

CLARE YOUTH SERVICE

Carmody St, Ennis Co. Clare

CHILD PROTECTION POLICY AND PROCEDURES

June 23rd 2010
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INTRODUCTION

In 1999, the Department of Health and Children published **Children First: National Guidelines for the Protection and Welfare of Children**. These guidelines are intended to assist people in identifying and reporting child abuse to ensure best practice in child protection in statutory and voluntary agencies.

The Clare Youth Service Child Protection Policy and Procedures have been developed in line with the principles outlined in Children First and the Code of Good Practice – Child Protection for the Youth Work Sector. Child protection is about promoting and protecting the welfare of children who avail of our services. It is about creating a safe environment for both staff, volunteers and young people, where trust and willingness to listen to the young person is pervasive.

The developing of the policy and procedures is an enabling process, drawing on our current good practice with children. Such a policy will be an invaluable tool in helping our staff/volunteers involved in working with young people to safeguard both the young person and themselves.

It will be a requirement for all staff and volunteers to read, sign and comply with the procedures outlined in this policy. A user-friendly handbook on child protection, based on this policy will be presented and discussed with all our young people, where possible.

Young people will be made aware of the steps they can take should they have a child protection concern and the person they can contact for advice and support.

Child Protection Officer – Elizabeth Dack

Contact:065-6845351

CLARE YOUTH SERVICE

CHILD PROTECTION POLICY STATEMENT

We in Clare Youth Service are committed to practices which protect children from harm. Staff and volunteers in this organisation accept and recognise our responsibilities to develop awareness of the practices which cause children harm.

We will endeavour to safeguard children by:

1. Adopting child protection guidelines through a code of behaviour for staff and volunteers. In this instance Clare Youth Service are adopting the Code of Good Practice – Child Protection for the Youth Work Sector and Children First, also Our Duty to Care.
2. Sharing information about child protection and good practice with children, staff and volunteers, where possible and appropriate.
3. Sharing information about concerns with agencies that need to know, and involving parents and children appropriately.
4. Following carefully the procedures for recruitment and selection of staff and volunteers. Where staff are allocated to Clare Youth Service from another agency, we will ensure that they comply with our Child Protection Guidelines, e.g. doing all necessary training, etc..
5. Providing effective management for staff and volunteers through supervision, support and training.
6. Clare Youth Service is also committed to reviewing our policy and good practice at regular intervals.

(It should be noted that “Children” as used in this document refers to all young people under the age of 18 years.)

Clare Youth Service

Mission Statement.

Clare Youth Service works to enable young people in Co. Clare develop to their full potential through the co-operative work of trained volunteers and dedicated professional staff.

History:

Clare Youth Service had its beginnings in 1969 when it was established as Clare Regional Youth Council. Over the Years it has changed and developed to become a leader in the field of Youth Services. It is a company limited by guarantee, with charitable status and is linked by affiliation to Youth Work Ireland.

Target Group:

Our primary focus is the 12 –25 age group with particular emphasis on those affected by social exclusion.

Structure:

Clare Youth Service operates under the guidance of a board of directors who are responsible for overall policy formulation and implementation. Day to day operations are carried out by the management team, professional staff and volunteers of the Service.

Services offered:

- Mainline and Disadvantaged Youth Work:

Activities in this area includes training and support for over 300 volunteers involved in a network of youth clubs and projects throughout the county, personal and social development programmes, national and international exchanges, community based initiatives, sports and recreation programmes.

- Community and Youth Training

The primary focus here is to provide education and training for young people who do not or cannot avail of mainstream provision in these areas. Through a person-centred approach emphasis is placed on building and enhancing self-confidence, social skills and overall personal development. Courses provide a blend of academic learning and practical skills with the ultimate aim of enabling participants to progress to employment or further training.

- Youth Information Service

This service provides information in a relevant and understandable format to all young people and those working with them. The service is provided in a central location in Ennis, on outreach point in Shannon and as an Outreach service to schools, clubs and projects around the county.

PRINCIPLES FOR BEST PRACTICE IN CHILD PROTECTION

Clare Youth Service adopts the following principles outlined in **Our Duty To Care**, ensuring the creation of an environment in which our young people are listened to, given a sense of belonging and kept safe, and where staff and volunteers who work with our young people are supported and protected.

The following are the key principles for best practice in child protection:

- Acknowledge the rights of children to be protected, treated with respect, listened to and have their own views taken into consideration.
- Recognise that the welfare of children must always come first, regardless of all other considerations.
- Develop a child protection policy that raises awareness about the possibility of child abuse occurring and outlines the steps to be taken if abuse is suspected.
- Adopt the safest possible practices to minimise the possibility of harm or accidents happening to children and protect workers from the necessity to take risks and leave themselves open to accusations of abuse or neglect.
- Adopt and consistently apply clearly defined methods of recruiting staff and volunteers.
- Remember that early intervention with children who are vulnerable or at risk may prevent serious harm from happening to them at a later stage.
- Remember that a child's age, gender and background affects the way they experience and understand what is happening to them.
- Provide child protection training for young people, staff and volunteers. This should clarify the responsibilities of both organisations and individuals and clearly show the procedures to be followed if child abuse is suspected.
- Co-operate with other childcare and protection agencies and professionals by sharing information when necessary and working together towards the best possible outcome for the children concerned.
- Make links with other relevant organisations in order to promote child protection and welfare policies and procedures.

Clare Youth Service works from an ethos of value and care for young people, staff and volunteers, to create a safe working and learning environment, which makes for a very rewarding and welcoming atmosphere.

THE RIGHTS OF THE CHILD

For the purpose of this policy “a child” means a person under the age of 18 years, who is or has not been married.

Ireland ratified the **UN Convention on the Rights of the Child** in 1992. The Convention is in essence a “**bill of rights**” for all children. It contains rights relating to every aspect of children’s lives including the right to survival, development, protection and participation.

The underlying principles of the Convention may be summarised as follows:

I. Non-Discrimination (Art. 2):

All rights apply to all children without exception. The state is obliged to protect children from any form of discrimination and to take action to promote their rights.

II. Best Interests of the Child (Art. 3):

All actions concerning the child shall take account of his or her best interests. The state shall provide the child with adequate care when parents or others charged with that responsibility fail to do so.

III. Survival and Development (Art. 6):

Every child has the inherent right to life and the state has an obligation to ensure the child’s survival and development.

IV. The Child’s Opinion (Art. 12):

The child has the right to express his or her opinion freely and to have that opinion taken into account in any matter or procedure affecting the child.

A number of articles of the Convention are of particular relevance to child protection:

I. **Article 19** states that parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, while in the care of parent(s), legal guardian(s) or any other person who has care of the child.

II. **Articles 34 and 35** refer respectively to the protection of children from sexual exploitation and from sale, trafficking and abduction.

KEY LEGISLATIVE PROVISIONS

The following are the key legislative provisions governing the rights of children and young people and their protection and the protection of those reporting child abuse concerns:

Child Care Act, 1991

The purpose of the act is to “up-date the law in relation to the care of children who have been assaulted, ill-treated, neglected or sexually abused or who are at risk”. The main provisions of the act are:

- I. The placing of a statutory duty on health boards to promote the welfare of children who are not receiving adequate care and protection up to the age of 18 (Sec. 3.1)
- II. The strengthening of the powers of the health boards to provide childcare and family support services.
- III. The improvement of the procedures to facilitate immediate intervention by health boards and An Garda Síochána where children are in danger.
- IV. The revision of provisions to enable the courts to place children, who have been assaulted, ill-treated, neglected or sexually abused or who are at risk, in the care of or under the supervision of regional health boards.
- V. The introduction of arrangements for the supervision and inspection of pre-school services.
- VI. The revision of provisions in relation to the registration and inspection of residential centres for children.

Protection for Persons Reporting Child Abuse Act, 1998

This act came into operation on the 23rd January 1999. The main provisions of the act are:

- I. The provision of immunity from civil liability to any person who reports child abuse “**reasonably and in good faith**” to designated officers of health boards or any member of An Garda Síochána.
- II. The provision of significant protections for employees who report child abuse. These protections cover all employees and all forms of discrimination up to, and including, dismissal.
- III. The creation of a new offence of false reporting of child abuse where a person makes a report of child abuse to the appropriate authorities “**knowing that statement to be false**”. This is a new criminal offence designed to protect innocent persons from malicious reports.

Data Protection Act, 1988

The act only applies to the automatic processing of personal data. It gives a right to every individual, irrespective of nationality or residence, to establish the existence of personal data, to have access to any such data relating to him/her and to have inaccurate data rectified or erased. It requires data controllers to make sure that the data they keep are collected fairly, are accurate and up-to-date, are kept for lawful purposes, and are not used or disclosed in any manner incompatible with those purposes. It also requires both data controllers and data processors to protect the data they keep, and imposes on them a special duty of care in relation to the individuals about whom they keep such data.

There are only three exclusions under the act:

- I. Data relating to state security
- II. Information that is required by law to be made available to the public
- III. Personal data kept only for personal or recreational purposes

Additional legislative provisions include the following:

- Freedom of Information Act, 1997
- Domestic Violence Act, 1996
- Non-Fatal Offences Against The Person Act, 1997
- Mental Health Act, 2001

DEFINITION OF CHILD ABUSE

Child abuse is generally described under the following five headings: (as per Children First, pgs.31-33,103-105)

Neglect

Neglect can be defined in terms of an omission, where the 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 and medical care. 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.

Emotional Abuse

Emotional abuse is normally to be found in the relationship between the care-giver and a child rather than a specific event or pattern of events. It occurs when a child's need for affection, approval, consistency and security are not met. Unless other forms of abuse are present, it is rarely manifested in terms of physical signs or symptoms. Examples of emotional abuse include:

- The imposition of negative attitudes on children, expressed by persistent criticism, sarcasm, hostility or blaming.
- Conditional parenting.
- Emotional unavailability by the child's parent/carer.
- Unrealistic, inappropriate expectations of the child.
- Failure to show interest in, or provide age appropriate opportunities for the child's cognitive and emotional development.
- Unreasonable or over harsh disciplinary measures.
- Exposure to domestic violence.

The threshold of significant harm is reached when abusive interactions dominate and become typical of the relationship between the child and the parent/carer.

Physical Abuse

Physical abuse is any form of non-accidental injury or injury which results from the wilful or neglectful failure to protect a child. Examples of physical abuse include:

- Shaking a child
- Use of excessive force in handling a child
- Deliberate poisoning
- Suffocation
- Munchausen's Syndrome By Proxy
- Allowing or creating a substantial risk of significant harm to a child

Sexual Abuse

Sexual abuse occurs when a child is used by another person for his or her gratification or sexual arousal or for that of others. Examples of sexual abuse include:

- 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.
- Sexual intercourse with a child, be it oral, anal or vaginal.
- Sexual exploitation of a child.

Bullying

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

- Teasing
- Taunting
- Threatening
- Hitting
- Extortion

Bullying may take place in any setting whether it be in schools, the home or in a youth service setting. The more extreme forms of bullying would be regarded as physical or emotional abuse.

While child abuse has been defined under the above five headings of neglect, emotional abuse, physical abuse, sexual abuse and bullying, due consideration should also be given to instances of organised abuse and peer abuse.

Organised Abuse

This occurs when one person enters into an area or institution and systematically entraps children for abusive purposes (mainly sexual) or when two or more adults conspire to abuse children using inducements or threats.

Peer Abuse

In some cases of abuse the alleged perpetrator will also be a child. In these situations the child protection procedures should be adhered to for both the victim and the alleged abuser. If there is any conflict of interest between the welfare of the alleged abuser and the victim, the victim's welfare is of paramount importance.

Children with special vulnerabilities

Certain children are more vulnerable to abuse than others. These include children with disabilities and children who, for one reason or another are separated from parents or other family members and who depend on others for their care and protection. The same categories of abuse – neglect, emotional abuse, physical abuse, sexual abuse – may be applicable, but may take a slightly different form. For example, abuse may take the form of deprivation of basic rights, harsh disciplinary regimes or the inappropriate use of medications or physical restraint.

RECOGNISING SIGNS AND SYMPTOMS OF CHILD ABUSE

The following are some of the possible indicators of child abuse: (as per Children First)

Physical Indicators

- Frequent bruising, fractures, cuts, burns and other injuries.
- Signs of neglect e.g. dirty appearance, undernourished looking.
- Failure to thrive.
- Genital injuries or soreness.
- Haemorrhages (retinal, subdural).
- Sexually transmitted infections.
- Pregnancy.

Emotional Indicators

- Unreasonable mood and/or behavioural changes.
- Aggressive or withdrawn.
- Lack of attachment.
- Depression or suicide attempts.
- Persistent nightmares, disturbed sleep, bedwetting, reluctance to go to bed.
- Fear of adults.
- Lack of peer relationships.
- Fear of the dark.
- Panic attacks.

Behavioural / Sexual indicators

- Over affectionate or inappropriate sexual behaviour or knowledge given the child's age – often demonstrated in language, playing or drawings.
- Fondling or exposure of genital areas – open masturbation.
- Sexually aggressive behaviour with others.
- Hints about sexual activity.
- Unusual reluctance to join in normal activities, which involve undressing, e.g. games, swimming.
- Overtly compliant and submissive.
- Strong dislike of physical contact.
- Prostitution – giving sexual favours in return for gifts or money.

Changes in Normal Behaviour For the Person in Question

- Unwillingness to participate in certain activities or to go to certain places that once may have been liked.
- Running away from school or avoiding school.
- Separation activity.
- Isolation.
- Tiredness and poor concentration.
- Unexplained display of wealth or gifts (bribes) or a constant shortage of money and loss of good equipment, clothes etc. (taken by bullies).

Illness

- Eating disorders such as overeating or anorexia.
- Alcoholism and/or drug addiction.
- Psychosomatic disorders.

Some signs are more indicative of abuse than others. These include:

- Disclosure of abuse by a child or a young person.
- Age inappropriate or abnormal sexual play or knowledge.
- Specific injuries or patterns of injuries.
- Under-age pregnancy or sexually transmitted infections.

NOTE: In the area of child protection the current legal age of consent for sexual intercourse is 17. This is currently under review and may be lowered to 16 (Dec 2006)

It is important to remember that even for the experts child abuse is very difficult to prove and the above are possible indicators of abuse. The most important point is that you know the children you are working with, and can observe changes in behaviour i.e. generally quiet or generally boisterous etc. By knowing the children it will be easier for you to notice any changes in appearance or behaviour that may cause concern. However it should be noted that in working with teenagers, many of the above symptoms are difficult to recognise.

THE ROLE OF THE Child Protection Officer/Designated Persons

A Child Protection Officer (CPO) has been appointed in Clare Youth Service. The CPO is Elizabeth Dack (065-6845351) The CPO will act as a resource to any young person, staff member and volunteer who has child protection concerns. All dealings of a child protection nature go through the CPO who in turn may make a referral to the health board or gardaí (APP. 1) (In the absence of the designated person, the CYS Management Team will act.)

CYS Management Team: Margaret Slattery, 6845367, Claire Thynne, 6845364, Teresa Larkin, 6845361, Liz Dack, 6845351, Toni Knowles 6845359. Given the 24/7 nature of our work, all staff and volunteers should note that the Gardaí should be contacted.

The role of the Child Protection Officer is as follows:

- To report suspicions and allegations of child abuse to the health board or the gardaí.
- To provide information and advice on child protection within the organisation.
- To build up networks of support for the victim and for the staff/volunteer making a referral.
- To ensure that our child protection policy and procedures are adhered to, and to inform the health board or gardaí of relevant concerns about individual children where necessary.
- To adopt proper procedures in individual cases, where appropriate.
- To liaise with health board, gardaí and other agencies as appropriate.
- To keep the Director of the Clare Youth Service informed about any referrals.
- To maintain proper records on all referred cases in a secure and confidential manner.
- To ensure that all young people, staff and volunteers are familiar with the CPO and also that they each receive appropriate child protection awareness training.
- To keep informed about current developments regarding the provision, practice, support services, legal obligations etc.

The Child Protection Officer will be accessible to everyone in the organisation and will be supported by training and supervision. When the CPO receives a report about suspected or actual child abuse/welfare concern, she will consult with the HSE social work department/An Garda Síochána to determine whether there are grounds for reasonable concern and making a standard report.

The following examples would constitute reasonable grounds for concern and should be reported:

- A disclosure from the child that he/she was abused.
- An account by a person who saw the child being abused.
- Evidence, such as injury or behaviour, which is consistent with abuse and unlikely to be caused another way.
- An injury or behaviour, which is consistent both with abuse and with an innocent explanation, but where there are corroborative indicators supporting the concern that it may be a case of abuse. An example of this would be a pattern of injuries, an implausible explanation or other indicators of abuse or dysfunctional behaviour.

- Consistent indication, over a period of time that a child is suffering from emotional or physical neglect.

A suspicion, which is not supported by any objective signs of abuse, would not constitute a reasonable suspicion, or reasonable grounds for concern. However, these suspicions should be reported to the CPO who will record them internally as future suspicions may lead to the decision to make a report.(App. 2)

CONFIDENTIALITY

Confidentiality:

Youth work is based on trusting relationships and the sharing by young people to staff/volunteers of personal information and problems is not uncommon. Anyone disclosing information in this context needs to know in advance the limits of confidentiality and the responsibilities attached. Staff/volunteers have a duty to care for the young person. Consequently there is no breach of confidentiality in passing on concerns around a child protection issue.

In matters of child abuse a staff person/volunteer can never promise to keep secret any information that is divulged. Staff/volunteers need to explain to the young person disclosing why s/he cannot keep this information secret and also explain to the young person what s/he intends to do with it. Every effort will be made to get the young person to understand this strategy and consent to it.

All information regarding concern or assessment of child abuse should be shared on a “need to know” basis in the best interest of the young person. The giving of information to relevant others, for the protection of the child, is not a breach of confidentiality. It must be clearly understood that information, which is gathered for one purpose, must not be used for another without consulting the person who provided that information.

All staff and volunteers of Clare Youth Service receive information on confidentiality during Induction Training and this practice is also referred to in the Staff guidelines booklet.

All confidential documentation will be stored in locked presses. Access to these documents will be limited.

DEALING WITH DISCLOSURES/REPORTING PROCEDURES

Should a child disclose abuse to you the following important points should be taken into consideration:

- Take what the child says seriously.
- Be as calm and as 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.
- Reassure the child that it was right to tell somebody what happened and that they have done nothing wrong.
- 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. Tell the child that 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. However, it is better 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.
- Remember that 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 the time and opportunity to tell as much as they are able and wish to. Do not pressure the child. Allow him/her to disclose at their own pace and in their own language.
- Be careful when asking questions. Your job is not to investigate but to support the child. Avoid leading questions such as whether a specific person carried out the abuse, or whether specific acts mentioned by the child occurred. Such questions may complicate an official investigation.
- Do not express any opinion about the alleged abuser to the child.
- It may be necessary to reassure the child that your feelings towards him/her have not been affected in a negative way as a result of what he/she has disclosed.
- At the earliest possible opportunity record in writing what the child has said, including as far as possible, the exact words uttered by the child. Record facts only, no opinions or hearsay.
- Pass on all information to the Child Protection Officer and not to any other third party, as disclosures are on a need to know basis only.
- The Child Protection Officer will carry out the necessary steps in making a referral to the HSE (App. 7).

Ongoing Support

Following a disclosure by a child, it is important that the Clare Youth Service staff and volunteers continue in a supportive relationship with the child. Once the CPO makes the referral to the HSE, our duty to care on the disclosure is passed on. Disclosure is a huge step for many children and support should be continued through:

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

Any further disclosures should be treated as a first disclosure and responded to accordingly.

Dealing With A Suspicion of Child Abuse/Welfare Concerns.

In situations where a suspicion/concern may be deemed vague i.e. where there is no specific allegation but there is some concern based on the emotional behaviour and/or physical presentation or behaviour of the child, then staff/volunteers should consult the CPO for advice. The CPO will consider, in consultation with the HSE social work department/An Garda Síochána, whether there are grounds for reasonable concern and making a standard report. Details of the consultation will be recorded and filed. A formal report to the HSE may follow as advised.

The following examples would constitute reasonable grounds for concern and should be reported:

- A disclosure from the child that he/she was abused.
- An account by a person who saw the child being abused.
- Evidence, such as injury or behaviour, which is consistent with abuse and unlikely to be caused another way.
- An injury or behaviour, which is consistent both with abuse and with an innocent explanation, but where there are corroborative indicators supporting the concern that it may be a case of abuse. An example of this would be a pattern of injuries, an implausible explanation or other indicators of abuse or dysfunctional behaviour.
- Consistent indication, over a period of time that a child is suffering from emotional or physical neglect.

A suspicion, which is not supported by any objective signs of abuse, would not constitute a reasonable suspicion, or reasonable grounds for concern. However, these suspicions should be reported to the CPO who will record them internally as future suspicions may lead to the decision to make a report.(App. 2)

Should staff/volunteers have a concern about child abuse in an out-of-hours situation, they should consult with the Gardaí.

Informing Parents/Guardians

Clare Youth Service works with young people in a variety of settings. In many of these e.g. Drop in Centres, Information Centres, Youth Clubs and Projects it is not always possible to talk with parents/guardians. However, where a relationship exists between a project and a parent, it is considered good practice to inform parents/guardians, where possible, in the event of report being made particularly for young people under the age of 16 years.

ALLEGATIONS AGAINST A STAFF MEMBER OR VOLUNTEER

If an allegation is made against a staff member or volunteer of the Clare Youth Service then two separate procedures will be followed:

- The reporting procedure in respect of the child
- The procedure for dealing with the staff member or volunteer

These procedures, according to **Children First**, should be followed in the event of suspicion or disclosure of abuse against an employee or volunteer. In this situation, Clare Youth Service 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 Director of the Clare Youth Service will deal with the staff member/volunteer in question, while the CPO will have the responsibility of dealing with the reporting issue and supporting the child. Staff/volunteers 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. Support for the staff /volunteer and child will include the appointment of a “support person” as well as any necessary counselling. Similar support will be offered to parents/guardians. However, the primary goal is to protect the child while taking care to treat the staff member/volunteer fairly.

When the Director of the Clare Youth Service becomes aware of an allegation of abuse of a child or children by a staff member/volunteer, he 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/volunteer will be afforded an opportunity to respond. The Director will note the response and pass on the information when and if a standard report is made to the HSE. (App. 8)

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**”.

Clare Youth Service 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/volunteers including anger, disbelief, doubt, fear, guilt, shock, 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/volunteers and the other children towards the child who has been abused or whose allegation is being investigated.
- The reaction of parents/carers and other family members of the child.

Through a series of Basic Child Protection Awareness Training Programmes, all persons involved in the Clare Youth Service will be given the opportunity to discuss such issues in an open and non-threatening environment.

NOTE: Should an allegation be made against the Director of the Clare Youth Service, the chairperson of the Board of Directors will initiate the proceedings.

Procedures for Dealing With Employee's and Employer's Duty of Care to Children.

- The first priority will be to ensure that no child is exposed to unnecessary risk and as such any necessary protective measures will be taken e.g. suspension of the staff member/volunteer. These measures will be proportionate to the level of risk and will not unreasonably penalise the worker financially, or otherwise, unless necessary to protect children.
- The Director will seek legal advice in any matter relating to or following an allegation against a staff member or volunteer. A meeting will be arranged with the health board/gardai to discuss the allegation.
- The Director will inform the person accused on the outcome of the above consultation.
- The Director will consult with the HSE/An Garda Síochána to ensure inter-agency co-ordination throughout the process of the investigation.

It is important for young people, staff and volunteers to know that if they raise a concern, which, through the process of investigation, is not validated, they have not in any way been wrong in their initial action. Clare Youth Service encourages responsible action and those who report alleged abuse should feel confident of support.

When a Case is Not Referred to the Health Board or Gardai

In those cases where the Child Protection Officer of the Clare Youth Service decides not to refer concerns to the HSE or An Garda Síochána (all types of concerns), the individual who raised the concern will be given a written statement of the reasons why the organisation is not taking action. The provisions of the **Persons Reporting Child Abuse Act, 1998** apply once that person reports “**reasonably and in good faith**”. (Children First, p.111.)

COMPLAINTS PROCEDURE

Clare Youth Service is committed to extensive consultation and on-going communication with young people.

Consultation and communication are in-built in our programmes and give young people an opportunity to actively contribute to the development and in some case delivery of programmes.

The relationship between the youth worker and young person is such as to encourage and facilitate young people to share their opinions, including concerns and complaints. Formal and informal fora exist including for example

- Key workers and one-to-one sessions
- Project and programme reviews and evaluations
- Formal consultation in programme development
- Senior members committees
- Youth Council

As part of the Community Training Centre Induction Programme, young people and their parents/guardian are made aware of the Complaints procedure. In other areas, where there may be no direct contact with parents/guardians, staff are always available to chat with any parent/guardian and explain procedures.

It should be remembered that youth work is based on trusting relationships and the sharing by young people to staff/volunteers of personal information and problems is not uncommon. Anyone disclosing information in this context needs to know in advance the limits of confidentiality and the responsibilities attached. Staff/volunteers have a duty to care for the young person. Consequently there is no breach of confidentiality in passing on concerns around a child protection issue.

Procedure

- Stage One The young person brings up a complaint at any of the above mentioned fora. Where appropriate, the complaint is discussed there and actions agreed.
- Stage two – If the complaint is not resolved, then the young person may complete a Complaint/Grievance form, which is passed onto the appropriate manager. There is always someone available to assist with this, should the need arise. Alternatively, the young person may use the services of an advocate to intercede for them. It is the ethos of the organisation that young people are kept informed of actions taken to resolve concerns or complaints. See appendix 12.

RECRUITMENT AND SELECTION PROCEDURES OF STAFF AND VOLUNTEERS

Clare Youth Service adopts the safe recruitment and selection practices outlined in both **Children First** and **Our Duty To Care**, endeavouring to protect its members from harm. The procedures are designed to be clear, unambiguous and equitable and in the best interest of young people and adults alike.

Safe practice starts with safe recruitment procedures and involves:

- Always applying thorough selection procedures, no matter who the applicant happens to be.
- Judging the suitability of applicants in relation to a broad range of matters.
- Taking all reasonable steps to eliminate people who are not suitable for working with children.
- All staff and volunteers who work directly with children undergo full Garda vetting and clearance.

Implementation of Procedures

a. Role Clarification

Identify the role of the new employee or volunteer and the skills that will be required for them to carry out their duties.

b. Application For Posts

All applicants to work as volunteers should complete the standard volunteer application form. Applicants for paid posts should apply using the application method described in the advertisement for the post, usually with C.V. and letter of application. . A clear job/role description along with a profile of Clare Youth Service will be provided on request.

c. Declaration of Suitability

All applicants will be required to sign a declaration stating that there is no reason why they would be unsuitable to work with young people (App. 5). For staff seconded from other agencies Clare Youth Service will check the vetting arrangements of these agencies and such staff will have to have completed suitable Child Protection Training. Staff recruited on a temporary contract basis who have not completed Child Protection Training will work under the supervision of Clare Youth Service staff.

d. Interview

Applicants will be interviewed by at least two representatives of the Clare Youth Service. Their previous experience, with particular reference to their working and contact with children will be focussed on. Reference to our child protection policy and procedures will be emphasised.

e. References

The applicant will be obliged to supply the name of two referees (non-relatives) who are willing to supply Clare Youth Service with references on their behalf (App. 6). References will be received in writing and at least one will be confirmed by telephone or by personal visit. Any additional information will be attached to the application form.

f. Identification

Applicants who are unknown to the organisation, will be asked to present some identification e.g. passport, driving licence, ID card, which gives his/her full name, address, signature and photo, to confirm their identity.

Clare Youth Service will apply the above procedures consistently with paid and unpaid staff, part-time and full-time workers.

SUPPORT, SUPERVISION AND TRAINING PROVISIONS FOR STAFF AND VOLUNTEERS

Volunteering and working with children is both worthwhile and fulfilling, but also challenging. Once recruited, all staff and volunteers of the Clare Youth Service will be well informed, trained, supervised and supported, so that they are less likely to become involved in actions which can lead to harm, or can be misunderstood.

The following processes will apply:

a. **Induction**

Applicants during their probationary period will go through an initial induction programme, which will enable them to get to know the organisation, the staff/volunteers, their role and responsibilities. The induction will be organised by individual managers. Contracts of employment, where applicable, will be discussed and signed. The induction programme will also cover expectations, conditions, confidentiality and procedures for dealing with discipline, grievances and allegations and the child protection policy and procedures.

b. **Supervision and Support**

Supervision and support structures focus on the work that needs to be done and how it is carried out. It also gives an opportunity for managers to acknowledge good work, which has been carried out. Records of supervision sessions are kept. Should a problem arise between a manager and staff then the problem-solving procedures as described in the staff guidelines booklet will be followed.

Supervision sessions throughout all sections of the Clare Youth Service will provide an opportunity for staff to share concerns, anxieties or worries about their work or the environment. The supervisory system is the responsibility of all managers. Throughout the agency, staff receive one-to-one supervision from their line manager monthly and on an as needed basis. The sessions will also afford management the opportunity to appraise the staff appointments. The supervisory sessions, may be individual or in a group setting, formal or informal. Sound support networks, e.g. regular Team meetings and Staff meetings, are also held. These provide an opportunity for both parties to communicate issues of importance and identify training needs or supports necessary at specific times. When a critical incident has occurred, line managers provide de-briefing for staff. Managers are themselves supervised by the Director on a regular basis.

c. **Training**

It is the responsibility of the management of the Clare Youth Service to identify both individual and common training needs of staff and volunteers. The Service strives to meet the training needs of all staff/volunteers, where possible. Staff and volunteers are also encouraged to identify any gaps in training and to discuss them with the appropriate manager.

Training is a continual process, which begins at the stage of induction and includes the following:

- Basic Child Protection Awareness Training
- Health and Safety Training
- Practical Skills Training
- Leadership Training

good practice in training means keeping a record of training needs, training provided and a note of the worker's satisfaction with the training.

CODE OF BEHAVIOUR FOR STAFF AND VOLUNTEERS

The child-centred ethos of the Clare Youth Service creates an environment in which children are valued, encouraged and listened to. We respect the rights of our young people as individuals in society. Through training and education we ensure that our young people know their rights and responsibilities. We negotiate behavioural expectations with young people through consultation and contracts. By adopting our child protection policy, all persons associated with the Clare Youth Service carry out their duties, ensuring at all times that the welfare of our young people is paramount.

The following codes of behaviour have been put in place for staff/volunteers for the protection of all concerned:

- i. It is recommended that staff/volunteers be sensitive to the potential risk to personal safety and false allegations, which arise when they meet alone with a young person in a room. Where it is feasible leave the door slightly ajar and inform another staff member/volunteer of the room you will be in.
- ii. It is not recommended that staff/volunteers give lifts in their cars to individual young people. However, staff/volunteers working with targeted young people may at times be required to give lifts. In such cases staff should notify their manager on start and completion of journey. Records of these journeys must be maintained in staff person's diary. Volunteers should notify another volunteer/leader on start and completion of journey. Records to be kept in club's diary.
- iii. Staff/volunteers must be aware of the possibility of becoming over involved or spending too much time with any one young person. We need to be clear about the purpose and nature of our relationship with the young person e.g. is the relationship constructive in building up the independence and autonomy of the person or is it being used to satisfy our own agenda.
- iv. Staff/volunteers should ensure, in so far as possible, that buildings or facilities which they use for activities with young people 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.
- v. When staff/volunteers are engaged in various activities, the ratio of worker/s to young people will be dependent on the activity and the make-up of the group. For volunteers there must be a minimum of two adults prior to the youth club or project opening.
- vi. When dealing with group members of mixed sexes it is important that workers have sufficient leaders of both sexes, where possible, to properly manage all activities and areas of any premises in use.
- vii. Staff members and volunteers should always be respectful of the privacy of young people in dormitories, changing rooms, showers and toilets. When present in such areas workers are instructed not to spend time alone with a young person.
- viii. Staff members and volunteers should be aware of the risks in participating in some contact sports with young people and exercise caution in areas such as swimming pools. This is particularly important when working with the pre-teens where volunteers should NOT participate in swimming.
- ix. Young people should be encouraged to report cases of bullying to a staff member/volunteer of their choice. It is the policy of Clare Youth Service to provide an atmosphere for all staff,

volunteers and young people that is free from bullying and harassment. Further to this both informal and formal procedures are in place that will apply should incidences of bullying or harassment take place.

- x. While physical contact is a valid way of comforting, reassuring and showing concern for children, it should only take place when it is acceptable to all persons concerned and should take place in the public domain.
- xi. Staff and volunteers should never physically punish or be in any way verbally abusive to a child, nor should jokes of a sexual nature be told to or in the presence of a young person.
- xii. Clare Youth Service will develop and promote a positive attitude amongst staff/volunteers and young people that respects the personal space, safety and privacy of individuals.
- xiii. If taking a group of young people away on a day trip, you must ensure you have proper transport, adequate insurance cover, enough supervision (male and female) and written parental consent. Facts must also be obtained of any specific medical conditions the young people suffer from and plans in place to deal with such, should the need arise. In addition a complete list of young people and emergency contact numbers for parents must be left with a manager or senior staff person. Emergency contact numbers must include a landline and where possible a mobile number. See appendix, 11.

By adhering to the above codes of behaviour, Clare Youth Service will prove to be a safe, comfortable and positive environment for staff, volunteers and young people. The important steps outlined above will help to protect our staff and volunteers from placing themselves in vulnerable and often alarming situations with young people.

The Codes of Behaviour are included in induction packs for staff and volunteers and are readily made available to parents/guardians on request.

THE PROCEDURES TO FOLLOW ON RESIDENTIALS WITH YOUNG PEOPLE

When taking young people away on residential trips, staff and volunteers should always be attentive to the following:

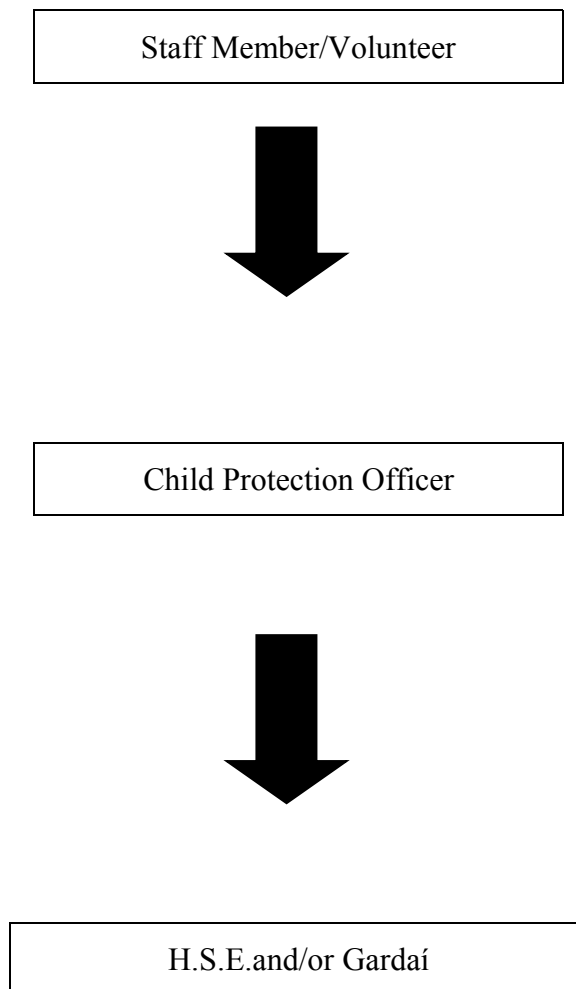
- Safety – activities, buildings, transport etc. When using a new facility for the first time, a pre-visit should take place, ideally with the accompaniment of a young person.
- Insurance – ensure that it is adequate to cover all aspects of the trip.
- Parental consent – staff and volunteers must ensure that they have written consent from parent(s)/guardian(s) before taking young people away on trips. Emergency contact numbers must be supplied and must include a land line and where possible, a mobile number. Written permission to receive emergency medical treatment is a requirement.
- Staff and volunteers should ensure that they are made aware of any medical information which may be relevant e.g. allergies.
- Sleeping arrangements – sleeping areas for males and females should be in separate and supervised areas. However on foreign exchanges this may not always be possible due to local circumstances. When this is the case, parents should be advised and written consent obtained.
- Adequate supervision should be available for the duration of the residential. Provisions should be made for any emergencies that may arise i.e. should a young person take ill, or become homesick then transport should be at hand and there should be enough staff / volunteers present to deal with the situation and also to supervise the other young people.
- Staff and volunteers should respect the privacy of the young person and practice the following - a) never enter the bedroom or bathroom of a young person without knocking or letting the young person know you are entering. b) Do not spend time out of sight with a young person during a residential.
- Maintaining standards and good youth work practice is essential for residential. In the relaxed atmosphere of a trip away, normal boundaries and codes of behaviour can be crossed. Experience indicates that many of the cases of alleged child abuse within the youth work setting occur during trips away. Preparation in terms of Residential is essential. A clear contract must exist concerning behaviour and sanctions that apply and parents must sign this. See appendix 11.
- When taking a group of young people facts must also be obtained of any specific medical conditions the young people suffer from and plans in place to deal with such, should the need arise. In addition a complete list of young people and emergency contact numbers for parents must be left with a manager or senior staff person. Emergency contact numbers must include a landline and where possible a mobile number. See appendix 11.

LIST OF APPENDICES

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Appendix 1

Internal Referral Procedure Chart



Name: _____ Address: _____

Tel (Home): _____ Tel (Work): _____

Mobile: _____ Email: _____

Please tick if you would like to be informed of Youth Club Events by:

Text: **And / Or** Email:

Date of Birth: _____ Occupation: _____

Starting Date: _____

Name Youth Club/Project: _____

Details of previous voluntary role(s) and experience (if any): _____

Do you suffer from any illness/disability/medical condition that may at times affect your ability to work with young people? If yes, please give details: _____

Have you previously received any youth and/or community leadership training? If yes, please give details: _____

Please supply the name and contact details of two independent (non-relative, not employed by Clare Youth Service) referees who are well known to you and aware of your volunteer application (eg. Local Employer, Teacher, Garda, Clergy, Community Leader).

1) Name: _____ 2) Name: _____

Address _____ Address: _____

Tel no: _____ Tel No: _____

Position: _____ Position: _____

I confirm that nothing within my personal or professional background deems me unsuitable for a post that involves working with children.

I declare that the above information is true and agree that I will abide with and accept the terms and conditions of voluntary participation.

I understand that Clare Youth Service require that all volunteers undergo a Garda check and that the relevant Garda Vetting form will be forwarded to me for completion.

(Clare Youth Service ensures complete confidentiality.)

Signed: _____ **Date:** _____

Appendix 4

Volunteer Reference Form

Re: _____

Application to become a Youth Leader

In _____ Youth Club

Date: _____

Dear

The above has given your name as one who can support his/her application to become a Youth Leader. I would appreciate if you would complete this form and return it to me as soon as possible. Any comments made will be treated in strictest confidence and will only be shared with the applicant's immediate supervisor should they be offered a volunteer role. Thank you in advance for your help.

Yours sincerely,

Youth Worker

-
1. How long have you known the applicant? _____
 2. In what capacity? _____
 3. The applicant's role involves substantial access to young people. As an organisation committed to the welfare of young people, we are anxious to know if you have any reason at all to be concerned about this applicant being in contact with young people.

Yes

No

If you have answered "YES" we will contact you in confidence.

4. I confirm that I know the above applicant and I am satisfied he/she is suitable/not suitable (delete as appropriate) to be involved with young people as a Youth Leader.

Signed: _____ Date: _____

Appendix 5

CONFIDENTIAL

Staff Registration Form

Name: _____

Address: _____

D.O.B. _____ Place of Birth: _____

Phone : Landline: _____ Mobile _____

Start Date: _____

Position: _____

Next of Kin: _____ Relationship: _____

Address: _____

'PHONE: _____

G.P.: _____

ADDRESS: _____

'PHONE: _____

DETAILS OF ANY MEDICAL CONDITION, REQUIRING ONGOING TREATMENT/MONITORING:
(e.g. Asthma, Diabetes, Epilepsy, Heart Disease etc.)

Personal Declaration

I confirm that nothing within my personal or professional background deems me unsuitable for a post, which involves working with children and young people. I give permission for Clare Youth Service to seek Garda clearance in my name.

Signed: _____ Date: _____

N.B. THE INFORMATION GIVEN ABOVE WILL ONLY BE AVAILABLE TO THE DIRECTOR
AND APPROPRIATE SECTION MANAGER



Appendix 6

Staff Reference Form

From: Clare Youth Service, Carmody Street, Ennis.

Applicants Name:

Address:

Employment Details:

Date of Employment in your Agency:

Details of position held by applicant

How was the employment terminated:

Resignation

Redundancy

Dismissal

End of Contract

Would you re-employ this person?

Yes

No

No Policy

If no please comment.

Do you know of any reason why this person would be unsuitable to work with vulnerable children/adults?

Yes

No

If yes please comment

<hr/> <hr/>

Work Practices:

Please comment on the following in relation to the applicant:

Reliability:	Punctuality:
Flexibility:	Communication Skills:
Absenteeism	Ability to work as part of a team.
Ability to initiate and maintain good relationships with client group, staff team, other agencies	Ability to understand the principles of personal boundaries in relation to themselves and others.

I confirm that I am authorised to give reference details on behalf of:

Company	_____	Name	_____
Telephone No	_____	Position	_____
Date	_____	Signature	_____

Appendix 7

Standard form for reporting Child Protection and/or Welfare Concerns

Private and Confidential

In case of emergency or outside Health Board hours, contact should be made with An Garda Síochána.

A. To Principal Social Worker/Designate: _____
This will be printed as relevant to each Community Care Area

1. Details of Child:

Name: _____

Male

Female

Address: _____

Age/D.O.B.: _____

School: _____

1a. Name of Mother: _____

Name of Father: _____

Address of Mother if different to Child:

Address of Mother if different to Child:

Telephone No: _____

Telephone No: _____

1b. Care and custody arrangements regarding child, if known:

1c. Household Composition:

Name	Relationship to Child	Date of Birth	Additional Information, eg. School/Occupation

Note: A separate report form must be completed in respect of each child being reported.

2. Details of concern(s), allegation(s) or incident(s), dates, times, who was present, description of any observed injuries, parent's view(s), child's view(s) (if known)

3. Details of person(s) allegedly causing concern in relation to the child:

Name: _____ Age: _____ Male Female
Address: _____
Relationship to Child: _____
Occupation: _____

4. Name and Address of other personnel or agencies involved with this child:

Social Workers: _____ School: _____

Public Health Nurse: _____ Gardaí: _____

G.P.: _____ Pre-School/Creche/Youth Club: _____

Hospital: _____
Other, Specify eg. Youth Groups, After School Clubs: _____

5. Are Parents/Legal Guardians aware of this referral to the Social Work Department?

Yes No

If Yes, what is their attitude? _____

6. Details of Person Reporting Concerns:
(Please see Guidance Notes re Limitations of Confidentiality)

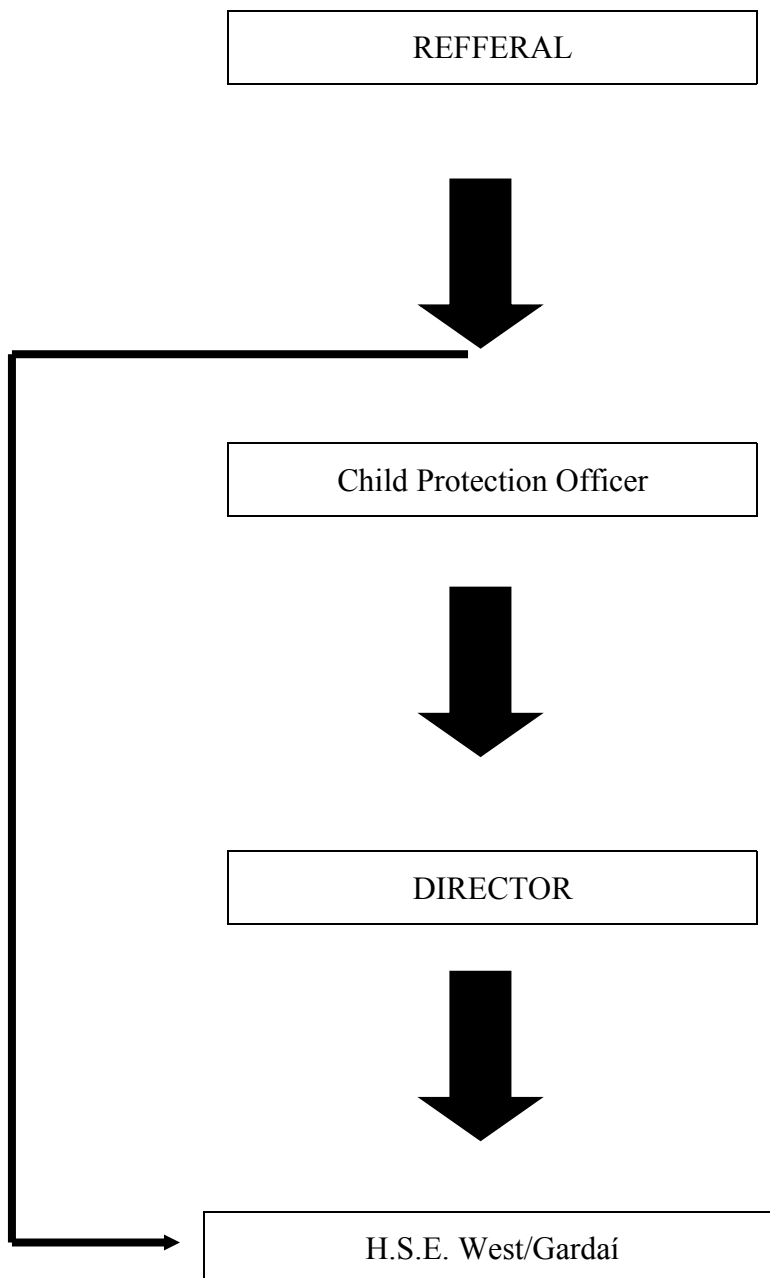
Name: _____ Occupation: _____
Address: _____
Telephone Number: _____
Nature and extent of contact with Child/Family: _____

7. Details of Person completing form:

Name: _____ Date: _____
Occupation: _____ Signed: _____

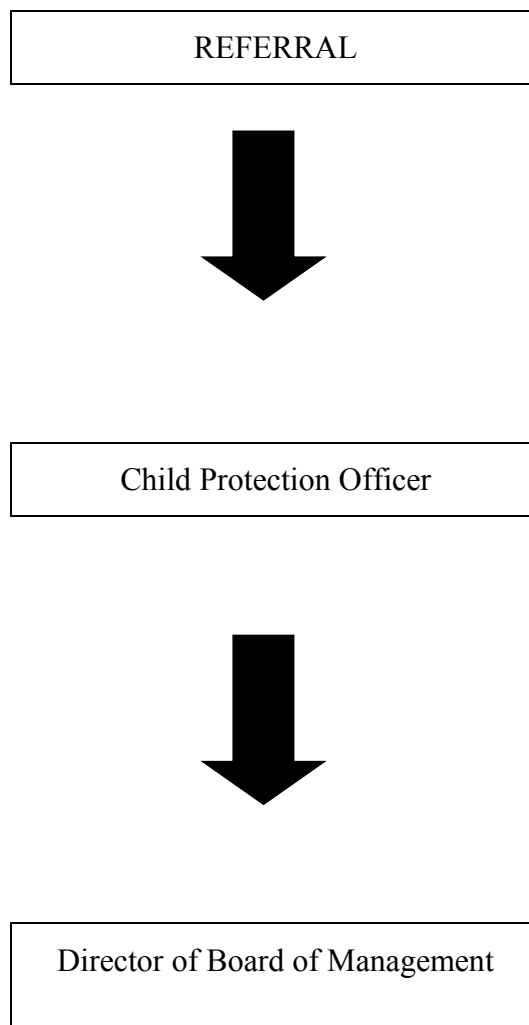
Appendix 8

Allegations against a Staff Member/Volunteer Chart



Appendix 9

Allegations against the Director Chart



Appendix 10

Recruitment and Selection Policy

The Recruitment and Selection Policy and procedures of Clare Youth Service are in keeping with our Equal Opportunities Policy.

All procedures for selection of staff will conform to the existing statutory requirements. Full-time positions will be advertised. Applications from current staff will be treated on an equal basis with external applications. Individuals will be selected for employment on the basis of being the most suitable candidates.

A job description will be drawn up for each post to be filled, detailing the core responsibilities and tasks related to the job. A job description will be sent to all interview candidates on request.

A person specification will be drawn up for each post to be filled, describing the experience, skills, qualifications, knowledge and personal qualities required to carry out the job satisfactorily. This ensures that, before the recruitment process begins, clear criteria are agreed against which all applicants are assessed.

Short listing and interviewing of candidates will be carried out where possible by three people, but in any case not less than two people. Decision will be based on the agreed criteria in the person specification and job description. If a situation arises where a second interview is held, the same interview panel may be involved. Both sexes will be represented on the interview panel.

Appendix 11

Application Form – Residential Programme (Insert event title and dates)

Completion of this form indicates a willingness to abide by all rules including a strict no alcohol/drugs rule. Any infringement of the rules will result in participants being returned home immediately. In the case of participants under the age of 21 a parent or guardian must sign this form.

General Information

Name: _____ Address: _____

Date of Birth: _____ Age: _____ Tel. No. _____

Special Eating Requirements: _____

Ability to swim (please tick) Non-swimmer Beginner Strong Advanced

Medical History

You are asked to complete this form so that we can best help your son/daughter should the need arise. Any information provided will be considered highly confidential.

Is your son/daughter affected by any of the following (please tick)

Sleep walking Travel Sickness Fainting Asthma Diabetes

Epilepsy Haemophilia Allergies Other

Please give details _____

Is your son/daughter on any form of treatment or medication?

Please give details _____

Please give a telephone number where you can be contacted in an emergency. _____

Form of Consent

I would like to participate in this trip and I appreciate the implications of any infringements of the rules.

Signature of Participant

Date

I consent to my son/daughter being given medical attention to alleviate unforeseen ailments or conditions.

Signature of Parent/Guardian

Date

Note: a personalised letter, which explains the details of the programme including relevant dates and times, should accompany this form and be addressed to the parent or guardian. All contact numbers to be confirmed by phone with the parent or guardian.

Appendix 12

Complaints/Grievance Form.

Date grievance made: _____

Grievance made by: _____

Signature of person making grievance _____

Grievance details: _____

Action to be taken: _____

Action to be taken by: _____ (name of person)

Date to be completed: _____

Completion signatures: _____

Manager's signature: _____

Further comments: _____

