



Amen Support Services Ltd.

Child Protection Policy

This policy applies to: Trustees, Staff, Volunteers, Consultants, Students and any others acting for or on behalf of Amen Support Services Ltd.

1. Child Protection Statement

Introduction and Purpose

The purpose of the Child Protection Policy is to provide the above mentioned with the organisation's understanding of Child Protection, offering clear guidelines of handling of child protection issues. This policy is designed to be a companion document to Children First: National Guidance for the Protection and Welfare of Children 2011, HSE Child Protection & Welfare Practice Handbook and Our Duty to Care. Attention must be given to the relevant Acts of Law; Child Care Act 1991, Equal Status Act 2000-2011, Protection for Persons Reporting Child Abuse Act 1998, National Vetting Bureau (Children and Vulnerable Persons) Act 2012, Criminal Justice (Withholding of Information on offences against Children and Vulnerable Persons) Act 2012, Reckless Endangerment – Criminal Justice Act 2006.

Where there is a concern about child abuse that might also be a criminal act, the standard reporting procedure must be followed, however, in addition, An Garda Síochána must be informed.

All people acting for or on behalf of Amen Support Services Ltd. are made aware of Children's First Guidelines upon commencement with organisation.

Amen Support Services Ltd. recognises that the key principle of best practice in child safeguarding is that the welfare of the child is of paramount importance and that every child has a right to be protected, treated with respect, listened to and have their views taken into consideration.

In the interest of the safeguarding of children, all disclosures, reasonable concerns or allegations of abuse made by Amen Support Services Ltd's service users will be notified without delay to the relevant authorities for assessment and investigation without delay with or without client consent. This applies to both historical and current alleged abuse.

Notifications of abuse/potential abuse will be forwarded to the relevant authorities in all circumstances regardless of whether the person against whom the allegation is made is identified, not identified, incapacitated or deceased.

Amen Support Services Ltd. reserves the right to change the policy and to expect adherence to the changed policy.

Key Principles

The key principles that should inform best practice in child protection and welfare are:

- Early intervention and support should be available to promote the welfare of children and families, particularly where they are vulnerable or at risk of not receiving adequate care or protection. Family Support should form the basis of early intervention and preventative interventions.
- A proper balance must be struck between protecting children and respecting the rights and needs of parents / carers and families. Where there is conflict, the child's welfare must come first.
- Children have a right to be heard, listened to and taken seriously. Taking account of their age and understanding, they should be consulted and involved in all matters and decisions that may affect their lives. Where there are concerns about a child's welfare, there should be opportunities provided for their views to be heard independently of their parents / carers.
- Parents / carers have a right to respect and should be consulted and involved in matters that concern their family.
- The prevention, detection and treatment of child abuse or neglect requires a co – ordinate multidisciplinary approach, effective management, clarity of responsibility and training of personnel.
- As an agency working primarily with adults who for a range of reasons may have serious difficulties meeting their children's basic needs for safety and security, Amen Support Services Ltd., should consider the impact of their adult client's behaviour or their family members behaviour, on a child and act accordingly for the best interest of the child.

Designated Liaison Person

In accordance with Section 3.3 of Children First: National Guidance (2011), Amen Support Services Ltd. have appointed the Manager as a designated liaison person to act as a liaison with outside agencies and a resource person to any staff, trustee, volunteer or student who has child protection concerns. The designated liaison person is responsible for ensuring that the standard reporting procedure is followed so that suspected cases of child neglect or abuse are referred promptly to Tusla Children and Family Service's Duty Social Worker. In the event of an emergency, if the designated liaison person (the manager) is unable to contact Tusla's Duty Social Worker, the designated liaison person (the manager) will contact An Garda Siochana.

It is the responsibility of the manager to:

- Establish in consultation with the individual who has raised the concern, if reasonable grounds for concern exist.
- Forward the information given to them to Tusla Children and Family Services' Duty Social Worker.
- Inform the source of the concern that the information will be passed to Tusla Children and Family Services' Duty Social Worker.
- Inform the source of the concern that they may report directly to Tusla Children and Family Support Services if it is decided after consultation, not to pass on the concern brought to the attention of the manager.

- Inform the parents / carers of the child that a report is being submitted to Tusla Children and Family Services or to An Garda Siochana, unless doing so is likely to endanger the child.

Categories of Child Abuse

Child abuse can be categorised into four different types: emotional abuse, sexual abuse, physical abuse and neglect. A child may be subjected to one or more forms of abuse at any given time.

- **Physical Abuse:** May involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. It may be the result of a deliberate act but could also be caused through omission or failure to act to protect.
- **Emotional Abuse:** The persistent ill – treatment of a child or young person such as to cause severe and persistent adverse effects on the child’s emotional development. It may involve making a child feel or believe that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. Some level of emotional abuse is involved in all types of ill-treatment of a child, though it may occur only once.
- **Sexual Abuse:** Includes forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of, or consents to, what is happening. It may involve physical contact, including rape or oral sex, or non – penetrative acts such as fondling. Boys and Girls can be sexually abused by males and/or females and by other young people. It also includes non – contact activities such as involving children in watching or taking part in pornographic material, or encouraging children to behave in inappropriate ways.
- **Neglect:** The persistent failure to meet a child’s basic physical and/or psychological needs, likely to result in the serious impairment of the child’s health or development. It may involve failing to provide adequate food, shelter and clothing, or failing to ensure that a child gets appropriate medical care or treatment.

The above list is not exhaustive. Any person who has any concerns in relation to the protection and welfare of a child should consult the practice handbook and consult with the DLP. If unsure, contact the local Social Work Department for guidance and advice. Never assume that another agency or person will make the report or address the concerns.

Further details on risk factors can be found in section 3.2 Risk Factors in child protection – Child Protection and Welfare Practice Handbook, Page 59

Retrospective Disclosures of Abuse

3.1.16 – Child Protection and Welfare Practice Handbook

- An increasing number of adults are disclosing abuse that took place during their childhoods. Such disclosures often come to light when adults attend counselling.
- It is essential to establish whether there is any current risk to any child who may be in contact with the alleged abuser revealed in such disclosures.
- If any risk is deemed to exist to a child who may be in contact with an alleged abuser, consult with the DLP who will in turn report the allegation to Tusla without delay.
- The HSE National Counselling Service is in place to listen to, value and understand those who have been abused in childhood. The service is a professional, confidential counselling and psychotherapy service and is available free of charge in all regions of the country.

Age of consent

For the purposes of criminal law, the age of consent to sexual activity is 17 years.

Should a disclosure be made in relation to sexual activity between two underage teenagers (which is illegal, although it might not be regarded as constituting ‘child sexual abuse’), an attempt must be made to establish whether there is any cause for concern regarding child sexual abuse. Where concerns exist, the DLP must be informed and a referral will be made to Tusla.

Underage pregnancy

Should a disclosure be made in relation to a pregnant girl under 17 years, an attempt must be made to establish whether there is any cause for concern regarding child sexual abuse. Where concerns exist, the DLP must be informed and a referral will be made to Tusla.

Organised abuse

Should a disclosure be made in relation to organised abuse (occurs either when one adult moves into an area or institution and systematically entraps children for abusive purposes (mainly sexually) or when two or more adults conspire to similarly abuse children, using inducements) an attempt must be made to establish whether there is any cause for concern regarding child abuse. Where concerns exist, the DLP must be informed and a referral will be made to Tusla.

Organised abuse can occur in different settings, such as the community, clubs, the family or extended family, or an institution.

The investigation of organised abuse requires particularly sensitive cooperation between Tusla and An Garda Síochána. It may involve surveillance work and a higher degree of secrecy than would normally be expected in child protection work. It may be undesirable to share information fully with families in the early stages of investigation since breaches of confidentiality may seriously impede detection.

Arrangements for the protection of children at risk in other areas or jurisdictions

Should a disclosure be made in relation to a family with children who are considered to be at risk and are believed to have moved from one area to another within the State, the relevant information will be furnished to the appropriate Social Work Department. Tusla will develop a protocol for the exchange of information in these circumstances, taking account of data protection considerations.

Should a disclosure be made in relation to a family with children who are considered to be at risk are believed to have moved to another jurisdiction, the relevant information should be sent to the appropriate authority in that State. Tusla will develop a protocol for the exchange of information in these circumstances,

Information on children who are in need of care and protection who move to countries other than the United Kingdom must be sent through the Irish correspondent for International Social Service (ISS),

who will forward it to the appropriate ISS contact in the relevant country. To avail of the ISS network, the relevant information should be sent to the Irish ISS correspondent at:

International Social Service
HSE West
South East Wing
St. Joseph's Hospital
Mulgrave Street
Limerick, Co. Limerick, Ireland
Tel: 00353 61 461380
Fax: 00353 61 412355
E-mail: ISS@hse.ie

Arrangements for the protection of children at risk who migrate to Ireland

Should a disclosure be made in relation to a family with children who were considered to be at risk in their country of origin and are now living in Ireland, the DLP must be informed and information must be relayed to the International Social Service (ISS) on the children who are in need of care and Protection.

Sexual abuse by children and young people

Should a disclosure be made in relation to a child/children who has experienced sexual abuse, perpetrated by another child or young person, the DLP must be informed and if it is deemed necessary and within the four categories that warrant attention (normal sexual exploration; abuse reactive behaviour; sexually obsessive behaviour; and abusive behaviour by adolescents and young people), a referral will be made to Tusla.

Allegations against trustees, staff members, volunteers, contractors or anyone else associated with Amen Support Services Ltd.

If a complaint or allegation of abuse is made against a staff member, volunteer, contractor or anyone else associated with Amen Support Services Ltd., Tusla through the DLP must be informed of the complaint. The company's internal grievance and disciplinary procedures may apply depending on the response and advice from Tusla. If Tusla considers that children are, or may be, at immediate risk from the alleged abuser, contact should be made with the institution or employer immediately. In this situation, it is not necessary to notify the alleged abuser in advance of the allegations against him or her.

Where Tusla deem appropriate to notify Amen Support Services Ltd. of an allegation of abuse against a staff member, volunteer, contractor or anyone else associated with Amen Support Services Ltd, and where there is no immediate danger to children, the alleged abuser must be notified in advance of the allegations against him or her. The approach to Amen Support Services Ltd. in such cases may take place at any stage in a wider investigation and it may be practical that such an approach does not occur until any criminal investigation or Tusla assessment has concluded.

Tusla should provide feedback to Amen Support Services Ltd. on the progress of a child abuse assessment/investigation involving a staff member, volunteer, contractor or anyone else associated with Amen Support Services Ltd. Tusla should seek to complete its assessment as quickly as possible, bearing in mind the serious implications for innocent persons.

Amen Support Services Ltd. should be notified of the outcome of the Tusla assessment and/or the Garda investigation. This will assist Amen Support Services Ltd. in reaching a decision about the action to be taken in the longer term concerning the person.

Due to the nature of the work of Amen Support Services Ltd., special attention should be given to the age of the child. Any child under the age of one living in a home where there are incidents of domestic abuse, requires immediate consultation with the DLP and will subsequently require an automatic referral to the Social Work Department in the area where the child lives.

Incidents of children under the age of 5, or children not attending school who have witnessed domestic abuse will also require further discussion with the DLP and will subsequently require an automatic referral to the Social Work Department in the area where the child lives.

2. Code of Behaviour

Responding appropriately to a Child or Adult making an Allegation of Child Abuse

When dealing with a disclosure, it is important for any person acting for or on behalf of Amen Support Services Ltd. to support the child / adult through listening and respecting what it is they are being told. The following are guidelines:

- Remain calm and as natural as possible
- Listen carefully to what is said
- Explain to the child / adult that the information will need to be shared with others – any person acting for or on behalf of Amen Support Services Ltd. should not promise to keep secrets.
- Tell the child / adult that the matter will only be disclosed to those who need to about it.
- Reassure the child / adult that they have done the right thing by disclosing the information

It is the responsibility of the person to whom a disclosure is made to contact the designated liaison person within the organisation (the manager). It is imperative that the disclosure be logged on a Standard Report Form. When logging the incident, it is important that as far as possible, the incident is recorded using the language that the child / adult used. Recordings should be purely factual without embellishment, comments or personal opinion.

After the initial disclosure, any further disclosures should be treated as a first disclosure and responded to as indicated above.

3. Reporting Procedure:

Informal consultation

If any Trustees, Staff, Volunteer, Consultant, Student or any other acting for or on behalf of Amen Support Services Ltd. has concerns about the safety or welfare of a child, they may consult Tusla Children and Family Services' Duty Social Worker to seek advice through an informal consultation. The person acting for or on behalf of Amen Support Services Ltd. must state that are not making a report and that they are simply seeking advice or guidance.

How to make a formal referral to Tusla Children and Family Services

The following procedure should be followed when making a formal referral to Tusla Children and Family Services:

- The manager should make a referral to Tusla Children and Family Services' Social Work Service by using the Tusla Standard Report Form
- If the designated liaison person believes that the concern is urgent and there is imminent risk to a child, it is the responsibility of the manager to make an initial report of the disclosure to Tusla Children and Family Services, by telephone and follow it up with the completed form.

- The Tusla standard report form must contain as much information as possible, including accurate identifying information and details of the concern, allegation or disclosure.
- A copy of the Tusla Standard Report Form should be kept in the possession of Amen Support Service Ltd.

Third Party Referrals

In the event of any Trustee, Staff, Volunteer, Consultant, Student or any other acting for or on behalf of Amen Support Services Ltd. working with children and their families receiving information in respect of a suspicion of child abuse/welfare from a third party, this must be reported to the designated liaison person, regardless of any consideration in respect of confidentiality, to Tusla Children and Family Services who will then investigate the concern if they deem necessary.

4. Confidentiality Statement:

Amen Support Services Ltd. recognises the importance of ensuring people's rights to confidentiality and is committed to keeping confidential all personal information about children and their families. In relation to child protection issues and concerns, information will be shared on a need to know basis in the best interest of the child as follows:

- Information will only be forwarded on a "need to know" basis in order to safeguard the child/young person.
- Giving information to appropriately designated persons and/or statutory authorities for the protection of a child is not a breach of confidentiality.

Primary Carers have a right to know if personal information is being shared and a report is being made to Tusla unless doing so could put the child at further risk.

Role of Amen Support Services Ltd. following a referral to Tusla Children and Family Services

If the referral is accepted as meeting relevant criteria, Tusla Social Work Team will assume overall responsibility for the management of the case. After the designated liaison person makes the referral to Tusla, Amen Support Services Ltd. may be requested to provide further information and provide evidence should court proceedings follow.

Ongoing Support for a child / adult who has disclosed an incident of Child Abuse

Following a disclosure, Amen Support Services Ltd. encourages the person acting for or on behalf of the organisation to continue a supportive relationship with the child / adult. Staff, Trustees, Volunteers, Consultants, Students and any other person should continue to offer support through:

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

The above information applies only if the adult making the disclosure is not the person responsible for abuse to any minor. If the person making the disclosure is responsible for the abuse, Amen Support Services Ltd. and all associated members will cease to offer services to the individual.

Amen Support Services Ltd. will co-operate fully with any investigation being conducted by Tusla Child and Family Services or An Garda Siochana.

All records held by Amen Support Services Ltd. with details of the disclosure will be submitted to Tusla Child and Family Services or An Garda Siochana if it is deemed necessary.

All Trustees, Staff, Volunteers, Consultants, Students or any other acting for or on behalf of Amen Support Services Ltd are Garda vetted and have been recruited in accordance with the organisation's recruitment and safe management practices. Any complaints, regardless of the nature, are dealt with in accordance with the organisation's complaints procedure.

Declaration of Understanding – Child Protection Policy

I have read and understand the Amen Support Services Ltd Child Protection Policy

Name (print): _____

Signed: _____

Date: _____

This Declaration of Understanding should be signed and returned

The above list is not exhaustive. Any person who has any concerns in relation to the protection and welfare of a child should consult the practice handbook, consult with the DLP. If unsure, contact the local social work department for guidance and advice. Never assume that another agency or person will make the report