



## CHILD PROTECTION POLICY

### Introduction

This policy is underpinned by the (Child Care Act 1991 (Early Years Services) Regulations 2016), (Child Care Act 1991 (Early Years Services) (Amendments) Regulations 2016) and (Children First Act 2015).

The updated Children's First Act 2015 places a legal obligation on certain people (mandated persons) to report child protection concerns at, or above a defined threshold to Tusla – Child and Family Agency. Mandated persons must inform Tusla when they have reasonable grounds for concern that a child has been, is being, or is at risk of being abused or neglected.

These mandated persons must also assist Tusla, on request, in its assessment of child protection concerns about children who have been the subject of a mandated report

The aim of this policy is to ensure that children attending our services are kept safe from harm and that all mandated persons working in our service are aware of their obligations and recognise signs of child abuse.

This policy can be referred to for guidance when making a mandated report.

### Policy Statement

Under Children First Act 2015 our service has obligations to fulfil. These obligations are;

1. To keep children safe from harm when they are using our service.
2. To carry out a risk assessment to identify whether a child or young person could be harmed while using the service.
3. To develop a Child Safeguarding Statement which specifies the service being provided and the principles and procedures to be observed in order to ensure, as far as practicable, that a child is safe from harm.

This policy will describe the different types of child abuse, how to recognise signs of child abuse, the legal obligations of a mandated person, the criteria for reporting child protection concerns and the process for making a mandated report. It will also outline the practices that are in place to protect children during their time at our service.

This policy should be read in conjunction with the Child Safeguarding Statement which is on display in each service. Each service has a Child Safeguarding Statement specific to them.

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## Types of Child Abuse and How They Can be Recognised

For the purposes of this document, '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.

### 1. **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

## **2. 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.

### **3. 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.

### **4. Sexual abuse**

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

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

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

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

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.

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 in Chapter 3 of Children First: National Guidance for the Protection and Welfare of Children.**

#### **5. 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.

You should consider the factors on the table below 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. (Children First: National Guidelines for the Protection and Welfare of Children)

**Table 1 Circumstances which may make children more vulnerable to harm**

<p><b>Parent or carer factors</b></p> <ul style="list-style-type: none"> <li>• Drug &amp; alcohol misuse</li> <li>• Addiction, including gambling</li> <li>• Mental health issues</li> <li>• Parental disability issues, including learning or intellectual disability</li> <li>• Conflictual relationships</li> <li>• Domestic violence</li> <li>• Adolescent parents</li> </ul>	<p><b>Child Factors</b></p> <ul style="list-style-type: none"> <li>• Age</li> <li>• Gender</li> <li>• Sexuality</li> <li>• Disability</li> <li>• Mental health issues, including self-harm &amp; suicide</li> <li>• Communication difficulties</li> <li>• Trafficked/exploited</li> <li>• Previous abuse</li> <li>• Young carer</li> </ul>	<p><b>Community Factors</b></p> <ul style="list-style-type: none"> <li>• Cultural, ethnic, religious or faith-based norms in the family or community which may not meet the standard of child welfare of protection required in the jurisdiction.</li> <li>• Culture-specific practises including;               <ul style="list-style-type: none"> <li>• Female genital mutilation</li> <li>• Forced marriage</li> <li>• Honor-based violence</li> <li>• Radicalisation</li> </ul> </li> </ul>	<p><b>Environmental Factors</b></p> <ul style="list-style-type: none"> <li>• Housing issues</li> <li>• Children who are out of home and not living with parents (temporarily or permanently)</li> <li>• Poverty/Begging</li> <li>• Bullying</li> <li>• Internet and social media-related concerns.</li> </ul>	<p><b>Willingness of parent/guardian to engage</b></p> <ul style="list-style-type: none"> <li>• Non-attendance at appointments</li> <li>• Lack of insight/understanding of how child is being affected</li> <li>• Lack of understanding about what needs to happen to bring about change</li> <li>• Avoidance of contact and reluctance to work with services.</li> <li>• Inability or unwillingness to comply with agreed plans</li> </ul>
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## 6. 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, transgender or queer (LGBTI+) children and those perceived to be LGBTI+; 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 antibullying 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.

### **Mandated Persons**

Mandated persons are people who have contact with children and/or families and who, because of their qualifications, training and/or employment role, are in a key position to help protect children from harm. Mandated persons include professionals working with children in education, health, justice, youth and childcare professionals. (Children First: National Guidelines for the Protection and Welfare of Children)

## **1. Legal Obligations of a Mandated Person**

Mandated persons have two main legal obligations under Children First Act 2015. These are;

1. To report the harm of children above a defined threshold to Tusla.
2. To assist Tusla, if requested, in assessing a concern which has been the subject of a mandated person.

## **Reporting Child Protection Concerns**

### **2. Criteria for reporting: Definitions and Thresholds**

As a mandated person, under the legislation you are required to report any knowledge, belief or reasonable suspicion that a child has been harmed, is being harmed, or is at risk of being harmed. The Act defines harm as assault, ill-treatment, neglect or sexual abuse, and covers single and multiple instances. The four types of abuse are described earlier in this policy document. The threshold of harm for each category of abuse at which mandated persons have a legal obligation to report concerns is outlined below.

If you are in doubt about whether your concern reaches the legal definition of harm for making a mandated report, Tusla can provide advice in this regard. You can find details of who to contact to discuss your concern on the Tusla website ([www.tusla.ie](http://www.tusla.ie)). If your concern does not reach the threshold for mandated reporting, but you feel it is a reasonable concern about the welfare or protection of a child, you should report it to Tusla under this policy.

See the table below for the types of abuse and the threshold of harm for each category.

(Children First: National Guidelines for the Protection and Welfare of Children)

Table 2- Types of Abuse and the Threshold for Harm

<b>Neglect</b>	<ul style="list-style-type: none"> <li>• deprive a child of adequate food, warmth, clothing, hygiene, supervision, safety or medical care'</li> <li>• the threshold of harm, at which you must report is reached when you know, believe or have reasonable grounds to suspect that a child's needs have been neglected, are being neglected, or are at risk of being neglected to the point where the child's health, development or welfare have been or are being seriously affected, or are likely to be seriously affected.</li> </ul>
<b>Emotional Abuse</b>	<ul style="list-style-type: none"> <li>• to abandon or cruelly treat the child, or to cause or procure or allow the child to be abandoned or cruelly treated'</li> <li>• The threshold of harm, at which you must report to Tusla is reached when you know, believe or have reasonable grounds to suspect that a child has been, is being, or is at risk of being ill-treated to the point where the child's health, development or welfare have been or are being seriously affected, or are likely to be seriously affected.</li> </ul>
<b>Physical Abuse</b>	<ul style="list-style-type: none"> <li>• The threshold of harm, at which you must report to Tusla under the Children First Act 2015, is reached when you know, believe or have reasonable grounds to suspect that a child has been, is being, or is at risk of being assaulted and that as a result the child's health, development or welfare have been or are being seriously affected, or are likely to be seriously affected.</li> </ul>
<b>Sexual Abuse</b>	<ul style="list-style-type: none"> <li>• If, as a mandated person, you know, believe or have reasonable grounds to suspect that a child has been, is being, or is at risk of being sexually abused, then you must report this to Tusla under the Children First Act 2015.</li> <li>• A full list of relevant offences against the child which are considered sexual abuse is set out in the appendices of this policy.</li> </ul>

### Dealing with Disclosures of Abuse from A Child

If, as a mandated person, you receive a disclosure of harm from a child, which is above the thresholds set out above, you must make a mandated report of the concern to Tusla. You are not required to judge the truth of the claims or the credibility of the child. If the concern does not meet the threshold to be reported as a mandated concern you should report it to Tusla as a reasonable concern.

If you receive a disclosure of harm from a child, you may feel reluctant to report this for a number of reasons. For example, the child may say that they do not want the disclosure to be reported, or you may take the view that the child is now safe and that the involvement of Tusla may not be desired by either the child or their family. However, you need to inform Tusla of all risks to children above the threshold, as the removal of a risk to one child does not necessarily mean that there are no other children at risk. The information contained in a disclosure may be critical to Tusla's assessment of risk to another child either now or in the future.

You should deal with disclosures of abuse sensitively and professionally. The following approach is suggested as best practice for dealing with these disclosures. (Children First: National Guidelines for the Protection and Welfare of Children)

**Table 3 Dealing with Disclosures**

React Calmly
Listen Carefully & attentively
Take the Child Seriously
Reassure the child that they have taken the right action in talking to you
Do not promise to keep anything secret
Ask questions for clarification only. Do not ask leading questions.
Check back with the child that what you heard is correct and understood
Do not express any opinions about the alleged abuser
Ensure that the child understands the procedures that follow
Make a written record of the conversation as soon as possible, in as much detail as possible.
Treat the information confidentially, subject to the requirements of this policy & legislation.

### Exemptions from Requirements to Report

**UNDERAGE CONSENSUAL SEXUAL ACTIVITY** Under the Criminal Law (Sexual Offences) Act 2006 the legal age of consent is 17 years. While a sexual relationship where one or both parties is under 17 years of age is illegal, when making a mandated report to Tusla, it might not be regarded as child sexual abuse.

There are certain exemptions from reporting underage consensual sexual activity under section 14(3) of the Children First Act 2015. If you are satisfied that all of the following criteria are met, you are not required to make a report to Tusla:

- The young person(s) concerned are between 15 and 17 years old
- The age difference between them is not more than 24 months
- There is no material difference in their maturity or capacity to consent
- The relationship between the people engaged in the sexual activity does not involve intimidation or exploitation of either person
- The young persons concerned state clearly that they do not want any information about the activity to be disclosed to Tusla

In effect, this means that if all of the above criteria are met, you as a mandated person do not have to report consensual sexual activity between older teenagers as sexual abuse to Tusla.



All persons, including mandated persons, must uphold the key principle that the welfare of the child is paramount and if you have any concerns, even where all the above criteria are met, you may make a report to Tusla.

### **Concerns Developed outside of Professional Duties**

The legal obligation to report under the Act applies only to information that you acquire in the course of your professional work or employment. It does not apply to information you acquire outside your work, or information given to you on the basis of a personal rather than a professional relationship. While the legal obligation to report only arises for employment or professional duties, you should comply with the requirement of this policy to report all reasonable concerns to Tusla.

### **Designated Liaison Officer**

The Designated Liaison Officer (DLP) of each centre is the manager on duty, or the deputy manager if the manager is not available.

The DLP is the resource person for any staff member, volunteer or student who has a child protection concern.

The DLP is responsible for ensuring that reporting procedures are followed, so that child welfare and protection concerns are referred promptly to Tusla. The DLP will liaise with outside agencies in respect of child welfare concerns.

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

If, as a DLP, you decide not to report a concern to Tusla, the following steps should be taken;

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

In our organisation each DLP is also a mandated person. This means that each DLP must fulfil the statutory obligations of a mandated person as previously described. This means that if, as DLP, you are made aware of a concern about a child that meets or exceeds the thresholds of harm for mandated reporting, you have a statutory obligation to make a report to Tusla arising from your position as a mandated person.

While mandated persons have statutory obligations to report mandated concerns, they may make a report jointly with another person, whether the other person is a mandated person or not. In effect, this means that a mandated person can make a joint report with a DLP.

## **How to Make a Mandated Report**

Children First 2015 requires mandated persons to report a mandated concern to Tusla 'as soon as practicable'. When making a mandated report you should:

1. Inform your Designated Liaison Person (DLP)
2. Complete the required 'Child Protection and Welfare Report Form'
3. It must be indicated on the report form that you are a mandated person and your report is regarding a mandated concern.
4. Include as much relevant information as possible in the report.
5. The mandated report can be posted or emailed to Tusla.
6. A copy of the report must be sent to Head Office
7. Minutes of any meetings held with parents/guardians regarding the mandated concern must be recorded and a copy sent to the office.

If you feel the concern may require urgent intervention to make the child safe you can alert Tusla of the concern in advance of submitting a written report. You must submit a mandated report to Tusla within 3 days.

Under no circumstances should a child be left in a situation that exposes them to harm or risk of harm pending intervention from Tusla. If you think the children is in immediate danger and you cannot contact Tusla, you should contact the Gardaí.

## **Four Steps in Making the Decision to Report a Child Protection/Welfare Concern**

Tusla has adopted the Signs of Safety approach as a way of working with Children and their families. The Signs of Safety approach is helpful as it gives a clear and effective way to assess risk and find solutions.

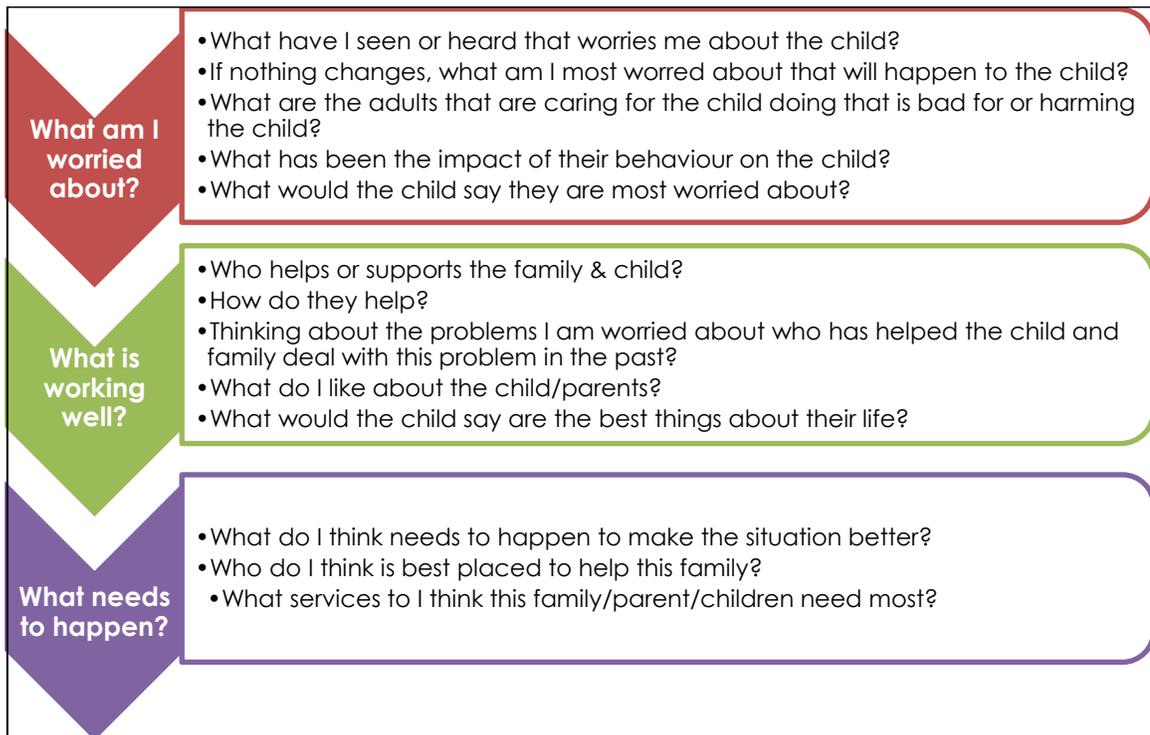
It uses four simple questions to ask when thinking and working with a family:

1. What are we worried about?
2. What's working well?
3. What needs to happen?
4. How worried are we on a scale of 1 to 10?

These questions provide a sound and well structured focus for the conversations that take place when we believe Children's needs are not being met and something else is needed to improve outcomes for children.

([tusla.ie/Guide to Reporting Child Protection & Welfare Concerns](https://tusla.ie/Guide%20to%20Reporting%20Child%20Protection%20&%20Welfare%20Concerns), 2017)

## 1. Step 1 – Questions you might ask yourself and the family



### a) **Helpful questions to ask the family before contacting Tusla**



It may not always be appropriate or necessary to ask all of these questions and you should use your professional judgement in each situation. You may not always have all this information about a family. However, you should make the report regardless.

**Remember** - If you are concerned about a child but unsure if you should report it to Tusla, you can contact Tusla informally to discuss your concerns.

## **2. Step 2 – Informing the Family**

The Children First Act 2015 does not require you to inform the family that a report is being made to Tusla. However, it is good practice to tell the family that a report is being made and the reasons for the decision. This means the family is fully informed about the services they are being referred to and understand what information is being passed on and why.

There are some exceptions to informing the family. You do not need to tell the family a report is being made if:

**By doing so the child will be placed at further risk.**

**Where the family knowing about the report could affect Tusla's ability to carry out a risk assessment.**

**You believe that doing so would place you at risk of harm from the family.**

## **3. When to Report a Child Protection or Welfare Concern to Tusla**

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.

If you are concerned about a child but unsure whether you should report it to Tusla, you can contact Tusla to informally discuss your concern. 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/family.

#### **4. What are Reasonable Grounds for a Child Protection or Welfare Concern?**

Evidence that is consistent with abuse and unlikely to have been caused any other way. This evidence, for example, could be in the form of an injury or behaviour.

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 says the child being abused.

#### **5. Submitting the Report**

You can make the report to Tusla in person, by telephone or in writing to the local Child Protection and Welfare Duty Social Work Service in the area where the child lives.

To make a report verbally, you must follow it up by completing the Child Protection and Welfare Report Form within 3 days.

Please note the company's policy of always submitting reports in writing where possible.

#### **Record Keeping**

All significant conversations and interactions in relation to child protection and welfare concerns must be recorded.

A copy of all documentation must be kept on site with another copy being sent to Head Office.

- Records must be factual and include details of contacts, consultations and any actions taken.
- All records on child protection concerns, allegations and disclosures must be kept securely and safely.
- Records must be used for the purpose for which they are intended only.
- Records can be shared on a need-to-know basis only in the best interests of the child.

## Joint Reporting

As a mandated person you may make a report jointly with any other person whether that person is also a mandated person or not. For example, this could arise in situation in a school where the teacher and the after school childcare professional have concerns about the same child and wish to make a joint report to Tusla.

## Allegations against Staff

The guidance in this section is drawn from (Children First: National Guidelines for the Protection and Welfare of Children) and (Our Duty to Care: The Principles of Good Practice for the Protection of Children and Young People).

In the event of an allegation of child abuse being made against an employee, the organisation has a responsibility to both the child and the employee. Dual procedures must be followed i.e. protecting the child and reporting the allegation and the procedure for dealing with the staff member. **Two different people must carry out the separate procedures.**

At all times the following guidelines must be followed:

- Any necessary steps should be taken to ensure the protection of the child. At all times the principle that the welfare of the child is paramount must apply.
- Different persons have the responsibility for dealing with the reporting issues and the worker issues.
- Workers may be subjected to malicious or unfounded allegations; therefore, any allegations should be dealt with sensitively and support provided for the staff member, including counselling where necessary.
- Management should report the allegation to Tusla, and the Gardaí and liaise with both regarding the investigation.

### **1. Procedures for Dealing with Employees and Our Duty of Care to Children**

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

- The first priority should be to ensure that no child is exposed to unnecessary risk.
- The agreed procedures, the applicable employment contract and the rules of natural justice should be followed. An allegation should be treated as such until the facts are established.
- The person to whom the allegation is disclosed should immediately record the nature and content of the allegation. Recording should be factual and completed on the day the allegation is received.
- Where possible, the person making the complaint should be encouraged to make a written complaint.
- The Senior Management Team should be informed as soon as possible.
- The parents of the child should be informed of the allegation and what actions have been taken and are planned. The manager or another senior member of staff will be assigned to provide support to the family and liaise with them.
- The organisation will take, as a matter of urgency, any necessary protective measures proportionate to the level of risk and should not unreasonably penalise the worker, financially or otherwise, unless necessary to protect the children.

- Where warranted, the employee will be suspended on full pay while the investigation is ongoing.
- Any action following an allegation of abuse against an employee should be taken in consultation with Tusla and An Garda Síochána. An immediate meeting should be arranged with these two agencies for this purpose.
- After these consultations referred to above have taken place and when pursuing the question of the future position of the worker, the Senior Management Team should advise the person accused of the allegation and the agreed procedures should be followed.
- At all times the organisation needs to ensure that actions by them do not undermine or frustrate any investigations being conducted by Tusla or An Garda Síochána. A close liaison with these two agencies will be required to achieve this.
- All meetings and discussions in relation to the allegation should be recorded, including any decisions reached and the reasons why clearly noted.

There will be situations in which suspicions or allegations may turn out to be unfounded. It is very important that all employees realise that if they raise a concern which, through the process of investigation, is not validated, they have not in any way been wrong in their initial reaction unless it has been proven to have been done maliciously. In such instances our Disciplinary Rules & Procedures will be invoked to deal with the malicious claims.

Employees should refer to the Whistleblowing Policy located in their Employee Handbook.

## **2. Our Responsibility towards our Employees**

If we are made aware of an allegation of abuse of a child or children by an employee during the carrying out of that employee's duties, we will privately inform the employee of the following unless advised not to by the Gardaí:

- The fact that the allegation has been made against him or her.
- The nature of the allegation.

The employee will be given an opportunity to respond. We will note the response and pass on this information when making the formal report to Tusla.

## **3. Dealing with Unsolicited Reports of Allegations Against Employees**

If Tusla notify us that an unsolicited report has been received against an employee or a service, the following steps will take place.

- The Operations Director or CEO will contact the Unsolicited Information Department of the Early Years Inspectorate to obtain as much information as possible.
- The Quality Team will be sent to the service immediately to conduct an unscheduled inspection.
- All rooms within the service will be inspected.
- In cases where employees have been individually named, interviews will be carried out with these employees based on the allegations made.
- Different persons will have the responsibility for dealing with the service inspection and the employee interviews.

- The Manager of the service will be informed of all allegations made.
- Employees of the service will be informed of allegations made against them only.
- Any necessary steps should be taken to ensure the protection of the child/ren. At all times the principle that the welfare of the child is paramount must apply.
- The organisation will take, as a matter of urgency, any necessary protective measures proportionate to the level of risk and should not unreasonably penalise the worker, financially or otherwise, unless necessary to protect the children.
- Where warranted, the employee will be suspended on full pay while the investigation is ongoing.

Within 10 days of receipt of the Unsolicited Allegations from Tusla we will respond to the information received. If possible, our response will include full details of the investigation carried out and our findings. However, in cases where the investigation has not been concluded within this timeframe, our initial response will outline the steps we have taken so far and what actions are still taking place. Our full response can follow at a later date.

Any corrective actions that need to be taken will be done so as outlined in points 1 and 2 above and in conjunction with our duty as Childcare Providers under (Child Care Act 1991 (Early Years Services) Regulations 2016), (Child Care Act 1991 (Early Years Services) (Amendments) Regulations 2016) and (Children First: National Guidelines for the Protection and Welfare of Children) together with our responsibilities as an employer.

### **Supporting Parents following a Disclosure**

If a child abuse concern needs to be discussed with a parent(s), some practical arrangements need to be put in place to manage the situation more effectively.

- A room needs to be available where a meeting can take place without interruptions, and where conversation cannot be overheard by other parents or children.
- As child protection concerns need to be addressed on the day the concern arises, parents will need to be contacted and a meeting arranged at short notice.
- A practitioner will need to be available to mind the child while the meeting is taking place. The child must not be in the same room or be able to overhear the conversation.
- Two practitioners should be available to meet the parents – perhaps the DLP and the child's key worker. This will facilitate better record keeping and staff support.
- Dealing with a concern can be very difficult and challenging for those involved. Employees should always remember that advice can be sought from the Duty Social Worker and Tusla before having to meet with the parents.
- If a good relationship has been built up with the parents, it is easier to talk to them about a child protection issue. Reminding parents that the service has a Child Protection Policy, a Child Safeguarding Statement and that staff have a duty to report any concerns to Tusla can help parents understand why they have been called in to discuss their child.
- Explaining that the service always works towards the best interests of the child can assure parents that their child's welfare is what is most important in this situation.

## **1. Meeting with Parents**

A meeting with parents is never about making judgements or accusations. A meeting may be held to:

- Enquire about or seek an explanation for a mark such as a bruise, burn or bite that has been noticed on a child.
- Discuss ongoing concerns regarding issues, particularly around neglect such as persistent head lice, the child being hungry or wearing inappropriate clothing for the weather.
- Inform parents and discuss a disclosure that that been made by their child, except where doing so may endanger the child.
- Discuss an allegation made against a staff member.
- Inform parents that a decision has been made to inform Tusla regarding a child protection concern that has arisen and that the service will be sending a child protection referral to Tusla. The reasons for this decision should be explained to the parents.

A meeting in which the parent may feel that their ability to parent is being called into question can provoke a strong reaction. They may become very angry or upset.

Whatever the reaction is of parents, it is important to reassure them that a decision has not been made that child abuse has taken place but that a child protection/welfare concern has been passed onto Tusla who will assess the situation further.

Meetings can be arranged via Zoom or similar methods if face to face meetings cannot take place e.g., during the Covid-19 pandemic.

## **Procedures & Practices**

We will do all that is possible to ensure that we provide a place where everyone can feel safe and secure and no one suffers abuse of any kind. We are guided in this by (Children First: National Guidelines for the Protection and Welfare of Children) and (Our Duty to Care: The Principles of Good Practice for the Protection of Children and Young People).

We will ensure that everyone is supported and listened to and that each person understands their responsibility to treat all as equal.

### **1. Training**

All employees will receive training in Child Protection. This is a compulsory requirement.

All employees must complete the Tusla Children First E-Learning Programme and forward their completion certificate to Head Office to be kept on their file. For new employees the E-learning programme must be completed as part of their induction.

This policy together with our Child Safeguarding Statement is available to all staff members to refer to for guidance.

For further information you can refer to our 'Staff Training Policy' which is available in all services.

## **2. Safe Recruitment & Selection Process**

Tigers Childcare is committed recruiting the best person for the job. In the recruiting and employment process we work to ensure fair and equal opportunities for all potential and existing employees. This relates to gender, marital status, family status, age, disability, race, sexual orientation, membership of the Travelling Community and religious belief. Tigers Childcare is committed to the protection and welfare of our service users, staff & volunteers. As part of this commitment Tigers Childcare will comply with relevant legislation and recommended best practise in recruitment and selection procedures for both employees and volunteers and will conduct Garda Vetting as part of this process.

Prior to any person being employed, assigned or allowed access to or contact with a child attending Tigers Childcare the following will take place:

- References from the person's past employers and in particular the most recent employer will be checked.
- Consideration of any vetting disclosures received from the National Vetting Bureau of An Garda Síochána.
- Ensuring, in so far as is practicable, that where a person has lived in a state other than Ireland for a period of longer than 6 consecutive months, he or she provides police vetting from police authorities in that state.

For further information you can refer to our 'Recruitment and Selection Policy' which is available in all services.

## **3. Staff Supervision**

Tigers Childcare is committed to providing staff supervision to maintain and promote standards. Staff supervision forms part of our overall performance management structure which includes recruitment, induction and training.

Supervision is a process for staff and management to discuss work, reflect on current and emerging issues and to plan for future development. Supervision sessions provide an opportunity to monitor and ensure quality of practice as well as providing support and feedback. Any issues arising in the workplace can be addressed in a timely and supportive manner. Staff will be encouraged to put forward new ideas, make suggestions for changes or to request additional training. Staff supervision is provided by line managers, follows a planned and agreed structure and takes place regularly, depending on the capacity and needs of the service.

Staff supervision promotes 'reflective practice', which involves checking and changing practice in light of learning from past experience.

For further information you can refer to our 'Staff Support & Supervision Policy' which is available in all services.

## **4. Outings**

Outings are arranged for children to extend and enhance many areas of our curriculum. We have an Outings Policy in place to ensure that we provide a safe, valuable experience that will extend the children's interest and knowledge beyond that of the childcare centre/setting.

For further information you can refer to our 'Outings Policy' which is available in all services.

#### **5. Internet, Camera & Mobile Phones**

Every child in our care deserves to be protected from the misuse of photographic and video images of themselves, taken while they attend our service. Our Internet, Camera & Mobile Phone policy outlines the practices and procedures that are in place to assess any potential risk to the safety of the children attending our services.

For further information you can refer to our 'Internet, Camera & Mobile Phone Policy' which is available in all services.

#### **6. Basic Principles of Child Protection Practice in our Services**

The following is a list of practices that take place within our service to ensure the safety of children in our care;

- The welfare of the children attending our service is of paramount importance.
- Each child will be under the care of a specific adult (key worker) and the adult knows where the child is at all times.
- All entrances must be kept secure.
- Parents/carers are allowed access to their children's rooms at all times.
- Playground gates are secured to prevent unauthorised access.
- Children will not be released to anyone under 18 (including siblings) who staff feel is not responsible enough to ensure the welfare of the child.
- Children under 10 are not permitted to leave the service unaccompanied.
- Children aged 10 and over are permitted to leave for school and regularly scheduled activities only with written parent/carer permission.
- Parents/carers are contacted when children do not arrive at the service when expected.
- All visitors are signed in and out and are accompanied while in the building.
- Volunteers and students are supervised at all times.
- It is possible to view each room used for the childcare service through a window in the doors or walls.
- Nothing is placed over windows to prevent or obstruct viewing.
- Children's arrivals and departures are documented
- Behaviour policies and practices promote the development of children. Staff must never physically punish or be in any way verbally abusive to a child. Positive behaviour management techniques should be used to support positive behaviour.
- Records are kept accurately and up to date.
- Training in child protection is provided and is compulsory for all staff members.
- Staff are supervised, and appraisals are carried out regularly.
- Staff must be sensitive to the risks involved in participating in contact sports or other activities.
- There is respect for children in their ordinary physical care – staff members should talk to children rather than each other and should personalise all their interactions.
- Information should be shared with children, their opinions should be sought and encouraged and their growing abilities to care for themselves should be acknowledged.

- The level of contact around intimate care should be sensitively dealt with and a child's need for privacy in the toilet, for example, should be respected in accordance with his or her self-care abilities.
- Physical contact is a valid way of comforting and reassuring and showing concern for children but should only take place when it is acceptable to all persons concerned. All workers should be guided by individual children in expressions of affection (see Interactions Policy).
- The personal space, safety and privacy of all individuals in the service are to be respected.
- The level of contact around intimate care should be sensitively dealt with and a child's need for privacy in the toilet, for example, should be respected in accordance with his or her self-care abilities.
- Staff should be alert, open to and accepting of the possibility of child abuse or neglect.
- Staff must remember that children have a right to be listened to, heard and taken seriously. Adults should also observe their body language.
- Children's concerns and feelings will be respected. Their questions will always be answered honestly in a way that is appropriate to their age and stage of development.
- Families have a right to be respected and consulted in relation to their child's welfare
- Where there is a conflict of interest between the needs and rights of children and the needs and rights of their parents/carers, the child's needs and rights will be paramount.
- We are committed to working collaboratively with all agencies and disciplines concerned with the protection and welfare of children.
- We will respect confidentiality of information entrusted to us but will not treat as confidential information which needs to be shared to protect children.
- We will always fully consider factors such as the child's gender, age and stage of development, religion, culture and race in our work.
- We will endeavour to raise awareness in relation to children's welfare and protection among parents, carers, workers and the community generally.
- We will employ 'best practice' in our recruitment and selection policies and practices to minimise the risk to children in our services
- We will employ agreed and positive ways of dealing with children's behaviour. Their troublesome or disruptive behaviour will be kept separate from themselves as individuals and labels or nicknames will be avoided. Safe methods for dealing physically with children will be agreed and consistently applied (see Behaviour Management Policy).

### **Related/Supporting Documents/Related Legislation**

- Child Safeguarding Statement
- Behaviour Management Policy
- Anti-Bullying Policy
- Parents as Partners Policy
- Recruitment & Selection Policy
- Staff Training Policy
- Staff Support & Supervision Policy
- Arrivals/Departures Policy (Early Years)
- Interactions Policy
- Outings Policy



- Internet, Camera & Mobile Phone Policy
- CCTV Policy
- Complaints Policy
- Student/Volunteers Policy
- Collections & Transport Policy

## References

*Children First: National Guidelines for the Protection and Welfare of Children.* (n.d.). Retrieved from [http://www.tusla.ie/uploads/content/Children\\_First\\_National\\_Guidance\\_2017.pdf](http://www.tusla.ie/uploads/content/Children_First_National_Guidance_2017.pdf)

*Our Duty to Care: The Principles of Good Practice for the Protection of Children and Young People.* (n.d.). Retrieved from [http://health.gov.ie/blog/publications/our-duty-to-care-the-principles-of-good-practice-for-the-protection-of-children-and-young-people/tusla.ie/Guide\\_to\\_Reporting\\_Child\\_Protection\\_&\\_Welfare\\_Concerns.\\_\(2017\).](http://health.gov.ie/blog/publications/our-duty-to-care-the-principles-of-good-practice-for-the-protection-of-children-and-young-people/tusla.ie/Guide_to_Reporting_Child_Protection_&_Welfare_Concerns._(2017).) Retrieved from [http://www.tusla.ie/uploads/content/4214-TUSLA\\_Guide\\_to\\_Reporters\\_Guide\\_A4\\_v3.pdf](http://www.tusla.ie/uploads/content/4214-TUSLA_Guide_to_Reporters_Guide_A4_v3.pdf)

## Communication Plan

A copy of all policies will be available during hours of operation to staff members and parents/carers in the Policy Folder located in the Tigers Childcare service.

Parents/Carers may receive a copy of the policy at any given time upon request.

Parent/carers and staff will receive written notification of any updates.

## Policy Review

**Policy Created: November 2011**

**Policy Updated: February 2021**

**Policy Reviewed: Annually**

## **Appendix 1: Schedule of Relevant Services under Children First Act 2015**

Schedule 1 of the Children First Act 2015 defines Relevant Services as:

1. 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—
  - (a) an establishment which provides early years services within the meaning of Part VIIA of the Child Care Act 1991,
  - (b) a school or centre of education, both within the meaning of the Education Act 1998, (c) any hospital, hospice, health care centre or other centre which receives, treats or otherwise provides physical or mental health services to children,
  - (d) a designated centre within the meaning of section 2 of the Health Act 2007, in so far as it relates to an institution at which residential services are provided in accordance with the Child Care Act 1991 or to children with disabilities in relation to their disabilities,
  - (e) a special care unit provided and maintained in accordance with section 23K of the Child Care Act 1991,
  - (f) a children detention school within the meaning of section 3 of the Children Act 2001, (g) a reception or accommodation centre which provides residential accommodation services to applicants for asylum under contract to the Department of Justice and Equality where children may be accommodated, or
  - (h) a centre which provides residential accommodation services to victims of domestic violence where children may be accommodated.
2. Any work or activity which consists of the inspection of a service provided to a child under the Child Care Act 1991, the Education Act 1998, the Children Act 2001 or the Health Act 2007.
3. Any work or activity which consists of the inspection, examination or investigation by the Office of the Ombudsman for Children under the Ombudsman for Children Act 2002.
4. Any work or activity which consists of treatment (including assessment which may lead to treatment), therapy or counselling provided to a child.
5. Any work or activity which consists of the provision of—
  - (a) educational, research, training, cultural, recreational, leisure, social or physical activities to children,
  - (b) care or supervision of children, or
  - (c) formal consultation with, or formal participation by, a child in respect of matters that affect his or her life, whether or not for commercial or any other consideration.
6. Any work or activity which consists of the provision of advice or guidance services (including by means of electronic interactive communications), a necessary and regular part of which consists, mainly, of the person having access to, or contact with, children.
7. Any work or activity as a minister or priest or any other person engaged in the advancement of any religious beliefs which would or could bring that minister, priest or other person, as the case may be, into contact with a child.
8. Any work or activity as a driver of, or as an assistant to the driver, or as a conductor, or as a supervisor of children using a vehicle which is being hired or used only for the purpose of conveying children who are unaccompanied by a parent or guardian.
9. Any work or activity which is carried out by a member of An Garda Síochána, a necessary and regular part of which consists mainly of the person having access to, or contact with, children.

## Appendix 2: 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 registered in the register of members of that profession.
4. Speech and language therapist registered in the register of members of that profession.
5. Occupational therapist registered in the register of members 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 (if any) of members 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 3: Sexual Offences as Set out in the Children First Act 2015 (as amended by Section 55 of the Criminal Law (Sexual Offences) Act 2017)**

Schedule 3 of the Children First Act 2015 sets out offences for the purposes of paragraph (a) of the definition of 'sexual abuse' in section 2 as:

1. Rape.
2. Rape under section 4 of the Criminal Law (Rape) (Amendment) Act 1990.
3. Sexual assault.
4. Aggravated sexual assault within the meaning of section 3 of the Criminal Law (Rape) (Amendment) Act 1990.
5. An offence under section 1 of the Punishment of Incest Act 1908 (incest by males).
6. An offence under section 2 of the Punishment of Incest Act 1908 (incest by females of or over 17 years of age).
7. An offence under section 6(1) of the Criminal Law (Sexual Offences) Act 1993 (soliciting or importuning for purposes of commission of sexual offence).
8. An offence under section 2 of the Criminal Law (Sexual Offences) Act 2006 (defilement of child under 15 years of age).
9. An offence under section 3 of the Criminal Law (Sexual Offences) Act 2006 (defilement of child under 17 years). 9A. An offence under section 3A of the Criminal Law (Sexual Offences) Act 2006 (offence by person in authority).
10. An offence under either of the following provisions of the Child Trafficking and Pornography Act 1998: (a) section 3 (child trafficking and taking, etc., child for sexual exploitation); (b) section 4 (allowing child to be used for child pornography); (c) section 4A (organising etc. child prostitution or production of child pornography); (d) section 5A (participation of child in pornographic performance).
11. An offence under section 5 of the Criminal Law (Human Trafficking) Act 2008 in so far as it relates to a child who has been trafficked for the purpose of his or her exploitation (soliciting or importuning for purposes of prostitution of trafficked person).
12. An offence under section 176 of the Criminal Justice Act 2006 (reckless endangerment of children).
13. An offence under section 249 of the Children Act 2001 (causing or encouraging sexual offence upon a child)
14. An offence under any of the following provisions of the Criminal Law (Sexual Offences) Act 2017:
  - (a) section 4 (invitation etc. to sexual touching);
  - (b) section 5 (sexual activity in the presence of child);
  - (c) section 6 (causing child to watch sexual activity);
  - (d) section 8 (use of information and communication technology to facilitate sexual exploitation of child).

## Appendix 4: Child Protection & Welfare Report



An Ghníomhaireacht um  
Leanaí agus an Teaghlach  
Child and Family Agency

### 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)\***

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**2. Date of Report\***

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**3. Details of Child**

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

**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**

<b>Child Welfare Concern</b>	<input type="checkbox"/>		
<b>Emotional Abuse</b>	<input type="checkbox"/>	<b>Physical Abuse</b>	<input type="checkbox"/>
<b>Neglect</b>	<input type="checkbox"/>	<b>Sexual Abuse</b>	<input type="checkbox"/>

**6. Details of Reporter**

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

## 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

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

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

### 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

<b>Details of Mother</b>			
<b>First Name</b>		<b>Surname</b>	
<b>Address</b>		<b>Mobile No.</b>	
		<b>Telephone No.</b>	
		<b>Email Address</b>	
<b>Eircode</b>			

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

## 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*		Surname*	
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*		Surname*	
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	

## 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](http://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

## Child Protection and Welfare Report Form

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

Mandated Report Acknowledgement by			
First Name		Surname	Date Sent

Authorised Person Signature*	
Date*	

Child Previously Known	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Allocated Case No				