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# Child Safeguarding Policy

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Author: Kathryn Wall & Aisling Reade

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Responsibility for approval of policy:	<i>Board of Management</i>
Responsibility for Implementation:	<i>CEO, DLP's ,CRY'S Staff</i>
Responsibility for review:	<i>Board of Management</i>
Last review:	

## **Policy Statement:**

CRYS acknowledges its moral and legal duty to protect children and young people using our services and is committed to a child-centered approach to our work. We undertake to provide a safe environment and experience, where the welfare of the child/young person is paramount. We do this by fostering an ethos of inclusion and equality for all children and young people; ensuring that all activities are managed in a safe manner; setting out a code of behaviour for staff and volunteers with regard to how they should behave around children and young people. All staff complete safeguarding training where they learn the procedures to follow if they become concerned for a child's welfare.

(This document should be read in conjunction with CRYS Child Safeguarding Statement.)

## **Purpose:**

This policy outlines CRYS safeguarding procedures to assist staff and volunteers to protect and promote the welfare of young people.

## **Scope:**

This policy applies to the welfare of all children and young people who use or come in contact with CRYS services. The *Child Care Act* defines a child as any person under the age of 18 years old. The safeguarding procedures apply to staff and volunteers across all sectors of the organisation.

## **Principles:**

CRYS is committed to the principles of safeguarding laid out in *Children First, The National Guidance for the Protection and Welfare of Children 2017*.

These are:

- The safety and welfare of children is everyone's responsibility.
- The best interest of the child is the paramount consideration.
- Early intervention is key to getting better outcomes.
- Children have a right to be listened to and taken seriously. While considering their age and understanding they should be consulted and involved on all matters and decisions that affect their lives.
- Parents and/or carers have a right to respect and should be consulted and involved in matters that concern their family engagement with our services. This should be based on informed consent.
- A proper balance must be struck between protecting children and respecting the rights of their parents/carers and families.
- Child Protection is a multiagency, and multidisciplinary process. Agencies and professionals must work together in the interest of children.

- Our commitment to ensuring young people are kept safe from harm is a central part of our organizational values and will be reflected in key documents plans programmes and activities.

## **What is Safeguarding?**

Safeguarding is the action that is taken to promote the welfare of children and young people and protect them from harm.

Child protection is part of the safeguarding process.

It focuses on protecting individual children/young people identified as suffering or likely to suffer significant harm. This includes child protection procedures which detail how to respond to concerns about a child.

## **CRYS and Safeguarding:**

### **Role of the Board of Directors**

It is the primary responsibility of the Board of Directors of CRYS to protect the children and young people who use the services offered by CRYS. The responsibilities of the Board of Directors are outlined in *The Children First Act 2015*. This responsibility includes but is not limited to the following:

- ❑ Planning and implementing a Child Protection Programme.
- ❑ Staff Development.
- ❑ Appointing a Designated Liaison Person and Deputy Designated Liaison Persons
- ❑ Respond to allegations/suspensions of child abuse involving employees.
- ❑ Invoke administrative leave of employee if the nature of the allegation warrants immediate action.
- ❑ Monitor and evaluate the Safeguarding programme and policy.

CRYS adheres to the procedures laid down in the *Child Protection Guidelines of Youth Work Ireland*, the *Children First Act 2015* and the *Children First National Guidelines for the Protection and Welfare of Children 2017*.

Staff and Volunteers will attend relevant Child Protection Training and will confirm in writing that they have read, understand and will follow the policy and procedure in this document.

### **Role of CRYS Management and Staff**

CRYS acknowledges that the statutory responsibility for the investigation and

assessment of allegations or suspicions of child abuse rests with Tusla and An Garda Siochana.

The role of CRYIS staff is to recognise, respond and report any suspicion of child protection and/or welfare concerns, and this is achieved by alerting Tusla in the instance where a child or young person is experiencing or may be at risk of child abuse.

Staff members or volunteers who report child abuse or suspicions of child abuse to Tusla, are protected by the provisions of the *Protection for Persons Reporting Child Abuse Act, 1998*. This legislation provides that the person making the report receives immunity from civil liability and penalization by employers when the report is made 'reasonably and in good faith' to a Designated Person, Tusla or any member of An Garda Siochana.

The guiding principles for the reporting of child abuse are summarized, as firstly that the safety and well-being of the young person must take priority and secondly that reports to Tusla should be made without delay.

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

- Evidence of 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 that an alleged abuse they committed.
- An account from a person who saw the child being abused.

*(Children First 'National Guidance for the Protection and Welfare of Children, DCYA 2017)*

**When receiving a disclosure from a child it is best practise to:**

- React Calmly
- Listen Carefully and 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 question for clarification only. Do not ask leading questions.
- Check back with the child that what you have heard is correct and understood.
- Do not express any opinions about the alleged abuser.
- Ensure the child understands the procedures that will follow.
- Make a written record of the conversation as soon as possible in as much detail as possible.

# Reporting Procedures

To follow the CRYS Child Safeguarding reporting procedure, clarity of roles is essential. To this end all adults working with young people in CRYS must be aware of whether they are **mandated or non-mandated reporters** under the Children First Act 2015. This must be clarified with your Supervisor/ Manager prior to any contact with a child or young person.

## **(1) Volunteer or Non- Mandated Staff Member.**

Reporting Procedures for non-mandated staff /volunteers are as follows:

### Project Volunteer or Non-Mandated Staff Member

If an **CRYS project volunteer, or a non – mandated member of staff** witnesses or suspects that a child may have or is being abused they should **contact an CRYS Designated Liaison Person (DLP)** as soon as possible.

**Non Mandated Staff/Volunteers** report  
reasonable grounds to



**Designated Liaison Person** reports to



**Tusla** and/or **An Garda Siochana**

## Designated Liaison Persons

CRYS has a number of Designated Liaison Persons (DLPS). DLPS act as resource to staff members around safeguarding and child protection concerns. DLPS can submit a report to Tusla on behalf of a volunteer or non-mandated person.

The DLP will utilise the information you have gathered and will decide if a report should be made to Tusla. He /She may contact Tusla before submitting the report to decide if there are reasonable grounds for concern. He/she may also decide to inform the child's family that a report is being made to Tusla and the reason for this decision.

Designated Liaison Persons are responsible for ensuring that reporting procedures are followed correctly and promptly, and they act as a liaison person between other agencies. The Designated Person shall ensure that all relevant sections of the report form are filled out as thoroughly and comprehensibly as possible.

There are three trained and active DLP's in CRYS.(Updated March 2023)

<b>DLP Name</b>	<b>Role and Work Base</b>	<b>Work Base</b>	<b>Contact Details</b>
Aisling Reade	Senior Youth Worker	Montgomery House	085 7132751
Kathryn Wall	CEO	Montgomery House	086 6071413
Jojo Nolan	Youth Worker	Montgomery House	087 4276344

In the unlikely event that a DLP is not available and where a child is deemed to be in immediate risk then you must contact Tusla in the first instance and An Garda Siochana. CRYS has trained a team of DLPS to guard against this occurring but the above should be noted in the case of an emergency.

### Useful information to gather for your meeting with the DLP:

- Child's name, address and age.
- The names and address of the child's parents and guardians.
- The name (s) if known of who is allegedly harming the child.
- A detailed account of the concerns you heard from the child.
- The names of other children in the household and the name of school that the child attends.

## **(2) Mandated Persons**

### **Who are Mandated Persons?**

Mandated Persons are people who have contact with children and/or families and who because of their qualification, training and/or employment role are in a key position to help protect children from harm.

From an CRYS perspective specifically Mandated Persons are -

- (1) Child Care Staff employed in a pre-school service.
- (2) Personnel responsible for the management of a child care /pre school service
- (3) Personnel employed in any of the following capacities:

A 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
- (b) is employed in a youth work service within the meaning of section 2 of the Youth Work Act 2001
- (4) Personnel responsible for the care or management of a youth work service within the meaning of section 2 of the Youth Work Act 2001

## **Reporting Procedures for Mandated Persons**

**Mandated Person (specified paid professionals)** reports harm (where possible in conjunction with their DLP) to



**Tusla and/or An Garda Siochana**

## **Mandated Person Responsibilities**

As a mandated person 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.

## **Making a Mandated Report**

As a mandated person you have a statutory obligation to report concerns of harm as outlined in Children First 2015.

- (1) It is important to clearly establish the grounds for concern from the outset by obtaining as much information as possible. Observations should be accurately recorded and should include dates, times, locations, context and any other information, which may be relevant.
- (2) While the Children First Act 2015 states that mandated persons can refer concerns to Tusla, CRYS recommends that all mandated reporters link with their closest DLP when a concern arises. Your DLP is trained to act as a resource to staff members when dealing with child protection concerns. Your DLP can help you to make sense of the information you have gathered and provide support for you when you are submitting your report. If you are unsure whether your concern reaches the legal definition of harm for making a mandated report, you & or your DLP can contact a Tusla social work and attain advise.
- (3) Remember you are not required to judge the truth of the claims or the credibility of the child. Your role is to gather the information so that the concern can be dealt with by Tusla.
- (4) It is important to note that the statutory obligation of mandated persons to report under the Children First Act 2015 must be discharged by the mandated person and cannot be discharged by the DLP on their behalf. It is allowable however to make a joint mandated report and therefore a mandated person can make a joint report with a DLP.
- (5) Tulsa has two forms for reporting child protection and welfare concerns – the Child Protection and Welfare Report Form (CPWRF) and the Retrospective Abuse Report Form (RARF).

The Child Protection and Welfare Report Form (CPWRF) is to be completed and submitted to Tusla for concerns about children under the age of

18. A web portal has been developed for mandated persons to securely submit CPWRFs. A short video guide has been developed by Tusla to guide users on how to use the web portal. [www.tusla.ie/children-first/tusla-web-portal-user-guide/](http://www.tusla.ie/children-first/tusla-web-portal-user-guide/)

- (6) CRYs has one central account for reporting which can be accessed using the following login details:

Email: [dlp@carlowys.ie](mailto:dlp@carlowys.ie)  
password: (contact your DLP)

- (7) If the mandated staff member and/ or DLP feel the concern may require urgent intervention to make the child safe, section 14(7) of the Act allows you to alert Tusla of the concern in advance of submitting a report. You must then submit a mandated report to Tusla on the report form within three days.
- (8) It is CRYs policy that child protection concerns are brought to a Designated Liaison Person (DLP) to assist the reporting procedure. However, in the event where a concern is time sensitive and a DLP is not available to the mandated person within that time, then the mandated person is required to proceed with the report independently. If this course of action is chosen it is imperative that the CRYs management team are advised as soon as possible.
- (9) In cases of an emergency where the child is at immediate and serious risk and when a member of the Social Work Department /Tusla are not available then the CRYs will notify An Garda Síochána and then follow the reporting procedures toTusla.
- (10) It is the responsibility of the DLP or the mandated staff member ( if reporting independently) to inform the CEO. A copy of the report should be provided to the CEO. The CEO will inform the Board of Directors of any concerns relating to child protection arising within the organization.

There are three active DLP's in CRYs. ( Updated March 2023)

<b>DLP Name</b>	<b>Role and Work Base</b>	<b>Work Base</b>	<b>Contact Details</b>
Aisling Reade	Senior Youth Worker	Montgomery House	085 7132751
Kathryn Wall	CEO	Montgomery House	086 6071413
Jojo Nolan	Youth Worker	Montgomery House	087 4276344

Tusla's second form for reporting referred to in point (4) above is the Retrospective Abuse Report Form.(RARF's) This form is to be completed and submitted to Tusla for cases of adults disclosing childhood abuse. It is not currently possible to submit RARFs using the web portal.

Both the CPWRF and RARF can be downloaded from Tusla's website at [www.tusla.ie](http://www.tusla.ie).

### **Parental Involvement/Sharing of Information**

In general parents are kept fully informed of all matters pertaining to their child. It is good practise to tell the family a report is being made and the reasons for this decision.

However, if a child or young person makes a disclosure or expresses a concern that implicates their parents/guardians and the child or young person could be put at further risk if parents/guardians were informed, the DLP/Mandated Person will immediately consult with Tusla to seek guidance on whether parents/guardians can safely be notified and to ascertain who will be responsible for communicating with them

### **Reporting procedure in the case an Allegation of Abuse of a Child or Young Person by a member of staff or volunteer.**

CRYS has a corporate responsibility to report child protection concerns to Tusla. As an employer, we also have a dual responsibility to the employee or volunteer against whom an allegation is made. CRYS has a responsibility to report any Child Protection concerns relating to all employees. The overall responsibility to ensure that this is complied with rests with the Designated Persons and the CEO.

It is important to note that under the Protection for Persons Reporting Child Abuse Act 1998, that any person that reports abuse "in reasonable and good faith" is immune from civil liability. Taking this into account it is necessary that any member of staff or volunteer that suspects that another member of staff or volunteer has or is abusing a child ***has a clear legal obligation to report this immediately to his/her line manager.***

When CRYS Management become aware of an allegation of abuse of a child or young person against an employee of CRYS or against a volunteer, the CEO or his/her delegate, will promptly initiate the following procedures.

The reporting procedure in respect of the child (see above) **(Responsibility of Designated Person).**

The procedure for dealing with the staff member/volunteer. **(Responsibility CEO or his/her delegate).**

In the event that a child or young person makes an allegation of abuse by a member of staff or volunteer, the Designated Person in conjunction with the CEO is responsible for conducting the initial assessment of the allegation. However, regardless of the outcome of this assessment, Tusla will be immediately notified.

The CEO will also immediately inform the Chairperson of the Board of Directors who will convene a meeting of the Finance and General Purposes Group (F&GP) which has responsibility for child protection. The CEO will keep the Chairperson and F&GP fully informed of any developments with regard to the allegation and the investigation by the Tusla and Gardaí (if Gardaí are involved)

The reporting procedure for dealings with an employee that an allegation has been made against are as follows:

The CEO or his/her delegate shall inform the employee or volunteer, both verbally and in writing, of the following: -

- a) The fact that an allegation has been made against him/her;
- b) The nature of the allegation.

The employee or volunteer has an opportunity to respond to the allegation and the CEO /his/her delegate should note the member of staff's response and include this in his/her report to Tusla.

When an allegation is received it will be addressed promptly and carefully.

CRYS management will ensure that the employee/volunteer has no further contact with the child or young person making the allegation or any child or young person in the service, until such time as Tusla/ An Garda Síochána investigation is complete.

CRYS management and all other staff and volunteers will cooperate in full with the Tusla assessment and any subsequent Garda Síochána investigation. Staff who are the subject of an allegation, which appears to be neither malicious nor erroneous, may be subject to the following, proportionate to the concern:

- Remove the employee from duty.
- Suspend the employee with pay.
- Suspend the employee without pay.

In the case of volunteers, the person will be suspended from engaging in any of the services or activities that are provided by, or on behalf of, CRYS or by its affiliated Youth Clubs until such time as the investigation of the allegation has been satisfactorily concluded.

Both consideration of risk to any child and welfare and protection of child/young person are of paramount consideration when considering the above. Disciplinary procedure may also follow when this is considered an appropriate agency response

to the investigation.

When a formal notification to An Garda Síochána is required or necessary, this should happen without delay and an immediate meeting will be requested between the Tusla and An Garda Síochána to advise them of the allegation, to clarify roles and responsibilities and to determine how the assessment of the allegation will proceed and whether any criminal investigation may be implemented.

The employee or volunteer is to be kept up to date in relation to the allegation and any relevant information arising from the above meeting (as agreed with Tusla and An Garda Síochána)

The CEO or his/her delegate shall ensure a timely response in order to facilitate an early outcome to the allegation.

The CEO shall ensure that all requirements as agreed with Tusla or An Garda Síochána will be followed through. If the allegation is being made in relation to the CEO, the Chairperson of the Board of Directors will be taking on the role of the CEO in these procedures.

In the event that a staff member has been found responsible for perpetrating child abuse, i.e. where the young person's allegation has been confirmed by either Tusla or An Garda Síochána, they will be instantly dismissed from their position with CRYS and this will be reflected in the employee's personnel record and in future references.

*This policy is subject to annual review by the CEO and Board of Directors of CRYS.*