will be encouraged to offer feedback on their experience.

Training

- The training and support needs of new staff /volunteers will be discussed at the initial induction session.
- All staff / volunteers who work directly with young people are required to complete child protection training that is appropriate to their role and level of responsibility.
- All staff /volunteers with safeguarding roles and staff / volunteers who work directly with young people are required to complete Tusla's [Children First E-Learning Programme](#) and are asked to renew their certificate every three years.
- Depending on the role, the needs of the staff member/volunteer, and the resources available to the project, other training will also be sourced.
- Staff /volunteers will be encouraged to link in with other organisations and networks.

SECTION 5.4: Code of Behaviour for Staff/Volunteers

Code of Behaviour for Staff/ Volunteers

All staff and volunteers must adhere to the following Code of Behaviour

Practice

- Adhere to Yvon Bonenfant VA's ethos and mission statement.
- Be familiar with and follow best practice as outlined in Yvon Bonenfant VA's policies and procedures when working with young people.
- Treat all young people fairly and equitably – do not discriminate on the grounds of gender, race, religion, ethnicity, cultural background, sexual orientation or socioeconomic status, family status, age or disability.
- Act in a way that is professional and responsible.
- Help create an environment in which YOUNG PEOPLE feel comfortable, accepted and able to express themselves.
- Ensure that the material/approach is age appropriate and suits the developmental needs of the group.
- Provide encouragement and support to all young people regardless of their ability.
- All criticism should be constructive and not overly focused on any one individual.
- Adhere to and enforce the group contract.
- Encourage feedback and discussion.
- Use appropriate language. Avoid jokes or comments that could be interpreted as inappropriate.
- If delivering a workshop session or leading a rehearsal, ensure adequate preparation.
- Be willing to participate in evaluations.
- Never use an individual's personal trauma as material for the drama process.
- Be prepared for situations whereby issues raised in the drama workshop may make a young person uncomfortable or upset. This may even happen with material that seems 'safe'.
- Be aware of your own level of competence and expertise. Do not introduce exercises or material that he/she doesn't feel comfortable in delivering, especially if it is physically demanding and/or involves increased risk.
- Be aware that your work with the group and how they conduct themselves will have a bearing on

the reputation of the Yvon Bonenfant VA.

- Be mindful of participants' level of comfort when doing exercises that require physical contact.

Welfare/Child Protection

- Be familiar with and adhere to the Yvon Bonenfant VA's policies and procedures
- Be aware of any medical or other factors that may affect a young person's participation. If privy to sensitive personal information, ensure it is managed in line with the Yvon Bonenfant VA's **Data Protection and Confidentiality Policy**.
- Report any concerns about the wellbeing of a member to the Yvon Bonenfant VA Designated Liaison Person and follow reporting procedures.
- Report any child protection / welfare concerns about the behaviour of another staff member / volunteer to the Designated Liaison Person. Report any child protection / welfare concerns about the behaviour of the Designated Liaison Person to the Deputy Designated Liaison Person. Where appropriate, disciplinary procedures or child protection reporting procedures should be followed.
- Respect a young person's personal space and privacy.
- Never behave in a way that could be interpreted as inappropriate.
- Never let a situation get out of control. Often the worse thing to do is nothing.
- Adhere to the Yvon Bonenfant VA's policy on adult/young person ratios
- Be sensitive to instances of bullying and follow the Yvon Bonenfant VA's policy.
- Try to avoid giving lifts to YOUNG PEOPLE if at all possible. Follow the Yvon Bonenfant VA's policy on transport arrangements.
- Avoid spending excessive amounts of time alone with young people and don't nauthori inappropriately with YOUNG PEOPLE e.g. outside of Yvon Bonenfant VA activities.
- Be mindful of how meeting an individual young person could be interpreted. Ideally have another adult present or meet in a public place.
- Be mindful of the danger of creating "dependent" relationships with specific young people. Such relationships can be problematic for both leader and member and often if a young person needs support with a particular issue or situation, you should refer them to a third party with specific expertise. Let the Designated Liaison Person know should an issue arise.
- Recognise the importance and weight of personal promises to YOUNG PEOPLE. Never make promises you can't keep e.g. if a young person makes a disclosure of abuse to you, you can't promise confidentiality.
- Follow the Yvon Bonenfant VA's Health and Safety policy and procedures. If you have any concerns about the safety of a venue or equipment, inform the appropriate person.
- Follow the Yvon Bonenfant VA's policy on communicating with young people by phone, email, social media etc.

SECTION 5.5: Disciplinary Procedures/Appeals for Staff/Volunteers

[See section 10 of guidelines](#)

[Yvon Bonenfant VA](#) is committed to a balanced and fair approach in all disciplinary matters involving staff and volunteers.

- All staff /volunteers will be provided with a written copy of disciplinary procedures on commencement of their work with the Yvon Bonenfant VA.
- As a general rule, an attempt should be made to resolve disciplinary issues of a less serious nature between the staff member/volunteer concerned and his/her immediate supervisor. This could be done on an informal or private basis.
- Where this is not possible or appropriate; where the nature of the complaint is more serious; or where the disciplinary issue is not resolved in discussions with the immediate supervisor, then

disciplinary procedures will be managed by the named person. If it is felt appropriate, an external person may be asked to manage the process.

- Staff / volunteers are made aware of offences which may lead to disciplinary action through induction in this policy on commencement of their engagement with the Yvon Bonenfant VA. The following list of offences may lead to disciplinary action but is not comprehensive or exclusive:
 - Abusing a young person
 - Bullying a young person or colleague
 - Breach of Health and Safety rules
 - Refusal to carry out instructions from an authorised person
 - Persistent unsatisfactory performance, time keeping or attendance
 - Being under the influence of drink or drugs during the working period
 - Falsification of the Yvon Bonenfant VA's records or documents.
 - Stealing or authorised disposal of Yvon Bonenfant VA property, misuse of property, materials or equipment.
 - Breach of contract/agreement
 - Harassment
 - Behaviour which may bring the Yvon Bonenfant VA into disrepute.
 - Violation of Criminal Law.
 - Disorderly or violent conduct while on duty.
- The named person (or external person) will examine and process disciplinary issues fairly by:
 - Ensuring that procedures are rational and fair, and that the basis for disciplinary action is clear.
 - Putting the details of any allegations or complaints to the staff member / volunteer concerned.
 - Giving the staff member / volunteer an opportunity to respond fully in a meeting.
 - Giving the staff member / volunteer an opportunity to avail of the right to be represented by a peer in the meeting (i.e., staff may be represented by a colleague or volunteers represented by another volunteer etc.)
 - Taking into account any representations made by, or on behalf of, the staff member / volunteer and any other relevant or appropriate evidence, factors or circumstances.
 - Seeking outside input or advice where necessary, for example legal advice may be sought for any disciplinary action that has contractual implications.
 - Making a determination of the issues concerned in a fair and impartial manner.
 - Keeping a confidential written record of this meeting.
 - Informing the staff member / volunteer of a decision as soon as it is made and advising them that they have the right to appeal any disciplinary action.
- If disciplinary action is warranted on conclusion of a disciplinary procedure, then actions may include:
 - An oral warning
 - A written warning
 - A final written warning
 - Suspension
 - Transfer to another role
 - Demotion
 - Some other appropriate disciplinary action short of dismissal
 - Dismissal
- Generally, disciplinary actions will be progressive (for example, an oral warning, a written warning, a final warning etc.) However, there may be instances where more serious action, including dismissal, is warranted at an earlier stage.
- In certain instances, a staff member may be suspended on full pay pending the outcome of an investigation into an alleged breach of discipline. These instances include when it is necessary to prevent repetition of the conduct complained of; to prevent interference with evidence; protect

individuals at risk of such conduct or protect the organisation and its reputation. Proper consideration will be made before a suspension.

- Warnings will be removed from a staff member's / volunteer's record after 1 year (unless the offence is deemed to be of a serious nature) and the staff member / volunteer will be advised accordingly.
- It is the responsibility of the named person to ensure that all disciplinary procedures are recorded accurately and that all resulting reports are maintained in line with our Confidentiality policy.

Appeals

- If a Staff member /volunteer is unhappy with the outcome of the disciplinary action, they have 10 working days in which to lodge a written appeal with the named person. The reasons for the appeal should be submitted in writing.
- As it was the named person who handled the original disciplinary action, the appeal will be handled by an external individual or alternative board member, to be agreed by the parties.
- A meeting will be arranged with the staff member /volunteer, and they will be informed in advance that they have the right to bring someone with them to the meeting.
- A confidential written record of this meeting will be kept and maintained in line with Yvon Bonenfant VA policy.
- After a decision has been made, everyone involved will be informed of the outcome in writing. Where the named person of the Yvon Bonenfant VA was not involved, they will also be written to.
- If the person involved is a staff member and they are still unhappy with the outcome, they will be informed that they have the right to refer the matter to the Workplace Relations Commission.

The Workplace Relations Commission's **Code of Good Practice on Grievance and Disciplinary Procedures** can be consulted for further support:

https://www.workplacerelations.ie/en/what_you_should_know/codes_practice/cop3/

SECTION 6: Responding to, or Reporting Child Protection or Welfare Concerns

SECTION 6.1 Child Protection Overview

[See section 6 of guidelines](#)

Yvon Bonenfant VA is committed to safeguarding its YOUNG PEOPLE from abuse from within the Yvon Bonenfant VA but also recognises the duty it has in relation to dealing with any suspected abuse/disclosures of abuse from its YOUNG PEOPLE. The Yvon Bonenfant VA recognises that the welfare of the child/young person is of paramount importance in all cases of suspected/alleged abuse.

Yvon Bonenfant VA Child Protection Policy

It is the policy of Yvon Bonenfant VA to safeguard the welfare of all children by protecting them from all forms of abuse. Yvon Bonenfant VA is committed to safeguarding young people and to provide a safe space for children and young people to grow, develop, learn, experiment and have fun.

We will endeavour to safeguard children/young people by:

- Conducting a Risk Assessment to identify potential risks to the young people in our Yvon Bonenfant VA.
- Ensuring Yvon Bonenfant VA has a formal Welfare and Child Protection Policy and a Safeguarding Statement in place that is regularly reviewed and updated.

- Sourcing training for all staff /volunteers engaged in Yvon Bonenfant VA that is appropriate to their role, work and contact with young people. Evidence of all Child Protection training will be kept on file.
- Ensuring the welfare of the child is paramount in all decisions, activities and programmes involving children and young people.
- Adhering to the procedures set out for the recruitment and selection of staff /volunteers.
- Providing effective management for staff /volunteer] through supervision, support and training.
- Adopting Child Protection guidelines and reflecting these through our code of behaviour for staff /volunteers.
- Sharing information about Child Protection and good practice with children, parents / guardians, staff /volunteers.
- Sharing information and working with relevant agencies as appropriate.
- Taking part in multi-disciplinary teams as appropriate.
- Submitting staff/volunteers for Garda Vetting through UCC's Garda vetting consortium.
- The Child Safeguarding Statement, Risk Assessment and Child Protection Policy will be reviewed every two years, or sooner if there has been a material change in any of the issues to which it refers.
- Promoting an awareness of the definitions of abuse amongst all staff and volunteers

The policy applies to Yvon Bonenfant VA staff, volunteers, , visitors and facilitators.

Key Principles of Child Protection and Welfare

Taken from Children First 2017

There are a number of key principles of child protection and welfare that inform both Government policy and best practice for those dealing with children. These are:

- The safety and welfare of children is everyone's responsibility
- The best interests of the child should be paramount
- The overall aim in all dealings with children and their families is to intervene proportionately to support families to keep children safe from harm
- Interventions by the State should build on existing strengths and protective factors in the family
- Early intervention is key to getting better outcomes. Where it is necessary for the State to intervene to keep children safe, the minimum intervention necessary should be used
- Children should only be separated from parents/guardians when alternative means of protecting them have been exhausted
- Children have a right to be heard, listened to and taken seriously. Taking account of their age and understanding, they should be consulted and involved in all matters and decisions that may affect their lives
- Parents/guardians have a right to respect, and should be consulted and involved in matters that concern their family
- A proper balance must be struck between protecting children and respecting the rights and needs of parents/guardians and families. Where there is conflict, the child's welfare must come first
- Child protection is a multiagency, multidisciplinary activity. Agencies and professionals must work together in the interests of children

The Rights of the Child

For the purpose of this policy "a child" means a person under the age of 18 years, who is or has not been married. Ireland ratified the UN Convention on the Rights of the Child in 1992. The Convention is in essence a "bill of rights" for all children. It contains rights relating to every aspect of children's lives including the right to survival, development, protection and participation.

SECTION 6.2: Definitions of Abuse / Neglect

See section 6.2 of guidelines

Please note: These definitions are taken directly from Children First 2017 and as required, they should not be altered in any way.

TYPES OF CHILD ABUSE AND HOW THEY MAY BE RECOGNISED

In this *Guidance*, 'a child' means a person under the age of 18 years, who is not or has not been married.

Child abuse can be categorised into four different types: neglect, emotional abuse, physical abuse and sexual abuse. A child may be subjected to one or more forms of abuse at any given time. Abuse and neglect can occur within the family, in the community or in an institutional setting. The abuser may be someone known to the child or a stranger, and can be an adult or another child. In a situation where abuse is alleged to have been carried out by another child, you should consider it a child welfare and protection issue for both children and you should follow child protection procedures for both the victim and the alleged abuser.

The important factor in deciding whether the behaviour is abuse or neglect is the impact of that behaviour on the child rather than the intention of the parent/carer.

The definitions of neglect and abuse presented in this section are not legal definitions. They are intended to describe ways in which a child might experience abuse and how this abuse may be recognised.

Neglect

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

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

Neglect is associated with poverty but not necessarily caused by it. It is strongly linked to parental substance misuse, domestic violence, and parental mental illness and disability.

A reasonable concern for the child's welfare would exist when neglect becomes typical of the relationship between the child and the parent or carer. This may become apparent where you see the child over a period of time, or the effects of neglect may be obvious based on having seen the child once.

The following are features of child neglect:

- Children being left alone without adequate care and supervision
- Malnourishment, lacking food, unsuitable food or erratic feeding
- Non-organic failure to thrive, i.e. a child not gaining weight due not only to malnutrition but also emotional deprivation
- Failure to provide adequate care for the child's medical and developmental needs, including

intellectual stimulation

- Inadequate living conditions – unhygienic conditions, environmental issues, including lack of adequate heating and furniture
- Lack of adequate clothing
- Inattention to basic hygiene
- Lack of protection and exposure to danger, including moral danger, or lack of supervision appropriate to the child's age
- Persistent failure to attend school
- Abandonment or desertion

Emotional abuse

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

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

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

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

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

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

Physical abuse

Physical abuse is when someone deliberately hurts a child physically or puts them at risk of being

physically hurt. It may occur as a single incident or as a pattern of incidents. A reasonable concern exists where the child's health and/ or development is, may be, or has been damaged as a result of suspected physical abuse.

Physical abuse can include the following:

- Physical punishment
- Beating, slapping, hitting or kicking
- Pushing, shaking or throwing
- Pinching, biting, choking or hair-pulling
- Use of excessive force in handling
- Deliberate poisoning
- Suffocation
- Fabricated/induced illness
- Female genital mutilation

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

Sexual abuse

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

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

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

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

Examples of child sexual abuse include the following:

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

- Exposing a child to inappropriate or abusive material through information and communication technology
- Consensual sexual activity involving an adult and an underage person

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

In relation to child sexual abuse, it should be noted that in criminal law the age of consent to sexual intercourse is 17 years for both boys and girls. Any sexual relationship where one or both parties are under the age of 17 is illegal. However, it may not necessarily be regarded as child sexual abuse. Details on exemptions for mandated reporting of certain cases of underage consensual sexual activity can be found in Chapter 3 of this *Guidance*.

Age of consent

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

Circumstances which may make children more vulnerable to harm

If you are dealing with children, you need to be alert to the possibility that a welfare or protection concern may arise in relation to children you 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.

Some children may be more vulnerable to abuse than others. Also, there may be particular times or circumstances when a child may be more vulnerable to abuse in their lives. In particular, children with disabilities, children with communication difficulties, children in care or living away from home, or children with a parent or parents with problems in their own lives may be more susceptible to harm.

The following list is intended to help you identify the range of issues in a child's life that may place them at greater risk of abuse or neglect. **It is important for you to remember that the presence of any of these factors does not necessarily mean that a child in those circumstances or settings is being abused.**

- **Parent or carer factors:**
 - Drug and alcohol misuse
 - Addiction, including gambling
 - Mental health issues
 - Parental disability issues, including learning or intellectual disability
 - Conflictual relationships
 - Domestic violence
 - Adolescent parents
- **Child factors:**
 - Age
 - Gender
 - Sexuality
 - Disability
 - Mental health issues, including self-harm and suicide

- Communication difficulties
- Trafficked/Exploited
- Previous abuse
- Young carer

- **Community factors:**

- Cultural, ethnic, religious or faith-based norms in the family or community which may not meet the standards of child welfare or protection required in this jurisdiction
- Culture-specific practices, including:
 - Female genital mutilation
 - Forced marriage
 - Honour-based violence
 - Radicalisation

- **Environmental factors:**

- Housing issues
- Children who are out of home and not living with their parents, whether temporarily or permanently
- Poverty/Begging
- Bullying
- Internet and social media-related concerns

- **Poor motivation or willingness of parents/guardians to engage:**

- Non-attendance at appointments
- Lack of insight or understanding of how the child is being affected
- Lack of understanding about what needs to happen to bring about change
- Avoidance of contact and reluctance to work with services
- Inability or unwillingness to comply with agreed plans

You should consider these factors as part of being alert to the possibility that a child may be at risk of suffering abuse and in bringing reasonable concerns to the attention of Tusla.

Bullying

It is recognised that bullying affects the lives of an increasing number of children and can be the cause of genuine concerns about a child's welfare.

Bullying can be defined as repeated aggression – whether it is verbal, psychological or physical – that is conducted by an individual or group against others. It is behaviour that is intentionally aggravating and intimidating, and occurs mainly among children in social environments such as schools. It includes behaviours such as physical aggression, cyberbullying, damage to property, intimidation, isolation/exclusion, name calling, malicious gossip and extortion. Bullying can also take the form of abuse based on gender identity, sexual preference, race, ethnicity and religious factors. With developments in modern technology, children can also be the victims of non-contact bullying, via mobile phones, the internet and other personal devices.

While bullying can happen to any child, some may be more vulnerable. These include: children with disabilities or special educational needs; those from ethnic minority and migrant groups; from the Traveller community; lesbian, gay, bisexual or transgender (LGBT) children and those perceived to be LGBT; and children of minority religious faiths.

There can be an increased vulnerability to bullying among children with special educational needs. This is particularly so among those who do not understand social cues and/or have difficulty communicating. Some children with complex needs may lack understanding of social situations and therefore trust everyone implicitly. Such children may be more vulnerable because they do not have the same social

skills or capacity as others to recognise and defend themselves against bullying behaviour.

Bullying in schools is a particular problem due to the fact that children spend a significant portion of their time there and are in large social groups. In the first instance, the school authorities are responsible for dealing with such bullying. School management boards must have a code of behaviour and an anti-bullying policy in place. If you are a staff member of a school, you should also be aware of your school's anti-bullying policy and of the relevant guidelines on how it is handled.

In cases of serious instances of bullying where the behaviour is regarded as possibly abusive, you may need to make a referral to Tusla and/or An Garda Síochána.

Section 6.3 Reasonable Grounds for Concern

See section 6.3 of guidelines

Staff / Volunteers should inform the DLP when they have **reasonable grounds for concern** that a child may have been, is being, or is at risk of being abused or neglected. The DLP will then inform Tusla of same.

Reasonable grounds for a child protection or welfare concern 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
- Consistent signs that a child is suffering from emotional or physical neglect
- A child saying or indicating by other means that he or she has been abused
- Admission or indication by an adult or a child of an alleged abuse they committed
- An account from a person who saw the child being abused

Guidance for mandated persons on the thresholds at which, or above which, they have a statutory obligation to report the concern under the Children First Act 2015 can be found in Chapter 3 of [Children First: National Guidance for the Protection and Welfare of Children].

The guiding principles on reporting child abuse or neglect may be summarised as follows:

1. The safety and well-being of the child must take priority over concerns about adults against whom an allegation may be made
2. Reports of concerns should be made without delay

If you think a child is in immediate danger and you cannot contact the DLP or Tusla, you should contact the Gardaí without delay.

SECTION 6.4: Handling a Disclosure of Abuse

See Section 6.4 of guidelines

Yvon Bonenfant VA aims to provide a safe space for the young person and they may feel more comfortable talking about any concerns and difficulties in their lives than in other settings.

A young person may disclose an abuse/abuses perpetrated against him/her. [Yvon Bonenfant VA](#) will work to ensure that they feel supported in what may be an extremely traumatic experience for them. We will ensure that all adults involved in the Yvon Bonenfant VA are made aware of the possibility and are familiar with these guidelines on handling a disclosure.

The following advice on handling a disclosure of abuse is adapted from **Code of Good Practice – Child Protection for the Youth Work Sector** (2003):

- React calmly, as over-reacting may alarm the young person and compound feelings of anxiety and guilt
- Listen carefully and attentively; take the young person seriously
- Reassure the young person that they have taken the right action in telling
 - Do not make false promises, particularly regarding secrecy
 - Do not ask the young person to repeat the story unnecessarily
- Ask questions only for the purpose of clarification. Be supportive, but do not ask leading questions or seek intimate details beyond those volunteered by the child. Detailed investigative interviews will, if necessary, be carried out by Tusla staff or of the Garda Síochána.
- Check with the young person to ensure that what has been heard and understood by you is accurate.
- Do not express any opinions about the alleged abuser
- Record the conversation as soon as possible in as much detail as possible.
- Sign and date the record
- Explain and ensure that the young person understands the procedures which will follow
- Pass the information to the Designated Liaison Person, who will in turn report it to the Statutory Authorities for investigation
- Treat the information confidentially, sharing it only with persons who have a right to hear it i.e. on a 'need to know' basis only

Be honest with the young person making the disclosure. Inform them that you have to act on the information you have received. Explain to them what will happen next i.e. you will tell the Designated Liaison Person who will decide whether to make a report to the authorities.

A disclosure of abuse by a member over 18 years of age will be handled with the same sensitivity as that of a disclosure by a younger person. If making a report ideally it should be with the consent of the victim. However, regardless of whether consent is given, if the alleged abuser still poses a risk to a child/young person, a report will be made to the Statutory Authorities. Staff /volunteers should follow the reporting procedures outlined in **the Internal Reporting section**.

All staff and volunteers in receipt of a disclosure of abuse or with a suspicion of abuse should observe the following important points:

- 1. The wellbeing of the young person is the most important consideration**
- 2. The one thing you must not do is nothing.**
- 3. Never attempt to confront an alleged abuser.**
- 4. Do not investigate yourself. This is the job of Tusla - Child and Family Agency and/or Gardai**

SECTION 6.5: Internal Reporting Procedures

See section 6.5 of guidelines

Yvon Bonenfant VA has adopted the following internal reporting procedure for dealing with disclosures/suspected abuse.

- Any person working with Yvon Bonenfant VA in a voluntary or paid capacity, who has a child protection concern or has received a disclosure of abuse should contact Yvon Bonenfant VA's Designated Liaison Person immediately. Yvon Bonenfant VA's DLP is [Insert Name of DLP] and they can be contacted on [Insert DLP's phone number]. The person who has the concern should proceed to create a written report outlining the reasons for their suspicions/details of the disclosure with as many facts as possible recorded. Yvon Bonenfant VA's Internal Reporting Form should be used (Appendix 2). This report should be passed on to the DLP as soon as possible.
- The DLP will consult Yvon Bonenfant VA's welfare committee [insert 'and the external welfare contact' if applicable]. The DLP may also contact Tusla – Child and Family Agency for advice in advance of making a formal report. In the case of an emergency, the DLP can make a report without consulting the Welfare Committee.
- When making a report to Tusla, the Designated Liaison Person will follow the standard reporting procedures detailed below.
- The Designated Liaison Person informs the named person when they are making a report.
- Yvon Bonenfant VA's confidentiality policy and procedures should be adhered to. Details should only be provided to those with a direct need to know and information will only be shared when it is in the interest of safeguarding the young person.
- Yvon Bonenfant VA's named person will consider whether to inform the parents/guardians that a report is being made. The parents/guardians will be informed except in cases where there is a belief that doing so will further endanger the child or the person making the report. Advice on informing parents can be sought from Tusla.
- If a decision is taken to inform the parents/guardians, an assessment will be made by the Yvon Bonenfant VA's NAMED PERSON of the best way to communicate the information and as to whether the Designated Liaison Person is putting his/herself at any risk by doing so.
- The person who made the original report will be informed of the outcome of the decision-making process.

If a decision is taken not to report

- If a decision is taken not to report, a confidential written record of how and why this decision was taken should be created and kept by the Designated Liaison Person. Any incident reports should be retained. It may be that a report will be made in the future in light of other developments.
- Any actions taken as a result of the concern should be recorded.
- The staff member/volunteer who made the original report should be informed of the decision taken. If a report hasn't been made, they should be provided with the reasons for this decision in writing and informed that they can still make a report in their personal capacity. All staff /volunteers should be made aware of the steps to take to make a report and the provisions of the **Protection for Persons Reporting Child Abuse Act (1998)** which offers protection from civil liability for anyone who makes a report, once they are acting in good faith.

Record-Keeping

- Child protection records should be factual and include details of contacts, consultations and any actions taken.
- Child protection records should be updated as required and reviewed regularly by the Designated Liaison Person.
- [Yvon Bonenfant VA](#) and its DLP will cooperate in the sharing of records with TUSLA where necessary for the protection or welfare of a child.
- All child protection records will be kept safely and securely and managed in line with Yvon Bonenfant VA's Data Protection and Confidentiality Policy (Section 7).

SECTION 6.6: Reporting Procedures for Mandated Persons

[See section 6.6 of guidelines](#)

Mandatory reporting, as provided for under Children First 2015, places a legal obligation on certain individuals known as 'mandated persons' to report harm or potential harm to children.

Mandated Persons have two principal legal obligations:

1. To report concerns which meet or exceed a particular threshold
2. To assist Tusla in the assessment of mandated reports, where requested to do so.

Making A Mandated Report

- Any Mandated Persons employed by [Yvon Bonenfant VA](#), must report concerns of harm or potential harm to children to Tusla by following the Standard Reporting Procedures in Section 6.7. They must indicate on the report form that it is a Mandated Report.
- Guidance for mandated persons on the thresholds at which, or above which, they have a statutory obligation to report the concern under the Children First Act 2015 can be found in Chapter 3 of Children First: National Guidance for the Protection and Welfare of Children.
- Additionally, [Yvon Bonenfant VA](#) requires Mandated Persons to make reports jointly with the DLP.

Mandated Assisting

Any Mandated Person employed by [Yvon Bonenfant VA](#), should be aware that they may be required by Tusla to assist them in the assessment of mandated reports.

Important Note:

Mandated persons cannot make anonymous reports under the Act.

SECTION 6.7: Standard Reporting Procedures

[See section 6.7 of guidelines](#)

Staff and volunteers wishing to report a concern should in the first instance contact the Designated Liaison Person (DLP). The below procedures are for making a report directly to Tusla and should be followed by the DLP and any mandated person employed by [Yvon Bonenfant VA](#).

Any staff member /volunteer who is unhappy with a decision made by the DLP not to make a report based on a concern held by the staff member/volunteer, may follow the Standard Reporting Procedure to report a concern directly to Tusla.

Mandated Persons should also consult Section 6.6 before making a report.

Standard Reporting Procedure for Designated Liaison Persons and Mandated Persons

Children First 2017: You should always inform Tusla if you have **reasonable grounds for concern** that a child may have been, is being, or is at risk of being abused or neglected. You can report your concern in person, by telephone or in writing — including by email — to the local social work duty service in the area where the child lives.

The local Tusla Social Work Office for [Yvon Bonenfant VA](#) is in [Child and Family Agency, Cork, Unit 4A, Floor 3 North Point House North Point Business Park Cork T23 AT2P Tel 021-4923535](#)

Contact numbers for Tusla offices nationwide are available on the Tusla website (www.tusla.ie) or through the Tusla National Office (Tel. 01-7718500).

Children First 2017: If you are concerned about a child but unsure whether you should report it to Tusla, you may find it useful to contact Tusla to informally discuss your concern. This provides an opportunity to discuss the query in general and to decide whether a formal report of the concern to Tusla is appropriate at this stage. If the concern is below the threshold for reporting, Tusla may be able to provide advice in terms of keeping an eye on the child and other services that may be more suitable to meeting the needs of the child and/or family.

- **Under no circumstances should a child be left in a situation that exposes him or her to harm or to risk of harm pending Tusla intervention.** In the event of an emergency where you think a child is in immediate danger and you cannot get in contact with Tusla, you should contact the Gardaí. This may be done through any Garda station. [Yvon Bonenfant VA](#)'s local garda station is [Watercourse Road Garda Station: 021 455 8260](#). If you do not have the number of a local garda station, phone 999 or 112. An emergency out-of-hours social work service provides social work consultation and advice to the Gardaí. The Gardaí have access to an on-call social worker and placements for children who need them due to the immediate risk to their safety.
- The **Standard Report Form for reporting child welfare and protection concerns to Tusla** (Appendix 1) should be used when reporting child welfare and protection concerns to Tusla. If a report is made by telephone, this form should be completed and forwarded subsequently to Tusla within three days.

Children First 2017:

Information to include when making a report:

To help Tusla staff assess your reasonable concern, they need as much information as possible. You should provide as much relevant information as you can about the child, his/her home circumstances and the grounds for concern. These could include:

- The child's name, address and age

- Names and addresses of parents or guardians
- Names, if known, of who is allegedly harming the child or not caring for them appropriately
- A detailed account of your grounds for concern (e.g. details of the allegation, dates of incidents, and description of injuries)
- Names of other children in the household
- Name of school the child attends
- Your name, contact details and relationship to the child

You should give as much information as possible to social workers at an early stage so that they can do a full check of their records. For instance, they can see if the child and/or a sibling have been the subject of a previous referral, or if an adult in the household had previous contact with the child protection services.

- While it is possible to report a concern anonymously, [Yvon Bonenfant VA](#) requires that the DLP includes their name on the report.

Concerns about an adult who may pose a risk to children

Where concerns arise about whether an adult may pose a risk to children, even if there is no specific child named in relation to the concern, (for example, based on known or suspected past behaviour, a concern could exist about the risk an individual may pose to children with whom they may have contact.) The DLP will report any such reasonable concerns to Tusla. See Section 6.7 of the Guidelines for further information.

Retrospective disclosures by adults

The term retrospective abuse refers to abuse that an adult discloses that took place during their childhood. A Retrospective Abuse Report Form can be downloaded from the Tusla website - <https://www.tusla.ie/children-first/publications-and-forms/>. If any adult within Yvon Bonenfant VA makes a retrospective disclosure, the DLP can support the adult to complete the form and direct them to relevant support services where appropriate.

In cases of retrospective abuse, a report will be made by Yvon Bonenfant VA where there is a **current or potential future risk** to children from the person against whom there is an allegation. In this situation, the DLP should follow standard reporting procedures as outlined above.

Cases not reported to Tusla or An Garda Síochána

Where a decision is taken not to report concerns to Tusla or An Garda Síochána, the DLP will give individual staff member/ volunteer who raised the concern a clear written statement of the reasons why the organisation is not taking such action. The staff member/ volunteer should be advised that if they remain concerned about the situation, they are free as individuals to consult with, or report to, Tusla or An Garda Síochána. The Protections for Persons Reporting Child Abuse Act 1998 makes provision for the protection from civil liability of persons who have communicated child abuse 'reasonably and in good faith' to designated officers of Tusla or to any member of An Garda Síochána.

A full list of the relevant legislation concerning child protection and welfare is provided in **Appendix 6**.

SECTION 6.8: Handling an allegation against a staff member / volunteer / young person

The following is adapted from Code of Good Practice: Child Protection for the Youth Work Sector (2nd Edition, May 2003)

Yvon Bonenfant VA recognises that where an allegation is made against a staff member/volunteer, it has a dual responsibility in respect of both the young person and the staff member/volunteer. As with all Child Protection concerns, the welfare of the young person is of paramount importance.

As a matter of urgency, Yvon Bonenfant VA will take any necessary measure to ensure that no young person is exposed to unnecessary risk.

There may be three strands in the consideration of an allegation:

1. A Garda investigation of a possible criminal offence
2. Investigation and assessment by Tusla whether a child is at risk of/subject to abuse.
3. Consideration by an employer of disciplinary action in respect of an incident.

Procedures

There are two procedures to be followed when allegations of abuse are made against a staff member/volunteer:

- The reporting procedure in respect of the young person.
- The procedure for dealing with the staff member/volunteer against whom the allegation is made.

Yvon Bonenfant VA follows best practice by allocating different people responsibility for dealing with each of these procedures. The Designated Liaison Person will have responsibility for the reporting procedure in respect of the young person. The NAMED PERSON will have responsibility for dealing with allegations made against a [staff member/volunteer].

The Designated Liaison Person will follow standard reporting procedure as outlined in this policy.

The NAMED PERSON will liaise with An Garda Síochána and Tusla to agree the strategy for investigation and refer to matters such as the possible collusion of other YOUNG PEOPLE or staff. The NAMED PERSON will remain in contact with the statutory authorities throughout the period of the investigation. We have noted that the *Protections for Persons Reporting Child Abuse Act* (1998) applies to organisations, as well as individuals, provided they report the matter 'reasonably and in good faith'.

Procedure where a Complaint or Allegation involving abuse has been made against an Employee

- If an allegation is made against a staff member/volunteer, the matter should be reported to the NAMED PERSON immediately and without delay.
- The NAMED PERSON will assess the allegation promptly and carefully.
- Any action taken will be based on an opinion formed 'reasonably and in good faith'.
- The NAMED PERSON will contact the Welfare Committee and they will decide whether a formal report should be made to Tusla.
- The reasonable grounds for concern as detailed in the Child Protection and Dealing with Suspected Abuse section of this document will be considered.
- The first priority should be to ensure that no child is exposed to unnecessary risk and the NAMED PERSON should take any necessary protective measures.
- Legal advice will be sought in relation to employment and contractual issues.
- Alongside the reporting of the allegation by the NAMED PERSON to Tusla, the Designated Liaison Person will follow the standard reporting procedure in respect of the young person.
- The NAMED PERSON will inform the staff member/volunteer (in private and with due consideration of confidentiality and natural justice) that an allegation has been made and explain the nature of that allegation.
- The staff member/volunteer should be afforded the right to respond in accordance with established grievance procedure. The response should be noted and passed to Tusla as part of the formal reporting procedure.

- The NAMED PERSON should also notify Tusla and any other organisation working with children with which the alleged abuser is thought or known to be involved.
- If the allegation is against the NAMED PERSON the allegation should be referred to the DLP. If the allegation is against the Designated Liaison Person, the NAMED PERSON will be given the role of reporting in relation to the young person.
- The parents/guardians of the young person will be informed immediately of the complaint against the staff member/volunteer unless by doing so you endanger the young person. Advice should be taken from the statutory authorities as to how this might best be done. The NAMED PERSON and Designated Liaison Person will liaise on this.
- The NAMED PERSON will maintain a close liaison with the Statutory Authorities when managing the allegation.
- After the consultations referred to above have taken place, and when pursuing the question of the future position of the staff member/volunteer, the NAMED PERSON should advise the staff member/volunteer of the situation and should follow the agreed disciplinary procedures.
- Yvon Bonenfant VA is very mindful that the person accused will need support pending an investigation. Yvon Bonenfant VA will identify how we can best do this in line with advice from the statutory authorities and our own legal advice while taking account of resource implications.
- Yvon Bonenfant VA will keep comprehensive records of any allegations made, details of how the allegations were managed and details of any action taken, and decisions reached. These records must be stored confidentially, and a copy given to the individual concerned.
- In the case where an allegation has been determined to be unfounded/unproven and the person accused is innocent, consideration will be given to the most appropriate support the organisation can provide to the person concerned.

Note on Volunteers

The same procedures will be followed should an allegation be made against a volunteer. While some of the considerations that relate to employees such as Employment Law do not apply, Yvon Bonenfant VA is committed to treating any individual whose services it engages and against whom an allegation is made, according to the same principle as it would treat staff i.e. in a manner that is fair, transparent and in accordance with 'Natural Justice'.

Procedure to be followed where an Allegation is made against Another Young Person

If an allegation is made against another young person, it should be considered a child protection issue for both the young people involved and child protection procedures should be adhered to for both the victim and the alleged abuser.

The parents/guardians of the young people concerned should be informed immediately. Advice will be taken from the Statutory Authorities as to how this might best be done. Decisions regarding the future participation in Yvon Bonenfant VA of the young person alleged to have committed abuse should be made at management level and with advice from an organisation/individual with expertise in the area.

SECTION 7: Data Protection and Confidentiality Policy

Yvon Bonenfant VA recognises its responsibility in managing and processing personal data, sensitive personal data as well as other sensitive information that does not fall under the category of personal data. This policy outlines Yvon Bonenfant VAs approach to Data Protection and Confidentiality in the management of Personal Data and other Sensitive information.

Yvon Bonenfant VA recognises that a guarantee of confidentiality is an important factor in determining the level of trust it's YOUNG PEOPLE, their parents/guardians, as well as our staff and volunteers has in us. Yvon Bonenfant VA is committed to handling personal data and confidential information in a manner that is respectful, purposeful, professional and meets statutory requirements.

Data Protection Controller

Yvon Bonenfant VA is the Data Controller under the definition provided by the GDPR. The person responsible for ensuring that Yvon Bonenfant VA meets its data protection responsibilities is YVON BONENFANT Any queries or requests relating to personal data should be referred to this person.

Definitions

Personal Data: any information relating to an identified or identifiable natural person. Examples include name, address, contact details, age, date of birth. Personal Data can also refer to a photographic or video image of an identifiable person.

Sensitive Personal Data: special categories of personal data, which include health data, biometric data, genetic data, sexual orientation and religious beliefs.

Other Confidential Information: Sensitive information that cannot be categorised as Personal Data but that, in the context of Yvon Bonenfant VA, is provided in the expectation that it will be properly managed. Examples include Welfare/Child Protection reports, disciplinary reports.

A Data Subject: an identifiable natural person who can be identified, directly or indirectly, in particular by reference to an identifier.

Data Processing: 'any operation or set of operations which is performed on personal data or a set of personal data'. You do not need to view the actual data, but transmitting it, backing up a file or destroying data all count as a processing activity, even where the data is encrypted. Can be both automated and manual.

Data Controller: determines the purposes and means of processing of personal data.

Data Processor: processes personal data on behalf of the Data Controller.

Data Protection Policy

In order to conduct its legitimate activities Yvon Bonenfant VA must collect and process categories of personal data, sensitive personal data and other confidential information. The following information is held by Yvon Bonenfant VA and should be treated as confidential.

This list is not exhaustive:

- Staff/Volunteer records including application forms that contain personal data, details of any disciplinary action etc.
- Garda Vetting Information including garda vetting application disclosures
- Member Information/Parental Consent Forms that include details such as date of birth, information on medical conditions etc.
- Welfare/Child Protection Reports
- Contact information for stakeholders, supporters etc.
- Marketing information such as audience , individual donors and supporters

Yvon Bonenfant VA is aware of the Data Protection Acts (1998/2003 and subsequent amendments) and Regulation (EU) 2016/679, the General Data Protection Regulation (GDPR). These Acts and Regulation govern all aspects of the treatment of personal data and sensitive personal data. We are committed to the following seven principles contained in Article 5 of the GDPR which regulate the processing of personal data:

- Process personal data lawfully, fairly and transparently: We base our data processing on one or more Lawful Processing Conditions provided for by the GDPR. In the majority of instances, we will base our processing of Personal Data on the Consent of the Data Subject (Article 6, GDPR) and Sensitive Personal Data on the Explicit Consent of the Data Subject (Article 9, GDPR).
- Specified and Lawful Purpose: Keep personal data only for one or more specified and lawful purposes and process it only in ways compatible with the purposes for which it was initially given.
- Minimisation of Processing: Processing of personal data will be adequate, relevant and restricted to what is necessary in relation to the purposes for which it is processed.
- Accuracy: Keep personal data accurate and up-to-date.
- Storage Limitation: Retain it no longer than is necessary for the specified purpose or purposes.
- Security and Confidentiality: Keep personal data safe and secure.
- Liability and Accountability: Yvon Bonenfant VA will ensure personal data is processed in compliance with the GDPR.

Data Subject Rights:

In managing and processing personal data Yvon Bonenfant VA upholds the rights of the Data Subject as provided under the GDPR including:

- The *right to be informed* about how we will use their personal data.
- The *right of access* to a copy of the personal data we hold and information on how we process it.
- The right to have incorrect or incomplete personal data corrected.
- The *'right to be forgotten'* and have personal data deleted if they so request.
- The *right to restrict* how we process their personal data.
- The *right to object* to the processing of their personal data.
- The right to data portability.

Consent and Transparency:

In the majority of cases, consent is the lawful grounds on which we process personal data. We will only process data where consent is affirmative, freely given, specific, informed and unambiguous. Consent will be sought from all data subjects using manual and digital forms as appropriate.

At the point of collecting data, data subjects will also be provided with a Privacy Statement detailing how and for what purpose the data will be processed. This will include the following:

- the identity of the Data Controller (and contact name for data requests),
- the purpose of collection,
- whether any sharing with third parties will take place,
- how long the data will be held,
- the details of the individual's rights regarding the data
- notice of any automated decision-making ('profiling') that may take place using the data.

Processing Children's Data:

In the context of Yvon Bonenfant VA, it is necessary to process the personal data of children.

- For all children aged under 18 who are engaged in the activities of [Yvon Bonenfant VA](#) we will seek consent from the child's parent/ guardian.
- In line with the requirements of the GDPR we will verify the child's age through confirmation by the parent.
- Also, in line with the GDPR we will verify parent/guardian consent.

Third Party Data Processors:

From time to time, [Yvon Bonenfant VA](#) will need to engage third parties to process personal data on our behalf as necessitated by the nature of the processing. This will be notified to the Data Subject at the point of seeking consent for use of personal data. Yvon Bonenfant VA exercises reasonable care to ensure that the Data Processor carries out the processing in strict compliance with the GDPR, including ensuring that GDPR compliant Agreements exist between Yvon Bonenfant VA and the data processor in respect of the processing.

Third parties that currently process data on our behalf include:

[UCC, Cope Foundation, Cork Opera House.](#)

Data Security Policy

Who has access to personal data and confidential information?

The following have access to personal data and confidential information through their involvement with Yvon Bonenfant VA:

- Designated Liaison Person
- NAMED PERSON

Managing Personal Data and Confidential Information

Personal data and confidential information as defined above is stored [on a secure google drive](#). This information is stored securely by utilising a strict TWO STEP verification process.

[Yvon Bonenfant VA](#) requires that all those who have access to personal data/ confidential information as a result of their involvement, adhere to the following:

- Be aware of the sensitive nature of the information to which you are privy and recognise the responsibility you have as a result of having access to this information.
- Familiarise yourself with Yvon Bonenfant VA's data protection and confidentiality policy and act accordingly
- Be aware that information including written reports is the property of [Yvon Bonenfant VA](#).
- Use personal data and confidential information only for the purpose(s) for which it was provided and the purpose(s) for which you are authorised to use it.
- Do not pass personal data on to third parties without the consent of the person in question.
- Do not share confidential information or pass it on to a third party unless it is absolutely necessary as in the case of a child protection concern. Making a child protection report is not a breach of confidentiality.

- All computers containing Yvon Bonenfant VA information should have a log-on password.
- Robust security passwords should be used for all confidential files
- Hard copy files/computer files should be retained and destroyed/deleted in line with Yvon Bonenfant VA's retention policy. (See Below)
- Be aware that personal data and confidential information may also be contained on other media such as audio or video files.
- A staff member/volunteer may receive information that is confidential in error as in the case of an overheard conversation. Any information gained in this fashion is subject to the same conditions as information gained in an authorised manner and should not be shared.
- Staff/Volunteers should be particularly careful when they are in possession of sensitive personal data/ confidential sensitive information in the workshop space or in a public space.
- The requirement of confidentiality continues to apply after an individual's involvement with Yvon Bonenfant VA ceases.
- As already stated under no circumstances will garda vetting disclosures be shared with third parties.
- Where a disclosure has been returned outlining convictions or specified information, the identity of the applicant will be shared on a need to know basis. The DLP and the named person will be aware of the identity of the applicant.

Data Access Requests:

Any Data Subject can make a Data Access Request and should direct the request via the individual responsible for overseeing Data Protection as detailed above. [Yvon Bonenfant VA](#) will observe the following when handling such requests:

- We will request valid proof of identification from the individual before proceeding with the request.
- If requested, access to a copy of their data will be provided in electronic form with details of how it is processed, within one month.
- Any corrections requested will be made within one month.
- If requested, we will delete a data subject's data within one month unless there is a valid reason not to (e.g. Garda Vetting Disclosures)
- We will halt processing on disputed data immediately until the issue is resolved.
- We will provide data in a digital format to a third party on the request of the data subject, we will do this within one month.

Breaches of Data Protection and Confidentiality

- A breach of confidentiality may lead to a disciplinary procedure.
- In cases of a data breach, [Yvon Bonenfant VA](#) will make a report to the Office of the Data Protection Commissioner no later than 72 hours from becoming aware of the breach.

Data Retention Policy

[Yvon Bonenfant VA](#) has developed the following retention policy stating the retention periods for the various types of information it holds. After the stated period has elapsed the information will be deleted from computers and any hard copy files will be shredded.

All financial documentation including end of year accounts, other financial statements, invoices, receipts etc. - 6 Years

Records of Yvon Bonenfant VA activities including production images, programmes etc. - Permanent

Strategic plans, programme plans etc. - Permanent

Recruitment Records: Unsuccessful applications for vacant posts/ Written record of interview panel's recommendation - 1 Year

Personnel Records: Applications and Curriculum Vitae of candidates who accept and take up a post. References, Contracts of Employment, Training Records, Resignation/Retirement Letter, Annual leave records, sick leave records, compassionate leave records, study leave records, jury service records – 6 years from the end of contract.

Disciplinary Records - 1 Year

Details of Grievance Procedures - Six months

(Please note: In cases of more serious disciplinary/grievance procedures or where an allegation of abuse is made against an employee, the records can be kept permanently).

YOUNG PEOPLE'S Personal Details: These will be kept for the duration of a young person's participation in Yvon Bonenfant VA and for 2 years after they leave.

Records of Complaints Procedures: 5 years

Garda Vetting Information including disclosures: Proof of Identity and garda vetting disclosures for staff/volunteers will be retained until the staff member/volunteer is re-vetted when the existing records will be replaced with the new information/disclosure. Where staff member's/volunteer's involvement finishes, we will retain their garda vetting records for 1 year from the finish date.

Welfare Reports/Child Protection Reports - Permanent

Please note: If there are any outstanding issues relating to any area of Yvon Bonenfant VA's work, the period of retention for any documentation related to this issue, will only commence once the issue is satisfactorily resolved.

SECTION 8: Complaints Procedure

[See section 9 of guidelines](#)

Yvon Bonenfant VA is committed to meeting the highest possible safeguarding standards. We welcome feedback, both negative and positive, on all aspects of our work. We evaluate all our programmes and actively seek input. There may be occasions when a stakeholder feels they have not received the best possible response. In such a circumstance, it is important we are informed and have developed this complaints procedure to help ensure that any such feedback is dealt with in an efficient, systematic and satisfactory manner. We recognise that complaints can be of varying severity and will deal with complaints in a matter that is reflective of their nature.

Definition of a complaint

A complaint is an expression of dissatisfaction, which suggests failure to perform a function or provide a service in line with stated organisational practices and policies.

Who can access our complaint procedure?

This procedure can be accessed by any individual, group or organisation, who has had either direct or indirect involvement with Yvon Bonenfant VA. Here are some examples:

- YOUNG PEOPLE performing with Yvon Bonenfant VA
- Staff and volunteers
- Parents/Guardians of YOUNG PEOPLE
- Stakeholders such as funders, support agencies, the management of venues we use
- YOUNG PEOPLE of the general public including audience YOUNG PEOPLE who attend productions

Accessibility

Yvon Bonenfant VA will endeavour to make this procedure easily accessible to all these individuals/organisations. We recognise that some individual may require additional support in accessing the procedure such as in the case of an individual with a disability or where there is a language issue, we will take all reasonable measures to provide this support.

Our Approach to Complaints

Any representative of Yvon Bonenfant VA to whom a complaint is made should adhere to the following good practice guidelines:

- Respond in an open, non-judgemental way
- Explain the procedure for handling complaints
- Respect the confidentiality of the person who is making the complaint and the person about whom the complaint is being made
- Make every effort to deal with the complaint in a fair, balanced and objective fashion
- Act on the complaint. Failure to do so may undermine confidence in the organisation and its procedure.

Procedure for dealing with Complaints

Stage One

- Complaints/concerns can be communicated by phone, email, by post or in person. If a complaint is received verbally, the person making it may be asked to produce a written version.
- While any staff member/volunteer, can receive a complaint, ideally complaints should be addressed to the named person, who will respond to the complaint in the method it was communicated i.e. by letter, email, phone. The named person will explain the complaints procedure in this initial communication.
- A response will be made to the complaint within 5 working days. We will endeavour to resolve less serious complaints at this stage. Possible outcomes are listed under Stage 2 of the procedure. A written record of the complaint and how it was resolved will be kept.

Stage Two

- If the complaint is of a more serious nature or if the person is not satisfied with the outcome, the second stage of the procedure is entered into.
- At this stage full details of the complaint will need to be received in writing. The complaint will be formally acknowledged in writing. The person making the complaint will be provided with an explanation of the next stage of the procedure and a realistic time frame for the completion of the process. They will also be informed who is responsible for investigating the complaint.
- Responsible for handling the complaint at this stage of the process are the named person and the Designated Liaison Person.
- If the complaint has been responded to at stage one of the process, an examination of the original decision will be carried out.
- A meeting may be held between the person investigating the complaint and the person who is making the complaint.
- If a staff member/volunteer is the subject of any complaint, the person investigating the complaint will also meet with him/her.
- Both the person making the complaint and any staff member/volunteer who is the subject of the complaint will be given the right of representation.
- A written record will be kept at each stage of the process.
- It may be felt that the complaint/concern necessitates the involvement of an outside agency such as Tusla or An Garda Síochána. **If the complaint relates to an allegation of abuse, the procedure outlined for allegations in this policy will be followed in full and will take precedence over this complaints procedure.**
- The person making the complaint and any staff member/volunteer who is the subject of the complaint will be informed of the decision in writing.
- If any disciplinary action is deemed appropriate, we will follow our **Disciplinary Procedures**,
- Other possible outcomes may include:
 - either a written or verbal apology
 - an explanation as to the reason for the situation that led to the complaint
 - a review of the situation that led to the complaint
 - an assurance that there will be a change in practice (if this is felt necessary) followed by enactment of this change
 - a formal investigation. This could take the form of an internal investigation or in a more serious case, an outside agency such as the Gardaí may have to be brought in.
- A written record will be kept at all stages of the process
- All complaints and any records relating to them will be treated as confidential with information shared only on a need to know basis. They will be retained for 5 years after the complaints procedure is satisfactorily completed.

Appeals

If a person who makes a complaint is not happy with the outcome of the procedure outlined above, they have the right to appeal. The complainant must inform Yvon Bonenfant VA of their wish to appeal within 10 working days of being informed of the original decision. The appeal will be handled by a person who was not involved in the original decision. This may be an external person. He/she will examine all the information that has been gathered through the complaints procedure and may hold a further meeting with the person who has made the complaint, the subject of the complaint or both.

A staff member/volunteer also has a right to appeal any decision. See Section on **Disciplinary Procedures** for more information.

Handling a Concern/Complaint from a young person

The input and feedback of YOUNG PEOPLE is especially valued. [Yvon Bonenfant VA](#) fosters an environment of openness and encourages young people to voice any concerns they may have in relation to their involvement with Yvon Bonenfant VA. If a young person has a complaint or wishes to voice a concern, they will be treated with respect and the issue will be taken seriously. Their complaint/concern will be handled according to the procedure outlined above with the following exceptions:

- The complaint will be handled with extra sensitivity and care and in a way that is age appropriate. The well-being of the young person will be of paramount importance throughout the process.
- The Designated Liaison Person will be made available to the young person to support them through the process. If the complaint/concern relates to the DLP, another appropriate person will be given this role. Alternatively, the young person can nominate a parent or other adult that they wish to represent/support them during the process. Any meetings with the young person will be conducted with a parent/another appropriate adult present.
- In line with our policy, parents/guardians will be informed of any concerns/issues that relate to their son/daughter once doing so will not put the young person in danger.

Complaints that relate to Child Protection Issues

If a complaint relates to a child protection issue, Yvon Bonenfant VA's internal reporting procedures will be followed. If the complaint involves an allegation against a staff member or volunteer, a formal investigation, as outlined in the **Section on Allegations against Staff /Volunteers** will begin immediately.

SECTION 9: How people will know about our procedures

This document is posted on the www.yvonbonenfant.com website.

SECTION 10: Knowing about your rights

An area on the www.yvonbonenfant.com website will explain our commitment to children understanding their rights when interacting with us.

Appendix 1: Standard Reporting Form - TUSLA

Child Protection and Welfare Report Form

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

Use block letters when filling out this form.
Fields marked with an * are mandatory.

1. Tusla Area (this is where the child resides)*

2. Date of Report*

3. Details of Child

First Name*		Surname*	
Male*	—	Female*	<input type="checkbox"/>
Address*		Date of Birth*	
		Estimated Age*	
		School Name	
		School Address	
Eircode			

4. Details of Concerns*

Please complete the following section with as much detail about the specific child protection or welfare concern or allegation as possible. Include dates, times, incident details and names of anyone who observed any incident. Please include the parents and child's view, if known. Please attach additional sheets, if necessary

Please see '*Tusla Children First – A Guide for the Reporting of Child Protection and Welfare Concerns*' for additional assistance on the steps to consider in making a report to Tusla

5. Type of Concern

Child Welfare Concern	—		
Emotional Abuse	—	Physical Abuse	—
Neglect	—	Sexual Abuse	—

6. Details of Reporter

First Name		Surname	
Address If reporting in a professional capacity, please use your professional address		Organisation	
		Position Held	
		Mobile No.	
		Telephone No.	
Eircode		Email Address	

Child Protection and Welfare Report Form

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

Is this a Mandated Report made under Sec 14, Children First Act 2015?*	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Mandated Person's Type				

7. Details of Other Persons Where a Joint Report is Being Made

First Name		Surname	
Address If reporting in a professional capacity, please use your professional address		Organisation	
		Position Held	
		Mobile No.	
		Telephone No.	
Eircode		Email Address	

First Name		Surname	
Address If reporting in a professional capacity, please use your professional address		Organisation	
		Position Held	
		Mobile No.	
		Telephone No.	
Eircode		Email Address	

8. Parents Aware of Report

Are the child's parents/carers aware that this concern is being reported to Tusla?*	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
If the parent/carer does not know, please indicate reasons:				

9. Relationships

Details of Mother			
First Name		Surname	
Address		Mobile No.	
		Telephone No.	
		Email Address	
Eircode			

Is the Mother a Legal Guardian?*	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
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Details of Father			
First Name		Surname	
Address		Mobile No.	
		Telephone No.	
		Email Address	
Eircode			



An Ghníomhaireacht um
Leanaí agus an Teaghlach
Children and Family Agency

Child Protection and Welfare Report Form

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

Is the Father a Legal Guardian?*	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
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10. Household Composition

First Name	Surname	Relationship	Date of Birth	Estimated Age	Additional Information e.g. school, occupation, other

11. Details of Person(s) Allegedly Causing Harm

First Name*	<input type="checkbox"/>	Surname*	<input type="checkbox"/>
Male*	<input type="checkbox"/>	Female*	<input type="checkbox"/>
Address	Date of Birth		
	Estimated Age		
	Mobile No.		
	Telephone No.		
Eircode	Email Address		
Occupation	Organisation		
Position Held			

Relationship to Child	
Address at time of alleged incident	
If name unknown please indicate reason	

First Name*	<input type="checkbox"/>	Surname*	<input type="checkbox"/>
Male*	<input type="checkbox"/>	Female*	<input type="checkbox"/>
Address	Date of Birth		
	Estimated Age		
	Mobile No.		
	Telephone No.		
Eircode	Email Address		
Occupation	Organisation		
Position Held			

Relationship to Child	
Address at time of alleged incident	
If name unknown please indicate reason	45

Child Protection and Welfare Report Form

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

12. Name and Address of Other Organisations, Personnel or Agencies Known to be Involved Currently or Previously with the Family

Profession	First Name	Surname	Address	Contact Number	Recent Contact e.g. 3/6/9 months ago
Social Worker					
Public Health Nurse					
GP					
Hospital					
School					
Gardaí					
Pre-school/ crèche					
Other					

13. Any Other Relevant Information, Including any Previous Contact with the Child or Family

Please ensure you have indicated if this is a mandated report in section 6.

Thank you for completing the report form.

In completing this report form you are providing details on yourself and on others. Details such as name, address and date of birth fall under the definition of 'Personal Data' in the Data Protection Acts, 1988 & 2003. Tusla has a responsibility under these Acts in its capacity as a Data Controller to, amongst other things, obtain and process this data fairly; keep it safe and secure; and to keep it for a specified lawful purpose. That purpose is to fulfil our statutory responsibility under the Child Care Act 1991 to promote the protection and welfare of children. Tusla may, during the course of the assessment of this report disclose such Personal Data to other agencies including An Garda Síochána. Further details about Tusla's responsibilities as a Data Controller and your rights as a Data Subject can be found on our website, www.tusla.ie. As you are providing Personal Data on others, you are a Data Processor. We ask that you only provide those details that are necessary for the report and that you keep this report and the Personal Data contained in it secure from unauthorised access, disclosure, destruction or accidental loss.

14. For Completion by Tusla Authorised Person on Receipt of Report

Report Received by

First Name	Surname	Date

Mandated Report Acknowledgement by

Child Protection and Welfare Report Form

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

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

Any other relevant information (e.g. are you aware of any other person who has a concern?
have you observed anything relevant previously?)

Signed _____ Date _____

Appendix 3: Schedule Of Mandated Persons Under The Children First Act 2015

Schedule 2 of the Children First Act 2015 specifies the following classes of persons as Mandated Persons for the purposes of the Act:

1. Registered medical practitioner within the meaning of section 2 of the Medical Practitioners Act 2007.
2. Registered nurse or registered midwife within the meaning of section 2(1) of the Nurses and Midwives Act 2011.
3. Physiotherapist in the register of that profession.
4. Speech and language therapist registered in the register of that profession.
5. Occupational therapist registered in the register of that profession.
6. Registered dentist within the meaning of section 2 of the Dentists Act 1985.
7. Psychologist who practises as such and who is eligible for registration in the register of that profession.
8. Social care worker who practises as such and who is eligible for registration in accordance with Part 4 of the Health and Social Care Professionals Act 2005 in the register of that profession.
9. Social worker who practises as such and who is eligible for registration in accordance with Part 4 of the Health and Social Care Professionals Act 2005 in the register (if any) of that profession.
10. Emergency medical technician, paramedic and advanced paramedic registered with the Pre-Hospital Emergency Care Council under the Pre-Hospital Emergency Care Council (Establishment) Order 2000 (S.I. No. 109 of 2000).
11. Probation officer within the meaning of section 1 of the Criminal Justice (Community Service) Act 1983.
12. Teacher registered with the Teaching Council.
13. Member of An Garda Síochána.
14. Guardian *ad litem* appointed in accordance with section 26 of the Child Care Act 1991.
15. Person employed in any of the following capacities:
 - a) manager of domestic violence shelter;
 - b) manager of homeless provision or emergency accommodation facility;
 - c) manager of asylum seeker accommodation (direct provision) centre;
 - d) addiction counsellor employed by a body funded, wholly or partly, out of moneys provided by the Oireachtas;
 - e) psychotherapist or a person providing counselling who is registered with one of the voluntary professional bodies;
 - f) manager of a language school or other recreational school where children reside away from home; (
 - g) member of the clergy (howsoever described) or pastoral care worker (howsoever described) of a church or other religious community;
 - h) director of any institution where a child is detained by an order of a court;
 - i) safeguarding officer, child protection officer or other person (howsoever described) who is employed for the purpose of performing the child welfare and protection function of religious, sporting, recreational, cultural, educational and other bodies and organisations offering services to children;
 - j) child care staff member employed in a pre-school service within the meaning of Part VIIA of the Child Care Act 1991;
 - k) person responsible for the care or management of a youth work service within the meaning of section 2 of the Youth Work Act 2001.
16. Youth worker who—
 - a) holds a professional qualification that is recognised by the National Qualifications Authority in youth work within the meaning of section 3 of the Youth Work Act 2001 or a

related discipline, and

b) is employed in a youth work service within the meaning of section 2 of the Youth Work Act 2001.

17. Foster carer registered with the Agency.

18. A person carrying on a pre-school service within the meaning of Part VIIA of the Child Care Act 1991.

Appendix 4: Sample Accident Report Form

SECTION 1: ACCIDENT			
Date occurred:		Time occurred:	
What Happened?			
LOCATION			
Workshop Space <input type="checkbox"/>	Rehearsal Space <input type="checkbox"/>	Performance Venue <input type="checkbox"/>	Public space <input type="checkbox"/>
Other (Please Describe):			

SECTION 2: WERE THERE ANY WITNESSES?			
Name:		Tel:	
Name:		Tel:	
TO WHOM WAS THE ACCIDENT REPORTED?			
Parent/Guardian <input type="checkbox"/>	Local GP <input type="checkbox"/>	Designated Liaison Person <input type="checkbox"/>	Other:
1 Name:		Surname:	
Address:			
Home Tel:		Mobile:	
2 Name:		Surname:	
Address:			
Home Tel:		Mobile:	

SECTION 3: TO WHOM DID THE ACCIDENT OCCUR? WHO DID THE ACCIDENT AFFECT?			
Young person <input type="checkbox"/>	Vocal Facilitator <input type="checkbox"/>	Team member or Outside Professional <input type="checkbox"/>	Member of the Public <input type="checkbox"/>
Name:		Surname:	
Home Address:			

Home Tel:		Mobile:	
Date of Birth:	Age:	Male <input type="checkbox"/>	Female <input type="checkbox"/>
Did they agree to the suggested course of action?		Yes <input type="checkbox"/>	No <input type="checkbox"/>

SECTION 4					
Did the accident cause illness/injury?			Yes <input type="checkbox"/> No <input type="checkbox"/>		
APPARENT NATURE OF INJURY			PART OF BODY INJURED		
<input type="checkbox"/> Abrasion	<input type="checkbox"/> Concussion	<input type="checkbox"/> Puncture	<input type="checkbox"/> Abdomen	<input type="checkbox"/> Eye L/R	<input type="checkbox"/> Hand L/R
<input type="checkbox"/> Amputation	<input type="checkbox"/> Cut	<input type="checkbox"/> Scald	<input type="checkbox"/> Ankle L/R	<input type="checkbox"/> Elbow L/R	<input type="checkbox"/> Knee L/R
<input type="checkbox"/> Asphyxiation	<input type="checkbox"/> Dislocation	<input type="checkbox"/> Scratch	<input type="checkbox"/> Arm L/R	<input type="checkbox"/> Face	<input type="checkbox"/> Leg L/R
<input type="checkbox"/> Bite	<input type="checkbox"/> Fracture	<input type="checkbox"/> Shock	<input type="checkbox"/> Back	<input type="checkbox"/> Foot L/R	<input type="checkbox"/> Mouth
<input type="checkbox"/> Bruise	<input type="checkbox"/> Laceration	<input type="checkbox"/> Sprain	<input type="checkbox"/> Chest	<input type="checkbox"/> Finger	<input type="checkbox"/> Neck
<input type="checkbox"/> Burn	<input type="checkbox"/> Poisoning	<input type="checkbox"/> Other	<input type="checkbox"/> Ear L/R	<input type="checkbox"/> Head	<input type="checkbox"/> Other
Explain Other:			Explain Other:		
Describe the nature of the injury (cut, third finger, left hand. etc.)					

SECTION 5: TREATMENT DETAILS			
None <input type="checkbox"/>	First Aid <input type="checkbox"/>	Local GP/Clinic <input type="checkbox"/>	Accident and Emergency Department <input type="checkbox"/>
IN THE CASE OF FIRST AID			
Who administered First Aid:		Contact Number:	
What First Aid was administered:			

SECTION 6:

Did the accident occur during a workshop/rehearsal activity?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Explain:	
Did the accident involve any props, sets or technical equipment?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Specify and explain:	
Was a leader or responsible adult present at accident?	Yes <input type="checkbox"/> No <input type="checkbox"/>
If no, explain:	

SECTION 7: DETAILS OF PERSON COMPLETING THIS FORM	
Name:	Role or relation to injured / ill party:
Tel:	Email:
Home Address:	
Signature:	Today's Date:

Appendix 5A: Incident Report Form

SECTION 1: DETAILS OF THE PERSON WRITING THE REPORT	
Name:	
Role:	

SECTION 2: PERSON(S) INVOLVED IN INCIDENT Use a continuation sheet if more than 2 young people were involved in the incident.	
Name:	Name:
Age:	Age:
Gender:	Gender:
Home Address:	Home Address:

SECTION 3: THE INCIDENT	
Date occurred:	Time occurred:
Please describe what happened	

ACTIVITY			
Workshop <input type="checkbox"/>	Rehearsal <input type="checkbox"/>	Performance <input type="checkbox"/>	Trip / Outing <input type="checkbox"/>
Free Time. <input type="checkbox"/>	Other (Please Describe):		
LOCATION			
Workshop Space <input type="checkbox"/>	Rehearsal Space <input type="checkbox"/>	Performance Venue <input type="checkbox"/>	Public space <input type="checkbox"/>
Other (Please Describe):			

SECTION 4: FOLLOW-UP ACTION
Please describe any follow-up action taken:
Person who took follow-up action:

SECTION 5: WITNESSES TO THE INCIDENT	
Name:	Name:
Contact Address:	Contact Address:
Telephone Number:	Telephone Number:
Yvon Bonenfant VA Role:	Yvon Bonenfant VA Role:
Signature:	Signature:
Date:	Date:

SECTION 6: TO WHOM WAS THE ACCIDENT REPORTED?			
Parent/Guardian <input type="checkbox"/>	Designated Liaison Person <input type="checkbox"/>	NAMED PERSONr <input type="checkbox"/>	STAFF Member <input type="checkbox"/>
Name:			
Address:			
Telephone Number:			

SECTION 7: SIGNATURE OF PERSON REPORTING
Name:
Signature:

Date:

Completed incident report to be held on file.

Appendix 7: Child Safeguarding- Relevant Legislation

There are a number of pieces of legislation relevant to the safeguarding of children. The following indicative list is not intended to be comprehensive but rather to give a sense of the breadth and wide array of relevant legislation.

- Child and Family Agency Act 2013

<http://www.oireachtas.ie/documents/bills28/acts/2013/a4013.pdf>

- Child Care Act 1991

<http://www.irishstatutebook.ie/eli/1991/act/17/enacted/en/print.html>

- Children Act 2001

<http://www.irishstatutebook.ie/eli/2001/act/24/enacted/en/pdf>

- Children First Act 2015

<http://www.irishstatutebook.ie/eli/2015/act/36/enacted/en/pdf>

Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012 <http://www.irishstatutebook.ie/eli/2012/act/24/enacted/en/pdf>

- Criminal Justice Act 2006, Section 176: Reckless Endangerment of Children

<http://www.irishstatutebook.ie/eli/2006/act/26/enacted/en/pdf>

- Data Protection Acts 1988 and 2003

<http://www.irishstatutebook.ie/eli/1988/act/25/enacted/en/html>

<http://www.irishstatutebook.ie/eli/2003/act/6/enacted/en/pdf>

- Domestic Violence Act 1996

<http://www.irishstatutebook.ie/eli/1996/act/1/enacted/en/pdf>

- Education (Welfare) Act 2000

<https://www.oireachtas.ie/documents/bills28/acts/2000/a2200.pdf>

- Education Act 1998

<http://www.irishstatutebook.ie/eli/1998/act/51/enacted/en/pdf>

- Freedom of Information Act 2014

<http://www.irishstatutebook.ie/eli/2014/act/30/enacted/en/pdf>

- National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016

<http://www.irishstatutebook.ie/eli/2012/act/47/enacted/en/pdf>

- Non-Fatal Offences against the Person Act 1997

<http://www.irishstatutebook.ie/eli/1997/act/26/enacted/en/pdf>

- Protected Disclosures Act 2014

<http://www.irishstatutebook.ie/eli/2014/act/14/enacted/en/pdf>

- Protections for Persons Reporting Child Abuse Act 1998

<http://www.irishstatutebook.ie/eli/1998/act/49/enacted/en/pdf>

Appendix 8: Support & Advice Organisations/Services

Youth Theatre Ireland

Youth Theatre Ireland is the development organisation for youth theatre in Ireland. The organisation offers a range of supports, resources and advice to youth theatres. Youth Theatre Ireland's Designated Liaison Person can provide guidance on dealing with child protection/welfare issues.

Phone: 01-8781301

www.youththeatre.ie

National Youth Council of Ireland: Child Protection Programme

This NYCI programme aims to build the capacity of youth organisations to safeguard and protect their children/young people. The programme offers training in child protection including training for Designated Liaison Persons. It has also developed a range of resources.

Phone: 01-4784122

www.childprotection.ie

Youth Mental Health

Jigsaw:

Jigsaw is a national centre for youth mental health. They focus on intervening early to support the mental health of those aged 12 to 25 years of age. Jigsaw operates 13 services in communities across Ireland. They offer a place you can visit for free with confidential support from trained mental health professionals.

<https://jigsaw.ie/>

Jigsaw offer:

- One to one sessions for young people aged 12-25
- Phone helpline open Monday to Friday 1pm- 5pm, call 1800 544 729
- Text helpline open Monday to Friday, 9am to 5pm, text "call me" with your preferred day and time for a call to 086 180 3880
- Email help@jigsaw.ie open Monday to Friday, 9am to 5pm, you can email any time and clinicians will be responding from

Spunout.ie

Spunout offer lots of advice and articles for young people about mental health topics.
<https://spunout.ie/category/mental-health>

Spunout also run a new service called 50808. It is a free 24/7 text service, providing everything from a calming chat to immediate support for people going through a mental health or emotional crisis - big or small. From breakups or bullying, to anxiety, depression and suicidal feelings, our Crisis Volunteers are available 24/7 for anonymous text conversations. Our aim is to provide immediate support in the short term and connect people to resources that will help them in the future.

Text SPUNOUT to 50808 to begin.

Teen-line Ireland

A free-phone service open every day of the week from 7pm to 10pm (3pm – 10pm on Wednesday)

Set up to provide a listening ear for young people who want to talk about anything that is on their mind.

Phone: 1800 833 634

<https://www.ispcc.ie/teenline/>

HSE: Your Mental Health

Advice from the HSE on how to mind your mental health including topics like: mental health issues; coping with difficult situations; mental health supports and services during COVID-19; getting urgent help; looking after your mental health; information and advice for family and friends.

<https://www2.hse.ie/mental-health/>

Childline

Childline is a service provided by the Irish Society for the Prevention of Cruelty to Children. Free and confidential for children/young people who are experiencing difficulties at home, school etc. Also provides an online bullying support service.

<https://www.childline.ie/>

Phone: 1800 66 66 66

Text 'Talk' to 50101

Turn2me

Turn2Me are a community of fully qualified and accredited mental health professionals that work online to provide a high quality, safe, anonymous and confidential space for you to gain support - wherever you are, whenever you need them, for whatever you are going through. The services Turn2me offer include:

- Up to six free counselling sessions for adults online via instant chat/messaging, video or email
- Eight video counselling sessions for young people aged 12-17
- Eight video counselling sessions for couples
- They also offer support groups online and peer support online

Pieta House

The centre for the prevention of self-harm and suicide. Has a number of outreach centres and provides direct support to those who are suicidal or self-harming. Free of charge.

Offers advice to friends and family YOUNG PEOPLE on the best way to help their loved one who is experiencing difficulty.

www.pieta.ie

Phone: See <https://www.pieta.ie/contact/#head-office> for contacts for your nearest Pieta Centre and 24 hour phone services.

Youth Mental Health Resources

Most of the websites detailed above have resource sections.

One very useful source of information for those who work with young people is ***A Mental Health Resource for Youth Workers and Volunteers***. (Produced by Headstrong, in association with BelongTo, Foroige and ReachOut.com).

Among the areas covered are the:

- development needs of young people,
- factors that affect young people's mental health,
- an explanation of terms associated with mental health,
- what to do if you have a concern about a young person,
- how best to support a young person experiencing mental health difficulties.
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You can download *A Mental Health Resource for Youth Workers and Volunteers*:

<http://www.foroige.ie/sites/default/files/Youth%20Mental%20Health%20Resource.pdf>

National Youth Council of Ireland: Youth Health Programme

NYCI have a dedicated National Youth Health Programme. They offer training/resources on a range of youth health topics including youth mental health and bullying. The National Youth Health Programme also run a mental health signposting tool which provides information on available youth mental health services, training programmes, community supports and children's rights.

For more information on all these programmes go to <http://www.youthhealth.ie>

Eating Disorders

Bodywhys

Bodywhys is the national voluntary organisation supporting people affected by eating disorders. Their mission is to ensure support, awareness and understanding of eating disorders amongst the wider community as well as advocating for the rights and healthcare needs of those affected by eating disorders. Their website has advice on getting help and support.

www.bodywhys.ie

Phone: 01-2107906

Supporting LGBT Young People

BeLonGTo

BeLonG To is an organisation for Lesbian, Gay, Bisexual and Transgendered (LGBT) young people, aged between 14 and 23.

Their aim is to provide safe and fun services to LGBT young people across Ireland. They have a number of groups for young people all around Ireland. Their website has a dedicated mental health section.

www.belongto.org

Phone: 01 670 6223