



**Poetry Ireland Writers in Schools
Child Safeguarding Policy and
Procedures**

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GUIDING PRINCIPLES FOR POETRY IRELAND

WRITERS IN SCHOOLS

Poetry Ireland Writers in Schools gives children the opportunity to meet and work closely with writers and storytellers in the classroom. The artists safely encourage and support the child and help spark their creative energy and expression. We believe strongly that every child has a right to experience first-hand encounters with writers and artists.

List of Activities bringing Poetry Ireland into contact with children and young people:

- Writers in Schools single visits to schools / libraries
- Writers in Schools residencies in schools / libraries
- Workshops for children in the Poetry Ireland Centre
- WIS Mentoring Programme
- Poetry Aloud
- Recruitment of artists for WIS Programme
- Recruitment of staff for PI Education Programme
- Use of video/ photography and other media to record events
- Events in partnership with schools, libraries, arts offices, cultural centres, etc.

The child is at the heart of all our services. We believe that all children have the right to be protected, treated with respect, listened to, and are respected as individuals and encouraged to reach their potential, regardless of their background. Our guiding principles are underpinned by *Children First: National Guidance for the Protection and Welfare of Children*, Tusla's *Child Safeguarding: A Guide for Policy, Procedure*

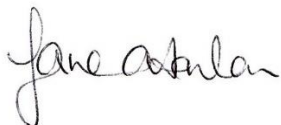
and Practice, the United Nations Convention on the Rights of the Child and current legislation such as the Children First Act 2015, Child Care Act 1991, Protections for Persons Reporting Child Abuse Act 1998, and the National Vetting Bureau Act 2012.

We believe that the experience we provide for the child should be enjoyable, fun and of the highest quality. It should take place in a safe space and be delivered by artists with the necessary skills, and who are well-informed and understand our child safeguarding procedures. It should be organised by staff who are trained and adhere to safe recruitment procedures.

This declaration applies to all Poetry Ireland Education staff, volunteers, artists on the Writers in Schools panel, or individuals employed by Poetry Ireland to carry out project work with children/ young people.

We will review our guiding principles and child safeguarding procedures every two years, or sooner if necessary due to service issues or changes in legislation or national policy.

Our Designated Liaison Person/ Mandated Person is Jane O'Hanlon



Date 1/3/2024

Our Deputy Designated Liaison Person is Anna Boner



Date 1/3/2024

CODE OF BEHAVIOUR

Child-centred approach

- Treat all children and young people equally
- Use appropriate language (physical and verbal)
- Treat all children and young people as individuals
- Be aware of a child/young person's time limitations e.g., school/exams when scheduling rehearsals/activities
- Respect differences of ability, culture, religion, race, and gender and/or sexual orientation
- Avoid spending time alone with children/young people
- Avoid exerting undue influence over a young participant in order to gain personal benefit or reward

Inappropriate behaviour

- Do not engage in a sexual relationship with a young person
- Do not use/allow offensive or sexually suggestive physical and/or verbal language¹
- Do not single out a particular child/young person (for unfair favouritism, criticism, ridicule, or unwelcome focus or attention)
- Do not allow/engage in inappropriate touching of any form
- Do not hit or physically chastise children/young people
- Do not socialise inappropriately with children/young people e.g., outside of structured organisational activities
- Do not engage in any online contact with children and/or young people
- Following any incident where a member of staff, a volunteer, an intern, or an artist feels their actions could be misinterpreted, a written report should be

¹ However, work emanating from the artistic process and work of artistic content will not be censored in this way.

submitted to Poetry Ireland's Designated Liaison Person / Deputy Designated Liaison Person, and where appropriate, Relevant Person.

Physical Contact

- Seek consent of child/young person in relation to physical contact to support/help a child (except in an emergency if a child is in danger)
- Avoid horseplay, inappropriate touch
- Check with children/young people about their level of comfort when doing touch exercises

Online Safety

- Avoid being left unsupervised with children/young people during an online event
- Ensure content is age appropriate
- Avoid moderating an online session alone except where no alternative option possible
- Ensure virtual background and location are age-appropriate
- Have no direct contact with a child before, during or after the workshop
- Avoid social media communication with children and young people
- Respect boundaries in terms of cameras and microphones where children are using individual devices

Health and Safety

- Don't leave children unattended or unsupervised
- Manage any dangerous materials appropriately
- Provide a safe environment
- In the case of an accident school/library/ venue accident procedures should be followed accordingly

RECRUITMENT

Poetry Ireland will ensure that our staff are carefully selected, trained, and supervised in order to provide a safe artistic environment for all children and young people.

Safe Recruitment of Staff and Volunteers

- There are clearly defined roles and responsibilities for every job (paid or volunteers)
- Poetry Ireland office staff posts to be advertised widely
- We will endeavour to select the most suitably qualified personnel
- Poetry Ireland staff will be required to go through an application process
- Poetry Ireland staff must provide at least two written references which are recent, relevant, independent, and verbally confirmed
- Poetry Ireland staff will be selected by a panel of at least three representatives through an interview process
- No person who would be deemed to constitute a 'risk' will be employed. Some of the exclusions would include:
 - any child related conviction
 - refusal to sign application form
 - refusal to sign Child Safeguarding Policy
 - insufficient documentary evidence of identification
 - concealing information on one's suitability to work with children

Safe Recruitment of Writers in Schools Scheme Artists

- All WIS artists will fulfil artistic eligibility criteria
- WIS artists will be required to go through an application process
- WIS artists will be selected by a panel of at least three representatives through an interview process
- WIS artists will be required to undergo a recruitment and mentoring process
- WIS artists must provide at least two written references which are recent, relevant, independent, and verbally confirmed

- No person who would be deemed to constitute a 'risk' will be employed. Some of the exclusions would include:
 - any child related conviction
 - refusal to sign application form
 - refusal to sign Child Safeguarding Policy
 - insufficient documentary evidence of identification
 - concealing information on one's suitability to work with children

Safe Management of Staff

Poetry Ireland Education Staff will:

- be provided with an adequate level of supervision support and review of work practice
- undergo a relevant probationary period (three months) for Poetry Ireland's office staff
- be required to consent to Garda Vetting disclosure
- be provided with child protection training (volunteers not available for training will be required to sign a declaration stating that they are familiar with Poetry Ireland's child safeguarding policies and procedures, which are consistent with *Children First: National Guidance for the Protection and Welfare of Children* (2017) and Children First Legislation (2015)

WIS Artists will:

- be made aware of the organisation's code of conduct, Designated Liaison Person and their role, and the child protection procedures
- sign a declaration stating that they have read and are familiar with Poetry Ireland's child safeguarding policies and procedures, which are consistent with *Children First: National Guidance for the Protection and Welfare of Children* (2017) and Children First Legislation (2015)
- undergo mentoring as necessary
- be required to consent to Garda Vetting disclosure
- be provided with regular updated training for artists as part of our Professional Development Programmes

Procedure for Provision of and Access to Child Safeguarding Training and Information

- Poetry Ireland will ensure that training and provision of information on safeguarding of children and young people is provided to all staff, volunteers so that they are clear on their responsibilities.
- Poetry Ireland will ensure that any safeguarding training provided to staff, volunteers is consistent with Children First Act 2015, *Children First: National Guidance for the Protection and Welfare of Children (2017)*, and *Tusla's Child Safeguarding: A Guide for Policy, Procedure and Practice*.
- Poetry Ireland will advise that all staff, volunteers complete Tusla's universal e-learning training programme, 'Introduction to Children First'.
- Poetry Ireland will ensure that appropriate resources (financial and time) are available to the Designated Liaison Person, Deputy Designated Liaison Person and any other staff members who may require additional training.
- Poetry Ireland will keep training records, noting dates and the name of the training programme and provider.

KEY ROLES IN SAFEGUARDING

In accordance with the legislative requirements contained in the Children First Act 2015, the following roles have been appointed by Poetry Ireland Writers in Schools.

Designated Liaison Person

The Designated Liaison Person should:

- be fully familiar with the organisation's responsibilities in relation to the safeguarding of children
- have good knowledge of your organisation's guiding principles and child safeguarding procedures
- ensure that the organisation's reporting procedure is followed, so that child protection and welfare concerns are referred promptly to Tusla
- receive child protection and welfare concerns from workers and volunteers and consider if reasonable grounds for reporting to Tusla exist
- consult informally with a Tusla Duty Social Worker through the Dedicated Contact Point, if necessary
- where appropriate, make a formal report of a child protection or welfare concern to Tusla on behalf of their organisation, using the Tusla Web Portal or the Tusla Child Protection and Welfare Report Form
- inform the child's parents/guardians that a report is to be submitted to Tusla or the Garda Síochána, unless:
 - informing the parents/guardians is likely to endanger the child or young person
 - informing the parents/guardians may place you as the reporter at risk of harm from the family
 - the family's knowledge of the report could impair Tusla's ability to carry out an assessment

- record all child protection or welfare concerns, or allegations of child abuse, brought to your attention as well as any action taken in response to these concerns
- provide feedback to the referrer, as appropriate
- ensure that a secure system is in place to manage and store confidential records
- act as a liaison with Tusla and the Garda Síochána, as appropriate
- where appropriate, jointly report with a mandated person

The Designated Person in Poetry Ireland is Jane O'Hanlon, the Education Officer, who can be contacted at 01 6789022/ 087 9877872.

Jane O'Hanlon is also a **Mandated Person**. The Children First Act 2015 imposes a legal obligation on certain people called 'mandated persons' to report child protection concerns above a defined threshold to Tusla. Mandated persons are people who have ongoing contact with children and/or families and who, because of their qualifications, training, and experience, are in a key position to protect children from harm. Mandated persons can also be mandated to assist Tusla in their assessment of child protection and welfare concerns about children who have been the subject of a mandated report.

The Deputy Liaison Person is Anna Bonner, WIS Development Officer who can be contacted at 01 6789022. In the absence of the DLP, due to illness or holiday, the Deputy DLP will be on-call on the same basis.

The **Relevant Person** in Poetry Ireland is Liz Kelly, director. The relevant person is the first point of contact in relation to the Child Safeguarding Statement; their name and contact details should be included in the Child Safeguarding Statement.

RESPONDING TO OR REPORTING CHILD SAFEGUARDING OR WELFARE CONCERNS

Identifying Reasonable Grounds for Concern

It is important that staff, WIS artists, and volunteers would recognise reasonable grounds for concern that a child may have been, is being, or is at risk of being abused or neglected.

Children First: National Guidance for the Protection and Welfare of Children (2017) lists the following as reasonable grounds for concern:

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

Child abuse can be categorised into four different types: neglect, emotional abuse, physical abuse, and sexual abuse. A child may be subjected to one or more forms of abuse at any given time.

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

Neglect occurs when a child does not receive adequate care or supervision to the extent that the child is harmed physically or developmentally. It is generally defined in terms of an omission of care, where a child's health, development or welfare is impaired by being deprived of food, clothing, warmth, hygiene, medical care,

intellectual stimulation or supervision and safety. Emotional neglect may also lead to the child having attachment difficulties. The extent of the damage to the child's health, development or welfare is influenced by a range of factors. These factors include the extent, if any, of positive influence in the child's life as well as the age of the child and the frequency and consistency of neglect.

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

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

The following are features of child neglect:

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

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

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

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

- rejection
- lack of comfort and love
- lack of attachment
- lack of proper stimulation (e.g., fun and play)
- lack of continuity of care (e.g., frequent moves, particularly unplanned)
- continuous lack of praise and encouragement
- persistent criticism, sarcasm, hostility or blaming of the child
- bullying
- conditional parenting in which care or affection of a child depends on his or her behaviours or actions
- extreme overprotectiveness
- inappropriate non-physical punishment (e.g., locking child in bedroom)
- ongoing family conflicts and family violence
- seriously inappropriate expectations of a child relative to his/her age and stage of development

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

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

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

Physical abuse can include the following:

- physical punishment
- beating, slapping, hitting, or kicking
- pushing, shaking, or throwing
- pinching, biting, choking, or hair-pulling
- use of excessive force in handling
- deliberate poisoning
- suffocation
- fabricated/induced illness
- female genital mutilation

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

proceedings. The result of this is that the protections in law relating to assault now apply to a child in the same way as they do to an adult.

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

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

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

Examples of child sexual abuse include the following:

- any sexual act intentionally performed in the presence of a child
- an invitation to sexual touching or intentional touching or molesting of a child's body whether by a person or object for the purpose of sexual arousal or gratification
- masturbation in the presence of a child or the involvement of a child in an act of masturbation
- sexual intercourse with a child, whether oral, vaginal, or anal
- sexual exploitation of a child, which includes:
 - Inviting, inducing, or coercing a child to engage in prostitution or the production of child pornography [for example, exhibition, modelling or posing for the purpose of sexual arousal, gratification, or sexual act, including its recording (on film, videotape, or other media) or the manipulation, for those purposes, of an image by computer or other means]
 - Inviting, coercing, or inducing a child to participate in, or to observe, any sexual, indecent, or obscene act

- Showing sexually explicit material to children, which is often a feature of the 'grooming' process by perpetrators of abuse
- exposing a child to inappropriate or abusive material through information and communication technology
- consensual sexual activity involving an adult and an underage person

Procedures for Responding to a Concern

WIS artists, staff and volunteers must share their concerns about child protection or child welfare with the DLP.

If the concern is about a child who you meet while working in a school/library, you do the following:

- speak to the teacher/librarian or responsible adult
- at the earliest possible opportunity, record in writing what the child/young person has said, including, as far as possible, the exact words used by the child/young person. Information recorded should be **factual**.
- if a report is made to the Designated Liaison Person in the school/library, you must then contact Poetry Ireland's Designated or Deputy Liaison Person and give an outline of the procedures completed in the school/library. Information will be shared on a strictly 'need to know' basis (see Confidentiality Statement pg. 19).
- although other staff in the local organisation will be the one passing the concern onto the Tusla, you should be aware that the Tusla social worker may want to talk to you to hear your direct observations or what the child said to you

General Tusla Guidelines

- Record the concern, including the date, time and people involved in the concern/disclosure (for example in an incident book).
- Information recorded should be **factual**.
- Inform the Designated Liaison Person or, if unavailable, their deputy. The most appropriate person should discuss the concern/consult with parents/carers/responsible adults.
- Parents/carers/responsible adults should be told of a report to Tusla unless it is likely to put the child/young person at further risk.
- The Designated Liaison Person may contact the Tusla Social Work Department for an informal consultation prior to making a report.

- If there are reasonable grounds for concern as outlined above, the Designated Liaison Person will contact the duty social worker in the Tusla area using the standard reporting form (see Appendices).
- Reports to the duty social worker can be made verbally initially and then followed by the standard reporting form. Reports should be made to Tusla without delay.
- If the Designated Liaison Person/deputy is not available, then contact the local Tusla Social Worker directly.
- In emergencies, out of Tusla Social Work hours, contact the Gardaí. There may be situations which threaten the immediate safety of a child/young person where it may be necessary to contact the Gardaí.

Responding to a Child/Young Person who Discloses Abuse

- Be as calm and natural as possible.
- Do not promise to keep secrets.
- Be aware that disclosures can be very difficult for the child/young person
- Listen to what the child/young person has to say. Give them the time and opportunity to tell as much as they are able and wish to.
- Do not pressurise the child/young person. Allow him or her to disclose at their own pace and in their own language.
- Conceal any signs of disgust, anger, or disbelief.
- Accept what the child or young person has to say – false disclosures are very rare.
- It is important to differentiate between the person who carried out the abuse and the act of abuse itself. The child/young person quite possibly may love or strongly like the alleged abuser while also disliking what was done to them. It is important therefore to avoid expressing any judgement of, or anger towards the alleged perpetrator while talking with the child/young person.
- It may be necessary to reassure the child/young person that your feelings towards him or her have not been affected in a negative way as a result of what they have disclosed.
- Reassure the child/young person that they have taken the right action in talking to you. Questions should be supportive and for the purpose of clarification only. Do not ask leading questions.
- Explain to the child/young person that this information will only be shared with people who can help. By refusing to make a commitment to secrecy to the child/young person, you do run the risk that they may not tell you everything (or, indeed, anything) there and then. However, it is better to do this than to tell a lie and ruin the child/young person's confidence in yet another adult. By being honest, it is more likely that the child/young person will return to you at another time.

CONFIDENTIALITY STATEMENT

We are committed to ensuring people's rights to confidentiality. However, in relation to child protection and welfare we undertake that:

- information will only be passed on, on a 'need to know' basis to safeguard the child/young person
- giving such information to others for the protection of a child or young person is not a breach of confidentiality
- **we cannot guarantee total confidentiality where the best interests of the child or young person are at risk**
- parents/carers/responsible adults, children and young people have a right to know if personal information is being shared and/or a report is being made to Tusla, unless doing so could put the child/young person at further risk
- images of a child/young person will not be used for any reason without the consent of the parent/carer (however, we cannot guarantee that cameras/videos will not be used at public performances)
- procedures around the use of images of children/young people follow the *Dóchas Code of Conduct on Images and Messaging* (see Appendices)
- procedures will be put in place for the recording and storing of information in line with our confidentiality policy

Rules to Guide Use of Photography and Video

- Any recording or photography at Poetry Ireland events must be undertaken with the consent of both the young person and their parent/guardian/caregiver.
- Where schools do not have pre-arranged parental consent in place, consent forms will be sought from all participants via their group leader. For example, where a class are attending an event, consent forms will be sent in advance to the group leader/ teacher/ school for distribution to parents/guardians/caregivers.

- For events where children are attending as individuals and where places are booked in advance of the event, parental consent forms will be distributed to all participants in advance.
- For events where children are attending as individuals but where places are not booked in advance of the event, notices will be displayed at the event and at any information or ticketing stand, informing participants that photographs or video may be taken at the event.
- Any photographer documenting events for Poetry Ireland will be clearly identified to artists and event staff.
- Where a selection of participants are asked to participate in a photograph e.g., a media photocall, permission must be sought from the accompanying adult before a young person is moved to a different location. A member of the event team must accompany the young people and return them to the group as soon as photography is completed. Children and young people should not be left unaccompanied with any one adult at any time.

RESPONDING TO ALLEGATIONS OF ABUSE MADE AGAINST WORKERS/ VOLUNTEERS FOR PROVIDERS OF RELEVANT SERVICES

An allegation of abuse may relate to a person who works with children who has:

- behaved in a way that has or may have harmed a child/young person
- possibly committed a criminal offence in relation to a child/young person
- behaved towards a child/young person or children/young people in a way that indicates they may pose a risk of harm to a child/young person
- behaved in a way that is contrary to the organisation's code of behaviour for workers and volunteers
- behaved in a way that is contrary to professional practice guidelines

There are two separate procedures to be followed:

- A) the reporting procedure in respect of the child/young person
- B) the procedure for dealing with the worker

In the event that the allegation is being directly dealt with by Poetry Ireland:

- the Designated Liaison Person will deal with issues related to the child/young person
- the Relevant Person will deal with issues related to the worker in liaison with the Chairperson of the Board of Poetry Ireland

Incidences of poor practice and allegations against staff

- The Relevant Person will deal with issues related to the worker in liaison with the Chairperson of the Board of Poetry Ireland.
- The first priority is to ensure that no child or young person is exposed to unnecessary risk.

- If allegations are made against the Designated Liaison Person, then contact the Relevant Person.
- The reporting procedures such as outlined under Section 4 of these guidelines will be followed. Parents/carers/responsible adults and the child/young person (age appropriate) should be informed of actions planned and taken.
- The staff member will be informed as soon as possible.

(i) that an allegation has been made against him/her

(ii) the nature of the allegation

- The staff member will be given the opportunity to respond.
- The Chairperson will be informed as soon as possible.
- Any action following an allegation of abuse against an employee will be taken in consultation with Tusla and the Gardaí.
- After consultation, the Chairperson/head of organisation will advise person accused and agreed procedures will be followed.
- Poetry Ireland will also follow good practice and contact the Tusla team involved, acknowledging, and ensuring that the concern has been received.
- The Designated Liaison Person will act in accordance with their role with the person against whom the allegation was received and advise the school/library that these procedures are being followed.

COMPLAINTS AND COMMENTS PROCEDURES

In the event of a complaint from a child, young person or their parent/ guardian/ carer:

- the DLP, Jane O’Hanlon will have responsibility for directing complaints/ comment to the appropriate person
- complaints and comments will be logged in the incident book, which is stored in Poetry Ireland’s digital safe
- verbal complaints will be logged and responded to within one week and will be logged in an incident book
- reports of complaints should include contact details of the person making the complaint, an outline of the complaint as well as details of the response of staff members present

Accidents Procedure

This may not always be applicable, but in the event that it is, the following procedure will apply:

- outside organisations will be required to provide proof that they have public liability insurance
- first aid boxes will be available, and regularly restocked
- availability of first aid will be in accordance with the school/library/host organisation
- incident books and first aid boxes will be clearly labelled and easily available
- children and young people will be advised of risks of any dangerous materials
- details of risky equipment used will be recorded and steps taken to minimise risk
- where applicable responsibility for first-aid on off-site trips will be taken
- any accidents which take place must be logged in Poetry Ireland’s incident book, including a full report of the circumstances

ORGANISATION'S PROCEDURES AROUND RECORD-KEEPING

- Records should be factual and include details of *contacts*, consultations and any actions taken.
- We will cooperate in the sharing of records with Tusla where a child protection or welfare issue arises.
- We will ensure that records on child protection concerns, allegations and disclosures are kept securely and safely within the organisation.
- Records should only be used for the purpose for which they are intended.
- Records should only be shared on a need-to-know basis in the best interests of the child/young person.
- We will clearly state who within your organisation has access to particular types of records.
- We will state the location where records are stored.
- Child protection and welfare records should be updated as required and reviewed regularly by the Designated Liaison Person.

Appendix 1

Definitions and Reporting of Abuse¹

Child abuse can be categorised into four different types: neglect, emotional abuse, physical abuse and sexual abuse.

The definitions of neglect and abuse presented in *Children First* (2017) are not legal definitions. They are intended to describe ways in which a child might experience abuse and how this abuse may be recognised.

Neglect occurs when a child does not receive adequate care or supervision to the extent that the child is harmed physically or developmentally. It is generally defined in terms of an omission of care, where a child's health, development or welfare is impaired by being deprived of food, clothing, warmth, hygiene, medical care, intellectual stimulation or supervision and safety.

Emotional abuse is the systematic emotional or psychological ill-treatment of a child as part of the overall relationship between a caregiver and a child. Once-off and occasional difficulties between a parent/carer and child are not considered emotional abuse. Abuse occurs when a child's basic need for, affection, approval, consistency and security are not met, due to incapacity or indifference from their parent or caregiver.

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

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

Criteria for reporting: definitions and thresholds

As a mandated person, under the legislation you are required to report any knowledge, belief or reasonable suspicion that a child has been harmed, is being harmed, or is at risk of being harmed. The Act defines harm as assault, ill-treatment, neglect or sexual abuse, and covers single and multiple instances. The four types of abuse are described in Chapter 2. The threshold of harm for each category of abuse at which mandated persons have a **legal** obligation to report concerns is outlined below.

If you are in doubt about whether your concern reaches the legal definition of harm for making a mandated report, Tusla can provide advice in this regard. You can find details of who to contact to discuss your concern on the Tusla website (www.tusla.ie). If your concern does not reach the threshold for mandated reporting, but you feel it is a **reasonable concern** about the welfare or protection of a child, you should report it to Tusla under this *Guidance*.

NEGLECT

Neglect is defined as 'to deprive a child of adequate food, warmth, clothing, hygiene, supervision, safety or medical care'. The threshold of harm, at which you must report to Tusla under the Children First Act 2015, is reached when you know, believe or have reasonable grounds to suspect that a child's needs have been neglected, are being neglected, or are at risk of being neglected to the point where **the child's health, development or welfare have been or are being seriously affected, or are likely to be seriously affected.**

¹ Children First: National Guidance for the Protection and Welfare of Children, Department of Children and Youth Affairs, 2017.

EMOTIONAL ABUSE/ILL-TREATMENT

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

The threshold of harm, at which you must report to Tusla under the Children First Act 2015, is reached when you know, believe or have reasonable grounds to suspect that a child has been, is being, or is at risk of being ill-treated to the point where **the child's health, development or welfare have been or are being seriously affected, or are likely to be seriously affected.**

PHYSICAL ABUSE

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

SEXUAL ABUSE

If, as a mandated person, you know, believe or have reasonable grounds to suspect that a child has been, is being, or is at risk of being sexually abused, then you must report this to Tusla the Children First Act 2015.

Sexual abuse to be reported under the Children First Act 2015 [as amended by section 55 of the Criminal Law (Sexual Offences) Act 2017] is defined as an offence against the child, as listed in Schedule 3 of the Children First Act 2015. A full list of relevant offences against the child which are considered sexual abuse is set out in **Appendix 3** of *Children First* (2017).

Appendix 2

TUSLA social work contact details

A list of Tusla social workers may be found at:

<http://www.tusla.ie/services/child-protection-welfare/contact-a-social-worker/>

Appendix 3

Notification Form

A copy of the Tusla Standard Notification Form and Guidance Note can be found at:

<http://www.tusla.ie/services/child-protection-welfare/publications-and-forms/>

Appendix 4

Report Form

A copy of the Tusla Standard Report form can be found at:

http://www.tusla.ie/uploads/content/Child_Protection_and_Welfare_Report_Form_FINAL.pdf

Appendix 5

A copy of the Dóchas Code of conduct on Images and Messaging can be found at:

http://www.dochas.ie/assets/Files/Code_of_Conduct_on_Images_and_Messages.pdf

Appendix 6

These *Guidelines* will be amended as necessary in line with update *Children First: National Guidance for the Protection and Welfare of Children* Department of Children & Youth Affairs, and any other necessary changes required to keep in line with Legislation.

The *Guidelines* will be reviewed annually.