



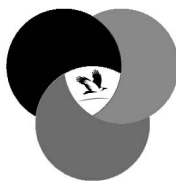
Comhairle Contae Fhine Gall

Fingal County Council



**Code of Practice for Staff of
Fingal County Council
and
Guidelines for the Protection
of Children and Young People**

2nd Edition 2011



Local
Authority
National
Partnership
Advisory
Group

Document produced by the Workplace Partnership Committee.

*The Partnership Committee would like to acknowledge
the hard work and dedication of
Hilary Kendlin
in preparing the Revised Child Protection Policy Document.*

*Hilary will always be remembered and sadly missed by all
her colleagues in Fingal County Council*

TABLE OF CONTENTS

Title	Page
1. Introduction	3
2. Guiding principles and objectives	4
3. Definition of Child	4
4. Child Protection Officer	4
5. Overall Responsibility	5
6. Examples of possible staff interactions with children	6
7. Need for awareness.....	7&8
8. Keeping parents and guardians informed.....	9
9. Procedures for planned & structured meetings & events.....	9
10. Procedures to be followed by staff when dealing with children lost on Fingal County Council property (incl. beaches, parks & graveyards).....	10
11. Procedures to be followed by staff when working on or visiting domestic properties owned by Fingal County Council.....	11
12. Procedures to be followed by staff when dealing with challenging or disruptive behaviour by children/young people on Fingal County Council property (incl. beaches, parks & graveyards).	12
13. Procedures for travel involving children / young people	13
14. Record keeping & incident reports	13
15. Working in partnership with other agencies.....	14
16. Complaints procedure.....	14
17. Recognising abuse	14
18. Disclosure protocols	15&16
19. Action to be taken when an allegation is made against a staff member.....	17&18
20. Confidentiality	19

Appendices

1. (Sample) Parental/Guardian Consent Form	20-21
2. (Sample) Incident/accident report form	22-23
3. Recognising Child Abuse: Definition and Possible Physical and Behavioural Indicators of Child Abuse	24-26
4. Protection for Persons Reporting Child Abuse	26
5. Complaints Procedure in relation to working with children/young people	27-28
6. Template HSE Standard Form for Reporting Child Protection/or Welfare Concerns	29-31
7. (Sample) An Garda Síochána Garda Vetting Application form	32

Fingal County Council employs 1691 staff and through its many services will come in contact with children and young people directly and indirectly on a regular basis. It is therefore important that all staff members, elected representatives and any other organisations working on behalf of Fingal County Council are aware of the necessity to create a healthy and safe environment for everyone.

This Code of Practice is drawn up within the context of UN Convention on the Rights of the Child (1989), Children First National Guidelines for the Protection and Welfare of Children (1999), the National Children's Strategy (2000), and Our Duty to Care (2002).

It is important to note that the investigation of suspected child abuse is the responsibility of the statutory authorities and shall not be undertaken by the Council's Child Protection Liaison Officer or other Fingal County Council employees.

This Policy is not a legal interpretation of the legislation.

2

GUIDING PRINCIPLES AND OBJECTIVES

- To provide guidelines for all staff, who in the course of their work, come in contact with or become involved in the lives of children and young people.
- To protect children by having clearly defined procedures for referring, reporting and dealing with incidents relating to child protection.
- To ensure child protection responsibilities are fully understood and complied with.
- When followed, this code will contribute to the protection, safety and welfare of children and young people and will also reduce the risk of false accusations being made against staff.

3

DEFINITION OF CHILD

In these guidelines “child” means a person under the age of 18, excluding a person who is or has been married.

4

CHILD PROTECTION LIAISON OFFICER

The Council will appoint at least one Child Protection Liaison Officer to:

- Act as a source of advice on child protection matters;
- Co-ordinate action within the Authority; and with any other Child Protection Liaison Officers;
- Liaise with the HSE and An Garda Síochána and other agencies about suspected or actual cases of child abuse;
- Be accessible to all staff;

The person(s) designated shall ensure that s/he is knowledgeable about child protection and that s/he undertakes any training considered necessary to keep updated on new development.

The role of the Child Protection Liaison Officer(s) is to:

- Establish contact with the senior member of the Health Service Executive responsible for child protection in the Authority’s catchment area, i.e. Child Care Manager or Principal Social Worker;
- Provide information and advice on child protection within the Authority;

- Ensure that the Authority's child protection policy and procedures are followed and to inform appropriate sources of relevant concerns about individual children;
- Ensure that appropriate information is available at the time of referral and that the referral is confirmed in writing under confidential cover using the HSE Standard Reporting form (See Appendix 6);
- Liaise with the Health Service Executive/An Garda Síochána and other agencies as appropriate;
- Keep relevant people within the organisation, particularly the County/City Manager, informed of relevant issues, whilst maintaining confidentiality;
- Ensure that an individual case record is maintained of the action taken by the Authority, the liaison with other agencies and the outcome;
- Advise the organisation of child protection training needs.

The name and contact details of the Child Protection Liaison Officer(s) and a Deputy Child Protection Liaison Officer shall be made available to all employees, volunteers, relevant agencies and users of the Local Authority services, where appropriate, through the Human Resources Department.

5 OVERALL RESPONSIBILITY

It is the responsibility of all staff to ensure that they have read and understood this code of practice and their local guidelines. Any external organisations that are subcontracted to work on behalf of Fingal County Council " or in receipt of grant assistance" must also be made aware of these guidelines. Directors of Services will ensure that all staff:

- Are familiar with this Code of Practice and Guidelines
- Are aware of their obligations within this Code of Practice and Guidelines
- Are aware of internal line management reporting procedures.
- Attend Child Protection awareness training where appropriate.
- Use a common-sense approach to all situations.

6

EXAMPLES OF POSSIBLE STAFF INTERACTIONS WITH CHILDREN

We have provided some examples of real work situations where staff of Fingal County Council may come into unplanned contact with children and young people, and have detailed the procedures that should be followed, below:

Staff involved	Example	See Section (or relevant parts of)
Housing Maintenance & Repairs	What procedures to follow when entering a private home with children present	(7),(11)
Staff calling to a domestic household or privately owned property” e.g. • Electoral Register Compilers • Site Inspectors for dangerous & derelict buildings	What to do when dealing with children in these locations	(7),(10),(11) (12)
• Refuse Collectors • Street sweepers • Road works crew	What to do when dealing with curious children, particularly in dangerous situations i.e. around bin trucks, etc.	(7), (11), (12)
All staff, but particularly: - β Lollipop wardens - β Graveyard attendants - β Life Guards - β Park rangers	What to do when dealing with abusive or difficult children	(12)
	What to do with lost children	(9)
Public Toilet Caretakers	What to do when dealing with children in these locations	(9),(12)
Traveller Halting site caretakers	What to do when dealing with children in these locations	(11),(12)

Good practice will contribute towards the creation of a safe and healthy environment for staff as well as children and young people.

Taking a child-centred approach means to:

- Treat all children equally;
- Listen to and respect children;
- Have fun and encourage a positive atmosphere;
- Offer constructive criticism when needed;
- Respect a child's personal space;
- Be aware of child time limitations e.g. school/exams when scheduling activities;
- Create an atmosphere of trust;
- Use all information in respect of children only for the purpose for which it is given, subject to child protection concern.

It is also important to be aware of the impact of behaviour and language. Behaviour or language of a discriminatory nature is not appropriate or acceptable.

Examples of unacceptable behaviour and language include the following:

- Racism
- Derogatory remarks and gestures
- Humiliation
- Bullying / Harassment
- Name calling
- Destructive criticism
- Sexual innuendo / sexual harassment
- Embarrassment
- Favouritism
- Sarcasm

However, it should be understood that inappropriate behaviour and language by the children and young people will not go unchallenged.

Fingal County Council respects and promotes the principles of equality and diversity and works with children in a culturally sensitive way within the context of the Irish Constitution and law and the UN Convention on the Rights of the Child.

In line with Circular LG (P) 18/06, the HR department of Fingal County Council will request Garda Clearance for all relevant staff that may have direct dealings with children.

The Council has a procedure for the vetting of employees and volunteers working with children/vulnerable adults. This procedure has been determined by An Garda Síochána and the Department of Environment, Heritage and Local Government.

All applicants for appointment or engagement will be required to supply information in writing on the prescribed Consent Form and to provide formal photographic identification in support of their application. This will include personal details, past and current work/volunteering experience and any qualifications or skills relevant to the post.

Applicants for employment will be required to make a declaration relating to previous criminal records (see Sample Declaration Form Appendix VII)

When a candidate is being considered for appointment or is being placed on a panel, the completed Consent Form may be sent to the Garda Central Vetting Unit by the Council's Authorised Signatory as appointed under the Garda Vetting Procedure.

Volunteers may be required to supply information in writing on the prescribed Consent Form with a view to being vetted by An Garda Síochána. This requirement will be determined through liaison with the Council's Authorised Signatory. The Authorised Signatory should seek advice on the possibility of vetting volunteers through the Garda Vetting Unit.

All candidates being considered for employment will be subject to reference checks. It is the policy to gain at least two recent employment references from those who have knowledge of the individual's recent career in a professional context. Each reference check will be validated by a phone call.

8 KEEPING PARENTS AND GUARDIANS INFORMED

Fingal County Council will keep parents and guardians informed of all aspects of the activity that their child is involved in. It is our policy to share information relating to the programme of activities, trips away, transport to and from events, etc with the parents/guardians. In addition to following disclosure protocols (see section 18); it is also our practice to inform parents / guardians in the event of a child disclosing an incident of abuse, unless this could put the child in danger.

9 PROCEDURES FOR PLANNED & STRUCTURED MEETINGS & EVENTS

- Staff and facilitators will show respect and understanding for the rights, safety and welfare of the children and young people.
- Fingal County Council will make every effort to ensure that during its events, the physical surroundings will be comfortable, fully accessible and appropriate for the work being undertaken. It will ensure that adequate and appropriate supervision is in place before undertaking activities with children and young people.
- When not accompanied by teachers or youth leaders, an appropriate ratio of adults to young people will be put in place for each meeting or event held by Fingal County Council. For example in line with local youth services in Fingal, the following rule of thumb should be applied - there should be 2 adults present for the first 10 children/ young people and then one adult for every 10 children/young people after that.
- Whilst we recognise that sometimes it is appropriate for staff to work on a one to one basis with a child or young person, staff/volunteers should not spend excessive amounts of time alone with an individual child/young person. Where an adult needs to meet with a child/young person alone, the door should be left open and another adult informed of the meeting.
- There should be no unnecessary physical contact between an adult and a young person although there are times when for example, placing a hand on a distressed child/young person's shoulder to comfort him/her would be appropriate. Physical contact should only be in response to the needs of the child and should be appropriate to the age and the level of development of the child.

- Where physical contact is an inherent part of an activity, it is important to seek consent of child/young person in relation to physical contact (except in an emergency or a dangerous situation); avoid horseplay or inappropriate touch; check with child/young person about their level of comfort when doing touch exercises i.e. games may involve holding hands and it is about ensuring that this is done openly and within safe and comfortable limits for the child or young person;
- Where events are held in a part of a building or complex children/young people should not have free access to all parts of the building this may require accompanying children/young persons to the toilet. In the event of such a request being made to you, the child/young person should be advised that they must be accompanied by the adult responsible for them. In an emergency situation where the principal adult is not available, a member of staff may bring the child/young person to the toilet accompanied by another member of staff.
- Outside of normal office hours unaccompanied children/young people should not be permitted into the building.
- If the meeting or event is to be photographed, recorded and/or Webcast, parents/guardians must be informed beforehand.

10

PROCEDURES TO BE FOLLOWED BY STAFF WHEN DEALING WITH CHILDREN LOST ON FCC PROPERTY (incl. BEACHES, PARKS & GRAVEYARDS).

- Whilst it is recommended that staff should not be alone with a child or young person if at all possible, it is recognised that in the case of a child that is lost and wandering around FCC property staff must deal with that situation immediately.
- Within FCC office buildings staff must bring the lost child/young person to the main reception desk. A notice outlining the procedures for parents of lost children should be clearly displayed at this area.
- Within parks, playing pitches & other open spaces staff must bring the lost child/young person to a designated collection point. A notice outlining the procedures for parents of lost children will be clearly displayed at the entrance(s) to each outside area. Staff members must contact a supervisor or colleague to inform them of the situation.

- When bringing a lost child/young person back to the designated collection point within a park or large open space, it is essential to remain in full public view in as far as this is possible. This is particularly important if you have to use a car/van to return to the designated collection point. Staff members must contact a supervisor or colleague to inform them of the need to use transport in this situation, and the relevant parent/guardian if at all possible.

11

PROCEDURES TO BE FOLLOWED BY STAFF WHEN WORKING ON OR VISITING DOMESTIC PROPERTIES OWNED BY FCC.

- When carrying out maintenance & repairs on Fingal County Council domestic properties, staff members must not enter premises where there are only children present. Staff members should leave a card stating that they have called to the house and requesting tenant to contact the Housing Department for another appointment and move on to the next job.
- In the event of a parent / guardian stating that they are leaving the premises during the time that the maintenance work is being completed staff members should inform parent / guardian that they have to leave also and leave a card requesting tenant to contact the Housing Department for another appointment and move on to the next job.
- In the event of a parent / guardian leaving the premises without informing staff member during the time that the maintenance work is being completed, and the employee by default becomes an unofficial “babysitter” he should immediately contact his supervisor in relation to this matter.
- When investigating accident / insurance claims, Fingal County Council staff must insure that they never arrange to meet a child / young person without a parent /guardian and / or solicitor present

PROCEDURES TO BE FOLLOWED BY STAFF WHEN DEALING WITH CHALLENGING OR DISRUPTIVE BEHAVIOUR BY CHILDREN/YOUNG PEOPLE ON FCC PROPERTY (Incl. BEACHES, PARKS & GRAVEYARDS)

Fingal County Council ensures that the safety and welfare of the children and young people is a priority and that staff will deal sensitively and professionally with any difficult issues that may arise. Disruptive behaviour is unacceptable, and disruptive children will be asked by employees to behave. Disruptive behaviour will be reported to parent/guardian. If a child continues to be disruptive s/he will be advised that s/he is causing a disturbance and given a warning. A warning letter may be sent to the parent/guardian stating that further disruptions may result in withdrawal of facilities or services to the child. If a child is in danger to themselves or others further action may be required i.e. parent/gardaí to be contacted.

The following steps should be carried out when dealing with challenging or disruptive behaviour by children/young people on Fingal County Council property who are not accompanied by a parent/guardian/teacher/youth leader:

- When dealing with challenging or disruptive behaviour from children or young people during the course of work, which needs intervention, two workers/volunteers should be present to deal with the situation.
- A record must be kept of the incident. Staff members who are present at the time should complete the incident/accident report form (see Appendix Two). The report of the incident should include:
 - o The programme or activity which was happening at the time;
 - o Date of Incident;
 - o A record of what happened;
 - o Details of who was involved;
 - o Details of where and when it happened
 - o A record of any significant comments;
 - o A record of any injury to person or property;
 - o Details of how the situation was resolved or left.

13

PROCEDURES FOR TRAVEL INVOLVING CHILDREN / YOUNG PEOPLE

- Where Fingal County Council arranges for transport by taxi for children/young people, FCC will request consent from the parent(s)/guardian(s) which will indicate an agreed pick-up and drop-off point. Fingal County Council will take all reasonable steps to ensure that “Garda cleared” drivers are used when transporting children and young people, in line with Circular LG (P) 18/06.
- In the case where a child/young person travels with a member of staff of Fingal County Council to a meeting or an event, Fingal County Council will be responsible for the welfare of the young person while travelling and while at the event. This includes travel abroad. In these instances, parental consent forms (See Appendix One) must be completed by parents/guardians and a record must be kept of the emergency contact numbers supplied.
- It is recommended that employees and volunteers should not take one young person alone in a car on journeys. Where this is unavoidable, it should be with the full consent and knowledge of the parents/guardians and a senior member of the staff in Fingal County Council.

14

RECORD KEEPING & INCIDENT REPORTS

When an accident or a complaint about the behaviour of a staff member/other participants, or other matters including the venue, Fingal County Council will:

- Take full details of the incident from the person who has had the accident or who has made the complaint (and their family if the person is under 18)
- Meet with the staff member(s) in question and record their account of the event and obtain records from the time in question (see Appendix Two).
- Prepare a written account of the incident along with the recommendations and ensure that this is passed to the staff member(s) and the person who has had the accident or made the complaint.
- Pass the matter onto the HSE or An Garda Síochána if the situation has a legal or child protection element.

15 WORKING IN PARTNERSHIP WITH OTHER AGENCIES

In many instances Fingal County Council will work collaboratively with other agencies in organising events with children/young people involved. There are many different forms that this work may take. However, where the event is being run in the name of Fingal County Council, our Child Protection guidelines and Code of Practice will apply.

16 COMPLAINTS PROCEDURE

There are also clear channels of communication and access to staff in the office if parents / guardians or children/young people wish to voice their concerns if there is something they are not happy about. There is an official procedure for members of the public to formally lodge a complaint against the council (see Appendix Five). If that procedure has been exhausted then a child, or someone acting on his/her behalf, is entitled to contact the Ombudsman for Children for further investigation. *See appendix 5*

17 RECOGNISING ABUSE

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. Definitions of the four types of abuse, how to recognise abuse and an explanation of “reasonable grounds for concern” are included in Appendices Three & Four which are based on “Children First – National Guidelines for the Protection and Welfare of Children”.

18 DISCLOSURE PROTOCOLS

Fingal County Council values and encourages the full participation of children and young people in many aspects of our work and we strive to ensure that the experience of the child/young person in our work is a happy and productive one.

In the event of a child/young person disclosing an incident of abuse it is essential that this is dealt with sensitively and professionally by the staff member involved. A child who divulges an incident of abuse makes a profound act of trust and must be treated with respect, sensitivity and care. The following are guidelines to support the staff member in dealing immediately with the disclosure:

1. React calmly.
2. Listen carefully and attentively - take the child/young person seriously.
3. Reassure the child/young person that they have taken the right action in talking to you.
4. Do not promise to keep anything secret, but do treat the information confidentially.
5. Ask questions for clarification only - do not ask leading questions or seek intimate details beyond those volunteered by the child/young person.
6. Check back with the child/young person that what you have heard and understood is correct.
7. Do not express any opinions about the alleged abuser.
8. Record the conversation as soon as possible, in as much detail as possible. Sign and date the record.
9. Ensure that the child/young person understands the procedures which will follow.
10. The employee or volunteer who has received a disclosure of child abuse or who has urgent concerns of abuse should bring it to the

attention of his/her supervisor immediately. Do not attempt to deal with the problem alone.

11. If the supervisor is not available then the Health Service Executive should be contacted at one of the following numbers during normal office hours:

Blanchardstown Area:	01-8567704
Santry Area:	01-8772300
Howth/Malahide:	01-8160314
Swords/Balbriggan Area:	01-8708000

In the case of emergency or outside of office hours the Gardai should be phoned at the following numbers:

Balbriggan Area:	01-8020510
Blanchardstown Area:	01-6667000
Howth Area:	01-6664900
Malahide Area:	01-6664600
Santry Area:	01-6664000
Swords Area:	01-6664700

12. The follow-up steps that must be carried out by the Supervisor in the event of a disclosure, concerns or allegations of child abuse is outlined in the following steps:
13. S/he will assess and review the information that has been provided. The Supervisor may contact the HSE for informal advice relating to the allegation, concern or disclosure.
14. After consultation with the HSE officials, the Supervisor will either:
 - (a) Report the allegation, concern or disclosure to the HSE; or
 - (b) Not make a formal report to HSE but keep a record of the concerns in an incident report book. The reasons for not reporting the allegation, concern or disclosure will be clearly recorded. The employee/volunteer who made the initial report will be informed if a formal report is not being made to the HSE and it is open to him/her to make a formal report themselves, directly to the relevant authority if they feel this is necessary.
15. Where a formal report is made the HSE will then liaise with An Garda Síochána. It is likely that the HSE will want to speak to the person who first made the report to clarify facts and the circumstances of the report.

In making a report on suspected or actual child abuse, the individual must ensure that the first priority is always for the safety and welfare of the young person and that no young person is ever left in an un-safe situation. The Protections for Persons Reporting Child Abuse Act, 1998 provides immunity from civil liability to persons who report child abuse 'reasonably and in good faith' to the appropriate Fingal County Council staff member, as per the organisation's policy and guidelines, the HSE or An Garda Síochána (see Appendix Four).

Parents/guardians of the child will be informed of the allegation, concern or disclosure unless doing so is likely to endanger the child.

19 ACTION TO BE TAKEN WHEN AN ALLEGATION IS MADE AGAINST A STAFF MEMBER

Where an allegation of abuse is made against an employee of Fingal County Council, there are two procedures that will be put in place:

- The reporting procedure in respect of the child;
- The procedure for dealing with the employee.

In the case of the allegation of abuse being made against an employee of Fingal County Council by a child or his/her guardian the following steps will be taken:

- The Manager / Head of HR will assign responsibility for investigating the complaint to a member of the HR department who, when conducting an investigation, will adhere to the rules of fair procedures detailed here-under.
- The allegation will be assessed by the designated HR person to establish if there are reasonable grounds for concern and whether a formal report will be made to the statutory authorities, at this point. The designated HR person may wish to contact the HSE for advice on the issue.
- The safety of the child is the first priority of Fingal County Council and all necessary measures will be taken to ensure that the child is safe. The measures taken will be proportionate to the level of risk.
- Fingal County Council will ensure that no other children/young people are at risk during this period and will inform other relevant agencies or parents/carers as appropriate.

- The measures which can be taken to ensure the safety of children and young people can include the following:
 - o re-assignment of duties where the accused will not have contact with children/young people
 - o working under increased supervision during the period of the investigation
 - o or other measures as deemed appropriate.
- If an allegation is being made the HR department will notify the employee that an allegation has been made and what the nature of the allegation is. The employee will be immediately advised to contact their union in relation to this matter.
- The employee has the right to be represented at all stages of the investigation and has an obligation to respond to the allegation.
- Fingal County Council will work in co-operation, as required, with An Garda Síochána and the HSE and any decisions on action to be taken in regard to the employee will be taken in consultation with these agencies.
- The person against whom the allegation is made may need support during this period of investigation and Fingal County Council will provide advice on how to access the relevant support services.
- When the internal Fingal County Council investigation is over a full report will be prepared. This will contain the details of the complainant and the response of the person against whom the complaint has been made. It will also include the findings of the investigation. If the matter becomes a criminal investigation by An Garda Síochána/ HSE, then this will also be noted in the final report prepared by the HR department.
- Upon receiving the report of the designated HR person, the head of HR will consider whether disciplinary action is required, having considered the nature of the report and the views of the person against whom the allegations were made, and his/her union.
- If the employee is unhappy with the outcome of the internal investigation, then it can be appealed through the normal industrial relations mechanisms.

20 CONFIDENTIALITY

All information regarding concerns of child abuse shall be shared only on "a need to know" basis in the interests of the child. No undertakings regarding secrecy can be given. Ethical and statutory codes concerned with confidentiality and data protection provide general guidance. They are not intended to limit or prevent the exchange of information between different professional employees that have a responsibility for ensuring the protection of children. Giving information to others for the protection of a child is not a breach of confidentiality.

Anyone who receives information from colleagues about possible or actual child abuse must treat it as having been given in confidence, subject to above. Any breaches of confidential information may be regarded as a disciplinary matter, subject to above.

Records should be kept in accordance with the Data Protection Act, within an agreed HR filing system and be available only to those directly involved and within the confines of the obligations and duties of the Data Protection Act, 2003.

APPENDICES

APPENDIX ONE:

(Sample) Parental/Guardian Consent Form

For Participation in the _____ of Fingal County Council

This parental consent form covers once off events / regular meetings of the _____ working group over the period of its term of office. Any exceptional travel or residential trips will require an additional form to be completed by the parent/guardian.

Name of Child/ Young Person: _____

Address: _____

Date of Birth: _____

Gender: (circle as appropriate)

Male

Female

Contact phone no: (Home) _____ (Mobile) _____

Name of School / Organisation: _____

Other Relevant Information

(Please mention any medical conditions, special needs or dietary requirements)

Contact details for parent/guardian

1. Name _____

Daytime phone no: _____ Mobile no: _____

Home phone number: _____

Email: _____

2. Name _____

Daytime phone no: _____ Mobile no: _____

Home phone number: _____

Email: _____

In case of a medical emergency:

In the event of illness or accident, I give permission for medical treatment to be administered where considered necessary by a suitably qualified medical practitioner and/or hospital. I understand that every effort will be made to contact me as soon as possible. In an emergency I can be contacted at the following telephone numbers:

I agree to allow the child named above to attend once off events on _____ or meetings of the _____ working group of Fingal County Council during the period _____ to _____.

I understand that there will be suitable supervision while the young people are in the care of Fingal County Council. I understand that the proceedings may be photographed/videoed and used for promotional purposes.

Signed: _____
(Guardian)

Name (block letters) _____
(Guardian)

Signed: _____
(Young person)

Address: _____

Phone no: _____ Date: _____

Relationship to Child/Young Person: _____

APPENDIX TWO:

(Sample) Incident/accident report form

Name of event/meeting where the incident/accident occurred:

Date _____ Location _____

Briefly describe what happened _____

Relevant Child Details:

Name _____ Address _____

Date of Birth _____ Telephone Number: _____

Witness Details if Appropriate:

Name _____ Address _____

Telephone Number: _____

Any injury sustained? _____

Who dealt with the situation? _____

How was it resolved/dealt with? _____

Were GARDAs contacted	Yes	No	Date_/_/____
Was Security contacted	Yes	No	Date_/_/____
Were Medical Personnel Contacted	Yes	No	Date_/_/____
Was Parent / Guardian contacted	Yes	No	Date_/_/____

Any follow up required? _____

Please attach any additional information if required _____

Signature: _____

Name (block letters): _____

Department: _____

APPENDIX THREE:

RECOGNISING CHILD ABUSE

Definition and Possible Physical and Behavioural Indicators of Child Abuse

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.

1. Neglect

Neglect can be defined in terms of an omission, 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. Neglect generally becomes apparent in different ways over a period of time rather than at one specific point. A distinction can be made between "willful" neglect and "circumstantial" neglect. For instance, "willful" neglect would generally incorporate a direct and deliberate deprivation by a parent/guardian of a child's most basic needs e.g. withdrawal of food, shelter, warmth, clothing, contact with others, whereas "circumstantial" neglect more often may be due to stress/inability to cope by parents or guardians.

Possible indicators of this type of abuse are:

- o Frequent minor or serious injuries
- o Untreated illness
- o Hunger, lack of nutrition
- o Tiredness
- o Inadequate and inappropriate clothing
- o Lack of supervision
- o Low self esteem
- o Lack of peer relationships

2. Emotional

Emotional abuse is normally to be found in the relationship between a care-giver 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.

Possible indicators of this type of abuse are:

- o Unreasonable mood and/or behavioural changes
- o Aggression, withdrawal or an 'I don't care attitude'
- o Lack of attachment
- o Low self esteem
- o Attention seeking
- o Depression or suicide attempts
- o Persistent nightmares, disturbed sleep, bedwetting, reluctance to go to bed
- o A fear of adults or particular individuals e.g. family member, baby-sitter or indeed excessive clinginess to parents/carers
- o Panic attacks

3. Physical

Physical abuse is any form of non-accidental injury or injury which results from wilful or neglectful failure to protect a child.

Possible indicators of this type of abuse are:

- o Frequent bruising, fractures, cuts, burns and other injuries
- o Torn clothing
- o Bite marks burns or welts
- o Bruises in places difficult to mark e.g. behind ears, groin
- o Undue or unnecessary fear
- o Aggressiveness or withdrawn
- o Absconding frequently from home

4. Sexual

Sexual abuse occurs when a child is used by another person for his or her gratification or sexual arousal or for that of others.

Possible indicators of this type of abuse are:

- o Over affectionate or inappropriate sexual behaviour
- o Age inappropriate sexual knowledge given the child's age, which is often demonstrated in language, play or drawings
- o Fondling or exposure of genital areas
- o Hints about sexual activity
- o Unusual reluctance to join in normal activities which involve undressing, e.g. games/swimming.

Indicators of Abuse are Not Facts

It is important to stress that no one indicator should be seen as conclusive in itself of abuse; it may indeed indicate conditions other than child abuse. A cluster or pattern of signs is likely to be more indicative of abuse. Signs must also be considered in the child's social and family context as child abuse is not restricted to any socio economic group, gender or culture. It is important to always be open to alternative explanations for possible physical or behavioural signs of abuse.

Reasonable Grounds for Concern

The statutory authorities should always be informed when a person has reasonable grounds for concern that a child may have been abused, or is being abused, or is at risk of abuse. A suspicion that is not supported by any objective indicator of abuse or neglect would not constitute reasonable grounds of for concern.

The following examples would constitute reasonable grounds for concern:

- 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 in any other 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 case 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.

A suspicion, not supported by any objective indication of abuse or neglect, does not constitute a reasonable suspicion or reasonable grounds for concern.

(Children First 1999, 4.3.2 and 4.3.3)

APPENDIX FOUR:

Protection for Persons Reporting Child Abuse

The Protection for Persons Reporting Child Abuse Act, 1998 provides immunity from civil liability to persons who report child abuse “reasonably and in good faith” to the HSE or An Garda Síochána. This means that even if a reported suspicion of child abuse proves unfounded a plaintiff who took an action would have to prove that the reporter had not acted reasonably and in good faith in making the report.

This protection applies to organisations and to individuals. It is considered therefore that organisations should assume full responsibility for reporting suspected child abuse to the appropriate authorities. Reports to the HSE and to the Gardaí should be made by the appropriate Fingal County Council staff member, as per the organisation’s policy and guidelines.

Section 3 (1) of the Act states:

“3. (1) A person who apart from this section, would be so liable 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-

(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,

unless it is proven that he or she has not acted reasonably and in good faith in forming that opinion and communicating it to the appropriate person”.

APPENDIX FIVE:

Complaints Procedure in relation to working with children/young people

Fingal County Council is committed to ensuring the safety and welfare of all children/young people with whom we work. We also try to ensure that children/young people have a positive and enjoyable experience when working with Fingal County Council.

This complaints procedure aims to cover any situation which may arise, when children/young people or their parents/guardians are not happy with the way the children/young people were treated while they were in Fingal County Council, working with Fingal County Council or at an event/activity run by Fingal County Council or another organisation on behalf of Fingal County Council.

Who can make a complaint?

Complaints can be made by:

- Children/young people involved with Fingal County Council;
- Their parents/guardians;
- Youth workers/CDB staff members working with the children/young person;
- Other advocates on behalf of children/young people.

How to make a complaint

1. If the complaint is in relation to the safety and welfare of children/young people the complaint should be made to the Human Resources Department of Fingal County Council.
2. Other complaints should be made to the person with whom the child/young person dealt with. If you prefer, you can make this complaint to the head of the relevant section in Fingal County Council

Information you need to provide

Complaints can be made orally or in writing. By providing the following information you can help to speed up the investigation of your complaint.

- The name and address of the child/young person affected and the project which they were working on;
- If the complaint is being made by a parent/guardian or other adult, the name and address of the parent/guardian or other adult;
- Exactly what you are dissatisfied with;
- The name of the official(s) who dealt with you.
- If your complaint is complicated, you may find it best to put it in writing so that no important detail is overlooked. Remember to send us copies of all relevant documentation/correspondence that you may have.
- If you have special needs that may affect your ability to make a complaint, please let us know at the earliest opportunity. We will make every effort to assist you.

Our standards for dealing with complaints

- If the complaint relates to the safety and welfare of a child/young person, it will be examined in accordance with good practice in relation to the safety and welfare of children/young people;
- We will treat your complaint properly, fairly and impartially and in the best interests of the child/young person;
- We promise that making a complaint will have no implications for your dealings with Fingal County Council;
- An official other than those originally involved will examine your complaint;
- We will examine and review your complaint and send a reply to you within 3 working days of the receipt of your complaint. This letter will explain the next steps to be taken and will also name the officer, of the relevant Department of the Council, directly responsible for investigating the problem. This officer will study all documentation and files and you will ordinarily be notified of a decision within 15 working days. If it is not possible to make a decision within 15 working days, you will be told the expected date for the final decision.
- The decision letter will also include details of the appeal process available if you are still unhappy with the final decision. We will also tell you if any changes have been made in our practices and procedures as a result of your complaint.
- We will apologise for any mistreatment of the child/young person, explain what happened and put it right wherever possible;

Can you appeal?

If you are unhappy about the outcome of the review you can appeal the matter to the Senior Executive Officer of the Citizen Services Division in Fingal. You are also entitled to contact the Ombudsman for Children's Office if you are still unhappy with the outcome at that stage. The Ombudsman's Office can be contacted at:

Ombudsman for Children's Office,
Millennium House,
52-56 Great Strand Street,
Dublin 1.
Free Phone: 1800 202040 or Lo-Call: 1890 654654
E-mail: oco@oco.ie
Web: <http://www.oco.ie>.

APPENDIX SIX:

Template HSE Standard Form for Reporting Child Protection/or Welfare Concerns



Feidhmeannacht na Seirbhíse Sláinte
Health Service Executive

PRIVATE AND CONFIDENTIAL

STANDARD FORM FOR REPORTING CHILD PROTECTION AND/OR WELFARE CONCERNS

**In case of Emergency or outside Health Service Executive office hours, contact should
be made with An Garda Síochána**

A. To Principal Social Worker or Duty Social Worker :

1. Details of Child:

Name: _____

Male: Female:

Address: _____

Age/D.O.B.: _____

School: _____

1a. Name of Mother: _____

Name of Father: _____

Address of Mother if different to Child: Address of Father if different to Child:

Telephone Number: _____ Telephone Number: _____

- 1b.** Care and Custody arrangements regarding child, if known:

- 1c.** Household Composition:

Name	Relationship to Child	Date of Birth	Additional Information e.g. School/Occupation

- 2.** Details of concern(s), allegation(s) or incident(s) dates, times, who was present, description of any observed injuries, parent's view(s), child's view(s) if known).

- 3.** Details of person(s) allegedly causing concern in relation to the child:

Name: _____ Age: _____

Male: _____ Female: _____

Address: _____

Relationship to Child: _____

Occupation: _____

- 4.** Name and Address of other personnel or agencies involved with this child:

Social Workers: _____ School: _____

Public Health Nurse: _____ Gardai: _____

G.P.: _____ Pre-School/Crèche/Youth Club _____

Hospital: _____ Other, Specify e.g. Youth Groups, After

_____ School Clubs: _____

- 5a. Are Parents/Legal Guardians aware of this referral to the Social Work Department? Yes No
- 5b. Are the Parents/Legal Guardians supportive Yes No
6. Details of Person reporting concerns:
(Please see Guidance Notes re. Limitations of confidentiality)
- Name: _____
- Occupation: _____
- Address: _____
- Telephone Number: _____
- Nature and extent of contact with Child/Family: _____
7. Details of Person completing form:
- Name: _____ Date: _____
- Occupation: _____ Signed: _____

Guidance Notes:

The Health Service Executive has a statutory responsibility under the Child Care Act, 1991, to promote the welfare and protection of children in their area. The Health Service Executive therefore has an obligation to receive information about any child who is not receiving adequate care and/or protection.

This reporting form is for use by:

- Health Service Executive Personnel
- Professionals and individuals in the provision of child care services in the community who have service contracts with the Health Service Executive
- Designated person in a voluntary or community agency
- Any professional, individual or group involved in services to children who becomes aware of a child protection or welfare concern, or to whom a child protection or child welfare concern is reported.

Please fill in as much information and detail as is known to you. (Health Service Executive personnel should do this in consultation with their line manager). This will assist the Social Work Department in assessing the level of risk to the child, or support services required. If the information requested is not known to you, please indicate by putting a line through the question. It is likely that a social worker will contact you to discuss your report.

The Health Service Executive aims to work in partnership with parents. If you are making this report in confidence you should note that the Health Service Executive cannot guarantee absolute confidentiality as:

- A Court could order that information be disclosed.
- Under the Freedom of Information Act, 1997, the Freedom of Information Commissioner may order that information be disclosed.

You should also note that in making a 'bona fide report' you are protected under the Protection for Persons Reporting Child Abuse Act, 1998.

If you are unsure if you should report your concerns, please telephone the duty social worker and discuss your concerns with him/her.

Reference No.:

- *The Enquiry Form must be completed in full using BLOCK CAPITALS*
(Please state N/A if details are not applicable)
- *Writing must be clear and legible*
- *Return the completed form to Fingal County Council, Human Resources Department, County Hall, Main Street, Swords, Co. Dublin.*
- *Do not send this form to The Garda Central Vetting Unit or to any Garda Station*

SURNAME:		PREVIOUS NAME (if any):	
FORENAME:		ALIAS:	P.F.S. NO:
DATE OF BIRTH:(dd/mm/yy)		PLACE/CITY OF ORIGIN:	
HAVE YOU EVER CHANGED YOUR NAME?		Yes ☐	No ☐
IF YES PLEASE STATE FORMER NAME:			

[illegible]

No ☐ Yes ☐ Please provide details

[illegible]

I, the undersigned who have applied to work as a _____ hereby authorise An Garda Síochána to furnish to Fingal County Council a statement that there are no convictions recorded against me in the Republic of Ireland or elsewhere, or a statement of all convictions and / or prosecutions, successful or not, pending or completed, in the State or elsewhere as the case may be.

Signature of Applicant: _____ Date: _____
()

To be completed by Fingal County Council only

Authorised Signatory: _____ (Fingal County Council)
PLEASE PRINT ALSO ()

Registration Number:

To be completed by the Garda Central Vetting Unit

According to Garda records there are no previous convictions recorded against the above named applicant: ☐

OR the attached convictions appear on Garda Records: ☐

OR the attached prosecutions are pending: ☐

NOTE: Checks were carried out by this office based on the information supplied.

The convictions supplied may apply to the subject of your enquiry.
Please verify information disclosed with the applicant.

Signed: _____ Member I/C

C.V.II.

Please Continue Overleaf

NOTES