



PAVEE POINT
TRAVELLER AND ROMA CENTRE

Pavee Point Traveller and Roma Centre

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Child Protection Policy & Procedure

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1. Responsibility for approval of policy	Board of Directors
2. Responsibility for implementation	IMT and DLP
3. Responsibility for ensuring review	IMT and DLP

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1 Policy Statement

- a) Pavee Point Traveller and Roma Centre (Pavee Point) is committed to safeguarding the well-being of all children (persons aged under 18 years) with whom our staff come into contact. Although this policy is specifically for the support and guidance of staff working directly with children (see 3a below), all Pavee Point staff need to ensure that their incidental engagements with children is informed by this policy.
- b) This policy is structured and in line with the standards outlined in Children First: National Guidelines for the Protection and Welfare of Children 2017, the Children First Act 2015, and commitments and rights enshrined in the UN Convention on the Rights of the Child and EU Charter of Fundamental Rights.
- c) This policy is not a complete or authoritative statement on the law. Staff members should consult with *Children First Act, 2015* and relevant legislation (e.g. GDPR) as indicated in this document where required.

2 Purpose

- a) This policy is to ensure that all staff have an ability to recognise child abuse and neglect, and gives guidelines about the procedure to follow in the event of signs or disclosures of child protection or welfare concerns.
- b) This policy should be read in conjunction with the following policies: Domestic and Sexual Violence, Confidentiality, Data Protection and Garda Vetting. It is also closely in line with our policy on Safeguarding Vulnerable Adults.

3 Scope

- a) Compliance with this policy is required from any persons carrying out work or activity, a necessary and regular part of which consists mainly of the person having access to or contact with children.
- b) It applies to Pavee Point's direct and external work with Travellers and Roma, third parties (both children and adults) and contractors for the time they are engaged in Pavee Point's work and/or on Pavee Point's premises. Relevant documentation such as Safeguarding Statement and Garda Vetting will be requested from all contracted individuals.
- c) Where any staff (see definition of "staff" in 4a below) become aware of an act of non-compliance with this policy, they have a responsibility to address the issue with the person concerned. If there is not a satisfactory outcome, the staff need to bring this to the attention of their line manager, or the co-directors.
- d) Pavee Point will endeavour to support positive working relationships with Tusla Child and Family Agency.

4 Glossary of Terms and Definitions

- a) **Staff** includes: employees (management and workers), CE participants, volunteers, students and interns working within Pavee Point. Staff engaged in direct work with children (as per 3a above) can include persons in any of these categories.
- b) **Child**: Any young person up to the age of 18.
- c) **DLP: Designated Liaison Person** who is responsible for ensuring reporting procedures are followed.
- d) **Child abuse** can take different forms. Usually child abuse consists of one or more of the following signs and symptoms:
 - **Physical abuse**: results in actual or potential physical harm from an interaction, or lack of interaction, which is reasonably within the control of the parent or person in a position of responsibility, power or trust.
 - **Sexual abuse**: the use of children by others for sexual gratification or arousal. This can take many forms and includes rape and other sexual assaults, allowing children to view sexual acts or to be exposed to, or involved in, pornography, exhibitionism and other perverse activities.
 - **Emotional abuse**: Emotional abuse takes place when a child's need for affection, approval, consistency and security are not met. Emotional abuse can be manifested in terms of the child's behavioural, cognitive, or physical functioning

- **Neglect:** the persistent or severe neglect of a child whether wilful or unintentional which results in serious impairment of the child's health, development or welfare.

5 Principles Guiding the Policy

- a) The welfare of the child is of paramount importance.
- b) A balance must be struck between protecting children and respecting the needs of parents/carers and families. Where there is a conflict, the welfare of the child must come first.
- c) Pavee Point recognises that every child has the right to be safe at all times, and to be treated with respect and understanding.
- d) Parents / carers have a right to be respected and should be consulted and involved in matters which concern their family (where appropriate).
- e) Effective child protection involves compulsory training and clarity of responsibility.

6 Staff Training

- a) A copy of *Children First* and the National Guidelines will be available to all staff and at all times in Pavee Point. It is the responsibility of all staff to have read and understood the relevant national guidelines.
- b) All staff are required to complete training on child protection and child safeguarding policies. On completion of the 'Introduction to Children First' Certificate, a copy of this certificate should be made and submitted to the DLP. Certificates must be renewed as often as required by the relevant authorities. This can be done on HSE Land: <https://www.hseland.ie/dash/Account/Login>.
 - Regarding staff working in Pavee Point on placement from other organisations including colleges, the placing organisation are responsible for their child protection training and certification.
- c) All staff whose work is defined in point 3a above, must further engage in planned continuous training on safeguarding policies and on child protection.
- d) The IMT and coordinators together with the DLP will ensure that all staff are kept up to date with child protection and child safeguarding policies and that staff in the 3a category complete continuous training on these.
- e) Staff are required to follow all procedures within this policy.
- f) Pavee Point recognises that dealing with child protection and welfare issues can be distressing; staff will be appropriately supervised and supported by their line managers and co-directors in conjunction with support from the DLP.

7 Parents of Children in relation to Pavee Point Publications

- a) Where a child is photographed, filmed or recorded for Pavee Point publications, parents / guardians of the child must sign a consent form (See Consent letter at end of this policy).

8 Confidentiality

- a) Any undertaking regarding confidentiality can only be given subject to the conditions laid down in legislation on Child Protection and on Safeguarding Vulnerable Adults Pavee Point's Confidentiality Policy is in accordance with the principle stated in *Children First*: "the provision of information to the statutory agencies for the protection of a child is not a breach of confidentiality or data protection" (p16). Pavee Point's Confidentiality Policy states that confidentiality does not apply to reporting to statutory child protection agencies when:
 - a person discloses that they have perpetrated or that they intend to perpetrate sexual / physical abuse on another person.
 - any other issues arise in relation to Child Protection, as described in *Children First*.

- b) If the report has been made through a third party, the staff member receiving the report should facilitate contact between the person reporting the concern and the DLP and subsequently Tusla, the Child and Family Agency. If, however, contact is not facilitated, for whatever reason, the concerns reported via the third party must be followed up on as per the guidelines of this policy. Internal concerns will be reported to a limited number of relevant staff on a need to know basis.

9 Reporting procedures for dealing with disclosures, concerns or allegations

9.1 Designated Child Protection Officer

Pavee Point has designated a staff member in the role of Designated Liaison Person (DLP). The DLP is Corrine Doyle. Deputy DLPs, Laura Pohjolainen and Tessa Collins will act as support to Corrine in her role and as DLP in her absence.

DLP duties include:

- a) To ensure that procedures and arrangements are in place and implemented within the organisation to protect children in line with national guidelines.
- b) To keep up to date and undertake relevant training on child protection policy and practice, in order to ensure the relevance and appropriateness of Pavee Point's policy and procedures in this area
- c) To ensure all staff have up to date training on child protection and welfare concerns
- d) To act as a liaison with statutory services in matters relating to child protection
- e) To act as a resource person to the staff of the organisation, providing appropriate/relevant matters relating to child protection
- f) To take the lead role in ensuring the reporting and follow-up of referrals to Tusla / Gardaí and ensuring that Pavee Points' procedures are followed systematically and thoroughly.
- g) To ensure appropriate support for staff making a referral.
- h) To promote opportunities for on-going practice discussion in relation to child protection practice.
- i) To ensure proper records are kept on any interventions / decisions made during the process in line with Pavee Point's Data Protection policy.
- j) To seek appropriate line management support and supervision throughout the process.
- k) To ensure all reports regarding child protection and welfare from staff, CE participants, volunteers or students are firstly discussed with and counter-signed by them.

Where the DLP is going to be absent from work, s/he will agree with a designated staff member named above to undertake DLP responsibilities in his/her absence.

9.2 Responsibility to Report

- a) Every employee has a statutory responsibility to report any child protection concerns. The employee who has received a disclosure of child abuse or who has concerns about a child should immediately bring them to the attention of the DLP who must determine whether there are reasonable grounds for concern, and where there are such grounds (see Section C, 9.3 below), to report this concern to Tusla.
- b) In the event of an emergency where you think a child is at immediate risk of harm and you cannot get in contact with Tusla, you should contact the Gardaí without delay. This may be done through any Garda station.
- c) Where the DLP remains uncertain of the course of action to take, he/she should contact Tusla for informal advice relating to the allegation, concern or disclosure.
- d) The DLP will ensure that the parents/ carers are informed if a report/ referral has been made to Tusla, unless to do so would be likely to endanger the child.

- e) The Protections for Persons Reporting Child Abuse Act provides immunity from civil liability to persons who report child abuse in "reasonable and good faith" to designated officers, Tusla or any member of An Garda Síochána.

9.3 Reasonable Grounds for Concern

In accordance with the Child Protection and Welfare Practice Handbook (available from the DLP), chapter 2 (p6) reasonable grounds for concern are defined as:

- a) Evidence, for example, an injury or behaviour consistent with abuse and unlikely to have been caused in any other way
- b) Any concern about possible sexual abuse
- c) Consistent signs that a child is suffering from emotional or physical neglect
- d) A child saying or indicating by other means that he or she has been abused
- e) Admission or indication by an adult or a child of an alleged abuse they committed
- f) An account from a person who saw the child being abused.

9.4 Staff Responsibility when a Child Protection Concern Arises

When a staff member becomes concerned that they may be handling an abuse or child welfare situation they should:

- a) **Receive** the information: Listen carefully to what is being said or observed
- b) **Reassure** the person that they are right to share the information and that you will ensure that appropriate support is provided to the child
- c) **Refer** to the DLP or supervisor at all times throughout the process for guidance.
- d) **Respond:** Staff will take early and appropriate action to raise the concerns, in line with this policy. Undertaking a comprehensive assessment or investigative interview is the responsibility of specialist staff in Tusla or Gardaí.
- e) **Record:** An essential part of the child protection process is to ensure that staff take notes of what has been said to them in the words in which it was said or what they have observed immediately after the conversation / observation. All records should be kept in accordance with Pavee Point's Data Protection Policy.
- f) **Seek support:** It is important to remember that dealing with child abuse concerns is stressful, and can have an impact on one's emotional well-being. Therefore, staff should actively seek out support from supervisors and senior management within the bounds of confidentiality.
- g) Where staff have concern regarding other children in the community, they have a responsibility to report these concerns to Tusla.
- h) Where a member of the public or a person from another agency advises a staff member of child protection concerns regarding any child,
 - they should be advised to report their concerns directly to Tusla and provide appropriate contact details.
 - the Pavee Point staff member to whom they speak should record details of the information and discuss these with the DLP.
 - Pavee Point DLP should confirm with Tusla that the person who has the concerns has contacted them. If they have not, the DLP should pass the concerns on to Tusla, referring Tusla to the source of the information.

9.5 Responding to Disclosure from a Child

Staff should familiarise themselves with section 2.5 of the Child Protection and Welfare Practice Handbook. This provides guidelines on responding to a disclosure by a child. This includes:

- a) *Supportively responding to disclosure:* give the child time to explain. Do not pressurise or ask too many questions. Accept and believe the child. Do not express anger or judgement about the alleged perpetrator. It may also be necessary to reassure the child that your feelings towards them have not changed.
- b) *Asking questions:* questions should be supportive and for the purpose of clarification only. Avoid leading questions, asking about intimate details or suggesting that something else happened other than what has been told.
- c) *Managing confidentiality:* Do not promise to keep secrets. Acknowledge trust shown in disclosure. Explain exactly who to and why you are sharing the information i.e. some secrets should not be kept because they make matters worse; people can be helped and protected from further hurt.
- d) *Caution regarding making promises:* Do not make promises you cannot keep to the child in relation to what will happen next.
- e) *Providing on-going support:* maintain a positive relationship with the child after disclosure, keeping lines of communication open and listening carefully. Continue to include the child in usual activities as far as is practicable but where necessary, immediate action should be taken to ensure child's safety.

9.6 Standard Reporting Procedures (General)

- a) Staff and the DLP will ensure that notes are taken throughout the processing of any issues that cause concern. These may be vital if the concerns need to be reported to Tusla in the future.
- b) All observations, discussions and records relating to concerns must include dates, times, names, signatures, location, context and any other information which may be relevant. The information must be factual and objective.
- c) Where serious abuse is suspected immediate action will be required. Staff are to inform the DLP at the earliest possible opportunity and as a matter of urgency. If the DLP is not available, the issue should be raised with a Deputy DLP. In no case should serious concerns be left unaddressed or unreported.
- d) A reasonable ground for concern (see 9.3) about a potential risk to children posed by a specific person, even if the children are unidentifiable, should be communicated to the DLP and appropriate steps followed.
- e) It is important to be aware that the person who first encounters a case of alleged or suspected abuse is not responsible for deciding whether abuse has occurred. That is a task for the Gardaí or Tusla. Under no circumstances should any individual member of staff or the team itself attempt to deal with the problem of abuse alone.
- f) If at any point throughout the reporting process there is a continued failure to respond to significant concerns either within the organisation or on the part of Tusla, this should be brought to the attention of the co-directors who should raise the concerns at a higher level in Tusla.

9.7 Failure to Report

- a) The Criminal Justice Act 2006 introduced the criminal charge of reckless endangerment of children. Section 176 states:
A person, having authority or control over a child or abuser, who intentionally or recklessly endangers a child by –
(a) Causing or permitting any child to be placed or left in a situation which creates a substantial risk to the child of being a victim of serious harm or sexual abuse, or
(b) Failing to take reasonable steps to protect a child from such a risk while knowing that the child is in such a situation,
is guilty of an offence.
- b) The penalty for a person found guilty of this offence is a fine (no upper limit) and/or imprisonment for a term not exceeding 10 years.

9.8 Accusations against a member of staff

In a situation where Pavee Point staff member is accused of child abuse, the welfare of the child is of paramount importance.

- a) If a staff member is accused of abuse, the matter will be reported immediately to the relevant authorities in line with the procedures set out in Sections 9.6 and 9.7 above.
- b) Pavee Point is committed to ensuring that staff who are concerned about potentially inappropriate behaviour by a colleague can report their concerns to senior staff without fear of recrimination.
 - Where such concerns arise, the matter will be addressed in a timely and fair manner, and appropriate confidentiality in respect of all parties will be maintained.
- c) If an allegation is made against a staff member, the procedures outlined below must be followed:

9.8.1 Procedures when a Pavee Point staff member is implicated in the complaint:

- a) The standard reporting procedure in respect of suspected child protection concerns (see above) must be activated
- b) An action following an allegation of abuse against an employee should be managed in consultation with Tusla and the Gardaí. An immediate meeting should be arranged with these bodies for this purpose.
- c) Inform the Chairperson of the Board of Directors.
- d) After consultation with statutory services, the Chairperson should advise the person accused of the allegation and the procedure to be followed.
- e) Confidentiality is of the utmost importance and only those who need to be informed should be notified or made aware of the situation.
- f) Ensure no child is exposed to unnecessary risk in relation to the area of the allegation.
- g) A staff member may be suspended with pay to protect the child / other children attending the organisation, at all times considering the employee's contract and natural justice.
- h) Staff may be subject to erroneous or malicious allegations. All allegations should be investigated with sensitivity and support.
- i) The Chairperson and Executive Directors should take care that actions taken by Pavee Point in relation to an allegation do not undermine or frustrate any investigations being conducted by Tusla or Gardaí.

It is recommended that the same person should not have responsibility for the reporting issues and the employment issues. They should be managed independently. There may be situations where the allegations turn out to be unfounded. But it is important that suspicions are treated seriously and in the manner outlined above.

10 Garda Vetting

The National Vetting Bureau requires Garda vetting in respect of any person carrying out work or activity, a necessary and regular part of which consists mainly of the person having access to or contact with children.

See Pavee Point's Garda Vetting Policy for further detail in relation to vetting at point of recruitment, And at points of renewal -- every five years, or after any period away from the organisation, or as often as regulations require.

The vetting policy states that

- a) all staff covered by the criteria above are required to furnish details of past addresses to facilitate garda vetting;
- b) Pavee Point will not allow any individuals with past offences in relation to child abuse to have access to children in their work.
- c) Criminal record certificates are sought from candidates, for posts covered by the criteria above, who have worked abroad.

11 Safe Practice

- a) If a parent or a guardian brings a child into the organisation, the organisation will record the name of the child and the time they entered/exited the building, but the child will be the responsibility of the parent / guardian who will supervise the child/children at all times.
- b) In the event that a child is brought into the organisation accompanied by an adult who is not their parent / guardian, and where this is no arrangement or no known arrangement, the DLP and a member of the IMT should be consulted as to whether this arrangement is acceptable.
- c) Children should at no time be left unattended. As far as possible the child will remain with the adult. In the event that this is not the case, there should be two staff with the child at all times. Staff should not at any time be in a closed room with a child.
- d) During work hours and/or events, there must be two members of staff in the presence of any under 18s.

12 Contact Details for Relevant Statutory Services

- a) For Tusla Social Workers in Dublin: <https://www.tusla.ie/services/child-protection-welfare/contact-a-social-worker/dublin/>
- b) For An Garda Síochána in Dublin: <https://www.garda.ie/en/contact-us/useful-contact-numbers/>

See next page for Appendix: Child photo consent form.



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Child photo consent form

We would be grateful if you would fill in this form to give us permission to take photos of your child and use these in our printed and online publicity.

I give permission to take photographs of my child_____.

I grant full rights to use the images resulting from the photography to help achieve the group's aims. This might include (but is not limited to) the right to use them in Pavee Point's printed and online publicity and social media.

Name of child _____

Name of parent / guardian _____

Signature of parent / guardian _____ Date _____