

CHILD PROTECTION POLICY

Guidelines & Procedures in respect of Branch Involvement with Children and Vulnerable Adults

Note: A child or young person is defined as any person under 18 years.

INTRODUCTION

COMHALTAS CEOLTÓIRÍ ÉIREANN fully recognises its responsibilities for Child Protection. Our policy applies to all staff, branch members, volunteers, teachers, etc (hereinafter ALL referred to as “members”) working with the organisation.

COMHALTAS is an international organisation with many years experience in passing on our cultural traditions to younger generations through music, song, dance and the Irish language.

As a COMHALTAS member, staff or volunteer it is important to understand that you are in a position of responsibility, authority and trust with respect to the young people you may work with or come in contact with in the course of Comhaltas related activities.

The welfare of children and young people with whom Comhaltas works, their health and well being and their best interests are considered paramount.

Comhaltas members are required to adhere to the Policy, Procedures and Code of Practice in the exercise of their duties.

This document is written to ensure that working with Comhaltas in whatever capacity will be a safe and enjoyable experience for all involved.

POLICY STATEMENT

- The health, safety and well being of all our children and young people are of paramount importance to all the workers and volunteers who are a part of Comhaltas. Our children have the right to protection, regardless of age,

gender, race, culture or disability. They have a right to be safe in all our activities.

- In our activities we value our children and young people. A culture of mutual respect between children and those who represent the organisation in all its activities will be encouraged with adults modelling good practice in this context.
- Comhaltas recognises that good child protection policies and procedures are of benefit to everyone involved with our work, including staff, branch officers, members and volunteers, as these policies can help protect them from erroneous or malicious allegations.

AIMS AND OBJECTIVES

This policy ensures that staff, branch members and volunteers are clear about the actions necessary with regard to child protection issues.

Its aims are :-

- To raise the awareness of all - staff, branch members and volunteers and to identify responsibility in reporting possible cases of abuse.
- To ensure effective communication between staff, branch members and volunteers when dealing with child protection issues.
- To lay down the correct procedures for those who encounter an issue of child protection.

LEGISLATION:

*Under **The Child Care Act of 1991 and Children First – National Guidelines for the Protection and Welfare of Children -1999, 2009,2011** voluntary sector organisations such as ours have a statutory duty of care for the children and young people to whom we provide services.*

The principle, which should inform best practice in child protection, is that the welfare of the child is of paramount importance.

“All organisations, whether statutory or voluntary, have an overall corporate responsibility to safeguard children, and should pay particular attention to

- *Safe and clearly defined methods of selecting staff and volunteers*
- *Developing effective procedures for the reporting and management of child protection concerns*
- *Identifying a designated staff member/volunteer to act as a liaison with outside agencies and as a resource person to any staff member or volunteer who has child protection concerns. The designated person will be responsible for reporting allegations or suspicions of child abuse to the HSE (Health Service Executive) and/or An Garda Síochána.*

(Children First – National Guidelines for the Protection and Welfare of Children – 1999 & 2009)

COMPLIANCE

This policy document applies to all Comhaltas activities in Ireland, Northern Ireland, Britain, North America and elsewhere. They have been designed to work within current guidelines to meet the legislative requirements of each country. Should any conflict arise between any of our policies and procedures and the laws of individual countries then the relevant law will take precedence. We will endeavour to ensure that our policy documents are updated appropriately to reflect future changes in the law.

RATIONALE

- To adopt a Policy and Code Of Practice on safeguarding the welfare of children
- To plan the work of the Organisation so as to eliminate situations where the abuse of a child may occur
- To apply agreed procedures for protecting children to all members and volunteers
- To use supervision as a means of protecting children
- To ensure that staff, branch members and volunteers are aware of this Policy, Code Of Practice and Child Protection procedures to be followed

DESIGNATED LIAISON PERSON (DLP):

A Designated Liaison Person will be nominated by each Comhaltas Branch each year. The **D.L.P** has the responsibility for managing child protection issues within the branch. The role and responsibilities of the DLP are:

- To implement and promote the unit's Child Protection Policy and Procedures.
- To act as the main contact for child protection within the branch.
- To provide information and advice on child protection for the branch membership.
- To create awareness of the importance of child protection.
- To communicate with members on child protection issues.
- To keep abreast of developments and understand the most recent information on related issues – data protection, confidentiality, legal and other, that impact on child protection.
- To encourage good practice and support of the procedures involved.
- To maintain confidential records of reported cases and the action taken and to liaise with the statutory agencies and ensure that they have access to all necessary information.
- To regularly monitor and review the branch Policy and Procedures

FOUR ELEMENTS:

- 1. We establish a safe environment in which Children can learn, perform and develop**
 - a. We create an environment where children feel secure, are encouraged to communicate and are listened to.
 - b. We ensure children know that there are adults in Comhaltas whom they can approach if they have concerns.

- c. We ensure that adult members of Comhaltas, and other adults working with Comhaltas, possess an understanding of the responsibility placed on the organisation for child protection by stating its obligation in this policy.
- 2. We raise awareness of the child protection issues among members and co-workers**
 - a. We ensure every member in contact with children is aware of this Policy and Procedures/guidelines and are aware of their inherent responsibilities.
 - b. We raise awareness of the Child Protection Policy with all members, parents, tutors and supervisors.
- 3. We practise safe recruitment and check the suitability of staff/teachers.**
 - a. We recognise the importance of checking the background of teachers (music, singing, dancing, etc) and others before they are given responsibility to work with children. Comhaltas, as a voluntary organisation, has registered with the GCVU, An Garda Síochána Central Vetting Unit. Current best practice requires that all adults working with children in Éire receive garda vetting. (Please check requirements in Northern Ireland, Britain, North America, etc)
- 4. We implement Procedures in respect of suspect, alleged or confirmed cases of abuse**
 - a. We recognise that members may in some instances have cause for concern. Should the latter occur guidance should be sought from the DLP and liaise with statutory agencies, namely the HSE (Health Service Executive) and An Garda Síochána. Please refer to the relevant officers in other jurisdictions – Northern Ireland, Britain, North America etc.
 - b. We will maintain effective links with the relevant agencies and co-operate with any enquiry regarding child protection matters.
 - c. We will follow child protection procedures where an allegation is made against a member/volunteer. (Refer to “Children First National Guidelines for the Protection and Welfare of Children” (1999 & 2009) – Government Publications.
Please refer to child protection guidelines in Northern Ireland, Britain, North America, etc.

Protection for Persons Reporting Child Abuse Act, 1998

This act was passed on 23rd Jan 1999. The main provisions of the act are:

- *The provision of immunity from civil liability to any person who reports child abuse “reasonably and in good faith” to designated officers of the HSE or An Garda Síochána.*

- *The creation of a new offence of false reporting of child abuse where a person makes a report “knowing that statement to be false”*
- *“A person shall not be liable in damages in respect of the communication, whether in writing or otherwise, by him or her to an appropriate person of his or her opinion that*
 1. *A child has been or is being assaulted, ill-treated, neglected or sexually abused, or*
 2. *A child’s health, development or welfare has been or is being avoidably impaired or neglected, unless it is proved that he or she has not acted reasonably and in good faith in forming that opinion and communicating it to the appropriate person”*
 3. *Unless it is proved that he or she has not acted reasonably and in good faith in forming that opinion and communicating it to the appropriate person”*

PROCEDURES:

1. If a member of Comhaltas receives an allegation, or has a suspicion that a child is being abused, he or she must, in the first instance, consult with the branch DLP.
2. It is important that the suspicions or allegations are recorded by the DLP.
3. In cases where an allegation is made, the DLP must report the matter immediately to the relevant authorities, ie. to the designated officer in the HSE or to An Garda Síochána.
4. It is essential that at all times the matter is treated in a confidential manner.
5. It is NOT the responsibility of the DLP or any other person to find a resolution or discuss the matter with anyone else except the appropriate agencies.
6. All advice proffered by the HSE and An Garda Síochána should be strictly adhered to.
7. From this point on, only the Statutory Authorities should deal with the matter.

CODE OF PRACTICE:

The following guidance includes a variety of contexts in which Comhaltas members carry out their activities:

The Code Of Practice is to safeguard the welfare of the young children in our charge and to ensure that safe and sensible steps will continue to be taken to ensure the safe practice and environment for young people, staff, branch members and volunteers alike.

1. Branch Classes / Activities

- a. All Branches should be responsible for the appointment of teachers / tutors.
- b. Ensure that TWO Branch adults, preferably one male and one female, or an adult tutor and one other adult arrive together to open the venue.
- c. Arrange seating appropriately for both tutor and pupil with respect to physical proximity.

- d. Where a tutor is dealing with an individual pupil, ensure another adult, preferably a Branch adult is in close vicinity.
- e. It is necessary for a tutor to report inappropriate behaviour to a Branch adult and to the DLP
- f. Trust your intuition if a pupil is acting inappropriately and take action, ie share concerns with the DLP and implement measures to reduce risk.
- g. Use verbal affirmation to praise rather than physical touch.
- h. Never use physical forms of discipline.
- i. Tutors and parents should be made aware of class timetable.
- j. Ensure that after class all children are collected promptly and TWO Branch adults, preferably one male and one female or a tutor and one other adult are present to lock up the venue.
- k. Drop off and collection times should be strictly adhered to.
- l. There should be adequate supervision of young people while they are waiting for class.
- m. A class register and incident book should be kept.

(Record details of any incident occurring – date, time, place and summary of the incident pertaining to children’s welfare)

2. Transport

- a. Ensure that two adults, preferably one male and one female, travel in the car when only one child is being transported.
- b. When transporting young persons seat them in the back seat,
- c. Only carry the appropriate number vis a vis seat belts.
- d. Journey duration should be reported to another adult.
- e. A parental consent proforma should be completed regarding trips / outings.

3. Insurance

Comhaltas Insurance Policy provides cover for all Branch Activities. While Comhaltas has an Insurance Policy the following rules must be adhered to:

- a. Ensure adults are first to arrive at the venue.
- b. Ensure classes are supervised if or when the tutor has to leave the room.
- c. Ensure that all pupils have been collected prior to the adults leaving the venue.
- d. Pupils must be supervised at all times.
- e. Ensure the venues are safe from all / any potential hazards.

4. Photography: Authorisation.

Child protection issues and sensitivity towards identity theft have presented challenges to all those involved with recording images of people for promotional purposes. In the same way that video and audio recordings require authorisation and permissions at competitions, it is also important to follow the proper procedures in photographing young persons.

A model release form is available in the downloads section of the Press room at www.comhaltas.ie.

The subjects of any photographs must be informed that their picture has been taken and may be used for promotional purposes by Comhaltas. Ideally, if under 18 years, it is preferable that subjects' parents or their guardians sign approval on the official form.

All Comhaltas personnel, tutors and all other volunteers working with children will be provided with a copy of this policy to raise awareness of child protection and to provide as much information as possible.

Comhaltas will review this policy at regular intervals and will provide effective management and training for all personnel.

Policy Amended Nov 2010

Appendix 1: Definitions of abuse

There are four main categories of abuse as outlined in Children First: National Guidelines for the Protection and Welfare of Children. The following is a synopsis of the information contained in that document. For the full definitions please refer to Children First: National Guidelines for the Protection and Welfare of Children 1993 (pp.32-34).

1. Neglect

“Neglect can be defined as being where the child suffers significant harm or impairment of development by being deprived of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, attachment to and affection from adults, medical care....The threshold of significant harm is reached when the child’s needs are neglected to the extent that his or her well-being and/or development are severely affected.” (Children First p.31)

2. Emotional abuse

Emotional abuse usually happens where there is a relationship between a carer and a child rather than as a specific incident or incidents.

“Unless other forms of abuse are present, it is rarely manifested in terms of physical signs or symptoms.” (Children First p.31)

Rather, it can manifest in the child’s behaviour or physical functioning. Examples of these include ‘anxious’ attachment, unhappiness, low self-esteem, educational and developmental underachievement and uncooperative or hostile behaviour.

“The threshold of significant harm is reached when interaction is predominantly abusive and become typical of the relationship between the child and the parent/ carer.” (Children First p.32)

Examples of emotional abuse in children include:

- Imposition of negative attributes on children, expressed by persistent criticism, sarcasm, hostility or blaming;
- Emotional unavailability by the child’s parent/carer;
- Unresponsiveness, inconsistent or inappropriate expectations of the child;
- Premature imposition of responsibility on the child;
- Unrealistic or inappropriate expectations of the child’s capacity to understand something or to behave and control him/herself in a certain way;
- Under or over-protection of the child;
- Use of unreasonably harsh discipline;
- Exposure to domestic violence.

3. Physical abuse

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:

- Shaking;
- Use of excessive force in handling;
- Deliberate poisoning;
- Suffocation;
- Allowing or creating a substantial risk of significant physical harm to a child.

4. Sexual abuse

Sexual abuse involves the use of a child for gratification or sexual arousal by a person for themselves or others.

Examples of sexual abuse include:

- Exposure of the sexual organs or any sexual act intentionally performed in the presence of a child;
- Intentional touching or molesting of the body of a child whether by a person or object for the purpose of sexual arousal or gratification;
- Masturbation in the presence of the child or involvement of the child in an act of masturbation;
- Sexual intercourse with a child whether oral, vaginal or anal;
- Sexual exploitation of a child... may also include showing sexually explicit material to children which is often a feature of the 'grooming' process by perpetrators of abuse;
- Consensual sexual activity involving an adult and an under-age person.