



	West Limerick Independent Living CLG Policies				
Title:	CHILD PROTECTION & WELFARE POLICY				
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Category: Operational Policies

Subject: Child Protection and Welfare Policy

Responsible for Review of this Policy: West Limerick Independent Living CLG Board

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Introduction.

West Limerick Independent Living CLG provides services to adults and children in their own home and the community. West Limerick Independent Living workers may have reason to visit or work in children's youth or community services as an integral part of their roles e.g. undertaking compliance or audit visits, supporting quality development or other beneficiary support.

The organisation understands that the association between parental problems (such as poor mental health, domestic violence and substance misuse) and child abuse and neglect is well established. Adult services are therefore vital in recognising the possible impact that such problems may be having on children and whether these impact negatively on the care, safety and well-being of the child. (Child Protection and Welfare Handbook, HSE, 2011). In these circumstances, it is imperative that West Limerick Independent Living CLG make explicit their obligations under this policy.



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Glossary of key terms

The meanings of the words used in this document should be read as:

Child: Means a person under the age of 18 years other than a person who is or has been married (Sect 2(1), Child Care Act 1991)

CP&W Policy: Child Protection and Welfare Policy

Organisation: Refers to West Limerick Independent Living CLG

Parents: Refers to all parent's, guardians and carers

CFA: Refers to Tusla, Child and Family Agency

Workers: Refers to all staff/employees, volunteers, students, those on clinical/training/work placements, contractors (that have access to children) board of management and management committees

Child Safeguarding Statement:

As defined in the Children First Act 2015, means 'a written statement specifying the services being provided and the principles and procedures to be observed to ensure as far as practicable, that a child, while availing of the service, is safe from harm

Risk Assessment:

Means, an assessment of any potential for harm to a child while availing of the service Harm:

As defined by the Children First Act 2015 means, in relation to a child –

- (a) Assault, ill-treatment or neglect of the child in a manner that seriously affects or is likely to seriously affect the child's health, development or welfare, or
- (b) Sexual abuse of the child, whether caused by a single act, omission or circumstances or a series or combination of acts, omissions or circumstances, or otherwise

Mandated Person:

As defined by the Children First Act 2015, mandated persons have a statutory obligation to report concerns which reach a particular threshold to Tusla and to cooperate with



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Tusla in the assessment of mandated reports

Relevant Service:

Means any work or activity specified in Schedule 1, Children First Act 2015

Provider: Means, a person –

- (a) Who provides a relevant service, and
- (b) Who, in respect of the provision of such relevant service –
 - (i) Employs (whether under contract of employment or otherwise) one or more than one person to undertake any work or activity that constitutes a relevant service
 - (ii) Enters into a contract for services with one or more than one other person for the provision by the person of a relevant service, or
 - (iii) Permits one or more than one other person (whether or not for commercial or other consideration and whether or not as part of a course of education or other training, including an internship scheme) to undertake any work or activity, on behalf of the person, that constitutes and relevant service

Relevant Person:

Defined by the Children First Act 2015 as a person who is appointed by the provider of a relevant service to be the first point of contact in respect of the provider's Child Safeguarding Statement

Abbreviated references to texts:

ODC: Out Duty to Care – the Principles of Good Practice for the Protection of Children and Young People, (DOHC 2002)

C.F: Children First: National Guidance for the Protection and Welfare of Children, (DCYA 2017)

CPWPH: Child Protection and Welfare Practice Handbook, (HSE 2011)

NSPWC: National Standards for the Protection and Welfare of Children, (Health Information and Quality Authority 2012)



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Policy Statement

West Limerick Independent Living CLG is committed to the protection of welfare and children. The organisation recognises its obligations to provide children with the highest possible standard of care in order to promote their wellbeing and safeguard them from abuse. This policy document is derived from and consistent with the current Children First: National Guidance for staff and volunteers.

The organisation promotes the key principles that inform best practice in child protection and welfare, and acknowledges the rights of children to be protected from harm, treated with respect, listened to and have their views taken into consideration; recognising that **the safety and welfare of children is everyone's responsibility** and **the best interests of the child should be paramount**. (Refer to appendix 1 - Children First Principles).

The aim and purpose of the document is to set out the organisations policy and procedure for identifying and reporting child abuse and neglect, and dealing effectively with concerns. The document will include; the legislative framework, definitions of abuse, reporting procedures, the role of the designated liaison person, guidance on confidentiality, record keeping, safe recruitment procedures and management for workers, training and induction, procedures for responding to allegations of abuse against workers, code of behaviour, and information sharing.

West Limerick Independent Living CLG has undertaken a risk assessment which has informed the development of the organisations Child Safeguarding Statement. The Child Safeguarding Statement is publicly displayed at the organisations head office **Sheehan's Road, Newcastle West, Co. Limerick** and all workers and volunteers will be provided with a copy of the Statement and related policies and procedures when engaged by the organisation. This will ensure that all those working with children are aware of their obligations to promote their safety and welfare. The Child Safeguarding Statement will also be made available to parents, guardians, Tusla and members of the public on request. (Refer to appendix 2).

West Limerick Independent Living CLG has appointed a 'relevant person' as defined by the Act **Margaret O'Brien**, who is the first point of contact in respect of the organisations Child Safeguarding Statement.

It is the responsibility of each organisations Board of Directors or Management to ensure that policies and procedures are in place and operating effectively. This Child Safeguarding Statement and related policies and procedures will be reviewed every two years or sooner if there has been a material change in any issues to which they refer.



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Legislative Framework

There are a number of key pieces of legislation that relate to child protection and welfare. The information below gives a brief overview of relevant legislation, (it is not intended as legal opinion or advice and the original legislation should be consulted as required).

The UN Convention on the Rights of the Child (UNCRC) is an international treaty that recognises the human rights of children, defined as persons up to the age of 18 years. It was adopted by the UN in 1989 and ratified by Ireland in 1992. It pledges to protect and promote children's rights to survive and thrive, to learn and grow, to make their voices heard and to reach their full potential.

The Childcare Act 1991 (and 2001) is the primary legislation regulating child care policy in Ireland. Under the Child Care Act 1991 Act, as amended by the Child and Family Agency Act 2013, the Child and Family Agency (CFA) has a statutory duty to promote the welfare of children who are not receiving adequate care and protection. Under the Act, the definition of a child is a person under 18 years of age who is not or has not been married. It establishes the principle that the welfare of the child is paramount.

Children First Act 2015, places a number of statutory obligation on specific groups of professionals and on particular organisations providing services to children. Through the provision of the Act it is intended to:

- Raise awareness of child abuse and neglect
- Provide for mandatory reporting for key professionals
- Improve child safeguarding arrangements in organisations providing services to children
- Provide for cooperation and information-sharing between agencies when Tusla, Child and Family Agency, is undertaking child protection assessments

This legislation also contains a provision that removes the defence of reasonable chastisement in relation to corporal punishment as part of court proceedings'.

The Protection for Persons Reporting Child Abuse Act, 1998 makes provision for the protection from civil liability of persons who have reported suspected child abuse 'reasonably and in good faith' to designated officers of the Child and Family Agency or to any member of An Garda Síochána.

This protection applies to organisations as well as to individuals. This means that even if a communicated suspicion of child abuse proves unfounded, a plaintiff who took an action would have to prove that the person who communicated the concern had not acted reasonably and in good faith in making the report.

The Act also provides protection from penalisation by an employer. The Criminal Justice Act (2006) (Section 176 Reckless Endangerment of Children) states that "a person, having authority or control over a child or abuse, who intentionally or recklessly endangers a child by:

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

Failing to take reasonable steps to protect a child from such risk while knowing that the child is in such a situation."



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National Vetting Bureau (Children and Vulnerable Persons) Acts 2012-2016. Under these Acts it is compulsory for employers to obtain vetting disclosures in relation to anyone who is carrying out relevant work with children or vulnerable adults. The Acts create penalties for persons who fail to comply with their provisions. Statutory obligations on employers in relation to Garda vetting requirements for person working with children and vulnerable adults are set out in the Acts.

Domestic Violence Act 1996 gives the CFA the power to intervene and protect individuals and their children from violence. Section 6 of the Act empowers the CFA to apply for orders for which a person could apply on his or her behalf but is deterred from doing so through fear of trauma. The consent of the victim is not a prerequisite for such an application, although he or she must be consulted.

Criminal Law (Sexual Offences) Act 2017, addresses the sexual exploitation of children and targets those who engage in this criminal activity. It creates offences relating to the obtaining or providing of children for the purposes of sexual exploitation. It also creates offences of the types of activity which may occur during the early stages of the predatory process prior to the actual exploitation of a child, for example, using modern technology to prey on children and making arrangements to meet with a child where the intention is to sexually exploit the child. The act also recognises the existence of underage, consensual peer relationships where any sexual activity falls within strictly defines age limits and the relationship is not intimidatory or exploitative.

Data Protection Acts 1988 and 2003 applies to the 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 or 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.

Freedom of Information Acts 1997 and 2003 enable members of the public to obtain access, to the greatest extent possible consistent with the public interest and the right to privacy, to information in the possession of public bodies.

The Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012. An act to provide, in connection with the protection of children and certain vulnerable adults, for offences of withholding information relating to the commission of certain arrestable offences (including certain sexual offences) against children, or certain arrestable offences (including certain sexual offences) against such adults.

Protected Disclosures Act 2014, is defined in the Protected Disclosures Act 2014 as a disclosure of relevant information related to wrongdoing made by a worker in the manner specified under the Act.1 For the purposes of the Act, information is “relevant” if:

In the reasonable belief of the worker it tends to show one or more ‘relevant wrongdoings’ and it came to the attention of the worker in connection with the worker’s employment. (Protected Disclosure Policy and Procedure, Tusla, 2016)



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Guidance and Standards

Children First National Guidance for the Protection and Welfare of Children and Young People (2017) first published in 1999 to give effect to the provisions of the Childcare Act 1991 and revised in

2011, has been the national guidance for social workers, professionals, organisations and individuals to help keep children safe and protected from harm. The Guidance document is intended to assist people in identifying and reporting child abuse and neglect and deal effectively with concerns. It emphasises that the needs of children and families must be at the centre of child protection and welfare services, and that the welfare of children is of paramount importance. It highlights the roles and responsibilities of Tusla, The Child and Family Agency, An Garda Síochána and Mandated Persons under the Children First Act 2015 and provides information about how the statutory agencies respond to reports of concerns made about children.

The National Standards for the Protection and Welfare of Children have been developed by the Health Information and Quality Authority (the Authority) to support continuous improvements in the care and protection of children in receipt of HSE child protection and welfare services. These outcome-based Standards provide a framework for the development of child-centred services in Ireland that protect children and promote their welfare.

Types of Abuse and how they may be recognised

Child abuse can be categorised into four different types: neglect, emotional abuse, physical abuse and sexual abuse. A child may be subject to one or more forms of abuse at any given time. Abuse and neglect can occur within the family, in the community or in an institutional setting. The abuser may be someone known to the child or a stranger, and can be an adult or another child. In a situation where abuse is alleged to have been carried out by another child, you should consider it a child welfare and protection issue for both children and you should follow child protection procedures for both the victim and alleged abuser.

The important factor in deciding whether the behaviour is abuse, or neglect is the impact of that behaviour on the child rather than the intention of the parent/carer.

The definitions of neglect and abuse presented in this section are not legal definitions. They are intended to describe ways in which a child might experience abuse and how this abuse may be recognised.



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Neglect

Child neglect is the most frequently reported category of abuse, both in Ireland and internationally. Ongoing chronic neglect is recognised as being extremely harmful to the development and well-being of the child and may have serious long-term negative consequences.

Neglect occurs when a child does not receive adequate care or supervision to the extent that the child is harmed physically or developmentally. It is generally defined in terms of an omission of care, where a child's health, development or welfare is impaired by being deprived of food, clothing, warmth, hygiene, medical care, intellectual stimulation or supervision and safety. Emotional neglect may also lead to the child having attachment difficulties. The extent of the damage to the child's health, development or welfare is influenced by a range of factors. These factors include the extent, if any, of the positive influence in the child's life as well as the age of the child and the frequency and consistency of neglect.

Neglect is associate with poverty but not necessarily caused by it. It is strongly linked to parental substance misuse, domestic violent, and parental mental illness and disability.

A reasonable concern for the child's welfare would exist when neglect becomes typical of the relationship between the child and the parent or carer. This may become apparent where you see the child over a period of time, or the effects of neglect may be obvious based on having seen the child once.

The following are features of child neglect:

- Children being left alone without adequate care and supervision
- Malnourishment, lacking food, unsuitable food or erratic feeding
- Non-organic failure to thrive, i.e. a child not gaining weight due not only to malnutrition but also emotional deprivation
- Failure to provide adequate care for the child's medical and developmental needs, including intellectual stimulation
- Inadequate living conditions – unhygienic conditions, environmental issues, including lack of adequate heating and furniture
- Lack of adequate clothing
- Inattention to basic hygiene
- Lack of protection and exposure to danger, including moral danger, or lack of supervision appropriate to the child's age
- Persistent failure to attend school
- Abandonment or desertion



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Emotional Abuse

Emotional abuse is the systemic emotional or psychological ill-treatment of a child as part of the overall relationship between a care giver and a child. Once-off and occasional difficulties between a parent/carer and child are not considered emotional abuse. Abuse occurs when a child's basic need for attention, affection, approval, consistency and security are not met, due to incapacity or indifference from their parent or caregiver. Emotional abuse can also occur when adults responsible for taking care of the children are unaware of the and unable (for a range of reasons) to meet their children's emotional and developmental needs. Emotional abuse is not easy to recognise because the effects are not easily seen.

A reasonable concern for the child's welfare would exist when the behaviour becomes typical of the relationship between the child and the parent or carer.

Emotional abuse may be seen in some of the following ways:

- Rejection
- Lack of comfort and love
- Lack of attachment
- Lack of proper stimulation (e.g. fun and play)
- Lack of continuity of care (e.g. frequent moves, particularly unplanned)
- Continuous lack of praise and encouragement
- Persistent criticism, sarcasm, hostility or blaming of the child
- Bullying
- Conditional parenting in which care, or affection of a child depends on his or her behaviours or actions
- Extreme overprotectiveness
- Inappropriate non-physical punishment (e.g. locking child in bedroom)
- Ongoing family conflicts and family violence
- Seriously inappropriate expectations of a child relative to his/her age and stage of development

There may be no physical signs of emotional abuse unless it occurs with another type of abuse. A child may show signs of emotional abuse through their actions or emotions in several ways. These include insecure attachment, unhappiness, low self-esteem, educational and developmental underachievement, risk taking and aggressive behaviour.

It should be noted that no one indicator is conclusive evidence of emotional abuse. Emotional abuse is more likely to impact negatively on a child where it is persistent over time and where there is a lack of other protective factors.



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Physical Abuse

Physical abuse is when someone deliberately hurts a child physically or puts them at risk of being physically hurt. It may occur as a single incident or as a pattern of incidents. A reasonable concern exists where the child's health and/or development is, may be, or has been damaged as a result of suspected physical abuse.

Physical abuse can include:

- Physical punishment
- Beating, slapping, hitting or kicking
- Pushing, shaking or throwing
- Pinching, biting, choking or hair-pulling
- Use of excessive force in handling
- Deliberate poisoning
- Suffocation
- Fabricated/induced illness
- Female genital mutilation

The Children First Act 2015 includes a provision that abolishes the common law defence of reasonable chastisement in court proceedings. This defence could previously be invoked by a parent or other person in authority who physically disciplined a child. The change in legislation now means that in prosecutions relating to assault or physical cruelty, a person who administers such punishment to a child cannot rely on the defence of reasonable chastisement in the legal proceedings. The result of this is that the protections in law relating to assault now apply to a child in the same way as they do an adult.

Sexual Abuse

Sexual abuse occurs when a child is used by another person for his or her gratification or arousal, or for that of others. It includes the child being involved in sexual acts (masturbation, fondling, oral or penetrative sex) or exposing the child to sexual activity directly or through pornography.

Child sexual abuse may cover a wide spectrum of abusive activities. It rarely involves just a single incident and in some instances, occurs over a number of years. Child sexual abuse most commonly happens within the family, including older siblings and extended family members.

Cases of sexual abuse may come to light through disclosure by the child or his or her siblings/friends, from the suspicions of an adult, and/or by physical symptoms.



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It should be remembered that sexual activity involving a young person may be sexual abuse even if the young person concerned does not themselves recognise it as abusive.

Examples of child sexual abuse include the following:

- Any sexual act intentionally performed in the presence of a child
- Any invitation to sexual touching or intentional touching or molesting of a child's body whether by a person or object for the purpose of sexual arousal or gratification
- Masturbation in the presence of a child or the involvement of a child in the act of masturbation
- Sexual intercourse with a child, whether oral, vaginal or anal
- Sexual exploitation of a child, which includes:
 - Inviting, inducing or coercing a child to engage in prostitution or the production of child pornography (for example, exhibition, modelling or posing for the purpose of sexual arousal, gratification or sexual act, including its recording (on film, video tape or other media) or the manipulation, for those purposes, of an image by computer or other means)
 - Inviting, inducing or coercing a child to participate in, or to observe, any sexual, indecent or obscene act
 - Showing sexually explicit material to children, which is often a feature of the 'grooming' process by perpetrators of abuse
- Exposing a child to inappropriate or abusive material through information and communication technology
- Consensual sexual activity involving an adult and an underage person

An Garda Siochana will deal with any criminal aspects of a sexual abuse case under the relevant criminal justice legislation. The prosecution of a sexual offence against a child will be considered within the wider objective of child welfare and protection. The safety of the child is paramount and at no stage should the child's safety be compromised because of concern for the integrity of a criminal investigation.

In relation to child sexual abuse, it should be noted that in criminal law the age of consent to sexual intercourse is 17 years for both boys and girls. Any sexual relationship where one or both parties are under the age of 17 is illegal. However, it may not be regarded as child sexual abuse.



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Circumstances which make children more vulnerable to harm

Some children may be more vulnerable to abuse than others. There may be particular times or circumstances when a child may be more vulnerable to abuse in their lives. In particular children who have disabilities, children with communication difficulties, children in care or living away from home, or children with a parent or parents with problems in their own lives may be more susceptible to harm.

The following list is a range of issues that may place a child at greater risk to abuse or neglect. However, it is important to remember that the presence of any of these factors does not necessarily mean that a child in these circumstances or setting is being abused.

Parent/carer factor include:

- Drug and alcohol misuse
- Addiction, including gambling
- Mental health issues
- Parental disability issues, including learning or intellectual disability
- Conflictual relationships
- Domestic violence
- Adolescent parents

Child factors include:

- Age
- Gender
- Sexuality
- Disability
- Mental health issues, including self-harm and suicide
- Communication difficulties
- Trafficked/exploited
- Previous abuse
- Young carer



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Community factors include:

- Cultural, ethnic, religious or faith based norms in the family or community which may not meet the standards of child protection and welfare required in this jurisdiction
- Culture specific practices, including
 - Female genital mutilation
 - Forced marriage
 - Honour-based violence
 - Radicalisation

Environmental factors include:

- Housing issues
- Children who are out of home and not living with their parents, whether temporarily or permanently
- Poverty/begging
- Bullying
- Internet and social media related concerns

Poor motivation or willingness of parents/guardians to engage:

- Non-attendance at appointments
- Lack of insight or understanding of how the child is being affected
Lack of understanding about what needs to happen to bring about change
- Avoidance of contact and reluctance to work with services
- Inability or unwillingness to comply with agreed plans

Bullying

It is recognised that bullying affects the lives of an increasing number of children and can be the cause of genuine concerns about a child's welfare.

Bullying can be defined as repeated aggression, whether it is verbal, psychological or physical, that is conducted by an individual or group against others.



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Guidelines for the recognition of child abuse or neglect

Child neglect or abuse can often be difficult to identify and may present in many forms. No one indicator should be seen as conclusive in itself of abuse. It may indicate conditions other than child abuse. All signs and symptoms must be examined in the context of the child's situation and family circumstances.

The ability to recognise child abuse can depend as much on a person's willingness to accept the possibility of its existence as it does on their knowledge and information. There are commonly three stages in the identification of child neglect or abuse:

- (i) considering the possibility;
- (ii) looking out for signs of neglect or abuse;
- (iii) recording of information.

There are a number of ways in which a concern in relation to a child's safety or welfare may come to light:

- a child may disclose something that has upset or harmed them
- someone else might report something that a child has told them, or that they believe that a child has been or is being harmed
- a child might show signs of physical injury for which there appears to be no explanation
- a child's use of language or behaviour may suggest he or she is being abused
- the behaviour or attitude of an adult towards a child in their care might cause concern
- a child might demonstrate worrying behaviour towards other children

Responsibility to report child abuse or neglect – Relevant services

Everyone must be alert to the possibility that children with whom they are in contact may be suffering from abuse or neglect. One of the main objectives of the Children First Act 2015 is to ensure that organisations keep children safe from harm whilst availing of services. The legislation and associated guidance relate to the obligations of relevant services to prevent, as far as practicable, deliberate harm or abuse to the children availing of their services. While it is not possible to remove all risk, West Limerick Independent Living CLG has policies and procedures which will reduce and manage identified risk to the greatest possible extent.



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Mandated persons

The Children First Act 2015 places a legal obligation on certain people, many of whom are professionals, to report child protection concerns at or above a defined threshold to Tusla. Mandated person must also assist Tusla in their assessment of child protection concerns about children who have been the subject of a mandated report, if requested to do so. Mandated persons within West Limerick Independent Living CLG are workers who have contact with children and/ or their families and who because of their qualification, training and/or employment role, are in a key position to help protect children from harm.

Mandated persons within West Limerick Independent Living CLG are:

1. Lynda McElligott Service Manager
2. Margaret O'Brien Service Coordinator
3. Gerard O'Connor Manager

A mandated person (listed above) are required under the Act to report any knowledge, belief or reasonable suspicion that a child has been harmed, is being harmed or is at risk of being harmed. (Harm, is defined on page 3 of this policy).

The threshold of harm for each category of abuse at which mandated persons have a legal obligation to report concerns is outlined as:

Neglect

Neglect is defined as 'to deprive a child of adequate food, warmth, clothing, hygiene, supervision, safety or medical care'. The threshold of harm, at which the mandated person must make a report to Tusla under the Act, is reached when you know, believe or have reasonable grounds to suspect that a child's needs have been neglected, are being neglected, or are at risk of being neglected to the point where the **child's health, development or welfare have been or are being seriously affected, or are likely to be seriously affected.**

Emotional Abuse/Ill-Treatment

Ill-treatment is defined as 'to abandon or cruelly treat the child, or to cause or procure or allow the child to be abandoned or cruelly treated'. Emotional abuse is covered in the definition of ill-treatment used in the Children First Act 2015.

The threshold of harm, at which a report must be made to Tusla under the Act, is reached when the mandated person knows, believe or have reasonable grounds to suspect that a child, is being, or is at risk of being ill-treated to the point where the **child's health, development or welfare have been or are being seriously affected, or are likely to be seriously affected.**



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Physical Abuse

Physical abuse is covered in the references to assault in the Children First Act 2015. The threshold of harm, at which a mandated person must report to Tusla under the Act, is reached when you know, believe or have reasonable grounds to suspect that a child has been, is being or is at risk of being assaulted and that as a result the **child's health, development or welfare have been or are being seriously affected, or are likely to be seriously affected.**

Sexual Abuse

If as a mandated person, you know or believe or have reasonable grounds to suspect that a child has been, is being, or is at risk of being sexually abused, then you must report this to Tusla. Sexual abuse to be reported under the Act (as amended by section 55 of the Criminal Law (Sexual Offences) Act 2017) is defined as an offence against the child, as listed in Schedule 3 of the Children First Act.

As sexual abuse falls within the category of **seriously affecting the child's health, welfare or development**, mandated persons must report all concerns about sexual abuse as a mandated report to Tusla.

Section 14 of the Children First Act requires mandated persons to report a mandated concern to Tusla 'as soon as practicable'. A mandated person from the organisation will submit a report of a mandated concern to Tusla using the required report form (refer to appendix 3), on which they will indicate that they are a mandated person and this report is about a mandated concern.

The Children First Act requires the CEO of Tusla to appoint authorised persons to receive mandated reports. A mandated person who makes a report to an authorised person is protected from civil liability under the Protection for Persons Reporting Child Abuse Act 1998.

If the mandated person(s) within West Limerick Independent Living CLG feel that a child protection concern may require urgent attention in order to make the child safe, they will alert Tusla in advance of submitting a written report. They will then submit a mandated report to Tusla within three days. (Section 14(7) Children First Act 2015).

Mandated Assisting

Mandated persons can be asked by Tusla to provide necessary proportionate assistance to aid Tusla in assessing the risk to a child arising from a mandated report. Mandated person(s) within West Limerick Independent Living CLG will comply with this request, regardless of who makes the report. Mandated assistance may include a request to supply further information over the telephone, produce a verbal or written report or attend a meeting.

Mandated person(s) within West Limerick Independent Living CLG are aware that the legal obligations under the Children First Act 2015 to report mandated concerns rest with them and not the designated liaison person.



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Reasonable grounds for concern

Tusla, The Child and Family Agency should always be informed when a person has reasonable grounds for concern that a child may have been, is being or is at risk of being abused or neglected.

Reasonable grounds for a child protection or welfare concern include:

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

A concern about a potential risk to children posed by a specific person, even if the children are unidentifiable, should also be communicated to Tusla, The Child and Family Agency.

The guiding principles in regard to reporting child abuse or neglect may be summarised as follows:

- (i) the safety and well-being of the child must take priority;
- (ii) reports should be made without delay to Tusla, The Child and Family Agency.

Any reasonable concern or suspicion of abuse or neglect must elicit a response. Ignoring the signals or failing to intervene may result in ongoing or further harm to the child. Any professional who suspects child abuse or neglect should inform the parents/carers if a report is to be submitted to Tusla, The Child and Family Agency or to An Garda Síochána, unless doing so is likely to endanger the child.

Role of the Designated Liaison Person (DLP)

The Designated Liaison Person (DLP) is responsible for ensuring that suspected cases of child neglect or abuse are referred promptly to Tusla, The Child and Family Agency through the standard reporting procedure. The contact details and job title of the Designated Liaison Person and Deputy are:

1. Lynda McElligott, Senior Services Coordinator. Email: lynda@limerickcil.com Phone: 35369-77320 Mobile: (085) 806 4306
2. Margaret O'Brien Service Coordinator margaret@limerickcil.com Phone: 353-69-77320 Mobile: (087) 948 7506



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In the event of an emergency and the unavailability of the Child and Family Agency, reports should be made to An Garda Síochána. The organisation will ensure that the Designated Liaison Person is knowledgeable about child protection and undertake any training considered necessary to keep them updated on new developments.

The Designated Liaison Person may receive reports of suspected child abuse or concerns about a child's safety and welfare. It is their responsibility:

- To ensure that they are fully conversant with the organisation's duties to the protection and welfare of children
- To ensure that they are fully familiar with West Limerick Independent Living's child protection and welfare policies and procedures
- Receive concerns or allegations of abuse
- Collate relevant information to establish if reasonable grounds for concern exist
- Utilise informal consultation with Duty Social Worker if unsure whether concerns constitute reasonable grounds
- Ensure all reporting obligations are met
- Maintain appropriate records
- To provide a clear written statement to the worker raising the concern if they have decided not to report the concern to Tusla, The Child and Family Agency
- Advise the worker that if they continue to be concerned, they are free to consult with and report to Tusla, The Child and Family Agency or An Garda Síochána; reasonably and in good faith
- Recognise the importance of multidisciplinary work as fundamental to best practice in child protection and welfare

West Limerick Independent Living will ensure that the Designated Liaison Person and Deputy Designated Liaison Person have access to appropriate training to undertake their roles and have regular support and supervision from a suitably qualified person. Designated Liaison Person and Deputy Liaison Person will complete initial training and refresher training every 2 years at minimum.



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Dealing with Disclosures

Remember, a child may disclose abuse to you as a trusted adult at any time during your work with them. It is important that you are aware and prepared for this.

1. Be as calm and natural as possible.
2. Remember that you have been approached because you are trusted and possibly liked.
3. Do not panic.
4. Be aware that disclosures can be very difficult for the child.
5. Remember, the child may initially be testing your reactions and may only fully open up over a period of time.
6. 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.
7. Do not pressurise the child. Allow them to disclose at their own pace using their own words.
8. Conceal any signs of disgust, anger or disbelief.
9. Do not give an undertaking of secrecy.
10. Accept what the child has to say – false disclosures are very rare.
11. Don't ask the child to repeat the story;
12. Make a detailed note of what the child disclosed to you, using the child's own words, as soon as possible afterwards, and date and sign it.
13. It is important to differentiate between the person who carried out the abuse and the act of abuse itself. The child quite possibly may love or strongly like the alleged abuser while also disliking what was done to them. It is important therefore to avoid expressing any judgement on, or anger towards, the alleged perpetrator while talking with the child.
14. It may be necessary to reassure the child that your feelings towards him or her have not been affected in a negative way as a result of what they have disclosed.
15. Inform the child that you will be sharing this information only with people who understand this area and can help.



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Reporting Procedure

West Limerick Independent Living has established the following procedures for reporting a concern in relation to the protection and welfare of children and young people.

If a concern arises regarding the safety and welfare of a child, in the context of the work of West Limerick Independent Living CLG it must be reported to the Designated Liaison Person (or Deputy in their absence). If reasonable grounds for concern exist, this is, if a child may have been, is being, or is at risk of being abused or neglected, a report will be submitted by the organisation to Tusla.

Information will be supplied to Tusla that will help them assess the concern, including:

- The child's name, address and age
- Names and addresses of parents/guardians
- Names if known, of who is allegedly harming the child or not caring for them appropriately
- A detailed account of West Limerick Independent Living CLG's grounds for concern (e.g. details of the allegation, dates of incidents, and description of injuries)
- Names of other children in the household
- Name of the school the child attends
- Workers name, contact details and relationship to the child

(Refer to appendix 4 – report form)

If West Limerick Independent Living workers are concerned about a child but unsure of whether their concerns should be reported to Tusla, they will contact informally to discuss the concern with the Duty Social Worker. This consultation provides an opportunity to discuss the query in general and to decide whether a formal report of the concern to Tusla is appropriate at this stage.

In an emergency, any person can directly report a child abuse or neglect concern to Tusla, The Child and Family Agency or to An Garda Síochána. A report can be made in person, by telephone or in writing.

If a worker makes a direct report (in an emergency) they must notify their line manager and the Designated Liaison Person, to enable the organisation to ensure the process is undertaken in line with policy, procedure and best practice guidelines. They will also offer support and guidance to the worker regarding their concerns.

Contact numbers for the Child and Family Agency offices nationwide are available on the Child and Family Agency website (www.tusla.ie) and (refer to appendix 5).



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Child Protection and Confidentiality

Where child protection and welfare concerns arise, information must be shared on a 'need to know' basis in the best interest of the child. No undertaking regarding secrecy can be given to either adults or children in relation to child protection concerns, disclosures or allegations.

The provision of information to the statutory agencies for the protection of a child is not a breach of confidentiality or data protection. West Limerick Independent Living will cooperate with the Child and Family Agency or An Garda Síochána on the sharing of information and records where a child welfare or protection issue arises. Relevant staff will attend and share information, as required, at formal child protection and welfare meetings as organised by the child and Family Agency i.e. Child Protection Conferences and Strategy Meetings. Parents and children have a right to know if personal information is being shared, unless doing so could put the child at further risk.

All records held by the organisation will be kept in a safe and confidential manner, taking full account of legal requirements.

Record Keeping and Storage

Record keeping is of critical importance in this area of work. The ability to protect children, requires accurate records to be maintained. It is essential that all employees keep contemporaneous records of all safeguarding concerns; this will include contacts, consultations and any actions taken. All records relating to child protection and welfare such as records of concerns, allegations or disclosures, or reports to statutory authorities should be kept in a safe and confidential manner. Paper records will be stored in locked filing cabinets with restricted access. Records held on PCs, servers or mobile devices will be encrypted and password protected. Child protection reporting records are held in perpetuity.

Safe Recruitment and Selection Procedures

Safe recruitment is an integral part of good safeguarding practice. In addition to standard good HR practice (cross ref HR Recruitment policy), the organisation will;

- Advertise/publicise all prospective positions as widely as possible
- Provide a worker's job and role description
- Provide all applicants with information about the organisation and activities
- Provide an application form
- Seeking Garda vetting, and police clearance for other jurisdictions, and adhere to the organisations criteria on decision making regarding suitability in the event of disclosures



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- Adhere to the 'Specific factors criteria' which would exclude applicants from working in the organisation
- Ensure that interviews are conducted by at least two representatives of the organisation and all candidates will be measured against a set criteria
- Seek a minimum of two recent references which will be validated prior to engagement with the organisation
- Seek proof of identity
- Require a completed Declaration Form from all workers
- Contracts agreed by management and workers, including that workers will comply with the organisation's child protection and welfare policy
- Ensure all workers will receive induction in the child protection and welfare policy and regular refresher or updating training will be provided as required
- Ensure all staff whose roles include or could potentially include contact with children, receive appropriate safeguarding training, in line with Children First.

It is the expectation of the organisation that all applicants and workers disclose any convictions or if they have given the benefit of the Probation Act.

Management, Supervision and Training

Workers whose roles or duties include or may include contact with children will receive appropriate support and supervision from their line manager or other appointed manager. This will include; team meetings, informal/formal supervision on an individual and/or peer group basis. The organisation understands that workers dealing with/have dealt with child protection and welfare concerns may require additional support and supervision.

All workers will be provided with training in child protection and welfare in line with Children First and avail of Tusla's e-learning programme (www.tusla.ie), to ensure that all those working within the organisation are fully informed and trained.

A record of training programmes attended by each worker will be kept by the organisation.

Procedures for Responding to Allegations of Abuse Against Workers

Should an allegation of abuse or inappropriate conduct in relation to a child be made against a West Limerick Independent Living CLG worker, it will be assessed promptly and carefully by the organisation. Two people will be appointed to manage the two separate procedures for;



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1. The child (child protection and welfare policy and procedure)
2. The worker (organisational HR policy and procedure)

Action taken in reporting an allegation of child abuse against a worker should be based on an opinion formed reasonably and in good faith, using the standard reporting procedure (as set out earlier in this document). The first priority is to ensure that no child is exposed to unnecessary risk and the organisation will take necessary protective measures. These measures will be proportionate to the level of risk and will not unreasonably penalise the worker (e.g. worker removed from duties, including possible suspension with pay pending a full investigation). All action taken by the organisation will be in line with agreed policies and procedures, employment contracts and rules of natural justice.

A senior manager will be appointed to advise the staff member that an allegation has been made against them and the nature of the allegation. The person will be afforded an opportunity to respond and the response will be noted, and submitted to Tusla, the Child and Family Agency should a report be submitted.

The person who the allegation has been made against will be informed if it is the decision of the organisation to submit a report to the statutory authorities and that West Limerick Independent Living will cooperate fully with any assessment or investigation that ensues. This will be undertaken without delay. The Designated Liaison Person will liaise closely with investigating bodies (Tusla, Child and Family Agency / An Garda Síochána) to ensure that actions taken by the organisation do not undermine or frustrate any investigations.

Parents / carers (including service providers) will be kept informed of the process and action taken by the organisation in respect of the allegation.

The CEO will be informed with due regard for privacy and fair procedure of the individual involved.

The outcome of any investigation and/or assessment by the statutory authorities, will inform and assist the organisation in reaching a decision about the action to be taken in the longer term concerning the worker. An internal investigation under West Limerick Independent Living's Disciplinary and Grievance Policies may be undertaken.

In line with the West Limerick Independent Living Code of Standards and Behaviour, should a statutory investigation or criminal proceedings be undertaken against an employee in relation to a child outside the context of an employee's role, this must be reported to HR.

Code of Behaviour between Workers and Children

It is the expectation of West Limerick Independent Living CLG that all workers will behave in a caring, respectful and appropriate professional manner towards children and young people. The safety and welfare of children and young people is paramount and must be our first consideration in any contact with them.



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- Respect the rights, dignity and worth of every child and young person, and treat each one equally regardless of age, gender, ability, ethnic origin, cultural background or religion
- Physical or verbal interactions with children and young people should never be punitive, aggressive, embarrassing or humiliating
- When meeting children and young people for the first time, introduce yourself and explain in age appropriate language, who you are and why you are visiting them
- Do not share personal information/contact details with children and young people
- Always be mindful of professional boundaries
- Respect the ethos and practices of any service you visit, including their routines, schedules and policies
- Be aware of and sensitive to culture difference and engage with children and young people in a culturally sensitive way
- Do not spend time alone with children or young people in services you visit
- Do not spend time or meet with children and young people (service users) outside of services provided and your role within the organisation
- Do not take children or young people in your car or to other locations or premises
- Do not take photographs of children (using mobile phone or other device)
- Always use positive, respectful and age appropriate language
- There should be no unnecessary physical contact between an adult and a child or young person although there are times when for example, placing a hand on a distressed child/young person's shoulder to comfort him/her would be appropriate. Physical contact should only be in response to the needs or initiative of the child and should be appropriate to their age and the level of development
- Be friendly, open, patient and polite to all children, remembering always that you are a visitor to their services. Behave with courtesy, consideration and respect.
- If you think you may have caused offence, however unintentionally, acknowledge and offer an apology or explanation as soon as possible
- Should you observe or witness any action, behaviour or symptoms that indicate a concern in relation to a child's safety or welfare, report the matter, in the first instance to the service manager and advise her/him of your obligations under this policy. Note the concern and report to your line manager/designated officer without delay.



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Information Sharing, Involving Children and Parents

West Limerick Independent Living CLG is committed to facilitating child and parental involvement in the provision of services. On initial contact with the service all parents and children will be made aware of the organisations Child Safeguarding Statement and associated child protection and welfare policies and procedures. The Child Safeguarding Statement will be displayed, and all policies and procedures will be made available upon request. Children will be informed of their rights to be protected and the organisations child protection and welfare policy, in an age appropriate manner. The communication tools and resources used by West Limerick Independent Living CLG will promote child engagement and ensure information is shared in a way they can understand.

Written parental consent will be sought by West Limerick Independent Living CLG prior to services being supplied to children.

Protected Disclosures

The Protected Disclosures Act 2014 provides a statutory framework within which workers can raise concerns regarding potential wrongdoing that has come to their attention in the workplace in the knowledge that they can avail of significant employment and other protections if they are penalised by their employer or suffer any detriment for doing so.

The Act requires every public body to establish and maintain procedures for the making of protected disclosures and procedures for dealing with such disclosures. It also requires that public bodies provide written information relating to the procedures established. The 2014 Act became operational on 15th July 2014.

These procedures are not intended to act as a substitute for normal day to day operational reporting or other internal employment procedures. A Protected Disclosure involves the disclosure of information which, in the reasonable belief of the worker making the disclosure, shows that one or more of the following relevant wrongdoings has been committed or is likely to be committed:

- Unlawful or improper use of public funds or resources
- Financial misconduct or fraud
- Corruption, bribery or blackmail
- Failure to comply with any legal obligation, other than one arising under the worker's contract of employment or other contract whereby the worker undertakes to do or perform personally any work or services



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- Endangerment of the health or safety of any individual
- Damage to the environment
- The commission of an offence
- Miscarriage of justice
- Gross negligence or gross mismanagement by public bodies
- The concealment of any of the above.

The list above is not exhaustive. A full definition of wrongdoing can be found in Section 5(3) of the Act at <http://www.irishstatutebook.ie/2014/en/act/pub/0014/index.html>.

Procedure for making a Protected Disclosure to HSE

The HSE has appointed an 'Authorised Person' to whom protected disclosures may be made. Employees are required to set out the details of the subject matter of the disclosure in writing on the Protected Disclosures of Information Form and submit it to the Authorised Person at the following address:

HSE Authorised Person,
P.O. Box 11571,
Dublin 2.
Tel: 01-6626984.

The Authorised Person will investigate the subject matter of the disclosure. Confidentiality will be maintained in relation to the disclosure insofar as is reasonably practicable. However, it is important to note that it may be necessary to disclose the identity of the employee who has made the protected disclosure in order to ensure that the investigation is carried out in accordance with the rules of natural justice.

Appendix:

1. Children First Principles
2. Child Safeguarding Statement
3. Mandated report
4. Report form
5. Child and Family Agency, Duty Social Work Department contact details
6. Talking with parents about concerns you have about their children
7. Important points to remember



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Appendix 1 – Children First Principles

The key principles of best practice in child protection and welfare are:

1. The safety and welfare of children is everyone's responsibility.
2. The best interests of the child should be paramount.
3. The overall aim in dealings with children and families is to intervene proportionately to support families to keep children safe from harm.
4. Interventions by the State should build on existing strengths and protective factors in the family.
5. Early intervention is key to getting better outcomes. Where it is necessary for the State to intervene to keep children safe, the minimum intervention necessary should be used.
6. Children should only be separated from their parents from their parents or carers when alternative means of protecting them have been exhausted.
7. Children have a right to be heard, listened to and taken seriously. Taking into account their age and understanding, children should be consulted and involved in all matters and decisions that may affect their lives.
8. Parents and carers have a right to respect, and should be consulted and involved in matters that concern their family.
9. A proper balance must be struck between protecting children and respecting the rights and needs of parents, carers and families. Where there is conflict the welfare of the child must come first.
10. Child protection is a multiagency, multidisciplinary activity. Agencies and professionals must work together in the interests of the children.

(Children First, A Guide for the Reporting of Child Protection and Welfare Concerns, 2017)



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Appendix 2 – Child Safeguarding Statement – Sample template

Child Safeguarding Statement and Risk Assessment:

Child Safeguarding Statement and Risk Assessment: West Limerick Independent Living delivers personal support services to adults with physical and or sensory disabilities between 18 and 65 years of age. Each client receives a person-centred plan and the support service is delivered in their home or chosen community. Individual care needs vary greatly from each individual and support is delivered accordingly as identified in initial assessment. During the course of our work, our staff will come in contact directly or indirectly with the children, grandchildren of our service users. At present, we employ near to 100 staff to deliver Personal Support Services to 125 clients. Due to the nature of the service being delivered, it is constantly subject to change to meet client requirements. We engage directly with approximately 20 clients who may have children present on occasion whilst delivering personal support and of our total client base 5 individuals have children whom are directly involved in service delivery.

West Limerick Independent Living strives to support Children in a positive and respectful manner. Staff at West Limerick Independent Living will listen to and respect the voice of Children and their role in the Family Unit. The relationship between Staff and Children will be of a positive nature. It is the Policy of West Limerick Independent Living to ensure that children and young people are protected and kept safe while they are in contact with staff of West Limerick Independent Living.

Our Child Safeguarding Statement has been developed in line with requirements under the Children First Act 2015, the Children First: National Guidance, and Tusla's Child Safeguarding: A Guide for Policy, Procedure and Practice. In addition to the procedures listed in our risk assessment, the following procedures support our intention to safeguard children while they are availing of our service:

- Procedure for the management of allegations of abuse or misconduct against workers/volunteers of a child availing of our service
- promoting the general welfare, health and full development of young people and protecting them from harm
- recognising that young people have rights as individuals and treating them with dignity and respect
- adopting and consistently applying a thorough and clearly defined method of recruiting staff and volunteers
- training staff and volunteers so as to minimise opportunities for young people to suffer harm
- Using "Children First" as a base reference point
- Referring all suspicions of Child Abuse to the Designated Liaison Person (DLP) within the organisation
- Ensuring that the DLP, in consultation with the West Limerick Independent Living Quality and Safety Committee will refer any suspicions of Child Abuse or an offence raised to them to the relevant Social Work Department of the Health Service Executive and/or to An Garda Síochána as appropriate

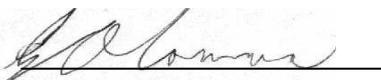


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- Ensuring that where concerns are raised that do not meet reasonable grounds for reporting, the West Limerick Independent Living Quality and Safety Committee in consultation with the DLP will make recommendations as to any action that should be taken in order to protect the safety and welfare of children and young people
- When required and to maintain the safety and welfare of children and young people the DLP may act without reference to the West Limerick Independent Living Quality and Safety Committee and as soon as possible contact the West Limerick Independent Living Quality and Safety Committee
- This statement applies to all members and all staff of the West Limerick Independent Living and to any contractors engaged by West Limerick Independent Living either on a voluntary or paid basis
- Procedure for the safe recruitment and selection of workers and volunteers to work with children
- Procedure for provision of and access to child safeguarding training and information, including the identification of the occurrence of harm
- Procedure for the reporting of child protection or welfare concerns to Tusla
- Procedure for maintaining a list of the persons (if any) in the relevant service who are mandated persons
- Procedure for appointing a relevant person
- All procedures listed are available upon request

Implementation

We recognise that implementation is an ongoing process. Our service is committed to the implementation of this Child Safeguarding Statement and the procedures that support our intention to keep children safe from harm while availing of our service. This Child Safeguarding Statement will be reviewed on November 2018 or as soon as practicable after there has been a material change in any matter to which the statement refers.

Signed: 

(Provider)

[Provider's name and contact details] West Limerick Independent Living CLG
Sheehan's Road, Newcastle West, Co. Limerick

For queries, please contact Margaret O'Brien Designated Liaison Person (DLP) Tel: 087 948 7506 or
Email: margaret@limerickcil.com

Lynda McElligott (Deputy DLP) Tel: 069 77320 or Email: lynda@limerickcil.com



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WEST LIMERICK INDEPENDENT LIVING RISK ASSESMENT:

Company Name: West Limerick Independent Living

Location: Sheehan's Re, Newcastle West, Co. Limerick

Date of Assessment: 15/01/2018

Name: Gerard O'Connor

Category of Risk	Actual Risk	Likelihood of occurrence	Potential Impact	Mitigation measures	Person responsible

INITIAL RISK			RESIDUAL RISK			STATUS
Likelihood	Impact	Initial Risk Rating	Likelihood	Impact	Residual Risk Rating	

Likelihood of the hazard happening		Severity of the potential injury/damage				
		Insignificant damage to Property, Equipment or Minor Injury	Non-Reportable Injury, minor loss of Process or slight damage to Property	Reportable Injury moderate loss of Process or limited damage to Property	Major Injury, Single Fatality critical loss of Process/damage to Property	Multiple Fatalities Catastrophic Loss of Business
0 – 5 = Low Risk		1	2	3	4	5
6 – 10 = Moderate Risk		5	10	15	20	25
11 – 15 = High Risk		4	8	12	16	20
16 – 25 = extremely high unacceptable risk		3	6	9	12	15
Almost Certain 5		2	4	6	8	10
Will probably occur 4		1	2	3	4	5
Possible occur 3						
Remote possibility 2						
Extremely Unlikely 1						



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Risk Assessment (Children)

Are you working with/supporting children as part of your role? **Yes** **No**

If yes in what capacity-what are your duties with regard to children?

Are you transporting children? **Yes** **No**

If so is this in your own vehicle or in the service user's vehicle? **Own Vehicle**

Service User's Vehicle

Do you have a full clean drivers license? **Yes** **No**

Is West Limerick Independent Living indemnified on your insurance? **Yes** **No**

Do you have a valid NCT? **Yes** **No**

Are you familiar with the route you are travelling? **Yes** **No**

Are you familiar with the procedure for transporting children i.e. always traveling to intended destination and returning, no stops or diversions? **Yes** **No**

Are you aware of the law regarding booster seats, wearing of seat belts in relation to children?

Yes **No**

Have you been trained in Children's First? **Yes** **No**

Is Challenging or Aggressive behaviour a Concern? **Yes** **No**

If yes, what steps are in place to minimise risk e.g. safety locks in car (Angel Guard) child locks on door at all times? PA accompanied by second staff member or guardian? **Yes** **No**

Have you in date HSE e-learning an Introduction to Children's First? **Yes** **No**

Has the parent/guardian given consent for their child to travel to and from school (parental consent form completed)?

Yes **No**

Are you familiar and up to date with all of the company's policies and procedures? These are available on the website www.limerickcil.com. **Yes** **No**

Is there any other type of training that you feel you may need in order to fulfil your duties?



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This part must be read and signed by the Service User and Personal Assistant following the completion of the full risk assessment. The Service Co ordinator must also sign and date this part.

I have been informed of the potential risks that I may be exposed to during the course of work with *West Limerick Independent Living* and how these risks may be minimised or eradicated. I agree to abide by the policies and procedures of *West Limerick Independent Living*.

Signed: _____

Date: _____ **Service Coordinator**

Signed: _____

Date: _____ **Personal Assistant**

Signed: _____

Date: _____ **Client**



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Appendix 3 – Mandated Report

What is the threshold for making a mandated report?

As a mandated person, under the legislation you are required to report any knowledge, belief, or reasonable suspicion that a child has been harmed, is being harmed, or is at risk of being harmed, to the Authorised Person within Tusla.

How do I make a mandated report to Tusla?

If you are a mandated person and have a concern about a child, it is your legal responsibility to make a decision as to whether the concern meets the threshold for a mandated report under the Children First Act 2015 or not. If you are satisfied that this threshold has been reached, you should clearly identify on the report that it is a mandated report made under the Children First Act.

If you are unsure whether your concern reaches the legal definition of harm for making a mandated report, you can discuss the concern with a Tusla social worker. However, the responsibility for making the decision rests with you as a mandated person under the Act.

If you are a mandated person, you cannot submit a mandated report anonymously.

The Children First Act 2015 requires mandated persons to report a mandated concern to Tusla “as soon as practicable”. The Children First Act requires Tusla to appoint authorised persons to receive mandated reports. Authorised persons are obliged to acknowledge in writing all mandated reports they receive.

If you feel urgent intervention may be required to make the child safe, you can alert Tusla of the concern in advance of submitting a written report. You must then submit a mandated report to Tusla on the report form or via the web portal within three days.

Tusla has two forms for reporting child protection and welfare concerns – the Child Protection and Welfare Report Form (CPWRF) and the Retrospective Abuse Report Form (RARF). The Child Protection and Welfare Report Form is to be completed and submitted to Tusla for concerns about children under the age of 18. A web portal has been developed for mandated persons to securely submit CPWRFs. The Retrospective Abuse Report Form is to be completed and submitted to Tusla for cases of adults disclosing childhood abuse. It is not currently possible to submit RARFs using the web portal. Both the CPWRF and RARF can be downloaded on www.tusla.ie

Joint reporting

As a mandated person you can make a report jointly with another person, whether that person is also a mandated person or not.

There is nothing in the Act to prevent you from either making a mandated report jointly with a designated liaison person or providing a copy of the mandated report you have submitted to Tusla for the information of the designated liaison person.

As a mandated person, you should be aware that the legal obligations under the Children First Act 2015 to report mandated concerns rest with you and not with the designated liaison person.



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Where mandated persons share the same concern or information, only one person is required to report, or they can report jointly.

What if my concern does not meet the threshold for a mandated report?

If your concern does not reach the threshold for mandated reporting, but you feel it is a reasonable concern about the welfare or protection of a child, you should report it to Tusla under Children First: National Guidance for the Protection and Welfare of Children.

Informing the family

It is best practice to tell a family you are making a report. Families have a right to know what is being reported about them. It also helps them understand the reasons for reporting and what information is being reported. However, in exceptional circumstances you may be concerned that telling the family will put the child at further risk, could impact on Tusla's ability to carry out an assessment or could place you at risk of harm from the family. In these exceptional circumstances it is not necessary for you to tell the family you are making a report.

Mandated persons who work with adults

If you are a professional who works with or treats persons with mental health difficulties, intellectual disabilities, addiction or domestic violence issues, or if you work in probation services, you must consider the welfare and safety of any children in that person's family and/or children in regular contact with the person. You may find yourself working with people whose health and behaviour has harmed or may harm a child. If there are concerns which meet or exceed the thresholds outlined above, then you must report them to Tusla using Tusla's Child Protection and Welfare Report Form.

An adult you work with may also disclose that they were abused as a child. Tusla's Retrospective Abuse Report Form should be completed and submitted to Tusla for cases of adults disclosing childhood abuse.

Legal obligations to disclose information to the Gardaí must be adhered to.

Making a mandated report under the Children First Act 2015 does not discharge the duty a person may have to report to An Garda Síochána under the Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012.

Making a Mandated Report Out of Hours

Mandated reporters can now access Tusla's emergency out-of-hours social work service. If you are a mandated reporter and wish to report a case of child harm to Tusla, you can contact our out-of-hours social work service on 0818 776 315 between 6pm and 6am every night and between 9am and 5pm on Saturdays, Sundays and bank holidays.

If you cannot contact Tusla and have an immediate concern about the safety of a child, please contact An Garda Síochána.



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Appendix 4- Child Protection and Welfare Report Form



Child Protection and Welfare Report Form

MANDATED PERSONS AND NON MANDATED PERSONS
(Children First Act 2015 & Children First National Guidance)

Use block letters when filling out this form. Fields marked with an * are mandatory.

1. Tusla Area (this is where the child resides)*	
---	--

2. Date of Report*	
---------------------------	--

3. Details of Child

First Name*		Surname*	
Male*	<input type="checkbox"/>	Female*	<input type="checkbox"/>
Address*		Date of Birth*	
		Estimated Age*	
		School Name	
		School Address	
Eircode			

4. Details of Concerns*

Please complete the following section with as much detail about the specific child protection or welfare concern or allegation as possible. Include dates, times, incident details and names of anyone who observed any incident. Please include the parents and child's view, if known. Please attach additional sheets, if necessary

Please see '*Tusla Children First – A Guide for the Reporting of Child Protection and Welfare Concerns*' for additional assistance on the steps to consider in making a report to Tusla

5. Type of Concern

Child Welfare Concern	<input type="checkbox"/>		
Emotional Abuse	<input type="checkbox"/>	Physical Abuse	<input type="checkbox"/>
Neglect	<input type="checkbox"/>	Sexual Abuse	<input type="checkbox"/>



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6. Details of Reporter

First Name		Surname	
Address If reporting in a professional capacity, please use your professional address		Organisation	
		Position Held	
		Mobile No.	
		Telephone No.	
Eircode		Email Address	
Is this a Mandated Report made under Sec 14, Children First Act 2015?*			Yes <input type="checkbox"/> No <input type="checkbox"/>
Mandated Person's Type			

7. Details of Other Persons Where a Joint Report is Being Made

First Name		Surname	
Address If reporting in a professional capacity, please use your professional address		Organisation	
		Position Held	
		Mobile No.	
		Telephone No.	
Eircode		Email Address	

First Name		Surname	
Address If reporting in a professional capacity, please use your professional address		Organisation	
		Position Held	
		Mobile No.	
		Telephone No.	
Eircode		Email Address	

8. Parents Aware of Report

Are the child's parents/carers aware that this concern is being reported to Tusla?*	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If the parent/carer does not know, please indicate reasons:		



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9. Relationships

Details of Mother			
First Name		Surname	
Address		Mobile No.	
		Telephone No.	
		Email Address	
Eircode			

Is the Mother a Legal Guardian?*	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Details of Father				
First Name		Surname		
Address		Mobile No.		
		Telephone No.		
		Email Address		
Eircode				
Is the Father a Legal Guardian?*	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

10. Household Composition

First Name	Surname	Relationship	Date of Birth	Estimated Age	Additional Information e.g. school, occupation, other



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11. Details of Person(s) Allegedly Causing Harm

First Name*		Surname*	
Male*	<input type="checkbox"/>	Female*	<input type="checkbox"/>
Address		Date of Birth	
		Estimated Age	
		Mobile No.	
		Telephone No.	
Eircode		Email Address	
Occupation		Organisation	
Position Held			

Relationship to Child	
Address at time of alleged incident	
If name unknown please indicate reason	

First Name*		Surname*	
Male*	<input type="checkbox"/>	Female*	<input type="checkbox"/>
Address		Date of Birth	
		Estimated Age	
		Mobile No.	
		Telephone No.	
Eircode		Email Address	
Occupation		Organisation	
Position Held			

Relationship to Child	
Address at time of alleged incident	
If name unknown please indicate reason	



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12. Name and Address of Other Organisations, Personnel or Agencies Known to be Involved Currently or Previously with the Family

Profession	First Name	Surname	Address	Contact Number	Recent Contact e.g. 3/6/9 months ago
Social Worker					
Public Health Nurse					
GP					
Hospital					
School					
Gardaí					
Pre-school/ crèche					
Other					

13. Any Other Relevant Information, Including any Previous Contact with the Child or Family

Please ensure you have indicated if this is a mandated report in section 6.

Thank you for completing the report form.

In completing this report form you are providing details on yourself and on others. Details such as name, address and date of birth fall under the definition of 'Personal Data' in the Data Protection Acts, 1988 & 2003.

Tusla has a responsibility under these Acts in its capacity as a Data Controller to, amongst other things, obtain and process this data fairly; keep it safe and secure; and to keep it for a specified lawful purpose. That purpose is to fulfil our statutory responsibility under the Child Care Act 1991 to promote the protection and welfare of children.

Tusla may, during the course of the assessment of this report disclose such Personal Data to other agencies including An Garda Síochána. Further details about Tusla's responsibilities as a Data Controller and your rights as a Data Subject can be found on our website, www.tusla.ie. As you are providing Personal Data on others, you are a Data Processor.

We ask that you only provide those details that are necessary for the report and that you keep this report and the Personal Data contained in it secure from unauthorised access, disclosure, destruction or accidental loss.



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14. For Completion by Tusla Authorised Person on Receipt of Report

Report Received by					
First Name		Surname		Date	

Mandated Report Acknowledgement by					
First Name		Surname		Date Sent	

Authorised Person Signature*				
Date*				

Child Previously Known	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Allocated Case No				



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Retrospective Abuse Report Form

MANDATED PERSONS AND NON MANDATED PERSONS (Children First Act 2015 & Children First National Guidance)

**Use block letters when filling out this form.
Fields marked with an * are mandatory.**

1. Tusla Area (this is where the person subject to allegations of abuse resides (PSAA))*	
---	--

2. Date of report*	
---------------------------	--

3. Date information was received by reporter*	
--	--

4. Reporter details if third party*

First name		Surname	
Address If reporting in a professional capacity, please use your professional address		Organisation	
		Position held	
		Mobile no.	
		Telephone no.	
Eircode		Email address	

Reporter's relationship to adult complainant	
---	--

Is this a mandated report made under Sec 14, Children First Act 2015?*	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Mandated person's type				

5. Details of other persons where a joint report is being made

First Name		Surname	
Address If reporting in a professional capacity, please use your professional address		Organisation	
		Position Held	
		Mobile No.	
		Telephone No.	
Eircode		Email Address	



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First Name		Surname	
Address If reporting in a professional capacity, please use your professional address		Organisation	
		Position Held	
		Mobile No.	
		Telephone No.	
Eircode		Email Address	

6. Details of person disclosing abuse (adult complainant)*

First name		Surname	
Male	<input type="checkbox"/>	Female	<input type="checkbox"/>
Address		Date of birth	
		Estimated age	
		Previous address, if known	
Eircode			

7. Type of abuse being reported*

Emotional abuse	<input type="checkbox"/>	Physical abuse	<input type="checkbox"/>
Neglect	<input type="checkbox"/>	Sexual abuse	<input type="checkbox"/>

8. Details and description of alleged abuse*

Date of alleged abuse		Period of alleged abuse	
Location of alleged abuse		Reason for report at this time	

Further detail (include, if known, age of adult complainant at time of abuse, age of PSAA at time of abuse). Please attach additional sheets if necessary.

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9. Details of person subject to allegations of abuse (PSAA)

First name*		Surname*	
Male*	<input type="checkbox"/>	Female*	<input type="checkbox"/>
Address		Date of birth	
		Estimated age	
		Mobile no.	
		Telephone no.	
Eircode		Email address	
Occupation			

10. Details of PSAA's social and employment status

--

11. PSAA household composition

First name	Surname	Relationship	Date of birth	Estimated age	Additional information, e.g. school, occupation, etc.

12. Does the PSAA have contact with children?*	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
---	-----	--------------------------	----	--------------------------

If Yes, please complete information below. If No, proceed to 11.

Details of child				
First name		Surname		
Address		Mobile no.		
		Telephone no.		
		Email address		
		Date of birth		
Eircode		Age		
Parent/carers' names		Parent/carers' names		
Relationship to adult complainant		Relationship to PSAA		
Frequency of contact, if known				
Male	<input type="checkbox"/>	Female	<input type="checkbox"/>	Unknown <input type="checkbox"/>



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Please attach additional sheets for additional children, if necessary.

13. Based on information known at this time, is the PSAA known to the Tusla Social Work Department?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
If yes, please provide detail:				

14. Based on information known at this time, is the adult complainant known to the Tusla Social Work Department?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
If yes, please provide detail:				

15. Based on information known at this time, has a report been made to An Garda Síochána?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Garda name:		Telephone no.		
Garda district:		Email:		
Address:		PULSE ID number:		
		Date notification made:		
Eircode		Date report made		

16. Is the PSAA aware of this report?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
If yes, please provide further details:				

17. Any additional information	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Please provide any further information that will assist Tusla in assessing and prioritising this report:				



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In completing this report form you are providing details on yourself and on others. Details such as name, address and date of birth fall under the definition of 'Personal Data' in the Data Protection Acts, 1988 & 2003.

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Tusla may, during the course of the assessment of this report disclose such Personal Data to other agencies including An Garda Síochána.

Further details about Tusla's responsibilities as a Data Controller and your rights as a Data Subject can be found on our website, www.tusla.ie. As you are providing Personal Data on others, you are a Data Processor.

We ask that you only provide those details that are necessary for the report and that you keep this report and the Personal Data contained in it secure from unauthorised access, disclosure, destruction or accidental loss.

Please ensure you have indicated if this is a mandated report in section 2.

Thank you for completing the report form.

18. For completion by Tusla authorised person on receipt of report

Report received by					
First name		Surname		Date	

Mandated report acknowledgement by					
First name		Surname		Date sent	

Authorised person signature*				
Date*				

Child previously known	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Allocated case no				



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Appendix 5 – Duty social work department contact details

Carlow	Duty Social Work Department, Tusla, Child and Family Agency Athy Road, Carlow Eircode: R93X9C2 Tel: 0599129500 New referrals only: 0599136570 Office hours: 9am to 5pm
Cavan	Child and Family Agency, Drumalee Cross, Co. Cavan Tel: 0494377305/0494377306 Office hours: 9:30am to 5pm
Clara	River House, Gort Road, Ennis, Co. Clare Tel: 0656863935 Office hours: 9am to 5pm
Cork	North Lee Child and Family Agency, North Lee Social Work Department, Floor 2, Blackpool, Co. Cork Tel: 0214927000 Office hours: 9am to 1pm and 2pm to 5pm
	South Lee Child and Family Agency, South Lee Social Work Department, St Finbarrs Hospital, Douglas Road, Co. Cork Tel: 0214923001 Office hours: 9am to 5pm
West Cork	Child and Family Agency Duty Social Work Department Coolnagarrane, Skibbereen, Co. Cork Tel: 02840447 Office hours: 9am to 5pm



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North Cork	134, Bank Place, Mallow, Co.Cork Tel: 02254100 Office hours: 9am to 5pm
Donegal	Tusla, Child and Family Agency Millenium Court Pearse Road, Letterkenny, Co. Donegal Tel: 0749123672 Office Hours: 9am to 5pm
Dublin	Swords Duty Social Work Department 180-189, Lakeshore Drive, Aireside Business Park, Swords, Co.Dublin Tel: 018708000 Office hours: 9am to 5pm
	Blanchardstown Duty Social Work Department Roselawn Health Centre, Roselawn Road, Blanchardstown, Dublin 15 Tel: 016464518 Office hours: 9am to 5pm
	Coolock Duty Social Work Department, Health Centre, Cromcastle Road, Coolock, Dublin 5 Office hours: 9am to 5pm
	Finglas Duty Social Work Department, Health Centre, Wellmount Park, Finglas, Dublin 11 Tel: 018567704 Office hours: 9am to 5pm
	North Inner City Duty Social Work Department, 492, North Circular Road, Parkview, Dublin 1 Tel: 018566856 Office hours: 9am to 5pm



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	<p>Tallaght Duty Social Work Department, Chamber House, Chamber Square, Tallaght, Dublin 24 Tel: 014686289 Office hours: 9am to 5pm</p>
	<p>Lord Edward Street Duty Social Work Department, Carnegie Centre, 21-25, Lord Edward Street, Dublin 2 Tel: 016486500 Office hours: 9am to 5pm</p>
	<p>Ballyfermot Duty Social Work Department, Bridge House, Cherry Orchard Hospital, Ballyfermot, Dublin 10 Tel: 0766955587 Office hours: 9am to 5pm</p>
	<p>Dun Laoghaire Duty Social Work Department, Our Lady's Clinic, Patrick Street, Dun Laoghaire, Co. Dublin Tel: 016637300 Office hours: 9am to 5pm</p>
Galway	<p>Galway City Child and Family Agency Galway City Social Work Department, Local Health Office, 25, Newcastle Road, Galway, Co. Galway Tel: 091546366 Office hours: 9am to 5pm</p>
	<p>Oughterard Child and Family Agency, Oughterard Social Work Department, Health Centre, Oughterard, Co. Glaway Tel: 091552200 Office hours: 9am to 5pm</p>



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	<p>Tuam Child and Family Agency, Child Protection Social Work Department, The Family Centre, Dublin Road, Tuam, Co. Galway Tel: 09337264 Office hours: 9am to 5pm</p>
	<p>Ballinasloe Child and Family Agency, Ballinasloe Social Work Department, Health Centre, Brackernagh, Ballinasloe, Co. Galway Tel: 0909646290 Office hours: 9am to 5pm</p>
	<p>Loughrea Child and Family Agency Child Protection Social Work Department, Primary Care Centre, St Brendan's Campus, Lake Road, Loughrea, Co. Galway Tel: 091872700 Office hours: 9am to 5pm</p>
Kerry	<p>Child and Family Agency, Social Work Department, Kerry Community Services, Rathass, Tralee, Co. Kerry Tel: 0667121566 Office hours: 9am to 5pm</p>
Kildare	<p>Child and Family Agency, Social Work Department, St Mary's, Craddockstown Road, Naas, Co. Kildare Tel: 045882400 Office hours: 9am to 5pm</p>



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Kilkenny	<p>Child and Family Agency, Social Work Office, Childcare Department, Carlow/Kilkenny, St Canices Hospital, Dublin Road, Kilkenny, Co. Kilkenny Tel: 0567784532 New referrals only: 0599136570 Office hours: 9am to 5pm</p>
Laois	<p>Child and Family Agency, Social Work Department, Child and Family Centre, Dublin Road, Portlaoise, Co. Laois Tel: 0578692567</p> <p>Office hours: 9:30am to 5:30pm Monday to Thursday 9:30am to 5pm Friday</p>
Leitrim	<p>Child and Family Agency, Community Care Office, Leitrim Road, Carrick on Shannon, Co. Leitrim Tel: 0719650324 or 0872033267 Office hours: 9am to 5pm</p>
Limerick	<p>Child and Family Agency, Roxtown Health Centre, Child Protection and Welfare, Old Clare Street, Limerick Tel: 061483098 9am to 5pm</p>
Longford	<p>Child and Family Agency, Duty Social Work Department, Athlone Health Centre, Coosan Road, Athlone, Co. Westmeath Tel: 0906483106</p> <p>Office hours: 9am to 5:30pm Monday to Thursday 9am to 5pm Friday</p>



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Louth	Dundalk Child and Family Agency, Social Work Department, Tusla Offices, Louth Hospital Campus, Dundalk, Co. Louth Tel: 0429392200 Office hours: 9:30am to 5:15pm Monday 9:30am to 5pm Tuesday to Friday
	Drogheda Child and Family Agency, Social Work Department, Ballsgrove Health Centre, Ballsgrove, Drogheda, Co. Louth Tel: 0419870111 Office hours: 9:30am to 5:30pm Monday 9:30am to 5pm Tuesday to Friday
Mayo	Castlebar Child and Family Agency St Mary's Headquarters, Castlebar, Co. Mayo Tel: 0949042283 or 0949042284 Office hours: 9am to 5pm
	Ballina Child and Family Agency Ballina Social Work Team, Health Centre, Mercy Road, Ballina, Co. Mayo Tel: 09680434 Office hours: 9am to 5pm
	Swinford Child and Family Agency Health Centre, Aras Attracta, Swinford, Co. Mayo Tel: 0949050133 Office hours: 9am to 5pm



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Meath	<p>Child and Family Agency Duty Social Work Department, Enterprise Centre, Trim Road, Navan, Co. Meath Tel: 0469097870 Office hours: 9am to 5:50pm Monday 9am to 5pm Tuesday to Friday</p>
Monaghan	<p>Child and Family Agency 1st Floor, Support Services Building, St Davnet's Complex, Rooskey, Monaghan, Co. Monaghan Tel: 04730426 or 04730427 Office hours: 9:30am to 5pm</p>
Offaly	<p>Child and Family Agency Social Work Department, Child and Family Centre, Dublin Road, Portlaoise, Co. Laois Tel: 0578692567 Office hours: 9:30am to 5:30pm Monday to Thursday 9:30am to 5pm Friday</p>
Roscommon	<p>Golf Links Road Child and Family Agency, Golf Links Road, Co. Roscommon Tel: 0906637528 Office hours: 9am to 5pm</p>
	<p>Boyle Child and Family Agency Health Centre, Boyle, Co. Roscommon Tel: 0719662087 Office hours: 9am to 5pm</p>
	<p>Child and Family Agency Riverside House, Main Street, Castlerea, Co. Roscommon Tel: 0906637851 Office hours: 9am to 5pm</p>



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Sligo	<p>Child and Family Agency Markievicz House, Barrack Street, Co. Sligo Tel: 071 9155133 Office hours: 9am to 5pm</p>
	<p>Child and Family Agency One Stop Shop, Teach Laighne, Humbert Street, Tubbercurry, Co. Sligo Tel: 0719120062 or 0879299666 Office hours: 9am to 5pm</p>
Tipperary	<p>North Child and Family Agency Duty and Intake Social Work Department, Civic Offices, Limerick Road, Nenagh, Co. Tipperary Tel: 06746660 Office hours: 9am to 5pm</p>
	<p>South Child and Family Agency Social Work Team, 'The Yellow House', Western Road, Clonmel, Co. Tipperary Tel: 0526177303 Office hours: 9am to 5pm</p>
Waterford	<p>Cork Road Child and Family Agency Social Work Services, Waterford Community Services, Cork Road, Co. Waterford Tel: 051842827 Office hours: 9am to 5pm</p>
	<p>Dungarvan Child and Family Agency Social Work Department, Dungarvan Community Services, St Josephs Hospital, Dungarvan, Co. Waterford Tel: 05820906 Office hours: 9am to 5pm</p>



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Westmeath	Child and Family Agency, Duty Social Work Department, Athlone Health Centre, Coosan Road, Athlone, Co. Westmeath Tel: 0906483106 Office hours: 9am to 5:30pm Monday to Thursday 9am to 5pm Friday
Wexford	Child and Family Agency Gorey Health Centre, Hospital Grounds, Gorey, Co. Wexford Tel: 0539430100 Office hours: 9am to 5pm
	Child and Family Agency, Social Work Department, Ely House, Ferrybank, Co. Wexford Tel: 0539123522 ext 58201 Office hours: 9am to 5pm
Wicklow	Child and Family Agency, Wicklow Primary Health Care Centre, Port Road, Wicklow, Co. Wicklow Tel: 0766958400 Office hours: 9am to 5pm



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Appendix 6 – Talking with parents about concerns you have about their children

Children First National Guidance states that it is best practice that parents/carers are informed if a report is to be made to Tusla, unless doing so would:

- Further endanger the child
- Impair Tusla's ability to carry out a risk assessment, or
- Put the reporter at risk of harm

If you decide to speak to the parent/carer about a concern, consider the following points.

Preparation

- Remember, the protection and welfare of the child is the priority, if a concern needs to be reported to Tusla, do not delay.
- Consider who is the best person to have the conversation with the parents/carers.
- Consider arranging to meet both parents/carers.
- Try and find a time when the parents/carers are not in a hurry.
- Find a place that is quiet and allows privacy.

Speaking to the parent

- Start with positive statements about the parents/carers. Most parents/carers are trying to do their best for their children/young people and need that acknowledged.
- Explain what responsibilities the organisation has when they have a concern about a child or young person.
- Consider the language you use and try to keep a calm and gentle tone.
- Take the approach that you are seeking to work with the parents/carer for the best result for the child/young person.
- Clearly explain the nature of the concern or issue; use facts and records of observations.
- Explain how the situation is affecting the child/young person and try to reflect how the child/young person may be feeling.
- Give parents/carers an opportunity to speak and acknowledge their feelings.
- Advise parents/carers how you plan to proceed; keep them informed and involved.

Remember it is not your role to decide if the child has been abused. Your role with parents/carers is to advise them that you are concerned about their child. (CF, Tusla Child and Family Agency. 2017)



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Appendix 7- Important points to remember

- **The severity of a sign does not necessarily equate with the severity of the abuse.** Severe and potentially fatal injuries are not always visible. Neglect and emotional and/or psychological abuse tend to be cumulative and effects may only be observable in the longer term. Explanations that are inconsistent with the signs should constitute a cause for concern.
- **Neglect is as potentially fatal as physical abuse.** It can cause delayed physical, psychological and emotional development, chronic ill-health and significant long-term damage. It may place children at serious risk of harm. It may also precede, or co-exist with, other forms of abuse and must be acted upon.
- **Experiencing recurring low-level abuse may cause serious and long-term harm.**
Cumulative harm refers to the effects of multiple adverse circumstances and events in a child's life. The unremitting daily impact of these circumstances on the child can be profound and exponential, and diminish a child's sense of safety and well-being.
- **Child abuse is not restricted to any socio-economic group, gender or culture.** All signs must be considered in the wider social and family context. Serious deficits in child safety and welfare transcend cultural, social and ethnic norms, and must elicit a response.
- **Challenging behaviour by a child or young person should not render them liable to abuse.** Children in certain circumstances may present management problems. This should not leave them vulnerable to harsh disciplinary measures or neglect of care.
- **Exposure to domestic violence is detrimental to a child's physical, emotional and psychological well-being.** The adverse effects of domestic violence have been well established.
- **While the impact of neglect is most profound on young children, it also adversely affects adolescents.** Neglect renders young people liable to risk taking behaviours, such as running away, early school leaving, anti-social behaviour, mental health and addiction problems, including the risk of suicide.
- **It is sometimes difficult to distinguish between indicators of child abuse and other adversities suffered by children and families.** Deprivation, stress, addiction and mental health problems should not be used as a justification for omissions of care or commissions of harm by parents/carers. The child's welfare must be the primary consideration.
- **Neglectful families may be difficult to engage.** Research shows that families may be reluctant to seek help in response to experiencing the factors associated with neglect.



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- **Families where neglect and abuse are prevalent may go to considerable lengths to deceive professionals.** It is important for professionals to approach cases with a wary trustfulness, seek evidence to substantiate claims of improvement and speak with the children concerned individually.
- **Social workers need good observation and analytical skill** in order to be able to understand the nature of the relationship between the parent and child, to understand signs of noncompliance, to work alongside a family and to come to safe and evidence-based judgements about the best course of action.
- **Working in the area of child abuse and neglect is dealing with uncertainty.** Social workers and other professionals should adopt a 'respectful uncertainty' on parental reporting of improvement until supported by clear evidence.

(CF,2011, 2.10.1 – 2.10.12)