
Child Protection Policy

SER Family Support Network

Approval date: 26/06/2014

Revision date: 26/11/18

1. Responsibility for approval of policy	Management committee
2. Responsibility for implementation	<i>Staff role</i>
3. Responsibility for ensuring review	<i>Staff role</i>

Introduction

The SER Family Support Network is fully committed to safeguarding the well-being of children by protecting them from physical, sexual and emotional harm and neglect. The SERFSN accepts that in all matters concerning child protection, the welfare and protection of children is paramount. Although SERFSN does not directly provide services to or work with children, we do as an organisation work with adult family members. We recognise that problem substance use in a family can be a circumstance that presents a risk of vulnerability of a child, or the family of a child, that is seen to impact negatively on the child's health, development and welfare, and that warrants assessment and support and so it is considered important that we are fully compliant with all relevant child protection guidance and legislation

1. Child Protection Policy Statement

This policy document has been created with reference to:

- Children First National Guidance 2017 • Child Protection and Welfare Practice Handbook
- The Interim Guide for the Development of Child Protection, Welfare Policy, Procedures and Practices
- Our Duty to Care: The principles of good practice for the protection of children and young people.

1.2 Responsibility In Developing Child Protection Policy

The SER Family Support Network has a responsibility to ensure that the following elements are included:

- i. clear descriptions of responsibility both individual and organisational,
- ii. organisation and management arrangements, as well as procedures for child protection, expectations of best professional practice, iv. arrangements for training and support of employees/volunteers.

1.3 Child Protection Policy Aim SERFSN Safeguarding Policy Aim is to:

- i. ensure best practice in the recruitment of employees/volunteers, which includes Garda vetting, taking up of references, good HR practices in interviewing, induction training, probation and on-going supervision and management;
- ii. ensure that employees/volunteers are aware of how to recognise signs of child abuse or neglect;
- iii. provide guidance and procedures for employees/volunteers who may have reasonable grounds for concern about the safety and welfare of children involved with the organisation.
- iv. identify a Designated Liaison Person (and Deputy) (DLPs) to act as a liaison with outside agencies and a resource person to any staff member or volunteer who has child protection concerns. The DLPs are responsible for reporting allegations or suspicions of child abuse to Tusla (the Child and Family Agency) or to An Garda Síochána

- 1.1. SER Family Support Network aims to be fully compliant with the standards outlined in *Children First Act 2017: National Guidelines for the Protection and Welfare of Children: 2011*.
- 1.2. The SERFSN believes that child protection is everyone's responsibility and that it is the policy of the organisation to promote and protect the welfare of children. The SERFSN
- 1.3. This policy is structured on the *Child Protection and Welfare Practice Handbook, 2011*, which is a reference document to support skilled practice in relation to child protection. This policy is not a complete or authoritative statement on the law. Services / staff members should consult with *Children First* and relevant legislation as indicated in this document where required.

2. Purpose

- 2.1. The Department of Health and Children guidelines on protecting children place clear duties on service providers to protect children from abuse and neglect. It is therefore the responsibility of SER Family Support Network to report any concerns about physical, emotional, sexual abuse or neglect to Tusla or the Gardaí.
- 2.2. This policy should be read in conjunction with the following policies: Garda Vetting; Code of Practice ..

3. Scope

- 3.1. This policy applies to all staff, volunteers, and locums under the banner of SER Family Support Network It also includes people from other agencies conducting in reach services in SER Family Support Network for the time they are on the premises.
- 3.2. This policy covers Child Protection only, and does not provide guidance for service provision to Under 18's. Please see U18 Service Provision Policy for further information.
- 3.3. Where any Board member, staff member, contract worker, volunteer or student becomes aware of an act of non-compliance with this policy, they have a responsibility to address the issue with the person concerned and if there is not a satisfactory outcome to bring it to the attention of a manager or the CEO as appropriate.
- 3.4. SER Family Support Network will endeavour to support positive working relationships with local HSE child protection services through regular meetings / interagency training / other.

4. Glossary of Terms and Definitions

Section 1.4 of *The Child Protection & Welfare Practice Handbook 2011* provides guidelines on definitions and recognition of child abuse (pg 10): (note, comprehensive updated definitions of same can be found in *Children First, 2011*)

- 4.1. Physical abuse: where it is known or suspected that injury was deliberately inflicted.
- 4.2. Sexual abuse: the use of children by others for sexual gratification. This can take many forms and includes rape and other sexual assaults, allowing children to view sexual acts or to be exposed to, or involved in, pornography, exhibitionism and other perverse activities.
- 4.3. Emotional abuse: adverse effects on behaviour and emotional development of a child caused by persistent or severe emotional ill treatment or rejection or exposure to on-going domestic violence.
- 4.4. Neglect: the persistent or severe neglect of a child whether wilful or unintentional which results in serious impairment of the child's health, development or welfare.

5. Children First Principles

- 5.1. The welfare of the child is of paramount importance.
- 5.2. A balance must be struck between protecting children and respecting the needs of parents/carers and families. Where there is a conflict, the welfare of the child must come first.
- 5.3. SER Family Support Network recognises that every child has the right to be safe at all times, and to be treated with respect and understanding. Taking account of their age and level of understanding, children should be consulted and involved in relation to all matters that affect their lives. To that end their concerns must be heard and taken seriously.
- 5.4. Early intervention and family support should be available to promote the welfare of the child.
- 5.5. Parents / carers have a right to respect and should be consulted and involved in matters which concern their family.
- 5.6. Actions to protect the child, including assessment should not cause the child unnecessary stress.
- 5.7. Intervention should not deal with the child in isolation; the child must be seen in a family setting.
- 5.8. The criminal dimension of any act cannot be ignored.
- 5.9. Children should only be separated from their parents/carers when all other means have been exhausted. Re-union should always be considered.
- 5.10. All agencies and disciplines concerned with the protection and welfare of children must work cooperatively in the best interest of children and families.
- 5.11. Effective child protection involves compulsory training and clarity of responsibility.

6. Staff Training

- 6.1. A copy of *Children First 2011* will be made available to all staff and will be available at all times in the offices at Edmund rice Y & C Centre, Manor Street. It is the responsibility of all staff to have read and understood these national guidelines. This can also be downloaded from: http://www.dcy.gov.ie/documents/child_welfare_protection/ChildrenFirst.pdf
- 6.2. All staff will be offered training in child protection if they have not already received training from either an HSE training session or from the Child Protection Officer (CPO) within the organisation.
- 6.3. Management Committee of the SER Family Support Network will ensure that all staff is kept up to date with this training.
- 6.4. Staff & volunteers are required to follow all procedures within this policy.
- 6.5. Adequate safeguards for vetting, hiring and inducting appropriately qualified staff will be employed as per the Recruitment and Selection Policy, the Induction Policy and the Garda Vetting Policy.
- 6.6. SER Family Support Network recognises that dealing with child protection can be distressing; staff will be appropriately supervised and supported around Child Protection issues as per this and the Supervision Policy.

7. Confidentiality

- 7.1. No undertaking regarding secrecy can be given in any situation. The SER Family Support Network's Confidentiality Policy contains clear guidance in regard to extensions of confidentiality regarding issues relating to Child Protection. The confidentiality policy takes accordance of Children First, which states; *"the provision of information to the statutory agencies for the protection of a child is not a breach of confidentiality or data protection"* (p16). The SER Family Support Network policy states that confidentiality may be extended when a service user discloses that:
 - 7.1.1. They have perpetrated sexual / physical abuse on another person.
 - 7.1.2. They intend to perpetrate sexual / physical abuse on another person.
 - 7.1.3. Any other issues in relation to Child Protection, as described in Children First.
- 7.2. If the report has been made through a third party, the staff member receiving the report should facilitate contact between the person reporting the concern and the CPO and subsequently Tusla Children and Family Services. If, however, contact is not facilitated, for whatever reason, the concerns reported via the third party must be reported as per this policy.

8. Reporting A Concern

- 8.1. Designated Child Protection Officer
 - 8.1.1. SER Family Support Network has a designated staff member(s) in the role of Child Protection Officer (CPO). The CPO is Breda Fell, Coordinator. Their duties are:
 - 8.1.1.1. To ensure that procedures and arrangements are in place within the organisation to protect children in line with national guidelines.
 - 8.1.1.2. To act as a liaison with statutory services in matters relating to child protection
 - 8.1.1.3. To act as a resource person to the volunteers of the project, providing guidance in matters relating to child protection
 - 8.1.1.4. Take the lead role in ensuring the reporting and follow-up of referrals to the Tusla / Gardaí, and ensuring that SER Family Support Network procedures are followed systematically and thoroughly.
 - 8.1.1.5. To ensure the provision of support / ensure staff making a referral receive appropriate support from line management.
 - 8.1.1.6. To promote opportunities for on-going practice discussion in relation to child protection practice.
 - 8.1.1.7. To ensure proper records are kept on any interventions / decisions made during the process.
 - 8.1.1.8. To seek appropriate line management support and supervision throughout the process.
 - 8.1.1.9. Ensure all reports regarding child protection and welfare from volunteers, contract workers, students are firstly discussed with and counter-signed by them.

- 8.1.2. Where the CPO is going to be absent from work, s/he will agree with the Management committee a designated Management committee member to undertake CPO responsibilities in his/her absence.
- 8.2. Responsibility to Report
 - 8.2.1. Every employee has a statutory responsibility to report any child protection concerns. Within the SER Family Support Network the procedure is for all staff & volunteers concerns to be reported to the CPO. It is the responsibility of this officer to then determine whether there are reasonable grounds for concern and where there are reasonable grounds for concern to report this to Tusla.
 - 8.2.2. The Protections for Persons Reporting Child Abuse Act, 1998 provides immunity from civil liability to persons who report child abuse in "reasonable and in good faith" to designated officers, HSEs or any member of the garda.
- 8.3. Reasonable Grounds for Concern

In accordance with the Child Protection and Welfare Practice Handbook, section 2.2 (p30) reasonable grounds for concern are defined as:

 - 8.3.1. An injury or behaviour that 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.
 - 8.3.2. Consistent indication over a period of time that a child is suffering from emotional or physical neglect.
 - 8.3.3. Admission or indication by someone of an alleged abuse.
 - 8.3.4. A specific indication from a child that he or she was abused.
 - 8.3.5. An account from a person who saw the child being abused.
 - 8.3.6. Evidence (e.g. injury or behaviour) that is consistent with abuse and unlikely to have been caused in any other way.
- 8.4. Staff & volunteer responsibility when a Child Protection Concern Arises

When a staff or volunteer member becomes concerned that they may be handling an abuse or child welfare situation they should:

 - 8.4.1. Receive the information: Listen carefully to what is being said or observed
 - 8.4.2. Reassure: Reassure the person that they are right to share the information and that you will ensure that appropriate support is provided to the child
 - 8.4.3. Refer: to the CPO or line manager at all times throughout the process for guidance.
 - 8.4.4. Respond: Staff will take early and appropriate action to raise the concerns, in line with this policy. Undertaking a comprehensive assessment or investigative interview is the responsibility of specialist staff in Tusla or Gardai
 - 8.4.5. Record: An essential part of the child protection process is to ensure that staff take notes of what has been said to them in the words in which it was said or what they have observed immediately after the conversation / observation. All records should be kept in accordance with SER Family Support Network's record keeping practice guidance where it applies.
 - 8.4.6. Seek support: It is important to remember that dealing with child abuse concerns is stressful, and can have an impact on one's emotional well-being. Therefore, staff should actively seek out support from line management and peers within the bounds of confidentiality.
 - 8.4.7. Where staff have concern regarding other children in the community who do not attend SER Family Support Network's services, they have a responsibility to report these concerns to Tusla or Gardai .
- 8.5. Responding to Disclosure from a Child
 - 8.5.1. Staff should familiarise themselves with section 2.5 (p32 & 33) of the Child Protection and Welfare Practice Handbook. This provides guidelines on responding to disclosure by a child of abuse. This includes:

- 8.5.1.1. Supportively responding to disclosure: give the child time to explain. Do not pressurise or ask too many questions. Accept and believe the child. Do not express anger or judgement about the alleged perpetrator. It may also be necessary to reassure the child that your feelings towards them have not changed.
 - 8.5.1.2. Asking questions: questions should be supportive and for the purpose of clarification only. Avoid leading questions, asking about intimate details or suggesting that something else happened other than what has been told.
 - 8.5.1.3. Managing confidentiality: Do not promise to keep secrets, acknowledge trust shown in disclosure; explain exactly who to and why you are sharing the information i.e. some secrets should not be kept because they make matters worse and hide things that need to be known if people are to be helped and protected from further hurt.
 - 8.5.1.4. Caution regarding making promises: Do not make promises you cannot keep to the child in relation to what will happen next.
 - 8.5.1.5. Providing on-going support: maintain a positive relationship with the child after disclosure, keeping lines of communication open and listening carefully. Continue to include the child in usual activities as far as is practicable but where necessary, immediate action should be taken to ensure child's safety.
- 8.6. Standard Reporting Procedures (General)
- 8.6.1. Staff and the CPO will ensure that notes are taken throughout the process of any issues that cause concern. These may be vital if the concerns become reportable. It is essential to keep accurate notes with dates, times and factual objective information. These should be recorded. See Case Notes, Written Records and Correspondence Policy for instruction on best practice in writing case notes.
 - 8.6.2. All observations, discussions and records relating to concerns must include dates, times, names, location, context and any other information which may be relevant and should be signed and dated.
 - 8.6.3. Where serious abuse is suspected immediate action will be required. Volunteers are to inform the Child Protection Officer at the earliest possible opportunity and as a matter of urgency. If the Child Protection Officer is not available the issue should be raised with member of Management committee In no case should serious concerns be left unaddressed or unreported.
 - 8.6.4. 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 or Gardaí.
 - 8.6.5. It is important to be aware that the person who first encounters a case of alleged or suspected abuse is not responsible for deciding whether abuse has occurred. That is a task for the Gardaí or Tusla. Under no circumstances should any individual member of staff or the team itself attempt to deal with the problem of abuse alone.
 - 8.6.6. If at any point throughout the reporting process there is a continued failure to respond to significant concerns either within the organisation or on the part of Tusla, this should be brought to the attention of the Chairperson, who should raise the concerns at a higher level in the HSE.
- 8.7. Standard Reporting Procedures (Staff & volunteers)
- 8.7.1. It can be difficult for staff and volunteers to determine whether suspicions about child abuse are real. Before a staff & volunteers member acts on these they need to consider whether there is an alternative explanation to be explored, the staff member should ask the following questions of themselves: Is there any other reason why the parent or child involved might be acting in a particular way? Is there a pattern to this kind of occurrence? Did you or anyone else see what was happening? Has the child said anything to indicate that he/she is being harmed? Could injuries or signs have been caused in another way?
 - 8.7.2. If the staff & volunteers member has considered these questions and is still concerned, it is likely that there are reasonable grounds to take action. Staff & volunteers should contact the DLA.

- 8.7.3. Where it is decided by the DLA & volunteers member that the information does not constitute sufficient grounds for concern, the information and the basis of this decision should be recorded.
- 8.7.4. Where there is disagreement between the DLA & volunteers member about whether to report concerns to Tusla, either party can seek the advice from the local duty social worker. The volunteer should be given a clear written statement of the reason why the organisation is not reporting the concern and advised that, if they remain concerned about the situation, they are free to consult with or report to Tusla or Gardaí.
- 8.7.5. In the event of an emergency where a child is perceived to be in immediate danger and the HSE cannot be contacted, the Gardaí should be contacted.

8.8. Standard Reporting Procedure (DLA)

- 8.8.1. If the information constitutes reasonable grounds for concern, the DLA should ensure that a formal report in writing is made to Tusla, on Tusla's standard Report Form (see page 39 of Children First for an outline of the information required when a report of child abuse is being made). It is the responsibility of the DLA who has the concerns to complete the Form.
- 8.8.2. It is good practice that parents be informed that a report is to be made to Tusla, unless the parents are unknown or doing so would put the child at further risk.
- 8.8.3. In the event of an emergency, or the non-availability of Tusla, the report should be made to a Garda.
- 8.8.4. If no appropriate response is received from the HSE, the worker and / or CPO should follow up on the referral by phone and in writing at the appropriate level.

8.9. After a Report is Made

Once a report is made to Tusla, it is important for the DLA:

- 8.9.1. To seek clarification from the social worker as to the chain of events that might occur next. Under Children First, Tusla is required to keep those who report their concerns informed of the likely steps to be taken by the professionals involved in the assessment and follow-up of the matter. Further, wherever possible, and within the normal limits of confidentiality, Tusla staff have a responsibility to inform reporters about the outcomes of any enquiry or investigation into that reported concern. DLA should ensure that all contacts and attempted contacts with the Tusla, the family and other agencies are recorded on the child protection and welfare report sheet.
- 8.9.2. To continue to provide services to the family member
- 8.9.3. To advise the family member of what happens with Tusla referrals and keep them up-to-date on developments where possible.

8.10. Failure to Report

- 8.10.1. Section 176 of the Criminal Justice Act 2006 introduced the criminal charge of reckless endangerment of children. It states: 'A person, having authority or control over a child or abuser, who intentionally or recklessly endangers a child by –
 - (a) 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
 - (b) Failing to take reasonable steps to protect a child from such a risk while knowing that the child is in such a situation, is guilty of an offence.'
- 8.10.2. The penalty for a person found guilty of this offence is a fine (no upper limit) and/or imprisonment a term not exceeding 10 years.

9. Garda Vetting

- 9.1. See Garda Vetting Policy for further detail. This policy states that all staff & volunteers will comply with the organisations garda vetting Policy & procedure and that any individuals with past offences in relation to child abuse will not have access to the organisation.

10. The SER Family Support Network representation on external Boards of Management

10.1. Where staff represent The SER Family Support Network on external management committees and similar groups they will:

10.1.1. Confirm that an appropriate child protection policy is in place in the service.

10.1.2. If no policy is in place, advocate for the development of a policy.

10.1.3. If a policy is not developed within a reasonable period of time, review (Name organisation)'s continued representation on the committee.

11. Contact Details for Relevant Statutory Services

11.1. Joan Dunne, Tusla- Child & Family Agency, Cork Road, Waterford.

11.2. Gardai Siochana, Ballybricken Station, Waterford -51 505321