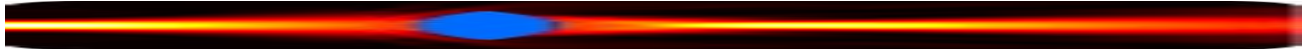
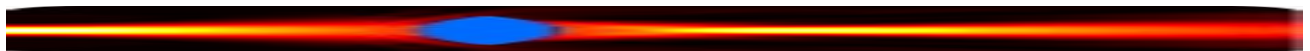


dundalk **media** centre

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CHILD PROTECTION POLICY



APPROVED BY THE MANAGEMENT COMMITTEE OF THE DUNDALK MEDIA
CENTRE LTD. JANUARY 2004

ACKNOWLEDGEMENTS:

This handbook draws on materials produced by:

- “Children First” - National guidelines for the protection and welfare of children issued by the Department of Health and Children 1999.
- “Our Duty to Care” - Principles of good practice for the protection of children and young people, issued by the Department of Health and Children 2001.
- “Safeguarding Trust – The Church of Ireland Code of Good Practice for Ministry with Children”, published 2000.
- “Child Protection Policy” – as devised by the National Youth Federation, Catholic Youth Care, City of Dublin Youth Service Board and Ógra Chorcaí.
- “Code of Ethics & Good Practice for Children’s Sport” – published by the Irish Sports Council and Sports Council Northern Ireland.
- “The SAVI Report” – The Dublin Rape Crisis Centre 2002.
- “Child Protection for the Youth Work Sector” – published by the Department of Education and Science 2002.
- “Duty to Care” - The Irish Red Cross Child Protection Policy, published 2002.
- In consultation with “Information and Advice Person for Children First” North Eastern Health Board.

COMPLIED BY:

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Table of Contents

➤ Introduction	Page 4
➤ Definitions used in this document	Page 5
➤ Principles of good practice	Page 6
➤ Ensuring good management	Page 6
➤ A model of good practice	Page 7
➤ Role of Child Protection Officer	Page 8
➤ Recruitment procedures	Page 8
➤ Services and Activities	Page 10
➤ General Safety	Page 11
➤ Activities with Children and Young People	Page 12
➤ Raising awareness about Child Abuse	Page 14
➤ What is Child Abuse?	Page 15
➤ Preventing abuse	Page 18
➤ The Persons Reporting Child Abuse Act, 1998	Page 19
➤ Disclosures of Child Abuse	Page 19
➤ Procedures for Allegation/Suspicion	Page 20
➤ Summary of Referral Report Procedure	Page 23

DUNDALK MEDIA CENTRE – CHILD PROTECTION POLICY

INTRODUCTION

In recent years we have become more aware of the problem of child abuse. New legislation has been put in place, such as the Sex Offenders Act of 2001, The Persons Reporting Child Abuse Act of 1998, Child Care Act 1991, and the National Guidelines for the protection and welfare of Children, produced by the government in 1999. These Acts are there to safeguard harm and abuse to children.

We have also seen a major shift in how voluntary and statutory organisations work and deal with children. There can be a misunderstanding as to why strict policies need to be put in place. This Policy is about good practices for children, young people, service users and adult members of the Dundalk Media Centre Ltd. Past practices within the voluntary sector of working with young people may have to be reviewed to ensure that high standards are maintained. It is necessary for children, young people and adult members to have clear boundaries and a good understanding of why Child Protection Policies exist.

Participation in the Dundalk Media Centre offers children and young people the opportunity for formal and informal education in communications, media training, personal development and community participation.

With this in mind and in line with recent National Guidelines published by the Department of Health and Children, the Dundalk Media Centre is committed to adhering to this Policy as its approved Child Protection Policy. This policy ensures good practice and high standards in working with children and young people throughout all our services.

All members are required to be familiar with this policy and anyone offering to help in a voluntary or paid role in the Dundalk Media Centre should be acquainted with the contents of this Policy.

Niall Byrne
Chair – Dundalk Media Centre January 2004

DEFINITIONS USED IN THIS DOCUMENT

A number of terms are used quite frequently in this document. In order to make sure that there is no misunderstanding the following are some definitions:

- “Child” or “Young Person” means a person less than 18 years excluding a person who is or has been married.
- “Children First”, The National Guidelines for the protection and welfare of children issued by the Department of Health and Children, 1999.
- “Our Duty to Care”, National principles of good practice for the protection of children and young people issued by the Department of Health and Children, 2002.
- “Member” means voluntary member, employed staff, including all volunteers and temporary workers, paid employees - in fact all who, at times, share in the work of the Dundalk Media Centre.
- “The Child Protection Officer” means the person appointed to oversee the implementation and use of the policy.
- “The Act” refers to The Persons Reporting Child Abuse Act, 1998.
- “Statutory Authorities” refers to the Health Boards who are the statutory body responsible for the safety and welfare of children and the Garda Síochána who are empowered under legislation to investigate these matters
- “Sex Offenders Act” refers to the Sex Offenders Act 2001.

PURPOSE OF CHILD PROTECTION POLICY

Many children and young people visit the Dundalk Media Centre premises for training, radio production and media activities and for other educational purposes each week. Children also avail of media training and services through formal and informal education sectors.

This Policy is designed to enable all parties within the Dundalk Media Centre to fulfil their proper responsibilities within this work:

- to encourage safe and good practices for those who work with children;
- to prevent the physical, sexual, emotional and neglectful abuse of children;
- to set out the appropriate responses and procedures in the event of abuse taking place;
- to endeavour to protect those who work with children from the consequences of unfounded accusations.

PRINCIPLES OF GOOD PRACTICE

A number of principles of good practice have been set out in Children First and Our Duty to Care. These principles state that all voluntary organisations should:

- acknowledge the rights of children to be protected, treated with respect, listened to and have their views taken into consideration;
- adopt the safest possible practices to minimise the possibility of harm or accidents happening to children and protect members from risk taking and leaving themselves open to accusations;
- adopt and consistently apply a safe and clearly defined method of recruiting, assessing and selecting staff and volunteers;
- provide child protection training for members. This should clarify the responsibilities of both organisations and individuals, and clearly show the procedures to be followed if child abuse is suspected;
- develop a policy of openness with parents that involves consulting them about everything that concerns their children, and encouraging them to get involved with the organisation wherever possible;
- remember that a child's age, gender and background affect the way they experience and understand what is happening to them;
- ensure that training, programmes, instruction and projects are age appropriate as well as managed and carried out to high quality standards;
- ensure that members observe the boundaries between working relationships and friendships with young people since the breaching of boundaries often marks the beginning of inappropriate behaviour;
- appoint a 'Designated Child Protection Officer' who will provide any necessary information to the organisation, and any member who has child protection concerns, and who will also liaise with relevant outside agencies.

ENSURING THE GOOD MANAGEMENT OF CHILD PROTECTION

The Management Committee and the Child Protection Officer will be responsible for the implementation and overview of the Policy and the provision of advice.

The Dundalk Media Centre offers encouragement to all members engaged in work with children/young people. The Dundalk Media Centre is committed to providing high standards in its work with children and young people. This involves considering questions such as:

- What support and training do we give to our members who provide training and services to young people?
- Are our members clear about what their roles are?
- Are our members suitable for the position of responsibility they have?

- Are our programmes suitable for the target age group?
- Who actually has access to children whilst they are in our care?
- How many adult members should there be working with a particular group?
- Are our premises safe and have Health and Safety policies been put in place?
- Do our members know what to do when child abuse is alleged or suspected?
- Are there regular opportunities for our members to talk about and update themselves on these issues?

A MODEL OF GOOD PRACTICE

The Dundalk Media Centre is a new and emerging community organisation. With recent shifts in the way youth development and care of children is exercised, the Dundalk Media Centre is obliged to ensure good practice and high standards are properly maintained. Therefore, ensuring that its members are fully aware of good practices, is paramount. These good practices include:

- Creating an environment in which children are valued, encouraged and affirmed, have their rights respected and are treated as individuals.
- Valuing members and insisting on safe practices, eliminating the need for members to take risks and providing them with support and professional training.
- Ensuring the Dundalk Media Centre, as a provider of instruction and development to children, will work, to clearly defined practices, to ensure standards of good practice and management are retained at all levels of the organisation.
- Ensuring that premises and equipment of the Dundalk Media Centre adhere to Health and Safety standards. This includes heating, ventilation, washrooms, fire precautions, access to a phone and insurance.
- Working with children and young people is part of the services of Dundalk Media Centre. The Dundalk Media Centre can be *legally liable if they neglect their duty* to take reasonable care, or fail to take the necessary steps to protect children where allegations of abuse are made.
- Training in “Duty to Care” is important for all members who have access to young people and children. The Manager of Dundalk Media Centre should ensure that all new members are provided with training.
- Following thorough selection procedures when recruiting members for the Dundalk Media Centre who will have access to young people. Ensuring that members can regularly avail of supervision and opportunities to raise any questions that they may have.

ROLE OF CHILD PROTECTION OFFICER

In accordance with Children First the Dundalk Media Centre has appointed a Designated Child Protection Officer (CPO). The role of the Child Protection Officer includes:

1. Seek that adequate information, training and advice on child protection is provided to the organisation and its members.
2. Being an immediate contact point for members when an allegation, complaint or suspicion of child abuse is made about a member or is related to children in the activities of the Dundalk Media Centre.
3. Advising on good practice relating to training, activities and services involving young people.
4. Maintaining proper records of all membership forms and on all cases referred to him/her in a secure and confidential manner.
5. Liaising with Health Boards and other statutory agencies in relation to child protection issues.
6. Being kept up to date with current developments of provision, practice, support services, legal obligations, requirements and policy in relation to child protection issues.
7. Networking with voluntary/community organisations in developing child protection issues.
8. Interviewing and selecting persons willing to serve as members who will have access to children.

The Management Committee has a number of responsibilities in respect to this Policy. These include matters such as; insurance, the safety of the buildings, transport, equipment being used, and encouraging and supporting training for members who have access to children and young people.

Should you have a concern, which you feel is the responsibility of the Management Committee to deal with, you should bring it to the attention of the Chairperson of the Committee.

RECRUITMENT PROCEDURES

The recruitment procedure must assist us in identifying whether the applicant is suitable and competent for the task that they apply to undertake and it must also act as a means by which we can identify further training needs of any such applicant.

The information supplied by the applicant and any other information supplied on their behalf should only be seen by persons directly involved in the recruitment procedure i.e. Manager and the Child Protection Officer.

1. **Anyone wishing to work** with children/young people in the Dundalk Media Centre whether in a temporary or permanent role, in a paid or voluntary capacity shall:
 - (a) attend an interview conducted by the Child Protection Officer and the Manager, as well as sign a declaration to the effect that he/she has not been investigated, charged or convicted of any offence* relating to children and that there is no reason why they would be deemed unsuitable to have access to children. And/or that he/she is not at present subject to any investigation or possible charge which would deem them unsuitable for having access to children;
 - (b) give a written commitment to comply with the Dundalk Media Centre Child Protection Policy, and shall undertake all relevant training made available to him/her;
 - (c) provide adequate, relevant and satisfactory written references and documents confirming their identify (photo ID passport/drivers licence).

*Obliged under Sex Offenders Act 2001

2. **Anyone working with** children/young people in the Dundalk Media Center whether in a temporary, paid or voluntary capacity:
 - (a) shall report to the Child Protection Officer any suspicion or misgivings he/she may have concerning inappropriate behaviour or circumstances affecting children within the Dundalk Media Center and must co-operate in reporting the details to the appropriate statutory authorities. (In the event of the Child Protection Officer being accused the report should be made to the Manager);
 - (b) should ensure as far as is reasonably practicable that he/she is not left alone with a child;
 - (c) should not arrange to meet a child alone off Dundalk Media Centre premises in connection with Dundalk Media Centre affairs without a parent, guardian or other adult being present;
 - (d) should never permit as far as is reasonably practicable a group to be taken off Dundalk Media Centre premises with fewer than two adults and without the knowledge/approval of their parents or guardian. In the case of residentials with young people prior written consent is required from parents/guardian.
 - (e) shall have a basic knowledge of the nature and signs of child abuse as outlined on pages 15-17;
 - (d) should know how to respond should a child make a disclosure/allegation of abuse;

DUNDALK MEDIA CENTRE SERVICES

The Dundalk Media Centre provides a number of services to young people. Most of these services involve the active participation of children and young people. The principles of good practice outlined on page six must be consulted and followed at all times. The following information is provided to advise members in relation to specific services.

Media Training/Instruction

Dundalk Media Centre members providing training/instruction to children/young people must endeavour to ensure that they do not put themselves in a position which could be misconstrued. Members should always provide training/instruction to children/young people in the company of another person.

When demonstrating techniques/procedures that involve body contact, care should be taken that the young person is not put in a position that is embarrassing or difficult for them. Such techniques must never be demonstrated while alone with a child. Consent must always be obtained from the young person prior to instruction which may involve body contact.

Members of Dundalk Media Centre, while providing instruction/training at primary, post primary schools and other venues where young people are present, should also adhere to any policies developed by that school/authority. In addition, members should ensure that at all times a teacher/leader is present when instructing pupils. At no stage is it appropriate for a member to take responsibility for supervision of a classroom/youth group. Members should ensure that they are not in a position which could be misconstrued as inappropriate behaviour.

Private cars

Best practice would suggest avoiding transporting a child/young person on your own. Try to ensure another adult member is present with you in the vehicle or other children/young people are with you. Do not overcrowd the car, as this will invalidate the insurance. Private cars cannot be used for hire or carrying passengers for reward.

GENERAL SAFETY

Safety is of prime importance during any activity. This is not only the responsibility of the Instructor/Trainer in charge but of every participant. Members of Dundalk Media Centre should be aware of the following guidelines.

- (a) Always have a quick initial look around the premises you are about to use to identify any possible dangers e.g., a stack of chairs which could topple, an electric cable which could trip etc.
- (b) Be aware of the location of fire exits and ensure that they are not obstructed. Occasional fire drills should be conducted to ensure that all young people know what evacuation procedures to follow in the event of a real fire. Know where the nearest fire extinguishers are located. In the event of a fire, evacuating the building and saving life is much more important than fighting a fire.
- (c) Know where the nearest accessible telephone is. A telephone should, where possible, be installed on the premises for safety purposes.
- (d) Ensure that there is proper first aid equipment and trained personnel present at all times.
- (e) There should be adequate supervision given by an Instructor/Trainer of certain equipment e.g. video camera, lighting equipment, recording deck etc.
- (f) During games/group activities be aware of the risks of physical injury and guard against these.
- (g) Areas where maintenance work is taking place should be strictly out of bounds.
- (h) Know where the accident report book is kept, in which you should record details of accidents/injuries/witnesses/date.

GROUP CONTRACT

In every aspect of voluntary organisations, they function best where clear guidelines and structures are laid out. A good working practice with any youth group is to form a contract, which clearly states how the group will function, and establishes agreed boundaries within the group.

Such a contract will help to create a safe, secure environment and an atmosphere where children and young people will feel that they can confide in their Instructors/Trainers. The contract should be drawn up with the group participants. The following is an outline of what could be included:

- respect the authority and responsibility of the adult members/instructors;
- respect the views and feelings of other members of the group;
- respect the right of every group member to express their own view/opinion;
- respect the right of every group member to be heard/listened to;

- respect both Instructors' and other group members' privacy, property and equipment;

ACTIVITIES WITH CHILDREN AND YOUNG PEOPLE

Meetings/Training

It is not recommended to have private meetings/interviews/training sessions with individual children/young persons. The use of 'engaged' signs or lights is not advisable. For instances of disruptive behaviour, which require a member's intervention, a record should be documented in a report book. The report should include:

- i) what happened and who was involved
- ii) where and when it happened
- iii) what was said if significant, and any injury to person or property
- iv) how the situation was resolved and signed by the member making entry

In some cases there may need to be a referral made to the Health Board or Gardai following an incident e.g. attempted suicide, talk of suicide, aggressive behaviour in which another person or young person themselves is hurt.

Physical contact

- (a) As a general principle members are advised not to make unnecessary physical contact with children/young people. This is particularly the case with children of secondary school age and maturing children of primary school age. Members should never physically punish or be in any way verbally abusive to a young person.
- (b) Physical contact, which may be misconstrued, by a child/young person, parent or other casual observer should be avoided. Such contact can include well-intentioned informal gestures such as putting a hand on the shoulder or arm, which if repeated with an individual, could be misconstrued, as well as more obvious and more intimate contact, which should never occur.
- (c) There may be occasions when a distressed child/young person needs comfort and reassurance which may include physical comforting such as a caring parent would give. Members should use their discretion in such cases to ensure that what is seen by others present to be, normal and natural does not become unnecessary and unjustified contact, particularly with the same child over a period of time and never when alone with a child.
- (d) Some members are likely to come into physical contact with children from time to time in the course of activities, for example when demonstrating media techniques or the use of a piece of apparatus. Members should be aware of the limits within which such contact should properly take place and of the possibility of such contact being misinterpreted. Ask the child's consent and explain what you are doing with the equipment.

- (e) Following any incident where a member feels that his/her actions have been or maybe misconstrued, a written report of the incident should be submitted immediately to the person to whom he/she is accountable/reports. This would apply especially in a case where a member had been obliged to restrain a child physically to prevent him/her from inflicting injury to others or themselves. Ensure that the Child Protection Officer is informed of the situation and is given a copy of the report.

Relationships and Attitudes

Members should ensure that their relationships with those in their charge are appropriate, taking care that their conduct does not give rise to talk or speculation. Attitudes, demeanour and language all require care, particularly when members of either sex are dealing with adolescent boys and girls.

Minimum ratios with adults and children

For children aged **under seven**, the child/adult ratio should be:

up to eight children - two adults (at least one of either sex) plus one additional adult for every eight following children, i.e.

eight children : two adults

nine to sixteen children : three adults

seventeen to twenty-four children : four adults

For children aged **seven and upwards**, the ratio should be :

up to eight children - two adults

one additional adult for every twelve extra children, i.e.

eight children : two adults

nine to twenty children : three adults

Special circumstances must be taken into account, and the number of adults increased as necessary.

RAISING AWARENESS ABOUT CHILD ABUSE

Good child protection practice means that members know how to recognise child abuse. This does not mean that they are responsible for deciding whether or not abuse has taken place, but they have a responsibility to be alert to behaviour by children or members, which suggests that something is wrong.

Child abuse occurs when the behaviour of someone in a position of greater power than a child causes the child harm.

Children can be abused in a number of ways. The four main categories of abuse are:

1. Physical abuse
2. Neglect
3. Emotional abuse
4. Sexual abuse

Abuse may take the form of taking away basic rights, harsh punishments or overuse of medications or physical restraints.

Members should be on the alert for other forms of behaviour that may be harmful to children. The following behaviours are unacceptable for either members or children:

- **Verbal abuse:** this may include name calling, sarcasm, making reference to some physical characteristic, destructive criticism, derogatory remarks and gestures.
- **Bullying:** this includes repeated aggression be it verbal, psychological or physical, which is conducted by an individual or group against others. Examples include teasing, taunting, threatening, hitting and extortion.
- **Unwelcome behaviour:** this can include favouritism, exclusion, sexual harassment and sexual innuendo, humiliating and embarrassing others.
- **Consumption** of alcohol, misuse of any substance or stimulant and smoking within the confines of the group building or during group activities. This can *invalidate the insurance policy of the Dundalk Media Centre.*

WHAT IS CHILD ABUSE?

There are four main categories of child abuse. The following information includes a definition for each category heading and some of the signs and symptoms within this category.

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

- (i) shaking
- (ii) use of excessive force in handling
- (iii) deliberate poisoning
- (iv) suffocation
- (v) Munchausen's Syndrome by Proxy **
- (vi) Allowing or creating a substantial risk of significant harm to a child

Symptoms may include:

- unexplained recurrent injuries or burns
- improbable excuses or refusal to explain injuries
- self-destructive tendencies
- fear of physical contact, a shrinking back if touched

*** This is a condition where a parent, usually the mother, fabricates stories of illness about their child or causes physical signs of illness.*

NEGLECT can be defined in terms of an omission, where a child suffers significant harm or impairment of his/her health or development by being deprived of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, attachment to and affection from adults, medical care.

Neglect generally becomes apparent in different ways over a period of time rather than at one specific point. For instance, a child who suffers a series of minor injuries is not having his or her needs met for supervision and safety. A child who consistently misses school may be being deprived of intellectual stimulation.

Symptoms may include:

- constant hunger
- inadequate clothing
- constant tiredness
- poor personal hygiene

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

- (i) the imposition of negative attributes on children, expressed by persistent criticism, sarcasm, hostility or blaming;
- (ii) conditional parenting in which the level of care shown to a child is made contingent on his or her behaviour or actions;
- (iii) emotional unavailability by the child's parent/carer;
- (iv) unresponsiveness, inconsistent, or inappropriate expectations of the child;
- (v) premature imposition of responsibility on a child;
- (vi) unrealistic or inappropriate expectations of the child's capacity to understand something or to behave and control himself in a certain way;
- (vii) under or over – protection of the child;
- (viii) failure to show interest in, or provide age-appropriate opportunities for, the child's cognitive and emotional development;
- (ix) use of unreasonable or over-harsh disciplinary measures;
- (x) exposure to domestic violence.

Symptoms may include:

- delays in physical, mental and emotional development
- continual belittling of oneself
- over-reaction to mistakes
- extreme fear of any new situation
- inappropriate response to pain
- neurotic behaviour

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

- (i) exposure of the sexual organs or any sexual act intentionally performed in the presence of a child;
- (ii) intentional touching or molesting of the body of a child whether by a person or object for the purpose of sexual arousal or gratification;
- (iii) sexual intercourse with a child;
- (iv) sexual exploitation of a child;
- (v) consensual sexual activity involving an adult and an underage person. In relation to child sexual abuse, it should be noted that, for the purposes of the criminal law, the age of consent is 17 years. This means, for example, that sexual intercourse between a 16 year-old girl and her 17 year-old boyfriend is illegal, although it might not be regarded as constituting child sexual abuse.

Symptoms may include:

- detailed or age-inappropriate understanding of sexual behaviour, including drawing sexually explicit pictures, sexual play with peers or toys or use of sexually explicit language;
- being overly affectionate in a sexual way towards peers, older children or adults;
- excessive fear of adults or displaying apprehension or withdrawn behaviour or conversely very aggressive behaviour;
- regression to younger behaviour patterns, e.g. thumb sucking, or displaying disturbed patterns of behaviour, onset of nightmares, bedwetting, loss of appetite or compulsive eating;
- unusual reluctance to join in normal activities involving the removal of clothing, e.g. swimming;
- self-mutilation, eating disorders, suicide attempts, running away.

REMEMBER

It is very important to recognise that many of the symptoms listed under each type of abuse could have explanations other than that of abuse. If, however, a child/young person exhibits a number of the symptoms listed and/or if certain patterns of behaviour emerge, then there may be good reason for suspecting abuse. Where there is a suspicion, you should follow the guidelines contained in this document.

Recognising child abuse is not easy and should therefore be left to those with the necessary skills and training, i.e. Health Board child protection and welfare professionals. It is the function of the Statutory Authorities to carry out a comprehensive report.

All investigations of accusations and child protection concerns must be left to the Statutory Authorities.

WHY DO ADULTS ABUSE CHILDREN?

Nobody really knows what causes people to abuse children and young people. It can be a wide range of different reasons - stress, problems, unhappy circumstances, the feeling of having no power in adult relationships, and perhaps having been abused as a child.

Children in certain situations are especially vulnerable to abuse. These include children who, for short or long periods, are separated from parents or other family members and depend on other adults for their care and protection. Children with disabilities may also be more at risk as the nature of their disability sometimes limits communication between themselves and others. Some adults may convince themselves that there is nothing wrong with their behaviour, or that it is for the child's own good. But whatever the reason abuse is always wrong, and *it is never the child's fault* (Our Duty to Care).

PREVENTING ABUSE

Children, who may be dependent and vulnerable, could be more susceptible to abuse in its various forms. The Dundalk Media Centre is committed to ensuring good practice, and high standards exist in its work and care with all children and young people. Therefore in order to prevent abuse, the following are of priority:

- Exclusion of known abusers
- Training of all members in Child Protection Policy
- Following the Model of Good Practice
- Reporting any suspicious person or known offender attempting to make contact with children to the statutory authorities.

In the event of an accident or the occurrence of child abuse in the course of Dundalk Media Centre activities and services it is reasonable in the current climate to assume that litigation may follow and that the Dundalk Media Centre may be liable for damages. It is therefore best practice for the Dundalk Media Centre to maintain good practices and high standards and demonstrate that 'reasonable care in all the circumstances' was taken. The Dundalk Media Centre is committed to ensuring that its work in this area is managed and supervised in accordance with the principles set out in this Policy.

Any suspicion that abuse has occurred within Dundalk Media Centre activities must be conveyed to the Duty Social Worker in the Community Care area of the Health Board. The Child Protection Officer is the contact person for this procedure. All allegations or suspicions of abuse must be taken seriously and responded to according to the procedures outlined in this Policy having regarded the need to protect children and to safeguard those who work with children from the consequences of unfounded accusations.

THE PERSONS REPORTING CHILD ABUSE ACT, 1998 (THE 1998 ACT)

The above Act advises that a person shall not be liable to damages, who **in good faith and acting reasonably** reports in writing or otherwise to an appropriate person* an opinion that

(a) a child has been or is being assaulted, ill-treated, neglected or sexually abused

or

(b) a child's health, development or welfare has been or is being avoidably impaired or neglected.

This Act provides immunity from civil liability to persons who report child abuse in good faith.

A person, who reports an opinion **in bad faith**, knowing that statement to be false, shall be subject to criminal sanction i.e. a fine or imprisonment or both.

* **appropriate person means an appropriate person as defined in the 1998 Act - a designated officer of a Health Board (local based social worker) or a member of the Garda Síochána.**

DISCLOSURES OF CHILD ABUSE

Work within the Dundalk Media Centre can provide an environment, which encourages security, confidence, and trust, which thereby enables young people to share their concerns. A young person will carefully select the recipient of his/her disclosure and the person chosen will be the one who is trusted and in whom they have confidence.

Child abuse might also come to light because someone sees it happening. However, this does not always happen, and it is often a question of someone feeling uneasy and concerned about a child, and needing to find out more. It is of utmost importance that allegations are handled in a sensitive and discreet manner and anyone responding to a child making an allegation should take the following into consideration:

- Listen carefully and attentively to the child;
- Take what the child says earnestly;
- React in a calm manner as over-reaction may intimidate the child and increase any feelings of guilt or anxiety that he/she may have;
- Reassure the child that it was right to tell someone what happened;
- Conversation should be supportive and for the purpose of clarification. Never ask leading questions, do not seek immediate details beyond those volunteered by the child. Such

questions could complicate the official investigation by the Health Board;

- Do not express any opinions about the alleged abuser to the person reporting to you;
- Do not confront the abuser;
- Reassure the child, but don't promise to keep it a secret;
- Explain and make sure the child understands what needs to be done next;
- Record the discussion as carefully as possible (see standard reporting form page)
- Make immediate contact with the Child Protection Officer who will advise you on what measures to take, and who will report to the appropriate authorities if in its remit to do so.

The one option that is not available is to do nothing

PROCEDURES TO BE USED WHERE THERE IS AN ALLEGATION OR SUSPICION OF CHILD ABUSE

Dundalk Media Centre shall report an allegation or suspicion of child abuse if:

- the Dundalk Media Centre has a legal interest in receiving the report:- i.e. The report relates to a member of the Dundalk Media Centre and concerns an activity/service of Dundalk Media Centre.
- some act or event, which has occurred on or off Dundalk Media Centre premises involving any Dundalk Media Centre member while carrying out a function/service of the Dundalk Media Centre.
- the Dundalk Media Center has a obligation of duty to care for the child. ____
- that there is a real danger that the child would suffer abuse if it did not report.

Reports will be made if Dundalk Media Centre can reasonably, and in good faith, form an opinion that abuse may have taken place.

Guiding Principles

- The safety and well being of the child or young person must take priority
- Reports should be made without delay to the health board, or in the case of an emergency to the Garda Síochána
- While the basis for concern must be established as comprehensively as possible, children or parents should not be interviewed in detail about the suspected abuse

Reasonable grounds for concern of Child Abuse

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

Once an individual becomes aware of or suspects child abuse, he/she shall immediately:

- (a) keep a factual, confidential record of relevant observations, discussions and actions. This record should be signed, dated and stored in a secure place and should be kept in or transferred to the standard report form

and
- (b) contact the Child Protection Officer who will then advise on the appropriate action to be taken. This may include the direct reporting of the allegation to an appropriate person as defined in the 1998 Act.

The consequences of failing to report an allegation or suspicion could far outweigh the risk of being wrong and might have very serious consequences for the child concerned. It cannot be stressed enough that the welfare of the child must always be your first priority.

If the Child Protection Officer is the subject of allegations, complaints or suspicions these should be reported to the Manager of Dundalk Media Centre who will, if appropriate, report to a person as defined in the 1998 Act.

NB. An allegation must be assessed promptly and in good faith.

CONFIDENTIALITY AND FAMILIES OF ABUSED CHILDREN

Confidentiality is key to this process. It must be maintained in respect of all issues and people involved in concerns about child abuse. It is imperative that all information is treated in a careful and sensitive manner and should be discussed only with those who need to know (e.g. Child Protection Officer, the Health Board and Garda Síochána). All written records should be filed securely. You will find that statutory child protection procedures are child centred. This means that in all investigations the welfare of the child is the paramount consideration.

A full guarantee cannot be given that information received in relation to a suspicion or concern of child abuse will be kept absolutely confidential. However, every effort will be made to preserve the identity of persons or organisations providing the information.

It is usual for the Health Board to keep an individual organisation advised in relation to the progress of such cases. Where such information is not forthcoming updates from them can be sought but there is no legal obligation on Health Boards to provide such updates.

Contact with the victim's family

The Child Protection Officer reporting suspected or actual child abuse to the Statutory Authorities should first inform the family of the child/young person (victim) of their intention to make such a report, **unless doing so would endanger the child or undermine an investigation.**

When a suspicion is not referred to the Statutory Authority

In situations where the Child Protection Officer decides that inadequate grounds exist and that it should not refer reported concerns to the Statutory Authority, the individual who raised the concern should be given a clear written statement of the reasons why the action is not being taken. The individual should be advised that, if they remain concerned about the situation, they are free to consult with, or report to, the Statutory Authority. The individual should be advised of the protection afforded to them by the 1998 Act._

Members Accused

Any individual who has an allegation made against them has a right to be notified of the cause of concern. This is a matter which will need careful consideration and **should be undertaken in consultation with the Statutory Authority** who will suggest suitable actions that could be taken.

If the Statutory Authority is to carry out an investigation it is recommended that the member be withdrawn from direct contact with young people or be suspended from Dundalk Media Centre. The Child Protection Officer will inform the Manager and the Chairperson of the situation, and confirm that a report has been made to the Statutory Authority. The Manager and Chairperson will then remove/suspend the accused member from the Dundalk Media Centre as appropriate. It is recommended that no immediate contact be made with members of the media/press.

During this period the member accused should make no effort to communicate with the person who made the allegation or with any child named in the allegation. The Dundalk Media Centre recognises that each member has a right in natural justice to be presumed innocent until proven guilty. The Dundalk Media Centre also recognises that for a person innocent of any allegation made against them the whole experience can be extremely demanding personally and professionally.

Once the Dundalk Media Centre has established that the member accused acted responsibly at all times within the guidelines of this Policy the Dundalk Media Centre will decide if it is appropriate for the organisation to provide provision for external support services to be accessible to the member accused. The Chairperson of Dundalk Media Centre in consultation with the Manager and the Child Protection Officer should take all necessary steps to ensure that activities can be carried on, with a minimum of disruption, after receiving advice and instructions from the Statutory Authorities.

SUMMARY OF THE REFERRAL PROCEDURE

1. Allegation/suspicion/concern noted.
2. Immediately inform the Child Protection Officer who will assess the allegation.

The Child Protection Officer is:

Niall Byrne Phone 086 2459326

Alan Byrne Phone 042 9357496

3. The Child Protection Officer if appropriate, reports to the Statutory Authorities. If reporting is to proceed then the Child Protection Officer will strive to first inform the family of the child/young person (victim) of their intention to make such a report, **unless doing so would endanger the child or undermine an investigation.**

Duty Social Worker, Community Care Offices, Dublin Road, Dundalk.

Telephone Number 042 9332287

Health Board offices are open 9.30 am - 5.00 pm Monday to Friday.

Outside of these hours:

Garda Síochána, The Crescent, Dundalk.

Telephone Number 042 93 35577

4. The Child Protection Officer will follow the advice given by the duty social worker/Garda Síochána.

NOTE

Remember the task of deciding whether or not abuse has occurred rests with the statutory authorities