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Child and Vulnerable Adult Protection Policy and Procedures

Foreword

This document sets out the requirements for working with children and vulnerable adults at Innovate Dublin in accordance with the Children First Act 2015, the Children First National Guidance for the Protection and Welfare of Children and Safeguarding Vulnerable Persons at Risk of Abuse. It is distributed as part of the information pack for all staff and contractors. This document will also be made available to teachers, parents/guardians and other responsible adults working with children and vulnerable adults on Innovate Dublin projects and programmes. It is also published in PDF format on the Innovate Dublin website, www.innovatedublin.org

This document makes reference to two other documents that are also available in either hard copy or electronic copy:

- Health and Safety Policy
- Staff Terms and Conditions (Employee Handbook)

It is hoped that this policy will prove a practical and useful addition to best practice in working with children and young people and to help the staff of Innovate Dublin.

Innovate Dublin welcomes feedback on this document – please send comments and suggestions to Fiona Descoteaux, CEO, at fiona@innovatedublin.org

Section 1: POLICY

Introduction

We at Innovate Dublin are committed to safeguarding the well-being of children and vulnerable adults who are participating in events run at our offices and at off-site locations.

Our aim is to create a safe, creative and enjoyable environment where children and vulnerable adults of all abilities can participate in programmes and activities and where their protection and welfare is paramount. To this end, we adhere to the Children First Act 2015 and all associated guidelines, as well as Safeguarding Vulnerable Persons at Risk of Abuse: National Policy and Procedures, published by the Health Service Executive.

Everyone working with children and vulnerable adults has a responsibility for their well-being and protection, including those working as staff members at Innovate Dublin or through the organisation's educational programmes and activities. We have a collective responsibility to ensure that the children and vulnerable adults we work with are encouraged and helped in their participation of programmes and activities and that this should take place in a safe and protected environment.

This document contains the Innovate Dublin policy and guidelines for child and vulnerable adult protection and promotes codes of behaviour so that everyone is aware of the standards of behaviour of both children and adults. All staff and are required to adhere to this code.

All Innovate Dublin staff will be made aware of the policy and procedure and child/vulnerable adult protection will be covered in detail as part of the induction and training programme.

As part of their terms of employment, all staff will be required to report any concerns over behaviour or other evidence that may potentially indicate the presence of child or vulnerable adult abuse.

Policy Statement

Innovate Dublin's child and vulnerable adult protection policy stems from the following principles:

- The safety and welfare of children and vulnerable adults is everyone's responsibility.
- The welfare of the child and vulnerable adult is paramount. This is the guiding principle underpinning all our work with children and vulnerable adults.
- Per the Child Care Act 1991, a child is defined as a person under the age of 18 years, excluding a person who is or has been married. This definition includes the term young people.
- A vulnerable person is defined as an adult who may be restricted in capacity to guard himself/herself against harm or exploitation or to report such harm or exploitation. The restriction of capacity may arise as a result of physical or intellectual impairment.
- Vulnerability to abuse is influenced by both context (e.g. social or personal circumstances) and individual circumstances.¹
- All children and vulnerable adults, regardless of age, any disability they may have, gender, race², family status, marital status, religious belief, sexual orientation, membership of the Traveller community, geographical location, or socio-economic status³ have a right to protection from abuse.
- The need to comply with current statutory requirements and guidance on the protection of children and vulnerable adults.

The primary functions of this policy are the promotion of a safe environment for children and vulnerable adults, the prevention of abuse and the protection of staff through the application of a Code of Behaviour.

- **Safe and protected environment:** The safety and welfare of children and vulnerable adults is paramount. The most important function of this policy is to create a safe and protected environment for children and vulnerable adults to enable them to benefit from their participation in programmes and activities in Innovate Dublin.
- **Prevention and education:** This policy also aims to prevent abuse from occurring and to educate staff and on the subject and to build their capacity to pre-empt abuse.

Scope

This policy is applicable to all staff employed by Innovate Dublin at both office based programmes and external Innovate Dublin-sponsored events and activities.

It is the responsibility of the General Manager to ensure that every new staff member:

1. Receives a copy of the Child and Vulnerable Adult Protection Policy
2. Receives training on the subject matter

All staff members will:

1. Be provided with an adequate level of supervision, support and review of work practice
2. Be provided with child protection training at induction

¹ *Safeguarding Vulnerable Persons at Risk of Abuse: National Policy and Procedures, FAQ, December 2014, p.1*

² *While the term 'race' is used here as it appears in Ireland's equality legislation, Innovate Dublin recognises that it denotes a biological or scientific difference in human beings, a theory long discredited and to which the organisation does not subscribe.*

³ *These are the nine protected grounds outlined in the Innovate Dublin Equal Opportunities Policy and in line with the Employment Equality Acts 1998-2015 and the Equal Status Acts 2000-2015.*

All staff including visiting contractors, will agree to abide by the Innovate Dublin Child and Vulnerable Adult Protection Policy

Innovate Dublin has implemented policies and procedures covering the following with regard to child and vulnerable adult protection:

- Reporting of suspected or disclosed abuse
- Confidentiality
- Recruitment and selection of staff
- Management and supervision of staff and
- Involvement of parents/carers
- Staff allegations
- Complaints and comments
- Accidents

Child Safeguarding Statement: Relevant Service and Relevant Person

The Children First Act 2015 defines a 'provider' as "a person—

(a) who provides a relevant service, and

(b) who, in respect of the provision of such relevant service—

(i) employs (whether under contract of employment or otherwise) one or more than one other person to undertake any work or activity that constitutes a relevant service,

(ii) enters into a contract for services with one or more than one other person for the provision by the person of a relevant service, or

(iii) permits one or more than one other person (whether or not for commercial or other consideration and whether or not as part of a course of education or training, including an internship scheme) to undertake any work or activity, on behalf of the person, that constitutes a relevant service".

Under the Children First Act 2015, Innovate Dublin is a relevant service providing programmes to children and young people. As such, we will ensure, as far as practicable, that all children are safe from harm while availing of our services.

Per the Children First Act 2015, Innovate Dublin has:

- Performed assessment of any potential for harm to a child while availing of our services;
- Prepared a written Child Safeguarding Statement specifying the service being provided and the principles and procedures to be observed to ensure as far as practicable, that a child, while availing of the service, is safe from harm for use at all Innovate locations;
- Appointed a Relevant Person
- Displays the child safeguarding statement in a prominent place where the relevant service concerned relates or is provided, or both, as may be appropriate.

Relevant Person

The relevant person is the first point of contact in relation to the Child Safeguarding Statement; their name and contact details should be included in the Child Safeguarding Statement. The Relevant Person is Fiona Descoteaux, CEO.

Section 2: CODE OF BEHAVIOUR – STANDARDS OF BEHAVIOUR

We expect everyone working with children and vulnerable adults in any capacity for Innovate Dublin to take every possible precaution to avoid situations that could be misinterpreted and/or breach of the either the Child or Vulnerable Adult Protection Policy of Health and Safety Policy. By setting out appropriate and inappropriate behaviour, this code will not only help to protect children, but also staff, at Innovate Dublin.

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| Do | Treat all children and vulnerable adults equally. |
| Do | Listen and hear – and give time to the child or vulnerable adult to say what s/he wants to say. Thoughts and words are important and they deserve respect. |
| Do | Promote the atmosphere of openness, acceptance and tolerance in our offices. Be friendly and approachable. |
| Do | Respect a child or vulnerable adult’s right to personal privacy and personal space. |
| Do | Be aware of situations that present risks and manage these risks appropriately – always ask a member of staff if you are unsure. |
| Do | Safeguard the best interests and welfare of vulnerable adults where it is recognised that they are unable to make their own decisions and/or protect themselves, their assets or their bodily integrity and ensure appropriate and accountable protection for them. |
| Do | Use only appropriate language in working with children and vulnerable adults – no cursing or swearing. |
| Do | Ensure that an appropriate ratio of adults to children is in place. For primary school workshops, the ratio should be not more than 4:1. For secondary school workshops, the ratio should be not more than 6:1. |
| Do | Always treat children and vulnerable adults with respect - don't embarrass them. Do not ridicule, insult or make little of anyone during an activity. |
| Do | Recognise that caution is required, particularly sensitive moments such as dealing with a child or vulnerable adult who becomes upset. Always seek support from another team member, staff or a teacher/carer if required. |

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| Do | Ensure, in so far as possible, that the building and/or facilities used for activities with children and vulnerable adults are safe and secure for the people in it. All occupied parts of the building should be monitored and parts not in use should be isolated or secured, e.g. the door to the office should be shut. |
| Do | Plan activities so that they involve more than one person being present or at least in sight or hearing of others. A minimum of two adults should be present at all times. |
| Do | Carry identification when attending a school or other location on behalf of Innovate Dublin. |
| Do | Make sure that a responsible adult, e.g. a teacher, is always present for group programmes, both at the Innovate Dublin offices, when visiting a school or conducting programmes in outside venues on behalf of Innovate Dublin. |

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| Avoid | Doing things of a personal nature that children and vulnerable adults can do for themselves. Staff members and are not responsible for the personal hygiene needs of children and vulnerable adults. Notify the CEO if a child or vulnerable adult needs assistance. |
| Avoid | Allowing yourself to be drawn into inappropriate attention-seeking behaviours. Do your best to always remain calm. |

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| Do not | Physically punish or be in any way verbally abusive to a child or vulnerable adult. |
| Do not | Give a child or vulnerable adult your personal contact details, e.g. telephone number, social media contact information or email address. |
| Do not | Use alcohol, tobacco or drugs in the company of children or vulnerable adults. Staff and must not attend any Innovate Dublin programmes under the influence of alcohol or drugs. |
| Do not | Arrange external meetings or contact children or vulnerable adults outside the group or project. Do not offer lifts to children in your car. |
| Do not | Do not take photographs or videos of children or vulnerable adults unless you have prior school, carer or parental consent to do so. |
| Do not | Permit abusive peer activities such as bullying. Bullying behaviour can be defined as repeated aggression, be it verbal, psychological or physical, which is conducted by an individual or group against others. Report any incidents or suspected incidents of bullying behaviour to the Designated Liaison Person immediately. ⁴ |

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| Do not | Allow or engage in suggestive remarks, gestures or touching of a kind which could be misunderstood. If you have to touch a child or vulnerable adult, ask their permission where possible. In some cases, you may not have time to ask permission, for example, preventing fingers from being caught in a door. In these cases, always explain your actions after the event. See the “Physical Contact” section below for more information. |
| Do not | Allow any physically rough or sexually provocative games, or inappropriate talking or touching, by anyone in any group for which you have responsibility. |
| Do not | Allow conversations with children or vulnerable adults that encourage personal comments or show favouritism. |
| Do not | Talk about the children in front of the children. If you have a question about how best to work with a particular child, excuse yourself away from the child and ask a member of staff. |
| Do not | Allow unsupervised access to the Innovate Dublin wireless internet (wifi) connection and/or computer network. |
| Do not | Allow children or vulnerable adults to use dangerous equipment without supervision, e.g. scissors. Do not share your personal items. |
| Do not | Allow use of mobile phones during workshops unless absolutely necessary. |
| Do not | Under any circumstances attempt to deal with any problems or challenging behaviour alone. If an activity – the event itself or peer activities between children – is getting out of hand or unsafe, notify the Programme Manager or a member of staff immediately. |

4 At Innovate Dublin, the Designated Liaison Person is the CEO, Fiona Descoteaux (087 1947757) fiona@innovatedublin.org. In the event that the CEO is unavailable, e.g. due to illness or holiday, the deputy designated liaison person is the Social Innovation Manager, Annabelle Conway (087 2394053) annabelle@innovatedublin.org.

Physical Contact

Physical touch should only occur when it is appropriate to the age/development of the child and in response to particular needs of the child. There will be instances when physical contact is unavoidable and in fact necessary.

Appropriate:

- Context-dependent touch within a controlled and supervised environment (e.g. demonstration of dance, positioning, supporting a lift, demonstrating a breathing technique)
- Preventing injury (e.g. catching a falling child, appropriate restraint)
- Handshake and “high fives”
- Fitting safety equipment (e.g. harness, safety restraint)

Inappropriate:

- Touch which is unnecessary, unexplained, out of context, without consent
- Any touch to breast, groin or buttocks areas
- Kissing or hugging
- Slapping/hitting (even in jest)
- Holding hands
- Sitting in lap

Young children particularly will often demonstrate affection. Staff training and induction will include best practices and methods of how to best respond when a child tries to hug, wants to hold hands, etc.

Breaches of the Code of Behaviour by Staff

Any breaches of the Code of Practice will be raised with the individual concerned. In the case of staff, serious breaches of the code or policy will be dealt with under the disciplinary procedure and could result in disciplinary action up to and including dismissal.

If you have a concern or complaint that is related to Code of Behaviour you can speak to the primary designated contact, the Designated Liaison Person. The Designated Liaison Person will assess the situation and conduct an investigation if necessary.

Any allegation will be investigated confidentially in order to safeguard the rights of the person against whom allegations have been made. Investigations will be carried out quickly to see whether a prima facie case is established. All investigations will be conducted in accordance with the principles of natural justice:

- The right to a fair hearing
- The rule against bias

If so, the issue will be handled according to the disciplinary procedure in the Staff Terms and Conditions (Employee Handbook).

If not, the complainant will be told the outcome of the investigation and that the matter will not be taken any further. The individual will retain the right to pursue the matter under the complaints procedure, or grievance procedure as appropriate.

Following a complaint, the handling of the complaint will be subject to a review by an independent, external third party to ensure that all complaints are dealt with in line with best possible practice. During the course of such a review, all names and identifying details will be removed.

Section 3: REPORTING PROCEDURES - WHAT TO DO IF YOU THINK A CHILD MAY BE BEING ABUSED

THE ONE THING YOU MUST NOT DO IS NOTHING

All staff and have a responsibility to safeguard children and young people and to report any concerns they may have for the protection or welfare of a child/young/vulnerable person.

Staff Responsibilities at Innovate Dublin

Designated Liaison Person

Children First: National Guidance for the Protection and Welfare of Children refers to the role of the Designated Liaison Person (DLP) and Deputy DLP. Best practice in child safeguarding indicates that organisations working with children/young people or their families should appoint a DLP to be the resource person to any staff member who has child protection concerns and to liaise with outside agencies. The role of the DLP is to receive child protection and welfare concerns from workers and to report concerns which meet the threshold of 'reasonable grounds for concern' to Tusla.

At Innovate Dublin, the Designated Liaison Person is Fiona Descoteaux, CEO. The Deputy Designated Liaison Person is Annabelle Conway, Social Innovation Manager.

Mandated Persons

Under the Children First Act 2015, mandated persons have a statutory obligation to report concerns which reach or exceed a legally defined threshold (see section 14 of the Children First Act 2015) and to cooperate with Tusla in the assessment of mandated reports, where requested to do so.

Fiona Descoteaux, CEO is a mandated person under the Children First Act 2015.

The term 'harm' is used as defined in the Children First Act 2015: 'harm' means, in relation to a child—

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

Section 14(1) of the Children First Act 2015 states:

“...where a Mandated Persons knows, believes or has reasonable grounds to suspect, on the basis of information that he or she has received, acquired or becomes aware of in the course of his or her employment or profession as such a mandated person, that a child—

- (a) has been harmed,
- (b) is being harmed, or
- (c) at risk of being harmed,

he or she shall, as soon as practicable, report that knowledge, belief or suspicion, as the case may be, to [Tusla].”

Also, Section 14(2) of the Children First Act 2015 places obligations on mandated persons to report any disclosures made by a child:

“Where a child believes that he or she—

- (a) has been harmed,
- (b) is being harmed, or
- (c) is at risk of being harmed,

and discloses this belief to a mandated person in the course of a mandated person's employment or profession as such a person, the mandated person shall, ... as soon as practicable, report that disclosure to [Tusla].”

Types of Child Abuse and How They May Be Recognised

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.

A child/young person will sometimes confide in a staff member that they have been abused or someone may witness incidents which suggest that a child/young person is being harmed. Often it is a case of a staff member feeling worried and concerned about certain signs they are picking up on, such as poor hygiene; a child/young person always appearing hungry, listless and tired; a lack of suitable clothing; or unexplained physical injuries. Other indicators may be related to the child/young person's behaviour, such as being aggressive, impulsive or withdrawn. A cluster or pattern of signs is more likely to be indicative of neglect or abuse.

Definitions of the four types of abuse are found in Appendix A.

Identifying Reasonable Grounds for Concern

Tusla should always be informed when a staff member has reasonable grounds for concern that a child may have been, is being, or is at risk of being abused or neglected.

If you ignore what may be symptoms of abuse, it could result in ongoing harm to the child. **It is not necessary for you to prove that abuse has occurred to report a concern to Tusla.** All that is required is that you have reasonable grounds for concern.

It is Tusla's role to assess concerns that are reported to it. If you report a concern, you can be assured that your information will be carefully considered with any other information available and a child protection assessment will be carried out where sufficient risk is identified.

Reasonable grounds for a child protection or welfare concern include: 5

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 a child being abused.

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 to Tusla.
3. **Protection for Making Reports in Good Faith**

The Protections for Persons Reporting Child Abuse Act 1998 protects you if you make a report of suspected child abuse to designated officers of Tusla, the Health Service Executive (HSE) or to members of the Gardaí as long as the report is made in good faith and is not malicious. Designated officers also include persons authorised by the Chief Executive Officer of Tusla to receive and acknowledge reports of mandated concerns about a child from mandated persons under the Children First Act 2015.

This legal protection means that even if you report a case of suspected child abuse and it proves unfounded, a plaintiff who took an action would have to prove that you had not acted reasonably and in good faith in making the report. If you make a report in good faith and in the child's best interests, you may also be protected under common law by the defence of qualified privilege.

See www.tusla.ie/children-first for full details.

Questions That May Help When Staff are Concerned About A Child's Welfare

- Is the child behaving normally for his or her age and stage of development?
- Is what the child has written/drawn appropriate to his or her age?
- Has something happened that could explain the child's behaviour?
- Is the child showing signs of distress? If so, describe (e.g. behavioural, emotional, physical signs).
- Is the child suffering?
- Does the behaviour restrict the child socially?
- What effect, if any, does it have on others (e.g. other children)?
- What are the child's parent(s)' views, if known?

If a child tells you that he or she is being abused

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

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

- Be as calm and natural as possible.
- Remember that you have been approached because you are trusted and possibly liked. Do not panic.
- Be aware that disclosures can be very difficult for the child.
- Remember, the child may initially be testing your reactions and may only fully open up over a period of time.
- Listen to what the child has to say. Give them time and opportunity to tell as much as they are able and wish to tell.
- Do not pressurise the child. Allow him or her to disclose at their own pace and in their own language.
- Conceal any signs of disgust, anger or disbelief.
- It is important to differentiate between the person who carried out the abuse and the act of abuse itself. The child/young person quite possibly may love or strongly like the alleged

abuser while also disliking what was done to them. It is therefore important to avoid expressing any judgement on, or anger towards, the alleged perpetrator while talking to the child/young person.

- It may be necessary to reassure the child that your feelings toward him or her have not been affected in a negative way as a result of what they have disclosed.

When Asking Questions

- Questions should be supportive and for the purposes of clarification only.
- Avoid asking leading questions, such as asking whether a specific person carried out the abuse. Also, avoid asking about intimate details or suggesting that something else may have happened other than what you have been told. Such questions or suggestions could complicate the official investigation.

Confidentiality – Do Not Promise to Keep Secrets

At the earliest opportunity, tell the child that:

- You acknowledge that they have come to you because they trust you.
- You will be sharing this information only with people who understand this area and who can help. There are secrets which are not helpful and should not be kept because they make matters worse. Such secrets hide things that need to be known if people are to be helped and protected from further ongoing hurt. By refusing to make a commitment to secrecy to the child, you do run the risk that they may not tell you everything (or indeed, anything) there and then. It is better, however, to do this than to tell a lie and ruin the child’s confidence in yet another adult. By being honest, it is more likely that the child will return to you at another time.

Think Before You Promise Anything – do not make promises that you cannot keep

At the earliest possible opportunity:

- Record in writing, in a factual manner, what the child has said, including as far as possible the exact words used by the child.
- Inform the designated person immediately and agree measures to protect the child,

i.e. report the matter directly to Tusla, the Child and Family Agency.

Maintain appropriate confidentiality.

Responding To A Disclosure

| Things To Say | Things Not To Say |
|---|---|
| I want to listen to what you have to say | Wait until I get my manager so you can tell him/her too |
| I am going to do my best to help you | I can't do anything |
| You did the right thing by telling me, this is what I am going to do next | I can't believe it, I'm shocked |
| You are not to blame | This is your fault |
| Is there anything else you want to share? | Don't tell me anymore |

Ongoing Support

Following a disclosure by a child, it is important that the staff member continues in a supportive relationship with the child. Disclosure is a huge step for a child.

Staff members or should continue to offer support, particularly through:

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

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

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

If in doubt, check it out!

If you really are uncertain whether your concerns are well founded, or what to do for the best, you can get advice from a Tusla, the Child and Family Agency duty social worker.

Tusla Duty Social Work Team for the North Dublin area can be contacted on 01 870800, Monday to Friday, 9am to 5pm.

UNDER NO CIRCUMSTANCES SHOULD A CHILD BE LEFT IN A SITUATION THAT EXPOSES HER OR HIM TO HARM.

In out-of-hours or emergency cases, if you think a child is in immediate danger and you cannot reach a duty social worker, you should contact the Gardaí on 999/112.

Procedure for Making A Formal Referral to Tusla, the Child and Family Agency

If you identify a child as being at risk of harm – you must act. Paragraph 3.7.3 of: National Guidance (2017) states that *“it is the responsibility of all agencies working with children and for the public to recognise child protection concerns and share those with the agencies responsible for assessing or investigating them, not to determine whether the child protection concerns are evidenced or not.”*

In the first instance, if possible, make telephone contact with the Duty Social Worker, or if out-of-hours or in an emergency, with the Gardaí.

The following procedures should be followed:

The Designated Liaison Person should make a referral to Tusla, the Child and Family Agency by using the **Standard Report Form**.

The Standard Report Form can be accessed directly from Tusla, the Child and Family Agency at <http://www.tusla.ie/children-first/publications-and-forms>

If you believe the concern is urgent and that there is imminent risk to a child, make the report by telephone and then follow it up with the completed form. The quality of the information you provide will influence the ability of Tusla, the Child and Family Agency to respond.

The completed Standard Reporting Form must contain as much of the following as possible:

Accurate identifying information – including all known full names and surnames, addresses, date of birth, age, name of the child’s school, disability if applicable, ethnicity, first language (need for interpreter, if known) of the child(ren) and all the known members of his or her family and other adults living in the household. In cases of suspected abuse and neglect, family members should not be used as interpreters.

The report should also include:

Names and addresses of the parents/carers of the child

The relationship to the child of the person making the report

The name, address and details of the person allegedly causing concern in relation to the child or children

The names and addresses of other personnel or agencies involved with the child or children, e.g. GP, social worker, public health nurse, Gardaí, etc.

Details of the concern, allegation or incident – outline the exact nature of the concern: include dates, times and names of persons present. It is important to describe any observed injuries or behaviours that may be linked to the incident. In cases where neglect or abuse is indicated over time, the reporter should be encouraged to provide a chronology of the evidence or symptoms in the child that gave rise to the concern. The report should include the name and contact details of the person reporting the concerns and whether that person is a professional, a person working with children or a member of the public.

Views of the parent/carer and views of the child (where age appropriate) – the reporter must provide any accounts of the parents’ or child’s views about the concern that are known to them.

Any other relevant information

A copy will be kept for Innovate Dublin’ records and the original sent to Tusla, the Child and Family Agency.

Cases Not Reported to Tusla or An Garda Síochana

In those cases where Innovate Dublin decides not to report concerns to Tusla or An Garda Síochana, the individual staff member who raised the concern will be given a clear written statement of the reasons why the organisation is not taking such action. The staff member will 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 Síochana. The provisions of the Protections for Persons Reporting Child Abuse Act 1998 apply once they communicate “*reasonably and in good faith*” (see Paragraph 3.10.1)

Allegations Against a Staff Member

If an allegation is made against a staff member, there are two procedures that Innovate Dublin will put in place:

- The reporting procedure in respect of the child/young person
- The procedure for dealing with the staff member

These procedures, according to Children First: *National Guidelines for the Protection and Welfare of Children* should be followed in the event of suspicion or disclosure of abuse against a staff member. In this situation, Innovate Dublin must have due regard for the rights and interest of the child on one hand and those of the person against whom the allegation is made on the other hand.

The Company Secretary (currently Anne Keating) will deal with the staff member in question, while the Designated Liaison Person will have the responsibility of dealing with reporting the issue and supporting the child. Staff members may be subjected to erroneous or malicious allegations, therefore any allegation of abuse should be dealt with sensitively and support provided for staff as well as the child, including counselling where necessary. The primary goal, however, is to protect the child while taking care to treat the staff member fairly.

When the Company Secretary of Innovate Dublin becomes aware of an allegation of abuse of a child or children by a staff member, she will inform that person of the following:

- The fact that an allegation has been made against him/her
- The nature of the allegation

The staff member will be afforded the opportunity to respond. The Company Secretary will note the response and pass on the information if and when a formal report is made to Tusla, the Child and Family Agency.

It is important to note that The Protection for Persons Reporting Child Abuse Act, 1998 applies equally to organisations provided they report the matter “*reasonably and in good faith.*”

Innovate Dublin accepts the possibility that a number of factors may have a bearing on the organisation and will need to be considered:

- Possible reactions of other members of staff/, including anger, disbelief, doubt, fear, shock, guilt, anxiety and confusion.
- The effects on the alleged abuser of the internal disciplinary proceedings, the child protection investigation and the criminal investigation.
- The reactions of other staff/ and other children/young people towards the child/young person who has been abused or whose allegation is being investigated.
- The reaction of parents/carers and other family members of the child/young person.

NOTE: Should an allegation be made against the Company Secretary of Innovate Dublin, the Chair of the Board will deal all aspects of the situation.

If an allegation is made against a staff member, the following steps will be taken:

- The Company Secretary of Innovate Dublin will deal with all aspects of the case relating to the staff member. It may be necessary for the Company Secretary to seek legal advice for any action following an allegation against a staff member. A meeting may need to be arranged with Tusla or the Gardaí to discuss the allegation.
- The allegation will be assessed by the Designated Liaison Person to establish if there are reasonable grounds for concern and whether a formal report will be made to the statutory authorities at that point. The Designated Liaison Person may wish to contact Tusla, the Child and Family Agency for advice on the issue.
- The safety of the child/young person is the first priority of Innovate Dublin and all necessary measures will be taken to ensure that the child/young person is safe. The measures taken will be proportionate to the level of risk.
- Innovate Dublin will ensure that no other children/young people are at risk during this period and will inform other relevant agencies or parents/carers as appropriate.
- Pending the outcome of the investigation by Tusla, the Child and Family Agency and/or the Gardaí, the measures which can be taken to ensure the safety of children and young people can include the following: suspension of duties of the person accused (with pay in the case of a staff member), re-assignment of duties where the accused will not have contact with children/young people, working under increased supervision during the period of the investigation or other measures as deemed appropriate.
- Innovate Dublin will notify the staff member that an allegation has been made and what the nature of the allegation is. The staff member has a right to respond to this and the response should be documented and retained.
- Innovate Dublin will ensure that the principle of 'natural justice' will apply whereby a person is considered innocent until proven otherwise.
- Innovate Dublin will work in co-operation with An Garda Síochána and Tusla, the Child and Family Agency, and any decisions taken on action in regard to the staff member will be taken in consultation with these agencies.
- The person against whom the allegation is made will need support during this period and Innovate Dublin will provide advice on how to access the relevant support services.
- Parents/guardians of the child will be informed of the allegation, concern or disclosure unless doing so is likely to endanger the child.

And lastly

If you would like to discuss any of the issues raised in this child protection policy and procedures document or obtain further information, please refer to the list of useful contacts contained in Appendix E.

Section 4: CHILD PROTECTION AND INNOVATE DUBLIN ACTIVITIES

1. Visits to Outside Organisations

Most of Innovate Dublin's activities take place at the Innovate Dublin offices or at designated regular locations. We do, however, send staff to accompany young people on outside trips and visits such as cultural institutions and other education centres from time to time, as part of our overall Youth Programme activities.

If staff members visit a school or other location, the organisation will be asked to send an accompanying letter on headed paper, signed by the principal or other member of the senior manager or member of staff, confirming the organisation's own child protection policy, per the relevant legislation requiring them to do so. Outside organisations may also be required to provide proof of public liability insurance.

2. Events: Both at Innovate Dublin and External Venues

Staff organising events that include children and young people must abide by this policy to ensure the safe participation of children and young people in Innovate Dublin activities.

Event organisers for one-off events should contact the Designated Liaison Person when planning events and consider whether it is necessary to have a disclaimer saying Innovate Dublin expects parents/primary carers, guardians, teachers and/or carers to keep responsibility for their children while taking part in Innovate Dublin activities.

Staff should keep records in certain circumstances at events and workshops involving children and young people:

- Any allegations a child makes against you or other staff/, e.g. "you're always picking on me," "don't touch me," etc. Take a note of the date and time and report to the Designated Liaison Person.
- If a child touches you or talks to you in an inappropriate way, record what happened and tell another adult. Ignoring this or allowing it to go on may place you in a very difficult position.
- In the case of a child speaking to you or behaving inappropriately, that you advised the child in question directly that s/he was speaking or behaving inappropriately.
- In the event of an injury, ensure that it is recorded in the Innovate Dublin Health and Safety Log and that the record is witnessed by another adult.

See Appendix C of this document for a sample form. Forms are available from the CEO.

3. Guidelines for Young People in Photography and Film

It is important, when we use children and young people in photo shoots and/or take pictures of them during the course of Innovate Dublin's activities that we consider how the images are used.⁶

When selecting a range of images for use in Innovate Dublin promotional material (either print-based or web-based) for each photograph consider the following:

- **Is the image clear?** Does the image convey a message that can be clearly understood by the child? Is the photograph of sufficient quality and clarity?
- **Is the image dignified?** Are the subjects of the image presented in a manner in which they would wish themselves to be portrayed? Are vulnerable people presented sensitively?
- **Is the image authentic?** Is the photograph authentic or do you think it has been cropped or edited in a way that distorts the actual facts?
- **Is the image balanced?** Do the images used present a balance of ethnicities and role models, as appropriate to the setting? Do the images show the diverse realities of everyday life and challenge prevailing expectations?

Parental and School Consent

Parental/primary carer and/or school consent for the use of images of children/young people in group shots will be required before photographs are used for promotional material and/or the website.

Parental/primary carer consent will be required for the use of an image of an individual child or young person in which the child/young person is named.

General Guidelines

- Under-18s should be asked if they mind before pictures are taken or filming takes place. This is good practice for adults as well.
- A letter will be made available from the Social Innovation Manager to parents/teachers/other responsible adults advising what will happen to the pictures/film and what they/it will be used for during and after an event.
- If pictures are taken or filming takes place informally at Innovate Dublin or other event, then this needs to be covered in the general parental/primary carer permission letter issued (as above).
- It is occasionally acceptable to obtain consent after pictures have been taken or filming has taken place, but this must be before their publication or use.

⁶ Please refer to the *Dochas Code of Conduct on the Use of Images* for more information: www.dochas.ie

Section 5: Safeguarding Vulnerable Adults

Per the Health Service Executive's *Safeguarding Vulnerable Persons at Risk of Abuse: National Policy and Procedures*, a vulnerable person is defined as

“an adult who is restricted in capacity to guard himself/herself against harm or exploitation or to report such harm or exploitation. This may arise as a result of physical or intellectual impairment and risk of abuse may be influenced by both context and individual circumstances.”⁷

Abuse of vulnerable adults can constitute the physical, psychological, emotional, financial or sexual maltreatment or neglect of a vulnerable adult by another person. The abuse may be a single act or repeated over a period of time and it may take one form or a multiple of forms. The lack of appropriate action can also be a form of abuse.

Key Principles in Vulnerable Adult Protection and Welfare

- **Citizenship** confers a status on an individual whereby their fundamental right to dignity and respect and other basic human rights as well as their rights to participation in society are upheld and supported by the Constitution, by Ireland's human rights treaty commitments and by the laws of the State.
- **Person-centredness** is that principle which places the person as an individual at the heart and centre of any exchange requiring the provision or delivery of a service. Services are organised around what is important to the person from her/his perspective.
- **Empowerment** is that principle which recognises the right of the individual to lead as independent a life as possible and that supports the individual in every practical way to realise that right.
- **Self-directedness** recognises the right of the individual to self-determination to the greatest extent possible, including where this entails risk. Abiding by this principle means ensuring that risks are recognised, understood and minimised as far as possible, while supporting the person to pursue their goals and preferences.
- In accordance with the principles set out in this policy, it is recognised that adults have the **right to self-determination and to make decisions**, even if this means that they remain at risk. Where there are concerns regarding diminished capacity, consideration should be given to requesting a specialist assessment of the person's decision-making capacity in the context of the abuse allegations and the risk posed to the person.
- Equity should be applied in relation to transactions with and services to vulnerable adults. Resources and services should be provided to vulnerable people on the basis of need, using the principle of proportionality.
- **Safeguarding best interest** recognises the vulnerability of individuals where they are unable to make their own decisions and/or protect themselves, their assets or their bodily integrity and ensures appropriate and accountable protection for them.

⁷ *Safeguarding Vulnerable Persons at Risk of Abuse: National Policy and Procedures*, Health Service Executive, 2014, p. 5

Responding to and Reporting Vulnerable Adult Protection Concerns

If you are concerned about the protection or welfare of a vulnerable adult, contact the Designated Liaison Person.

When the Designated Liaison Person receives a report about suspected or actual abuse, she will consider the wishes of the vulnerable adult and if there are reasonable grounds for reporting to the statutory authorities. This will mean:

- Clarifying or getting more information about the matter
- Consulting with the vulnerable adult to her/his wishes, etc.
- Where there is any doubt or uncertainty, consulting the statutory authorities to obtain their advice about the situation
- Where there are concerns about the diminished capacity of the vulnerable adult, considering assessment of decision-making capacity in the context of the abuse allegations and the risk posed to the person
- Making a formal referral to the statutory authorities

A suspicion that is not supported by any objective indication of abuse or neglect would not constitute a reasonable suspicion or reasonable grounds for concern. These suspicions, however, will be recorded or noted internally by the Designated Liaison Person as future suspicions may lead to the decision to make a report and earlier suspicions may provide important information for the statutory authorities. A full written record of all decisions will be maintained by the Designated Liaison Person.

In an emergency, where a person is at immediate risk, you should contact An Garda Síochana (the police) or the Emergency Services on 112 or 999.

Confidentiality

All information concerned with the identification and reporting of vulnerable adult abuse is subject to best practice guidance on confidentiality. Where a vulnerable adult has capacity, their consent should be sought prior to disclosing information to other parties or the statutory authorities.

Mandatory Reporting

All citizens should be aware that it is a legal requirement throughout Ireland for any person who knows or believes that a serious offence has been committed, including an offence relating to rape, sexual assault or false imprisonment, to report such information to An Garda Síochana and it is an offence not to do so where that failure cannot be reasonably excused.

Consent

The consent of the vulnerable adult should be sought prior to reporting any matter to the statutory authorities and on to family and care service providers. Sometimes adults do not want civil authorities to take action to investigate or protect them from harm. If upon receipt of the concern, where the vulnerable adult does not give consent to reporting, and it is not clear that a criminal act has taken place, and where the Designated Liaison Person believes that others may also be at risk of harm, consultation should take place with civil authorities as to the best course of action in the absence of consent.

In considering the capacity of the vulnerable adult to give consent, the following factors should be taken into account:

- The adult has capacity to understand what is being asked of him or her
- Sufficient information is given, in a way that the person understands, to enable him/her to make an informed decision
- Consent is not received through any form of coercion

If the vulnerable adult is unable to give informed consent, discussions should take place with their carer/guardian/close family member about reporting concerns/allegations and, where appropriate, discussions should also take place with any medical or social work personnel. There may need to be a determination as to who can give consent on behalf of the vulnerable adult. In some cases there may already be provision in place; consultation may be required with legal advisers and statutory authorities.

Please note that the Designated Liaison Person should not make determinations around capacity to give consent without consultation with appropriately skilled personnel.

Section 6: RECRUITMENT OF STAFF

Innovate Dublin will seek to check very thoroughly the background and suitability of all staff., The procedure will involve a number of checks and safeguards, and no provisional offer of employment will be confirmed, nor will commence, until all checks have been satisfied. No candidate who is deemed to be a risk to children or vulnerable adults will be employed following the completion of the recruitment procedures.

It is important therefore to ensure that this recruitment process is thorough and no stage is omitted without agreement of the CEO and/or Company Secretary.

1. Recruitment Processes for Staff

Applicants will be informed, via the details sent out and/or advertised as part of the recruitment process - that Innovate Dublin will require personal disclosure that nothing in an applicant's background may preclude her or him from working with children and vulnerable adults so that applicants can make an informed choice as to whether to apply for the post. The details will also cover what checks will take place if they choose to apply. These checks will include:

Application Form

Applicants will be asked to give a full account of their employment history alongside any voluntary experience on their application form, giving details of posts, names, addresses and contact numbers and reasons for leaving. The form must be marked and dated confirming that the information is true, that the candidate gives permission for Innovate Dublin to approach previous employers, and that there is nothing in the applicant's personal or professional background that would preclude her or him from working with children and vulnerable adults. While electronic applications are accepted by the organisation, candidates must be able to produce signed copies at interview.

Disclosure of Criminal Convictions/Prosecutions

Applicants will be asked to declare all convictions/prosecutions whether spent or otherwise in the application form. Any disclosures should be treated in strict confidence. The information disclosed will not necessarily disqualify the application. The CEO will make a decision as to whether the information disclosed is relevant to the post.

Applicants will have the opportunity to speak to the Company Secretary, in confidence, about this aspect of the recruitment process should they wish to do so.

Interview

Selected candidates will be interviewed by a panel in accordance with the usual recruitment procedures. Applicants will be asked to account for any gaps on their application forms and to give details of what they were doing if not in employment or volunteering.

Garda Vetting

All staff of Innovate Dublin are legally required to be Garda vetted as the organisation provides assistance including the coaching, mentoring, teaching or training of children, young people and vulnerable adults. Innovate Dublin staff, are vetted via Dublin City Volunteer Ireland. Unit 4 Whitefriars, Aungier Street, Dublin 2.

Newly appointed staff are subject to Garda vetting in line with Innovate Dublin' probation policy.

A processed Garda Vetting Form application will indicate one or more of the following:

- No previous convictions against the applicant
- Convictions against the applicant
- Prosecutions pending involving the applicant

Every applicant will be treated with care, respect and ultimately confidentiality in line with the Innovate Dublin Data Protection Policy. Innovate Dublin may accept and/or employ applicants who return convictions or prosecutions that are not considered to be related to child protection or violence and abuse of adults, vulnerable or otherwise. Each disclosure shall be dealt with on its own merit(s).

Verification of Identity

Applicants must be able to produce two documents at interview that can confirm his/her full name, date of birth, proof of address and signature. These documents are also required for Garda vetting.

References

When a provisional offer of employment or a volunteer role is made, references will be taken up, at least one of which must be the applicant's present or last employer.

NB: Recruitment of Volunteers

Volunteers will go through all the same background checking procedures as paid staff.

Volunteers will be told when interviewed that the volunteer position being recruited for could involve work with children or young people and the checks in Innovate Dublin's Child Protection and Vulnerable Policy will be followed.

Referees for volunteers may be colleagues, past employers, family friends – anyone who is not a relative and can confirm the volunteer's good character.

2. Responsibility for the Policy: The Designated Liaison Person

Innovate Dublin's Designated Liaison Person, is Fiona Descoteaux, CEO. The primary responsibilities of the Designated Liaison Person are:

- Ensuring that the standard reporting procedure is followed so that suspected cases of child neglect and abuse and vulnerable adult neglect and abuse are referred promptly to the designated person in Tusla, the Child and Family Agency or, in the event of an emergency and the unavailability of Tusla, the Child and Family Agency, to An Garda Síochána.
- Ensuring that they are knowledgeable about child protection and undertake any training considered necessary to keep themselves updated on new developments.

3. Role of the Designated Liaison Person:

- To be the first internal point of contact in the case of a report about the Code of Practice being breached. The Designated Liaison Person then has an obligation to report breaches to the Company Secretary.
- To make arrangements for the conduct of inquiries when there has been a breach of the Code of Behaviour.
- Record keeping. Records should be kept in compliance with the Data Protection Act requirements.
- Report suspicions and allegations of child abuse to the statutory authorities, e.g. Tusla, the Child and Family Agency, or An Garda Síochána.
- Liaise between Innovate Dublin staff, children and the statutory authorities where necessary.
- Create and maintain links with the statutory authorities and other relevant agencies and resources groups.
- Facilitate the provision of support to any victim, volunteer, or employee making a referral and provide support also to the person against whom the allegation has been made.
- Advise the organisation, members, or staff on individual cases as necessary and appropriate.
- Advise on good practice.
- Organise and/or facilitate training and workshops on guidelines in child protection.
- Keep up-to-date on current developments regarding provision, practice, support services, legal obligations/requirements and policy.

Section 6 – STAFF PROTECTION PROCEDURE

The Code of Behaviour

As part of the policy on child and vulnerable adult protection, Innovate Dublin has developed a Code of Behaviour, which forms part of this policy document. We believe that by following it, children and vulnerable adults will be protected from abuse. It will also protect staff and those involved with Innovate Dublin from their actions being misinterpreted.

Alleged breaches of the Code of Behaviour regarding a staff member should be made under the procedure outlined above. If a breach of Code of Behaviour is founded following an investigation, action will be taken under the organisation's disciplinary procedure.

Members of staff are protected in making allegations of breaches of the Code of Behaviour against another staff member provided the allegations are made reasonably and in good faith. If an allegation of a breach of the Code of Behaviour is found to be made unreasonably and not in good faith, the staff member whom the allegation was made against may make a complaint under Innovate Dublin's grievance procedure. If such a complaint is upheld, action may be taken against the complainant under the organisation's disciplinary procedures.

In the case of staff members, the normal application of the rules of suspension as outlined under Innovate Dublin' discipline and grievance procedures will apply if required in order to carry out an investigation of a breach of the Code of Behaviour.

Provision of Support

If an alleged incident of abuse takes place in connection with Innovate Dublin activities, the organisation undertakes to provide support for the alleged victims and the person against whom the allegation has been made while any investigation, either by the statutory authorities or internally, Innovate Dublin will seek to ensure that any continuing support needed after a situation has been resolved is made available.

Training and Support

- Innovate Dublin will in the first instance ensure that all staff are aware of the Child Protection Policy.
- All staff members have a responsibility to ensure that any events they have planned will include a provision of the need for consideration of child/vulnerable adult protection issues.
- Training will be provided for those in designated jobs on how to maintain exemplary standards in safeguarding children and vulnerable adults as required.

Section 7: CONFIDENTIALITY STATEMENT

At Innovate Dublin, we are committed to ensuring everyone's right to confidentiality. The effective protection of a child often depends of the willingness of staff in statutory and voluntary organisations involved with children to share and exchange relevant information. It is therefore critical that there is a clear understanding of professional and legal responsibilities with regard to confidentiality and the exchange of information.

In relation to child protection and welfare, however, we undertake that:

Information will only be given on a "need to know" basis in order to safeguard the child or vulnerable adult.

- Giving such information to others for the protection of a child or vulnerable adult is not a breach of confidentiality or data protection.
- We cannot guarantee total confidentiality where the best interests of the child or vulnerable adult are at risk.
- Information gathered for one purpose will not be used for another purpose without consulting the person who provided that information.
- Parents/carers/responsible adults, as well as children and vulnerable adults, have a right to know if personal information is being shared and/or a report to Tusla, the Child and Family Agency (or other statutory authority) is being made, unless doing so could put the child or vulnerable adult at risk.
- Images of children will not be used for any reason without the consent of the
- parent/carer (we cannot, however, guarantee that cameras/videos will not be used at public sessions).
- Procedures are in place on the use of images of children.

- Procedures are in place for the safe and confidential storage of personal information and records in line with our confidentiality policy and Data Protection Act obligations.
- Personnel records for staff are stored in a locked filing cabinet and in an encrypted SSL-protected database. Fiona Descoteaux, CEO has access to all staff records.

Section 9: COMPLAINTS AND COMMENTS PROCEDURE

For issues in relation to children, primary carers and staff:

- Written complaints and comments will be acknowledged as soon as possible and responded to in writing within three weeks of receipt.
- Verbal complaints will be logged and responded to in writing within three weeks of receipt.
- The Designated Liaison Person, i.e. the CEO will have responsibility for
- directing complaints and comments to the appropriate person. The Designated Liaison Person is Fiona Descoteaux – 087 1947757 or fiona@innovatedublin.org
- The Designated Liaison Person will investigate complaints as necessary and respond within the timeframe outlined above.

Section 9: ACCIDENTS PROCEDURE

- The First Aid box is available, clearly labelled and regularly re-stocked at the Innovate Dublin offices. It is located in the Hub, on the cupboard beside the photocopier.
- Incident books are clearly labelled and easily available and all incidents recorded.
- Availability of first aid will be in accordance with health and safety legislation at the Innovate Dublin offices, Social Innovation Hub, 1st Floor, Ballymun Civic Centre, Dublin 9. Where staff are involved in a programme or event offsite, e.g. at a school/library/other organisation, we endeavour to ensure that availability of first aid will be in accordance with health and safety legislation.
- Innovate Dublin has public liability insurance in place to cover accidents on the premises.
- Children and young people will be advised of risks of any dangerous materials.
- Details of risky equipment used will be recorded and steps taken to minimise risk.
- Outside organisations hosting Innovate Dublin events will be required to provide proof that they have public liability insurance.

Section 10 – INVOLVEMENT OF PRIMARY CARERS

Innovate Dublin is committed to being open with all primary carers, i.e parents and guardians. We undertake to:

- Advise primary carers of our child and vulnerable adult protection policy
- Inform primary carers and schools of all activities or potential activities during Innovate Dublin programmes
- Issue contact/consent forms where relevant
- Comply with health and safety practices
- Operate child-centred and person-centred policies in accordance with best practice
- Adhere to our recruitment guidelines
- Ensure as far as possible that activities are age appropriate
- Facilitate the involvement of parent(s), carer(s) or responsible adult(s), where appropriate

If we have concerns about the welfare of a child or vulnerable adult, we will:

- Respond to the needs of the child or vulnerable adult
- Inform the primary carers on an ongoing basis unless this action puts the child or vulnerable adult at further risk
- Where there are child protection and welfare concerns, we are obliged to pass these on to the Duty Social Worker and, in an emergency, the Gardaí
- In the event of a complaint against a staff member, we will take such steps as
- are necessary to ensure the safety the child or vulnerable adult and inform primary carers as appropriate

Innovate Dublin is committed to putting the interest of the child and vulnerable adult first. To that end, we will:

- Have the Child Safeguarding Statement available at all Innovate Dublin locations
- Contact Tusla /Gardaí where there is a child protection concern or the relevant statutory authorities in the case of a vulnerable adult protection concern
- Encourage primary carers to work in partnership with us under the guidelines set out by our organisation to ensure the safety of children and vulnerable adults
- Have a designated contacted person available for consultation with primary carers in the case of any concern about a child or vulnerable adult's welfare. At present, this person is Fiona Descoteaux, CEO.

Section 11 - POLICY REVIEW

The policy will be reviewed annually and/or as necessary. The next review is due in July 2020.

Appendix A – Definitions of Child Abuse 8

What is child abuse?

It is generally acknowledged that there are four types of abuse:

Physical abuse of a child is that which results in actual or potential physical harm from an interaction, or lack of interaction, which is reasonably within the control of a parent or person in a position of responsibility, power or trust. There may be single or repeated incidents.

Physical abuse can involve:

- Severe physical punishment beating, slapping, hitting or kicking pushing, shaking or throwing pinching, biting, choking or hair-pulling, terrorising with threats, observing violence, use of excessive force in handling, deliberate poisoning, suffocation, fabricated/induced illness, allowing or creating a substantial risk of significant harm to a child

Emotional Abuse is normally to be found in the relationship between a parent/carer and a child rather than in a specific event or pattern of events. It occurs when a child's needs for affection, approval, consistency and security are not met. Unless other forms of abuse are present, it is rarely manifested in terms of physical symptoms.

Examples of emotional abuse can include:

- The imposition of negative attributes on a child, expressed by persistent criticism, sarcasm, hostility or blaming
- Conditional parenting in which the level of care shown to a child is made contingent on his or her behaviours or actions
- Emotional unavailability of the child's parent/carer
- Unresponsiveness of the parent/carer and/or inconsistent or inappropriate expectations of the child
- Premature imposition of responsibility on the child
- Unrealistic or inappropriate expectations of the child's capacity to understand something or to behave and control himself or herself in a certain way
- Under- or over-protection of the child
- Failure to show interest in, or provide age-appropriate opportunities for, the child's cognitive and emotional development
- Use of unreasonable or over- harsh disciplinary measures
- Exposure to domestic violence
- Exposure to inappropriate or abusive material through new technology
- Emotional abuse can be manifested in terms of the child's behavioural, cognitive, affective or physical functioning. Examples of these include insecure attachment, unhappiness, low self-esteem, educational and developmental under-achievement and oppositional behaviour. The threshold of significant harm is reached when abusive interactions dominate and become typical of the relationship between the child and the parent/carer.

Sexual Abuse occurs when a child is used by another person for his/her gratification or sexual arousal, or for that of others, for example:

- Exposure of the sexual organs or any sexual act intentionally performed in the presence of a child
- Intentional touching or molesting of the body of a child whether by a person or object for the purpose of sexual arousal or gratification
- Masturbation in the presence of a child or involvement of the child in the act of masturbation
- Sexual intercourse with a child, whether oral, vaginal or anal
- Sexual exploitation of a child, which includes inciting, encouraging, propositioning, requiring or permitting a child to solicit for, or to engage in, prostitution or other sexual acts. Sexual exploitation also occurs when a child is involved in the 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 the image by computer or other means. It may also include showing sexually explicit material to children, which is often a feature of the “grooming” process by perpetrators of abuse.
- Consensual sexual activity involving an adult and an underage person. In relation to child sexual abuse, it should be noted that, for the purposes of the criminal law, the age of consent to sexual intercourse is 17 years for both boys and girls. An Garda Síochána will deal with the criminal aspects of the case under the relevant legislation.

It should be noted that the definition of child sexual abuse presented here is not a legal definition and is not intended to be a description of the criminal offence of sexual assault.

Neglect can normally be defined in terms of an omission, where a child suffers significant harm or impairment of development by being deprived of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, attachment to and affection from adults, or medical care. Harm can be defined as the ill treatment or the impairment of the health or development of a child. Whether it is *significant* is determined by his/her health and development as compared to that which could reasonably be expected of a child of a similar age.

Neglect generally becomes apparent in different ways over a period of time rather than at one specific point. For example, a child who suffers a series of minor injuries may not be having his or her needs met in terms of necessary supervision and safety. A child whose height and weight is significantly below average may be being deprived of adequate nutrition. A child who consistently misses school may be being deprived of intellectual stimulation.

The *threshold of significant harm* is reached when the child’s needs are neglected to the extent that his or her well-being and/or development are severely affected.

Recognising Child Neglect or Abuse

Child neglect or abuse can be difficult to identify and may present in many forms. A list of indicators is contained in the *Children First* guidelines. No one indicator should be seen as conclusive in itself of abuse. It may indicate conditions other than child abuse. All signs and symptoms must be examined in the context of the child’s situation and family circumstances.

Guidelines for Recognition

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

- Considering the possibility
- Looking out for signs of neglect or abuse
- Recording of information

Further information about each of these stages is available in the *Children First* guidelines. It is not your responsibility to identify abuse, but it is your responsibility to report your concerns.

APPENDIX B – Definitions of Abuse of Vulnerable Adults

For the purposes of this policy, vulnerable adult abuse is any mistreatment that violates a person's human and civil rights. The abuse can vary from treating someone with disrespect in a way which significantly affects the person's quality of life, to causing actual physical suffering.

A vulnerable adult may be subjected to more than one form of abuse at any given time.

Physical abuse such as hitting, pushing, pinching, shaking, misusing medication, scalding, restraint, hair pulling

Sexual abuse such as rape, sexual assault or sexual acts to which the vulnerable adult has not or could not have consented, or two which they were pressurised into consenting.

Psychological or emotional abuse such as threats of harm or abandonment, being deprived of social or any other form of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, being prevented from receiving services or support.

Financial or material abuse such as theft, fraud, or exploitation, pressure in connection with wills, property or inheritance, possessions or benefits.

Neglect such as ignoring medical or physical care needs and preventing access to health, social care or education services or withholding the necessities of life such as food, drink and heating.

Discriminatory abuse such as that based on race, sexuality, a person's ability and other forms of harassment or slurs.

Domestic abuse refers to the use of physical or emotional force or threat of physical harm, including sexual violence in close adult relationships. This includes violence perpetrated by a spouse, partner, son or daughter or any other person who has a close or blood relationship with the victim. The term "domestic violence" goes beyond actual physical violence. It can also involve emotional abuse, the destruction of property, isolation from friends, family and other potential sources of support, threats to others including children, stalking, and control over access to money, personal items, food, transportation and the telephone.

Elder abuse occurs with persons over the age of 65 years. Concerns in relation to elder abuse should be reported to the relevant Public Health Nurse or to the HSE Senior Case Worker for the Protection of Older People.

APPENDIX C – Anti-Bullying Policy

Definition of Bullying

The Health and Safety Authority's definition of bullying is that it is:

"Repeated inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment, which could reasonably be regarded as undermining the individual's right to dignity..."

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

Types of Bullying⁹

(Taken from *Bullying at School: Key Facts*, Trinity College Dublin Anti-Bullying Centre, 2001)

Bullying can take many forms. Some types are listed below:

- **Verbal Bullying:** can leave children and young people feeling angry, frightened and powerless. If they are unable to share their feelings with someone else, verbal bullying can leave them emotionally bruised and physically exhausted. Their powers of concentration can suffer, adversely affecting their capacity for learning. Verbal attacks can be of a highly personal and sexual nature. They can be directed at the child's or young person's family, culture, race or religion. Malicious rumours are particularly insidious form of verbal bullying.
- **Physical Bullying:** often dismissed as "horseplay," "pretending" or "just a game" when challenged. While children can and do play roughly, in the case of bullying, be aware that these "games" can be a precursor to physical assaults. Both boys and girls indulge in physical bullying.
- **Gesture Bullying:** there are many different forms of non-verbal threatening gestures which can convey intimidating and frightening messages – for example, gesturing a gun to the head. **Exclusion Bullying:** this is particularly hurtful because it isolates the child or young person from his/her peer group and it is very hard for the child or young person to combat it, as this type of bullying directly attacks their self-confidence and self-image.
- **Extortion Bullying:** younger children are particularly vulnerable to extortion and bullying. Demands for money, possessions, equipment, etc. may be made, often accompanied by threats. Children or young people may also be dared or forced to steal from others, leaving them at the mercy of the bully and open to further intimidation.
- **Online Bullying:** this type of bullying uses social media websites, email and text messages to abuse, intimidate and attack others, either directly or indirectly (e.g. rumour-mongering)

Policy Statement

All staff at Innovate Dublin are committed to ensuring a safe and protected environment for children and young people. Bullying in any form at Innovate Dublin is completely unacceptable.

⁹ Taken from *Bullying at School: Key Facts*, Trinity College Dublin Anti-Bullying Centre, 2001.

Aim of Policy

The aim of this policy is to ensure that all children and young people are protected from bullying behaviour. It is hoped that the policy will reduce the number of children and young people who experience bullying. The policy aims to ensure that incidents of bullying will be dealt with consistently and in a fair manner by setting out the procedures for dealing with such instances.

Objectives of Policy

- To raise awareness of bullying as a form of unacceptable behaviour with staff, children and young people and parents/guardians.
- To develop an ethos which encourages children and young people to report incidents of bullying.
- To develop systems of recording and reporting incidents of bullying behaviour.
- To develop clear procedures for investigating and dealing with incidents of bullying behaviour.
- To ensure comprehensive supervision and monitoring measures are employed for all activities with children and young people.

Procedures for Dealing with Bullying

- In any incident of bullying, a staff member should speak separately to the children or young people involved to get both sides, with due regard to the rights of each person involved.
- All reports of bullying will be recorded, investigated and dealt with by the Programme Manager and the supervisor of the child/young person from their principal organisation, i.e. Youthreach Principal or School Transition Year coordinator.
- The Programme Manager and representative from the principal organisation will interview all involved in a calm manner and will seek answers to what, where, when, who and why.
- The child or young person should be praised for their courage in coming forward to report the bullying incident or behaviour.
- Reassure the child or young person that being bullied is the responsibility of bullies and they are not to blame themselves.
- Reassure the child or young person of the support of staff at Innovate Dublin in ensuring the bullying does not happen again.
- If the Programme Manager and representative from the child's/young person's principal organisation dealing with the complaint concludes that bullying has taken place, then the perpetrator will be met and the incident dealt with in line with this policy.
- Staff members will at all times be sensitive to the needs of the child or young person, who may not wish it to be made known that they reported an incident of bullying.
- For less serious incidents of bullying (e.g. name calling, gestures, etc), the child or young person will be asked to apologise to the victim and asked not to engage in any further bullying behaviour. Staff will then closely monitor the behaviour of the child or young person.
- For serious incidents of bullying (e.g. assaults or threats of assault, exclusion, racist or homophobic remarks), the perpetrator will be suspended or excluded from the programme. All serious incidents of bullying should be reported to the Designated Liaison Person.
- The examples given here are not exhaustive and this policy will be reviewed annually or as necessary.

Appendix D - Innovate Dublin Standard Notification Form

| | |
|--------|-------|
| Date: | Time: |
| Place: | |

Type of incident, e.g. disturbance, theft, accident:

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Staff and/or volunteer involved:

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Persons involved in the incident:

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| |

Description of incident – include the time, those involved, clearly and logically:

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Name and addresses of witnesses:

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Action taken:

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| |

Prepared by:

Date:

Signature:

| | |
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| | |
| | |

Appendix E – Useful Contacts and Publications

Organisations

Tusla - Child and Family Agency

Dublin North City, Wellmount Health Centre, Wellmount Park, Finglas, Dublin 11.

Tel: 01 8567704

Tusla, the Child and Family Agency, operates an out of hours Crisis Intervention Service in the Dublin area, which can be accessed by emergency services like hospitals and the Garda Síochána outside of office hours.

Tusla Duty Social Work Team for the North Inner City area can be contacted on:

01 870800

HSE Information Line – 1850 24 1850 or www.hse.ie

Outside office hours all child and vulnerable adult protection concerns should be referred to the Gardaí. Ballymun Garda station is closest to Innovate Dublin is located adjacent to the Innovate Dublin Offices at

An Garda Síochána
Ballymun Road, Dublin 9
Tel: 01 6664400
Website: www.garda.ie

Publications

The following are available from Tusla, the Child and Family Agency, at

<https://www.tusla.ie/children-first/publications-and-forms/>

- *Children First: National Guidelines for the Protection and Welfare of Children.*
- *Child Safeguarding – A Guide for Policy, Procedure and Practice*
- *A Guide for the Reporting of Child Protection and Welfare Concerns.*

Our Duty to Care: The Principles of Good Practice for the Protection of Children and Young People. Published by the Department of Health and Children. Available in the Government Publications Office or online at <http://www.dohc.ie/publications/pdf/our-duty.pdf?direct=1>

Code of Good Practice: Child Protection for the Youth Work Sector. Published by the Department of Education and Science. Available in the Government Publications Office or online at http://www.education.ie/servlet/blobServlet/youth_cpyws.pdf

Safeguarding Vulnerable Persons at Risk of Abuse: National Policy and Procedures. Published by the HSE Social Care Division.

<http://www.hse.ie/eng/services/publications/corporate/personsatriskofabuse.pdf>



INNOVATE
DUBLIN

Innovate Dublin Child and Vulnerable Adult Protection Policy

I, _____, hereby declare and warrant that there is no reason known to me and there are no convictions, claims or complaints (past or pending) against me relating to children and vulnerable adults that would deem me to be unsuitable to work with children and vulnerable adults and carry out my role within this organisation.

I understand that my making a false declaration would be grounds for dismissal or the termination of my contract on any project on which I was engaged.

I have read and understood the Innovate Dublin Child and Vulnerable Adult Protection Policy contained herein. I also give my permission to contact An Garda Síochána for vetting purposes.

Signed: _____

Date: _____