



Child Protection and Welfare Policy

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1. CHILD PROTECTION POLICY STATEMENT

The welfare and best interests of children are of paramount importance. Anam Cara is committed to respecting the right to dignity and bodily integrity of every child.

All Anam Cara staff, facilitators & volunteers have a responsibility to protect children and therefore have a duty to report suspected child abuse as set out in the Children First: National Guidance for the Protection and Welfare of Children (2011).

This policy has been developed to comply with our responsibilities to safeguard the children connected with our service.

Anam Cara Management, Staff, Professionals & Volunteer Co Facilitators recognise the intense grief and devastation that affects surviving parents after the death of their child. Our Professional & Volunteer Co Facilitators understand the emotional and physical effects of parental grief and are trained to distinguish what is considered a normal reaction as a bereaved parent from a reaction which may indicate a possible a child protection issue.

Anam Cara will endeavour to safeguard children by:

- Having procedures to recognise, respond to and report in relation to concerns for children's protection and welfare
- Having a confidentiality policy – *Appendix 4*
- Having a code of behaviour for staff and volunteers/students - *Appendix 5*
- Having a safe recruitment procedure for staff & volunteers - *Appendix 6*
- Having procedures for training and managing/supervising staff/volunteers
- Having a procedure to deal with complaints
- Developing a staff allegations procedure and disciplinary procedure

As part of the policy Anam Cara will:-

- Appoint 2 designated liaison persons (DLP's) for dealing with child protection concerns
- Provide induction training around the organisation's child protection policy and procedures
- Outline the reporting procedures for non-mandated and mandated persons
- Ensure that staff attend child protection training, as appropriate
- Provide appropriate supervision and support for staff and volunteers who come in contact with children

1st August 2018

- Share information about the child protection policy and good practices with families and children
- Review the organisation's child protection policy and practices on a regular basis

This policy will be reviewed on 1st of August 2020 (no more than two years from date of adoption), or earlier if necessary.

2. RECOGNISING, RESPONDING, REPORTING CONCERNS ABOUT A CHILD'S WELFARE OR POSSIBLE ABUSE

Facilitators / staff working with parents may be concerned about the general welfare and development of a child / children connected to a parent in a group. They should feel that they can discuss any concerns with the Designated Liaison Person (Clodagh Dingle / Carmel Battigan). Good communication is very important in ensuring best outcomes for children in this regard and any concerns should normally be discussed with parents (UNLESS DOING SO MIGHT PUT A CHILD AT FURTHER RISK). It is not always clear that a child may be being harmed or abused. DLP's may discuss concerns informally with Duty Social Workers of Tusla if they are not sure whether to report a concern or not (**section 2.7, Child Protection and Welfare Practice Handbook**).

"If any person has misgivings about the safety or welfare of a child, they may consult the Tusla Children and Family Services' Duty Social Worker to seek advice through initiating an informal consultation. This could be just a telephone call and provides an opportunity to discuss the query in general and to decide whether a formal referral is warranted. The consulting party needs to state explicitly that they are not making a report – that they are giving details of a concern, but no identifying information in relation to the child or family"

Children First National Guidance for the Protection and Welfare of Children (DCYA 2011, paragraph 3.2.1) states that 'Everyone must be alert to the possibility that children with whom they are in contact may be suffering from abuse or neglect.'

"If you identify a child as being at risk of harm – you must act",

(paragraph 3.7.3, Children First, 2011).

Designated Liaison Person Role

Under existing guidelines the DLP should have completed the Keeping Safe Training as a minimum.

- They should be in a position to have an ongoing role with the service/organisation

- They should be in a senior position.
- They should be open and comfortable with the topic of abuse.
- They should be available and committed to undergoing further training in the area of child protection and positive childcare practices.
- The DLP may link informally with the Tusla Duty Social Worker to discuss concerns around children in their service
- Where appropriate and when advised by the Tusla Duty Social Worker, DLP will make a report without delay on a Child Protection and Welfare Report Form. (attached, see *Appendix 7*)
- DLPs acting on behalf of their group will not make anonymous referrals in keeping with their child protection policy statement and the Tusla guidance on the limits of confidentiality.
- The role of the DLP should be written into a job description and/or contract of employment.
- The DLP should record all concerns or allegations of child abuse brought to his or her attention, and the actions taken in relation to a concern or allegation of child abuse.

It is the responsibility of the DLP to make contact with the Tusla Duty Social Worker or, in the event of an emergency and the unavailability of Tusla, to contact An Garda Síochána.

The DLPs within Anam Cara are: [Clodagh Dingle, Tel. 01 4045378, HCL House, Second Avenue, Cookstown Industrial Estate, Tallaght, Dublin 24. Carmel Battigan, Tel. 01 4045378, HCL House, Second Avenue, Cookstown Industrial Estate, Tallaght, Dublin 24.](#)

Reporting Procedures

All staff, facilitators / volunteers in **Anam Cara** are aware of their responsibility to recognise and respond to child abuse and welfare concerns. **The definitions and signs and symptoms of abuse are contained in this policy in Appendix 1.**

A concern could come to attention in a number of ways and it is important to know how to respond

1. Admission or indication from an alleged abuser.
2. A concern about *a potential risk* to children posed by a specific person, even if the children are unidentifiable.
3. Information from someone who saw a child being abused.
4. Concern about the behaviour or practice of a colleague.
 - **Record information and report to DLP without delay.**

5. Consistent indication over a period of time that a child is suffering from emotional or physical neglect.
 - **Record dates and observations, consult with DLP.**

- **Consult Appendices 1 & 2.**

6. Retrospective Disclosures by adults

Although our service is for bereaved parents it is possible for anyone to be in a position where an adult might disclose abuse that took place during their childhood.

- ***It is essential to establish whether there is any risk to any child who may be in contact with the alleged abuser revealed in the disclosure.***
- ***Record the information and report to DLP without delay.***

Concerns about a child are discussed with or reported to the Tusla within 24 hours.

Reporting Procedures for Non-Mandated Persons

The DLP will make a formal report to the Tusla using the Child Protection and Welfare Report Form following the procedure detailed below.

Emergency Procedure: A child should never be left in immediate danger. If for any reason staff/volunteers are unable to contact the DLP's, everyone needs to know that they should contact the Duty Social Worker or if not available An Garda Síochána.

- Referral to the Tusla Children and Family Services Social Work Service is made using the Standard Report Form.
- Standard Report Forms can be accessed directly from Children and Family Services or downloaded from <http://www.tusla.ie/children-first/publications-and-forms/>
- If the concern is urgent and the child is in immediate danger, the report should be made by telephone and followed up with the completed Standard Report Form.
- ***Remember: The quality of the information that is provided will help influence the ability of the Social Work Service to respond.***
- In the event of an emergency and the unavailability of the Tusla Duty Social Worker An Garda Síochána should be contacted.

We recognise that it may be difficult for a member of staff, professional facilitator / volunteer to raise a child protection or welfare concern. We recognise the need to provide support to people in the organisation who report child protection or welfare concern.

If the DLP chooses not to pass on a concern raised by a member of staff, professional facilitator/ volunteer, he/she will inform them of this in writing, indicating the reasons. The DLP will advise the individual that he/she may proceed to make a report themselves and that the

provision of the Protection for Persons Reporting Child Abuse Act, 1998 will apply. The Protection for Persons Reporting Child Abuse Act, 1998 provides protection from civil liability and penalisation by an employer where reports are made to designated officers in the Tusla or to An Garda Síochána reasonably and in good faith.

Not all concerns that are raised will necessarily meet reasonable grounds for concern (see Appendix 2). Where concerns do not meet reasonable grounds for concern these will be documented, and kept confidentially and securely for future reference (see Record Keeping and CPWPH 2.7).

Where there is a concern that a child has gone missing this information will be reported to the Tusla Child and Family Social Work Services. We also recognise our responsibility to report potential risks to unidentifiable children to the Tusla Child and Family Social Work Services.

Contact details for duty social workers in all areas are available in the Child Protection & Welfare Practice Handbook

When a child protection concern is being reported to the Tusla, good practice would indicate that parents/carers should be informed about the report **UNLESS DOING SO MAY PUT THE CHILD AT FURTHER RISK**. The DLP may seek advice from the Tusla Social Work Department in relation to this. **Where appropriate, the DLP will inform the parent(s) of our intention to make a referral to the Tusla Child and Family Services.**

Reporting Procedures for Mandated Persons

Mandated persons are people who have contact with children and/or families and who, because of their qualifications, training and/or employment role, are in a key position to help protect children from harm. Mandated persons include professionals working with children in the education, health, justice, youth and childcare sectors. Certain professionals who may not work directly with children, such as those in adult counselling or psychiatry, are also mandated persons. The list also includes registered foster carers and members of the clergy or pastoral care workers or a church or other religious community. There are a number of mandated persons employed by Anam Cara, a complete list of mandated persons can be found in Appendix 3 of this document.

Mandated persons have two main legal obligations under the Children First Act 2015. These are:

1. To report, the harm of children above a defined threshold to Tusla;
2. To assist Tusla, if requested, in assessing a concern which has been the subject of a mandated report.

Section 14(1) of the Children First act 2015 states:

‘...where a mandated person knows, believes or has reasonable grounds to suspect, on the basis of information that he or she has received, acquired or becomes aware of in the course of his or her employment or profession as such a mandated person, that a child-

- a) has been harmed,

- b) is being harmed, or
 - c) is at risk of being harmed,
- he or she shall, as soon as practicable, report that knowledge, belief or suspicion, as the case may be to the Agency.'

Mandated persons are expected to inform the DLP of any report made to Tusla, and should contact the DLP for advice regarding their concern if needed.

Anam Cara would request you speak to our DLP before making direct report to Tusla unless a serious blatant incident has occurred.

If any mandated person is in doubt about whether their concern reaches the legal definition of harm for making a mandated report, Tusla can provide advice in this regard. If a concern does not reach the threshold for mandated reporting, but is felt that it is a reasonable concern about the welfare or protection of a child, it may be reported to Tusla under the Children First National Guidance 2017.

3. PROCEDURE FOR DEALING WITH ALLEGATIONS OF ABUSE

At the debrief following an Anam Cara Parent Evening if there is any concern about the welfare or safety of a child/young person who is connected to the Anam Cara group the following procedure will be followed.

- If the professional facilitator, a mandated person, feels there is reasonable grounds for concern they must inform Tusla and one of the DLPs.
- They may contact the DLP for advice.
- The professional facilitator may ring if a concern does not reach the threshold for mandated reporting, but is felt that it is a reasonable concern about the welfare or protection of a child, it may be reported to Tusla under the Children First National Guidance 2017.
- The DLP should record all concerns or allegations of child abuse brought to his or her attention, and the actions taken in relation to a concern or allegation of child abuse.

When a child protection report is being made to the Tusla good practice would indicate that a family should be informed about the report UNLESS DOING SO MAY PUT THE CHILD AT FURTHER RISK. The DLP should seek advice from the social work department in relation to this.

For concerns in relation to abuse of children/young people by people employed or volunteering within Anam Cara the procedure above will also be followed in relation to the protection of the child. However, in addition, the 'allegations' against staff and volunteers procedure' will also be followed in respect of the rights of the staff member or volunteer.

In general, it is recommended that the same person should not have responsibility for dealing with both the reporting issues and the employment issues.

1. The procedures in respect of the employee : -

- The CEO informs the employee/volunteer that an allegation has been made against him/her and the nature of the allegation
- The chairman of the Board should be informed of the allegation.
- The employee should be given an opportunity to respond. The DLP should note the response and pass on the information when making the standard report to Tusla.
- Further action should be guided by the employment contract and the rules of natural justice – the first priority is to ensure that no child is exposed to unnecessary risk. Protective measures must be undertaken (See Children First, pg. 111)
- Follow up action on the allegation/concern must be taken in consultation with the investigating agencies: Tusla and/or An Garda Síochána. After these consultations, when pursuing the question of the future position of the employee, CEO should advise the employee of the agreed procedures to be followed
- Employers should take care to maintain close liaison with Tusla and/or An Garda Síochána during the course of the investigation.

4. CONFIDENTIALITY

It is the policy of Anam Cara to keep confidential all personal information about the families and children connected to our service.

The only exception to this may be when child protection concerns arise in relation to a child. In this situation Information will be shared on a need to know basis in the best interest of the child.

Management, staff, facilitators/volunteers in this service will be advised of our confidentiality policy and required to sign up to it.

5. RECORD KEEPING

Only appropriate individuals involved with the child will have access to confidential files on a need to know basis.

Where there are child protection issues, observations/records should be kept on an ongoing basis and information shared with Tusla as appropriate.

Confidential records will be kept in a locked file in central office.

Those who will have access to these records are Clodagh Dingle & Carmel Battigan

6. CODE OF BEHAVIOUR

- Parents will be treated with dignity respect & without judgement
- Personal family information will be treated strictly confidential except where there are child protection concerns, such concerns will be brought to the DLP
- Professional boundaries will be respected

Family Days, Family Events

Anam Cara families may be invited to organised family events. Children should be under the supervision of their parent/guardian at all times, however should a child be separated from them the child will be kept safe in the company of others until they can be reunited with their parent/guardian. **Children should never be escorted alone.**

7. RECRUITMENT PROCEDURE

Anam Cara will ensure that all staff and volunteers are carefully selected by undertaking the following:-

- Devising a clear **job description** which outlines the qualifications, skills and experience needed
- **Advertising** as widely as possible using the agreed job description
- Requesting candidates to supply information on **an agreed application form**, which should include information re personal details, past and current work/volunteering experience, qualifications or skills relevant to the post
- **A declaration form** should be submitted in relation to criminal convictions - *Appendix 8*
- Two forms of **identification** including photo ID such as passport/drivers licence and a copy of a utility bill no less than 3 months old.
- Two **written references** should be supplied
 - These must be followed up with a phone call to verify that they are bone fide
 - This is also an opportunity to ascertain if there have been any concerns that have not been outlined in the written reference
- Seek **Garda vetting** in relation to all candidates, staff or volunteers

- **Interviews** should be conducted by more than one person.
- It is the responsibility of the organisation and not one individual in it to appoint staff/volunteers.
- All processes should be consistent and transparent. (i.e.: scoring sheets and feedback to candidates as appropriate)
- During interviews candidates attitudes should be clarified i.e., ethos, discipline, child protection.
- Have an **employment contract** with staff or written agreement with volunteers
- Have a **probationary period** which is written into a contract
- **Volunteers and students** should not be left unsupervised at any time.

8. INDUCTION TRAINING SUPERVISION/SUPPORT

- All management, staff, volunteers and students will receive as part of their induction input on the child protection policy
- All management, staff, volunteers etc. will be required to sign up to the child Protection policy.
- DLPs will be released to attend Health Services Executive DLPs Training and other relevant training as identified
- Regular supervision and support will be available to new and existing staff and volunteers, through one to one meetings or group meetings.

9. COMPLAINTS PROCEDURE

Anam Cara is committed to ensuring that all our communications and dealings with the general public are of the highest possible standard. We will listen and respond to the views of our stakeholders, supporters and donors so we can continue to improve .Anam Cara welcomes both positive and negative feedback. Therefore we aim to ensure that:

- It is as easy as possible to make a comment or complaint about any aspect of our operations
- Anam Cara will treat as a complaint any clear expression of dissatisfaction which calls for a response;

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- Anam Cara will treat a complaint seriously whether it is made by telephone, letter, email or in person;
- We will deal with the complaint quickly and effectively and respond accordingly - for example, with an explanation, or an apology where we have got things wrong, and information on any action taken etc.
- Anam Cara will learn from complaints, use them to improve, and monitor them at our Board as appropriate.

If you do have a complaint or comment, you can contact Clodagh Dingle in writing or by telephone. In the first instance, your complaint will be dealt with by Anam Cara's Chief Executive. Please give us much information as possible and let us know how you would like us to respond to you, providing relevant contact details.

Write to:

Clodagh Dingle,
Anam Cara Parental & Sibling Bereavement Support
HCL House,
Second Avenue
Cookstown Industrial Estate
Tallaght
Dublin 24
Contact Telephone Number: 01 4045378
Email Address: c.dingle@anamcara.ie

Anam Cara Central Office is open from Monday to Friday from 9.00 am to 5.00pm

What happens next?

If you complain in person or over the phone, we will try to resolve the issue there and then. Similarly, if you complain by email or in writing we will always acknowledge your complaint within 5 days, and do everything we can to resolve it within 21 days. If this is not possible, we will explain why and provide a new deadline

What if the complaint is not resolved?

If you are not happy with our response, you may get in touch again by writing to Anam Cara's Chairman. The Chairman will ensure that your appeal is considered at Board level and will respond within two weeks of this.

Monitoring Group

Ideally in the first instance you should address your complaint to Anam Cara as outlined above. You may however at any stage make your complaint in writing to the Charity Regulator who oversee charities compliance with the Charities Act 2009. In this instance please write to:

**Concerns About Charities,
The Charities Regulator,
Waterloo Exchange,
Waterloo Road,
Dublin 4,
Contact Telephone Number: 01 6331550
Email Address: concerns@charitiesregulator.ie**

What happens next?

You will receive confirmation of receipt of your Email. The Charity Regulator will consider complaints and will respond where deemed necessary.

10. APPENDICES

Appendix 1: Definitions and Signs and Symptoms of Abuse

NEGLECT

Definition

Where a child suffers significant harm or impairment of development by being deprived of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, attachment and affection from adults, medical care.

Some Signs & Symptoms Include

- Children persistently being left alone without adequate care & supervision
- Malnourishment, lack of food, inappropriate food or erratic feeding
- Lack of adequate clothing
- Inattention to basic hygiene
- Lack of protection & exposure to danger
- Non-organic failure to thrive
- Failure to provide adequate care for the child's medical and development problems
- Exploited, overworked

EMOTIONAL ABUSE

Definition

Occurs when a child's need for affection, approval, consistency and security are not met. Is usually found in the relationship between the care-giver and the child.

Some Signs & Symptoms Include

- Rejection
- Lack of comfort and love
- Lack of attachment
- Lack of proper stimulation (e.g. fun& play)
- Lack of continuity of care
- Continuous lack of praise and encouragement
- Serious over-protectiveness
- Inappropriate non-physical punishment
- Family conflicts and/or violence
- Inappropriate expectations of a child relative to his/her age and stage of development

PHYSICAL ABUSE

Definition

Physical abuse of a child is that which results in actual or potential physical harm from an interaction, or lack of interaction, which is reasonably within the control of a parent or person in a position of responsibility, power or trust. There may be single or repeated incidents.

Some Signs & Symptoms Include

- Bruises
- Fractures
- Swollen joints
- Burns/scalds
- Abrasions/lacerations
- Haemorrhages
- Damage to body organs
- Poisonings – repeated
- Failure to thrive
- Coma/unconsciousness
- Death

SEXUAL ABUSE

Definition

When a child is used by another person for his or her sexual gratification or sexual arousal or for that of others.

Some Signs & Symptoms Include

- Difficulty /pain passing urine/faeces
- Noticeable and uncharacteristic change in behaviour
- Hints about sexual activity
- Age-inappropriate understanding of sexual behaviour
- Unusual reluctance to join in normal activities that involve undressing
- Mood change
- Bed wetting, soiling
- Separation anxiety
- Depression, isolation, anger
- Running away
- Missing school
- Self-harm, suicide attempts, eating disorders
- Drug, alcohol, solvent abuse

Appendix 2: Reasonable Grounds for Concern

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

Appendix 3: List of Mandated Persons

| Name | Title |
|------------------|--------------------------------|
| Sharon Vard | CEO |
| Clodagh Dingle | Administrator |
| Richard Hewitt | Group Professional Facilitator |
| Dorothy Ingram | Group Professional Facilitator |
| Jannah Walshe | Group Professional Facilitator |
| Breda O'Driscoll | Group Professional Facilitator |
| Mary Mernagh | Group Professional Facilitator |
| Sheila Ryan | Group Professional Facilitator |
| Brid McGettigan | Group Professional Facilitator |
| Alve Bevan | Group Professional Facilitator |
| Kate Dornan | Group Professional Facilitator |

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| | |
|---------------------------|--------------------------------|
| Bernadette Matthews Dunne | Group Professional Facilitator |
| Kathy Kearney | Group Professional Facilitator |