

Date	Version	Authors:	Approved By	Comments
13/07/2018	1	Mark Vella Pamela Gunter Greg Maxwell Robert Radulescu Paul Sinnott	Board on 25/07/2019	Replaces the following organisation policies: <ol style="list-style-type: none"> 1. Dealing with allegations of abuse against an employee 2. Standard Reporting Procedure 3. Code of Behaviour between staff & Young People 4. Child Abuse – Definitions & Recognition 5. Child Protection Policy 6. Designated Liaison Person for Child Protection

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1. Introduction

Novas is committed to providing safe and quality driven services to all our clients and staff. It is the policy of the organisation that the welfare and safety of children are paramount. We recognise the rights of children to be protected from harm and treated with dignity and respect. This guide sets out the principles, procedures, roles, and responsibilities for managing child safeguarding concerns within the organisation.

2. Purpose

The purpose of this document is to provide a guide to all staff who provide services to children and families throughout their working day. The aim is to enable all Novas staff to understand and carry out the organisation's safeguarding procedures that have been informed by the Children's First Act 2015 and other related legislation.

3. Scope

These guidelines cover all Novas services, staff and volunteers.

4. Definitions (Tusla)

Child Safeguarding – ensuring safe practice and appropriate responses by staff and volunteers to concerns about the safety or welfare of children, should these arise. Child safeguarding is about protecting the child from harm, promoting their welfare and in doing so creating an environment which enables children and young people to grow, develop and achieve their full potential.

Child or young person – a person under the age of 18 years, who is not or has not been married.

Child Protection and Welfare Report Form – form for use in reporting suspected or alleged abuse or welfare concerns to Tusla (available at www.tusla.ie).

Designated Liaison Person (DLP) – a resource to any staff member who has a child protection concern. DLPs are responsible for ensuring that reporting procedures are followed correctly and promptly and act as a liaison person with other agencies (see *Children First: National Guidance*).

Mandated person – as defined in the Children First Act 2015, mandated persons have a statutory obligation to report concerns that meet or exceed a particular threshold to

Tusla and to cooperate with Tusla in the assessment of mandated reports, when requested to do so.

Named person – a person appointed by an organisation to lead the development of guiding principles and child safeguarding procedures and for ensuring that policies and procedures are consistent with best practice as detailed in this Guide.

Retrospective Abuse Report Form (RARF) – form for use in reporting to Tusla suspected or alleged retrospective abuse or welfare concerns, on adults who allege childhood abuse (available at www.tusla.ie).

Relevant person – as defined in the Children First Act 2015, ‘means a person who is appointed by a provider of a relevant service to be the first point of contact in respect of the provider’s Child Safeguarding Statement’.

Relevant service – as defined in the Children First Act 2015, ‘means any work or activity specified in Schedule 1 [of that Act]’.

Worker and volunteer – *among other things*, any staff, volunteer, member of any board of management or student engaged in an organisation to provide services to children or families.

5. Guiding principles

Novas provides a range of services and accommodation that include, Tenancy Sustainment, Housing First, Social Housing, Supported Temporary Accommodation, Outreach Services, Residential Children’s service, and Addiction Services. Our organisation believes that the best interests of children and young people attending our services are paramount. Our guiding principles are underpinned by:

- Children First: National Guidance for the Protection and Welfare of Children,
- Tusla Child Safeguarding: A Guide for Policy, Procedure, and Practice
- United Nations Convention on the Rights of the Child
- Children First Act, 2015
- Child Care Act, 1991
- Protections for Persons Reporting Child Abuse Act 1998
- National Vetting Bureau Act 2012.

Our guiding principles apply to all paid staff, volunteers, committee/board members, and students on work placement within our organisation. All committee/board members, staff, volunteers, and students must sign up to and abide by these guiding principles and our child safeguarding procedures. We will review our guiding principles and child safeguarding procedures every two years or sooner if necessary due to service issues or changes in legislation or national policy.

6. Safeguarding roles

In line with legislation and best practice guideline, Novas has identified several key positions that have clear responsibilities for the delivery of this policy.

A **designated named person**: who will have responsibility for developing, reviewing, and implementing child protection policies and procedures.

A **designated liaison person**: who will have the responsibility to liaise with statutory agencies regarding child protection and welfare concerns. The designated liaison person will be the resource person to all staff and volunteers who have a child protection concern.

A **designated deputy liaison person**: who will be delegated responsibilities when the designated liaison person is unavailable.

All **managers of homeless services are mandated persons** under the Children's First Act 2015. Mandated persons have a statutory obligation to report child protection concerns to Tusla and further, cooperate with any investigations that arise. Mandated persons cannot discharge their reporting responsibilities to another person.

Bellevue house is a **designated relevant service** and the manager is identified as a **relevant person**. The relevant person should be named on the safeguarding statement. The safeguarding statement should be openly displayed within the service. A relevant service should identify any potential risks of harm while a child avails of the service.

For names and contact numbers of the roles set out in section 6 see appendix 1: Safeguarding Roles.

7. Responding to and reporting child protection or welfare concerns.

The primary objective when submitting or raising a concern with Tusla is the welfare and safety of the child. Tusla has statutory responsibility for the protection and welfare of children, and An Garda Síochána has responsibility for investigating any suspected criminal activity. Staff play a vital role in the reporting by supporting the child through the process and co-operating fully with any investigation/inquiries.

7.1. Identifying reasonable grounds for concern

Tusla should always be informed when there are reasonable grounds that a child or young adult has been harmed, is being harmed, or is at risk of being harmed. Reasonable grounds for concern can be identified in several ways:

- An adult or a child may openly disclose that they have been abused.
- Someone may have witnessed that a child was being abused.
- Evidence that is consistent with abuse, for example, an injury, behaviour, or suffering from emotional or physical neglect.

7.2. What constitutes abuse

Children First: National Guidance for the Protection and Welfare of Children defines four categories of abuse; neglect, emotional abuse, physical abuse, and sexual abuse.

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, medical care, attachment to and affection from adults.

Emotional abuse is usually found between the relationship of a caregiver and a child rather than in 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.

Physical abuse is any form of non-accidental injury or injury, which results from wilful or neglectful failure to protect a child.

Sexual abuse occurs when a person uses a child for his or her gratification or sexual arousal or for that of others.

7.3. Reporting concerns

Under the Children First Act, 2015, managers of homeless services are designated as Mandated Persons and are required to report suspicion or knowledge of abuse. The Designated Liaison Person will be informed of all safeguarding concerns. It is the Mandated Person's responsibility to report concerns that emanate out of the service they manage.

7.4. Procedure for reporting concerns

Where a Novas staff member has a child protection or welfare concern that places the child at risk of harm, they should immediately consult with their line manager (Mandated Person). If the manager is unavailable, they should contact the manager on call.

It is the Mandated Person's responsibility to decide if the threshold of harm, as defined in section 7.2 of this policy, has been reached. If the Mandated Person is unsure if that threshold has been reached, they should discuss their concern with a TUSLA Social Worker. Mandated Persons are responsible for knowing the location and contact details of their local contact point. The web link below provides access to national numbers.

<https://www.tusla.ie/children-first/mandated-persons/contact-a-social-worker-mandated-persons/>

Mandated Persons can contact 0818-776315 if the emergency is out of hours.

After consultation with TUSLA the mandatory Child Protection and Welfare Report Form, see appendix 2: CPWRF, must be completed and submitted. If the report is regarding a retrospective disclosure, the Retrospective Abuse Report Form, see appendix 3: RARF must be completed and submitted. The completed form can be sent via email to the Child and Family Agency Duty Social Worker in the area where the child lives or through the TUSLA web portal. See link below.

<https://www.tusla.ie/children-first/web-portal/>

The web portal is for Mandated Persons only and requires login and registration. A copy of the report should be forwarded to the organisation Designated Liaison Person. Parents should be consulted and informed when a report is being made unless doing so would increase the risk to the child.

Any staff member or Mandated Person who has a concern but is not sure if the matter meets the threshold to report may consult with the Child and Family Agency Duty Social Worker to seek advice through informal consultation.

Where the person causing harm to the child is another child reports should be made to TUSLA for both children.

If a child is deemed to be at immediate risk or is suffering from a serious injury, medical attention should be sought immediately from the nearest Emergency Department. The Duty Social Worker, An Garda Síochána and Duty Consultant, must be informed. No child should be left in a situation which exposes him or her to harm. If the concern is urgent, contact should be made with the duty social worker by telephone, promptly followed by the mandatory Child Protection and Welfare Report Form, (CPWRF) which must be completed and submitted.

If a staff member raises a concern and the Mandated Person and Designated Liaison Worker decide not to report to TUSLA the following steps should be taken:

- The reasons for not reporting are to be recorded
- All actions undertaken as a result of the concerns are to be recorded

- The worker or volunteer who raised the matter should be given a clear written explanation explaining why the concern wasn't reported to TUSLA
- The worker or volunteer will be advised that if they remain concerned, they are free to report to TUSLA or An Garda Síochána
- The worker or volunteer will be notified that they are covered by, the Protections for Persons Reporting Child Abuse Act 1998.

7.5. Reporting Allegations of abuse made against workers/volunteers

The reporting procedure in this policy must be followed. The Mandated Person or Designated Liaison Worker will submit the report. The manager of the service will notify the head of legal and HR. The organisation will follow its internal HR procedures for dealing with the staff member or volunteer.

The safety of the child is paramount, and steps should be taken to ensure the child is not exposed to further risk. Guardians or parents should be informed of any planned action while bearing in mind the confidentiality rights of the person against whom the allegation has been made. See section 10: Managing Workers and Volunteers.

7.6. Confidentiality

Sharing safeguarding information and concerns with Tusla or An Garda Síochána is not a breach of confidentiality or data protection laws. However, the information should be shared on a need to know basis and be cognisant of what is in the best interest of the child. Parents, guardians, and children have a right to know if the information is being shared unless it puts the child or the reporter at risk of harm.

8. Staff recruitment and induction

The organisation will take all reasonable measures to ensure all staff are suitable and suitably trained to work with young people. The organisation will adhere to this by engaging in good recruitment practices and ongoing staff training and development.

The organisation commits to having clear and concise job descriptions that clearly outline the duties, responsibilities, and requirements for the roles. Further, all roles will

have person specifications that describe the qualifications, skills, and personal attributes that the organisation requires.

The organisation has procedures in place to ensure all staff are Garda vetted and complete the children first e-learning module before employment. The organisation commits to providing any additional training that staff may require to fulfill their duties as child protection agents. Further, the organisation will keep a detailed register of all training undertaken.

9. Working safely with children and young people

The organisation endeavours to operate safe, effective, and quality driven services at all times and is fully compliant with all aspects of the Safety, Health, and Welfare Act 2005. Further, the organisation has robust mechanisms in place that can report, monitor, and learn from any occurrence that may put staff or service users at risk.

9.1. Safe supervision of children

Only staff from Bellevue House, (designated service) have the permission to work with children and young adults on a one to one basis.

When staff are working directly with young people service managers will ensure that the appropriate staff to child ratios are in place to supervise activities. All staff will ensure that children are never left unattended and will ensure that all activities are carried out in a transparent manner and in public view. Staff will avoid one to one activities that may put the child or themselves in a vulnerable position, for example, cinema trips.

Staff who are supervising children on an activity must ensure that they know where the children are at all times and must be contactable throughout the event. Further, staff will have the full consent of the parent or guardian and be clear about what the activity is and the expected duration.

In an event where transportation is needed, staff should either use a company vehicle, public transport or be entitled to essential care users allowance. All vehicles are required to have a current NCT, be fully insured and fully taxed.

9.2. Photography, video and social media

Social media has become an intrinsic part of modern day society. Many social media sights can share personal information that is quickly disseminated to a broader audience. Staff are not permitted to share their social media profiles or personal data with any children using Novas services.

Staff are not permitted to photograph or video children or young adults unless the child and parent or guardian give written consent to do so. The purpose should be clearly stated, (for example publications, organisation promotions or project brochures), ethical and transparent and should not be misused to cause harm to the child or young adult.

Staff should ensure that their social media and personal data are secured and unable to be accessed if a device is misplaced or lost. Personnel should also refrain from using social media in the presence of children or young adults.

10. Managing workers and volunteers

Staff play an integral part in promoting the safety and wellbeing of the children who use and come into contact with Novas services. Codes of conduct set a standard of behaviour and boundaries that the organisation expects all staff and volunteers to adhere to. Further, they promote the ethos and culture of the organisation and make it easier to address conduct and behaviour issues as they arise. Codes of conduct encourage the wellbeing of children and set a standard for how staff communicate, interact, and respect the children that they come into contact with through work activities. The codes of conduct will be regularly reviewed and updated and work in

tandem with ongoing risk assessments, developments in best practice, and changes to policy or legislation.

10.1. Codes of conduct for workers and volunteers

Staff should ensure that children are treated fairly and with dignity and respect at all times. Children must be encouraged and supported to reach their full potential, and staff can promote this by adhering to the following principles:

- Always listen to children and young adults and allow a response.
- Allow children and young adults to have a voice in the decisions that affect them.
- Offer choice and autonomy.
- Allow children to say no to something that makes them feel uncomfortable
- Never use bad language, anger, shouting, arguing, or ridiculing when talking to children or young adults.
- Children and young adults should know who to go to for support if they feel unsafe or are angry or upset.
- Children and young adults personal space and privacy will be respected at all times.
- Children and young adults will always be encouraged to report bullying.
- Children and young adults will be given the opportunity to provide feedback, make suggestions, or complain about the services Novas provides.
- Staff will abide by the procedures in this document, especially with regard to smart phones, social media, or any camera or videoing equipment.
- Staff will never physically punish, seek to exclude or use coercive force against a child or young adult.
- Staff will always show respect and sensitivity towards a child's developmental, psychological, and physical needs.
- Staff will not develop attachments, show favouritism, or spend a disproportionate amount of time with a child or young adult.

- Staff who work in non-residential services will not have any physical contact with a child or young adult except in the event of an accident or an emergency where it will be proportionate to the presenting need.
- Residential staff should be sensitive to the risks associated with contact sports and will not engage in rough physical games, sexually provocative games, or engage in inappropriate physical contact of any kind.

10.2. Dealing with a concern about another worker or volunteer

It is imperative to create an open and transparent culture where staff feel comfortable to report concerns about another staff member. The welfare of the child should take precedent over concerns on the potential impact on the person who an allegation may be made against, also staff and volunteers should feel comfortable to pass on these concerns. A concern about a staff member or volunteer may arise in several different ways.

- Behaviour that is contrary to the code of conduct
- A breach of professional standards or code of ethics
- Suspected or witnessed abuse
- A concern may arise through the complaint procedure

All concerns should be reported to the designated liaison person or a senior manager.

Where a worker or volunteer is of the opinion that the organisation has not given the complaint due regard or feels nervous or worried about using the internal procedure, they should contact Tusla or An Garda Siochana directly.

If the DLP or senior manager considers that there is a child protection concern, they will follow the standard reporting procedure and the steps outlined in section 10.3. If the matter does not meet reasonable grounds to be considered abuse, it may still need to be addressed through internal procedures; this may arise when staff members or volunteers conduct is deemed to be poor practice rather than abusive behaviour.

10.3 Procedure for managing allegations of abuse against employees

10.3.1 The priorities are to ensure that no child is exposed to unnecessary risk and that no staff member is denied their rights under employment law.

10.3.2 As a matter of urgency, Novas will consider, and where appropriate, take, any protective measures deemed necessary to ensure the child is protected. This could involve placing the employee off duty on pay or other comparable action while the allegation is being considered or/ and investigated. These measures will be proportionate to the level of risk and will not unreasonably penalise the employee, financially or otherwise, unless necessary to protect children.

10.3.3 Any steps undertaken in section 10.3.2 should be done in consultation with the head of legal and human resources and carried out privately, further the staff member, or volunteer should be informed of the nature of the allegation and be allowed to respond.

10.3.4 Where protective measures penalise the employee, Novas acknowledges it is essential that first consideration is given to the case. However, in the event of the process being delayed due to external factors (e.g., possible court proceedings), Novas reserves the right to review and change such measures.

10.3.5 All those involved in the process will be afforded fairness, support, and confidentiality throughout all stages of the process.

10.3.6 If criminal proceedings are undertaken and the person who the allegations have been made against is found innocent, the organisation would need to consider whether internal disciplinary procedures for misconduct should be instigated. See policies and procedures in the staff handbook.

11 Disseminating this policy and procedure

All parents/guardians, children, staff, and volunteers who engage with the organisation should be made aware of the guidelines and procedures.

When communicating with parents/guardians and children staff should be mindful of possible literacy issues, language barriers, and communication differences.

All new staff and volunteers will be informed of this policy and procedure, and they will complete the HSE children's first e-training module as part of their induction.

Managers will disseminate this policy and procedure in team meetings and will also insure that any future amendments or updates will also be communicated in team meetings.

The organisation safe guarding statement will be displayed in each service and will identify the name of the project and the mandated person for reporting.

Appendix 1: Safeguarding Roles

Safe guarding role	Name	Contact details
Designated named person	Mark Vella	0862321001 mark.vella@novas.ie
Designated liaison person	Stacey Markham	0831151982 stacey.markham@novas.ie
Designated deputy liaison person	Robert Radelescu	0872212067 robert.radelescu@novas.ie
Mandated persons	All project managers	See safe guarding statement
Designated relevant service manager (Bellevue)	Robert Radelescu	0872212067 robert.radelescu@novas.ie