

	Accompaniment Support Service for Children			
	No.	Issued 01/06/2021	Amended	Next Review Date 31/05/2023
	Category: Safeguarding			
	Procedure for Identifying and Responding to Child Safeguarding Concerns			

Related Documents
Child Safeguarding Policy
Code of Behaviour
Provision of Child Safeguarding Information, Instruction & Training

Revision Schedule		
Revision	Date	Description
1	01/06/2021	New Procedure Document

1. Introduction

The Accompaniment Support Service for Children (A.S.S.C.) provides specialised accompaniment, advocacy and support for young people and their families, throughout the Republic of Ireland as they negotiate the Criminal Justice System.

In particular, A.S.S.C. aims to provide accompaniment and support for children and their parents, carers or guardians:

- who attend for forensic medical examination at the Barnahus OneHouse, Galway and the Sexual Assault Treatment Unit (S.A.T.U.) in the Rotunda Hospital, Dublin,
- when a child is required to attend court proceedings.
- through advocacy phone support

In achieving those aims, A.S.S.C. has a Common Law 'duty of care' to the children availing of its services. We must ensure that the standard of care provided meets reasonable expectations, bearing in mind generally accepted good practice standards. Those standards include raising awareness of, responding to, recording and reporting child safeguarding concerns.

A.S.S.C. is required by law and government policy to develop and implement procedures relating to the identification and recording of child safeguarding concerns, reporting them to the statutory authorities and to our internal response to those concerns when a safeguarding concern arises from an act or omission by a volunteer or staff member of A.S.S.C.

This procedure document, emanating from A.S.S.C.'s Child Safeguarding Policy, provides guidance and instruction on identifying the occurrence or risk of harm or abuse to children availing of A.S.S.C.'s services and the procedures for responding to and reporting such an occurrence or risk.

1.1 Statement of Commitment

A.S.S.C. is committed to the protection from harm of children and young people availing of A.S.S.C.'s services. A.S.S.C. is committed to promoting the rights of the child including the participation of children and young people in matters that affect them. It is the policy of A.S.S.C. that all child protection and welfare concerns coming to the attention of A.S.S.C., its staff and volunteers will be reported to the appropriate statutory authorities. We are also committed to taking all appropriate and necessary steps to protect children availing of A.S.S.C.'s services where a volunteer or staff member is the subject of any investigation (howsoever described) in respect of any act, omission, or circumstance in respect of a child.

A.S.S.C. is committed to adherence to and implementation of *Children First National Guidance for the Protection and Welfare of Children 2017*, the Children First Act 2015 and the Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012.

1.2 Purpose of Procedure

The purpose of this document is to specify the procedures in place and to provide information to staff and volunteers of A.S.S.C., to parents, carers and guardians and to members of the public, in respect of:

- (a) the reporting of child safeguarding concerns by A.S.S.C. or an A.S.S.C. staff member/volunteer (whether a 'mandated person' or otherwise) to the statutory authorities in accordance with legislation, government policy and/or government guidance,
- (b) any A.S.S.C. staff member/volunteer who is the subject of any investigation (howsoever described) in respect of any act, omission, or circumstance in respect of a child availing of A.S.S.C.'s services,
- (c) maintaining a list of the persons in A.S.S.C. who are 'mandated persons' for the reporting of child protection concerns to Tusla,

The procedures outlined in this document have been developed to comply with the requirements outlined in paragraphs (b), (e) and (f) of section 11(3), of the Children First Act, 2015 and in accordance with *Children First: National Guidance for the Protection and Welfare of Children (2017)*, issued by the Minister for Children and Youth Affairs pursuant to section 6 of the Children First Act, 2015.

This procedure document is also designed to ensure that A.S.S.C., its staff and volunteers comply with the obligations provided for by section 2 of the Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012 - to disclose to the Garda Síochána information, which it is known or believed, may be of material assistance in respect of the investigation or prosecution of certain offences committed against children. Those offences against children are outlined in Schedule 1 of the Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012 (See Appendix 2).

The procedures outlined in this document are also designed to fulfil A.S.S.C.'s Common Law 'duty of care' to the children availing of its services.

1.3 Scope of this Procedure Document

These procedures apply to all those acting in a paid and voluntary capacity in A.S.S.C. The generic term 'A.S.S.C. personnel' will be used throughout this document to include all adults, whether staff or volunteers of A.S.S.C.

The procedures outlined in this document relate to all child safeguarding concerns that come to the attention of A.S.S.C. personnel in the course of their voluntary or paid work within A.S.S.C. This includes child protection and welfare concerns that arise from acts or omissions by persons external to A.S.S.C.

1.4 Key Definitions

Below are some key definitions that apply to terms used throughout this document.

1.4.1 Child

The *Child Care Act 1991* defines a “child” as a person under the age of 18 years, other than a person who is or has been married. However, since 1st January 2019, both persons in a marriage must have attained the age of 18 years for their marriage to be valid in the Republic of Ireland.

Any reference to ‘child’ or ‘children’ in this document means a person under the age of 18 years.

1.4.2 Child Protection Concern

The term ‘child protection concern’ is used when there are reasonable grounds for believing that a child may have been, is being or is at risk of being neglected or physically, sexually or emotionally abused.

1.4.3 Child Welfare Concern

A ‘child welfare concern’ relates to a problem experienced directly by a child, or by the family of a child, that is seen to impact negatively on the child’s health, development and welfare, and that warrants assessment and support, but may or may not constitute a child protection concern.

1.4.4 Child Safeguarding Concern

Safeguarding is more than intervening where there is a child protection or child welfare concern. Safeguarding begins with promotion and preventative activity which enables children and young people to grow up safely and securely in circumstances where their development and wellbeing is not adversely affected. It includes support to families and early intervention to meet the needs of children and continues through to child protection.

A ‘child safeguarding concern’ in this document includes a child protection or child welfare concern and any breach of A.S.S.C.’s Safeguarding policy and procedures that may put a child at risk.

1.4.5 Complainant

The Complainant in this document means the person who reported a child safeguarding concern to A.S.S.C., or the child and/or the parent/guardian of the child (who is not the Respondent) about whom the report was made, as appropriate.

1.4.6 Respondent

The Respondent in this document means the person who is the subject of a child safeguarding concern. The Respondent may be referred to as the Person Subject to the Allegation of Abuse (PSAA) by Tusla or as the suspected offender by the Garda Síochána.

1.4.7 Statutory Authorities

In this document ‘statutory authorities’ means the Garda Síochána and the Child & Family Agency (Tusla).

2. Key Roles and Responsibilities in Safeguarding

All volunteers and staff members of A.S.S.C. have important roles in relation to the identification of and the response to child safeguarding concerns. This chapter provides an outline of the key roles and responsibilities of key A.S.S.C. office holders.

2.1 All Adult Volunteers and Staff of A.S.S.C.

All adult volunteers and staff have a responsibility to report to the Designated Liaison Person (DLP) of A.S.S.C. any child safeguarding concerns that come to their attention as part of their work within A.S.S.C., including occasions where they have already reported such matters directly to the statutory authorities.

Each staff member and volunteer has a responsibility to keep safeguarding concerns **confidential**. Such concerns must be discussed only with the Designated Liaison Person and the appropriate statutory authorities.

All adult volunteers and staff of A.S.S.C. have a responsibility to keep themselves informed of A.S.S.C. policy and procedures relating to Safeguarding. A.S.S.C. personnel must also attend Safeguarding Training before working with children and must undergo Safeguarding Refresher Training every three years thereafter.

2.2 Executive Director of A.S.S.C.

The Executive Director of A.S.S.C. is responsible for the development and implementation of Safeguarding policy and procedures along with the reporting of child protection and welfare concerns to the statutory authorities. The Executive Director is a resource for all A.S.S.C. personnel, parents, carers and guardians, who have any queries or concerns or simply require advice in relation to A.S.S.C.'s child safeguarding policy and procedures.

The Executive Director is appointed as:

- the Designated Liaison Person for A.S.S.C. for the reporting of child protection and welfare concerns to the statutory authorities (see section 2.4 below).
- a 'mandated person' in accordance with the [Children First Act 2015](#) and has a statutory obligation to report to Tusla any occurrence or risk of harm to a child (as defined in the [Children First Act 2015](#)) that becomes known to him/her in the course of his/her employment or profession (see section 2.5 below).

2.3 Director of Services of A.S.S.C.

The Director of Services performs the role of reporting child protection and welfare concerns to the statutory authorities as delegated by, or in the absence of, the Executive Director.

The Director of Services is appointed as:

- Deputy Designated Liaison Persons (see section 2.4 below)
- A 'mandated person' in accordance with the Children First Act, 2015.

2.4 The Designated Liaison Person

The main role of the DLP is to take reports of Safeguarding concerns from volunteers and staff members of A.S.S.C. and to report to, and liaise with, statutory agencies on behalf of A.S.S.C.

In performing the role effectively, a DLP will:

- Be fully familiar with A.S.S.C.'s duties in relation to the safeguarding and protection of children.
- Have excellent knowledge of A.S.S.C.'s guiding principles and child safeguarding procedures.
- Ensure that A.S.S.C.'s reporting procedures are followed, so that child protection and welfare concerns are referred promptly to the statutory authorities.
- Receive reports of child safeguarding concerns from A.S.S.C. personnel and consider whether reasonable grounds for concern exist for reporting to the statutory authorities.
- Consult informally with statutory authorities, when relevant, to seek advice.
- Where appropriate, make a formal report of a child protection or welfare concern, to the appropriate statutory authorities using standard reporting mechanisms.
- Provide guidance to A.S.S.C. personnel regarding child safeguarding concerns.
- Consider the appropriate approach to a child's parents, carers or guardians when a report is being submitted regarding the child to the statutory authorities.
- Securely record all safeguarding concerns brought to his/her attention as well as any decisions and actions taken in response to these concerns.
- Provide feedback to the referrer, as appropriate, where a decision is made by the DLP not to make a referral to the statutory authorities. The referrer will be informed by the DLP as to the reason why A.S.S.C. will not be reporting. The referrer is free to make a direct report to the statutory authorities.
- Ensure that a secure system is in place to manage confidential records.
- Act as an ongoing liaison with the statutory authorities.
- Act as an ongoing liaison with the Complainant or his/her parent or guardian.
- Ensure the implementation and regular review of these procedures.
- Undertake any training required to perform the role of DLP.

Designated Liaison Persons' contact details:

Designated Liaison Person (DLP): Executive Director – Lynette Bradshaw
(087) 9615306
lynette@assc.ie

Deputy Designated Liaison Person: Director of Services – Grace Jordan
(085) 8001866
grace@assc.ie

All reports of safeguarding concerns must be made directly to an A.S.S.C. DLP.

When the Deputy DLP receives a report of a safeguarding concern, all notes and records in the possession of the Deputy DLP will be provided to the DLP (Executive Director) for secure storage, whether or not a report has been made to the statutory authorities.

2.5 'Mandated Persons' within A.S.S.C.

In the Republic of Ireland, the *Children First Act 2015*, defines certain persons as 'mandated persons'. 'Mandated persons' have a statutory obligation to report to Tusla any occurrence or risk of harm to a child that becomes known to them in the course of their employment or profession. *Schedule 2* of the *Children First Act 2015* (See *Appendix 1*) provides a list of the classes of persons who are specified as 'mandated persons' for the purposes of the Act.

2.5.1 A.S.S.C. Personnel who are 'Mandated Persons'

Within A.S.S.C., the following personnel are deemed 'mandated persons' in accordance with the *Children First Act 2015*:

- Designated Liaison Person (Executive Director).
- Deputy Designated Liaison Person (Director of Services).

2.5.2 Procedure for maintaining a list of 'mandated persons'

A list of 'mandated persons' will be maintained by the Executive Director at A.S.S.C. The Executive Director will update the list in the event of any known personnel change or any change to role descriptions.

The list of 'mandated persons' will be reviewed in line with the review of these procedures and A.S.S.C.'S Child Safeguarding Statement every 24 months, or sooner in the event of any change to national policy or legislation.

2.5.3 Role and Responsibilities of 'mandated persons' within A.S.S.C.

Within the Republic of Ireland, a 'mandated person' has a statutory obligation in accordance with *section 14* of the *Children First Act, 2015* to report child safeguarding concerns that constitute 'harm' as defined by the Act (see *section 4.8*).

In accordance with *section 16* of the *Children First Act, 2015* Tusla may request a 'mandated person' to assist in Tusla's assessment of child protection and welfare concerns regarding children who have been the subject of a report by any 'mandated person'.

See *section 4.8* for 'mandated persons' and reporting procedures.

3. Recognising a Child Safeguarding Concern

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. Abuse and neglect can occur within the family, in the community or in an institutional setting. The abuser may be someone known to the child, or may be a stranger, and can be an adult or another child. In a situation where abuse is reported to have been carried out by another child, you should consider it a child welfare and protection issue for both children and you should follow child protection procedures for both the Complainant and the Respondent.

The important factor in deciding whether the behaviour is abuse or neglect is the impact of that behaviour on the child rather than the intention of the parent/carer.

The definitions of neglect and abuse presented in this section are not legal definitions. They are intended to describe ways in which a child might experience abuse and how this abuse may be recognised.

3.1 Neglect

Child neglect is the most frequently reported category of abuse in the Republic of Ireland. 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 abuse, 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 and 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.

3.2 Emotional abuse

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.

3.3 Physical Abuse

Physical abuse occurs 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 protections in law relating to assault now apply to a child in the same way as they do to an adult.

3.4 Sexual 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.

Child sexual abuse may cover a wide spectrum of abusive activities. It rarely involves just a single incident and, in some instances, occurs over a number of 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.

It should be remembered that sexual activity involving a young person may be sexual abuse even if the young person concerned does not themselves recognise it as abusive.

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.

The Garda Síochána will deal with any criminal aspects of a sexual abuse case under the relevant criminal justice legislation. The prosecution of a sexual offence against a child will be considered within the wider objective of child welfare and protection. The safety of the child is paramount and at no stage should a child's safety be compromised because of concern for the integrity of a criminal investigation.

3.4.1 Age of Consent

The criminal law age of consent to engage in a sexual act within the Republic of Ireland is generally 17 years for both boys and girls. However, where a person engages in a sexual act is a **'person in authority'**, **the age of consent to engage in a sexual act increases to 18 years**. A 'person in authority' includes parent, grandparent, uncle, aunt; any current or former, step-parent, foster parent, guardian, partner of a parent; or any person who is, or has been, in loco parentis to the child or responsible for the education, supervision, training, care or welfare of the child.

Although a sexual relationship where either party (or both) is under the age of 17 years may be illegal, it may not necessarily be regarded as child sexual abuse. Details on exemptions for mandated reporting of certain cases of underage consensual sexual activity can be found in page 23 of Children First: National Guidance 2017.

3.5 Circumstances which may make children more vulnerable to harm

Some children may be more vulnerable to abuse than others. Also, there may be times or circumstances when a child may be more vulnerable to abuse in their lives. In particular, children with disabilities, children with communication difficulties, children in care or living away from home, or children with a parent or parents with problems in their own lives may be more susceptible to harm.

The following list is intended to help you identify the range of issues in a child's life that may place them at greater risk of abuse or neglect. It is important for you to remember that the presence of any of these factors does not necessarily mean that a child in those circumstances or settings is being abused.

Parent or carer factors:

- Drug and alcohol misuse
- Addiction, including gambling
- Mental health issues
- Parental disability issues, including learning or intellectual disability
- Conflictual relationships
- Domestic violence
- Adolescent parents

Child factors:

- Age
- Gender
- Sexuality
- Disability
- Mental health issues, including self-harm and suicide
- Communication difficulties
- Trafficked/Exploited
- Previous abuse
- Young carer

Community factors:

Cultural, ethnic, religious or faith-based norms in the family or community which may not meet the standards of child welfare or protection required in this jurisdiction.

Culture-specific practices, including:

- Honour-based violence
- Radicalisation
- Female genital mutilation
- Forced marriage

Environmental factors:

- Housing issues
- Poverty/Begging
- Internet and social media-related concerns
- Children who are out of home and not living with their parents, whether temporarily or permanently.
- Bullying

Poor motivation or willingness of parents/guardians to engage:

- Non-attendance at appointments
- Lack of insight or understanding of how the child is being affected
- Lack of understanding about what needs to happen to bring about change
- Avoidance of contact and reluctance to work with services
- Inability or unwillingness to comply with agreed plans

A.S.S.C. personnel should consider these factors as part of being alert to the possibility that a child may be at risk of suffering abuse and in bringing reasonable concerns to the attention of Tusla.

3.6 Peer Abuse

In a situation where child abuse is reported to have been carried out by another child, child protection procedures must be adhered to for both the victim and the child respondent. The report will be treated as a child protection issue for both children involved.

3.7 Bullying

It is recognised that bullying affects the lives of an increasing number of children and can be the cause of genuine concerns about a child's welfare.

Bullying can be defined as repeated aggression – whether it is verbal, psychological, or physical – that is conducted by an individual or group against others. It is behaviour that is intentionally aggravating and intimidating and occurs mainly among children in social environments such as schools or online. It includes behaviours such as physical aggression, cyber-bullying, damage to property, intimidation, isolation/exclusion, name calling, malicious gossip and extortion. Bullying can also take the form of abuse based on gender identity, sexual preference, race, ethnicity, and religious factors. With developments in modern technology, children can also be the victims of non-contact bullying, via mobile phones, the internet, and other personal devices.

While bullying can happen to any child, some may be more vulnerable. These include children with disabilities or special educational needs; those from ethnic minority and migrant groups; those from the Traveller community; lesbian, gay, bisexual, or transgender (LGBT) children and those perceived to be LGBT; and children of minority religious faiths.

There can be an increased vulnerability to bullying among children with special educational needs. This is particularly so among those who do not understand social cues and/or have difficulty communicating. Some children with complex needs may lack understanding of social situations and therefore trust everyone implicitly. Such children may be more vulnerable because they do not have the same social skills or capacity as others to recognise and defend themselves against bullying behaviour.

In cases of serious instances of bullying where the behaviour is regarded as possibly abusive or criminal, A.S.S.C. will make a referral to the statutory authorities as outlined in Chapter 4 below.

4. Responding to and Reporting Child Protection & Welfare Concerns

A.S.S.C. personnel need to be alert to the possibility that a welfare or protection concern may arise in relation to children availing of our services. A child needs to have someone he/she can trust in order to feel comfortable disclosing abuse. Children need to know that they will be believed and will get the help they need. Otherwise, they may be vulnerable to continuing abuse.

The guiding principles on reporting child abuse or neglect may be summarised as follows:

1. The safety and well-being of the child must take priority over concerns about adults against whom a disclosure may be made.
2. Reports of concerns should be made without delay to the statutory authorities.

The responsibility to report child protection or welfare concerns applies to everyone working with children.

Any person who has reasonable grounds for concern that a child may have been, is being, or is at risk of being abused or neglected must report that concern to the statutory authorities, as appropriate. A child welfare concern, where there is no specific evidence of abuse may also be reported to Tusla.

In the Republic of Ireland, [section 14](#) of the *Children First Act, 2015* places a statutory obligation on certain professionals, known as 'mandated persons', to report to Tusla a knowledge, belief or suspicion that a child has been, is being, or is at risk of being harmed through abuse or neglect.

4.1 Responding to child protection & welfare concerns

A.S.S.C. personnel should deal with any concern, disclosure or suspicion of child abuse sensitively and carefully and must follow the reporting procedures outlined in this document.

The following approach is recommended as best practice when first learning of a concern or disclosure.

Child abuse is usually perpetrated by an adult who had the confidence and trust of the child. An A.S.S.C. volunteer or staff member must be careful not to damage the trust a child has then placed in an adult to whom the disclosure is made by failing to observe the procedures and guidelines in this document.

Do not conduct an investigation:

- React calmly.
- Listen carefully and attentively.
- Take the child seriously.
- Reassure the child that he/she has taken the right action in talking to you.
- Do not promise to keep anything secret.
- Ask questions for clarification only.
- Do not ask leading questions (questions that elicit Yes/No answers).
- Check back with the child that what you have heard is correct and understood.
- Do not express any opinions about the reported abuser.
- Ensure that the child understands the procedures that will follow.
- Make a written record of the conversation as soon as possible, in as much detail as possible in the child's own words.
- Treat the information confidentially, discuss the matter only with people who really need-to-know (i.e. as A.S.S.C. DLP).

4.2 Reasonable Grounds for Concern

A.S.S.C. will inform Tusla and, when appropriate, the Garda Síochána, when there are reasonable grounds for concern that a child has been, is being, or is at risk of being abused or neglected, or whose welfare is at risk. A.S.S.C. personnel must not ignore what may be symptoms of abuse, as it could result in ongoing harm to the child.

It is not necessary to prove that abuse has occurred in order to report a concern. All that is required is that there are reasonable grounds for concern. It is

the role of the statutory agencies to assess and/or investigate concerns that are reported to them. When A.S.S.C. reports a concern, the information will be considered by the relevant statutory authorities along with any other information available to them. A social work Assessment is conducted to establish the level of risk.

Reasonable grounds for a child protection or welfare concern include:

- 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 a reported abuse
- An account from a person who saw the child being abused

4.3 Reporting to an A.S.S.C. DLP

All volunteers and staff members within A.S.S.C. must report any child safeguarding concerns they are aware of to an A.S.S.C. DLP.

Designated Liaison Persons' contact details:

Designated Liaison Person (DLP): Executive Director – Lynette Bradshaw
(087) 9615306
lynette@assc.ie

Deputy DLP: Director of Services – Grace Jordan
(085) 8001866
grace@assc.ie

A.S.S.C. personnel who are unsure as to whether or not a report should be made should contact the a DLP, who will provide any required advice or support and will decide whether or not the concern meets the threshold to report to the statutory authorities.

The DLP will need to provide as much information as possible about the child when making a report to the statutory agencies. Where possible, when making a report to the DLP, the following information should be included (information being unavailable must not prevent a report being made):

- The child's name, address, and age
- Names and addresses of parents or guardians
- Names, if known, of who is believed to be harming the child, or not caring for the child appropriately
- A detailed account of your grounds for concern (e.g. details of the disclosure/concern, dates of incidents, and description of injuries)
- Names of other children in the household
- Name of school the child attends
- Contact details of the reporter who raised the concern, as the statutory authorities may wish to make contact with the person who initially reported the matter.

4.4 Immediate & Serious Risk to the welfare of a child

A.S.S.C. personnel who are concerned that there is an **immediate and serious risk to the welfare of a child**, should make contact directly and immediately with the Garda Síochána, who have the necessary procedures and emergency powers to protect children where those circumstances exist. The reporter should then follow up with a report to the A.S.S.C. DLP, who will continue to liaise with the statutory authorities.

4.5 Reporting to the Statutory Authorities

Where there are reasonable grounds for concern, an A.S.S.C. DLP will make a referral on the Tusla Portal (or complete and submit the relevant form to Tusla) and/or report to the Garda Síochána, as appropriate.

Following the report being made, the Executive Director of A.S.S.C. will liaise with the statutory authorities, as appropriate.

NOTE: If the person reported to be responsible for any harm or abuse is also a child, the reporting procedures herein will be followed for both children (see section 3.6).

4.6 CONFIDENTIALITY - Others who may need to know

In order to maintain the confidentiality of the process, information must only be shared on a “need-to-know” basis and must not be discussed among peers.

The **child’s parents** will normally be informed by the DLP that a report is to be made to the statutory authorities, unless doing so would place the child or others at risk or may interfere with any assessment or investigation being conducted by the statutory authorities. The DLP may seek advice from the statutory authorities in that regard.

4.7 Non-reporting of concerns by A.S.S.C.

When an A.S.S.C. DLP decides not to report the concern to a statutory authority, the DLP must maintain a written record of the reason(s) for the decision not to report, along with a written record of all actions taken and any communication with the statutory authorities, including informal consultation and/or any advice received. The DLP must inform the reporter in writing of the reasons for the decision not to report and advise the reporter that s/he may make a report directly to the statutory authorities. Any volunteer or staff member who is not satisfied with a decision by the DLP not to report to the statutory authorities, may make a report directly to the statutory authorities.

Any volunteer or staff member who makes a direct report to the statutory authorities must inform the A.S.S.C. DLP that they have made a report and provide a copy of the report to the DLP. It is not appropriate for anyone to hold copies of this information outside of the office of the Executive Director of A.S.S.C. All information must be stored securely by the Executive Director, who is responsible for liaising with the relevant statutory authorities following such a report.

In the Republic of Ireland, the *Protections for Persons Reporting Child Abuse Act 1998*, protects from civil liability those who report child protection and child welfare concerns reasonably and in good faith to the statutory authorities.

Contact details for initiating reports to the statutory authorities may be found at [Appendix 3](#).

4.8 'Mandated Persons' Reporting to Tusla

Section 14 of the *Children First Act, 2015* requires that, where a 'mandated person' (an A.S.S.C. DLP) knows, believes or has reasonable grounds to suspect, on the basis of information that s/he has received, acquired or becomes aware of, in the course of his/her employment or profession as a 'mandated person', that a child—

- has been harmed,
- is being harmed, or
- is at risk of being harmed,

or where a child discloses his/her belief to a 'mandated person' the s/he has been, is being, or is at risk of being harmed, the 'mandated person' must, as soon as practicable, report that disclosure, knowledge, belief, or suspicion to Tusla.

'Harm' means, in relation to a child—

- (a) assault, ill-treatment or neglect of the child in a manner that seriously affects or is likely to seriously affect the child's health, development or welfare, or
- (b) sexual abuse of the child,

whether caused by a single act, omission or circumstance or a series or combination of acts, omissions or circumstances, or otherwise.

4.9 Dealing with a Retrospective Abuse Disclosure

A.S.S.C. personnel must report to the A.S.S.C. DLP knowledge of any disclosure by another adult regarding abuse he/she suffered as a child. The A.S.S.C. DLP will then notify the statutory authorities in line with procedures outlined in this Chapter. This may constitute a mandated report, where it is believed a child has suffered 'harm' in the past, even though that child is now an adult. It is essential to ensure that that there is no current risk to children when a person subject of a retrospective disclosure is still living.

4.10 Anonymous reports

If an A.S.S.C. DLP, or any volunteer or staff member of A.S.S.C., receives an anonymous report regarding a child safeguarding concern, the reporting procedure outlined in this Chapter must be followed. However, it is often difficult to establish reasonable grounds for concern without having information directly from the reporter who has raised the concern. This may impede or even prevent appropriate assessment or investigation by the statutory authorities.

Under no circumstances may A.S.S.C. personnel make anonymous reports to an A.S.S.C. DLP regarding child safeguarding concerns.

4.11 Diagram of the Overview of reporting procedures



5. Responding to Safeguarding Concerns in respect of A.S.S.C. Personnel

When a child safeguarding concern arises in respect of an A.S.S.C. staff member or volunteer, the priority of A.S.S.C. is to protect the child and/or other children, while observing the rights of the Respondent. A.S.S.C. has a dual responsibility in respect of both the child and the staff member/volunteer and will endeavour to ensure a quick resolution of the matter for the benefit of all concerned. **The welfare and safety of children will at all times be the paramount consideration.**

A safeguarding concern may relate to a person who is a volunteer or staff member of A.S.S.C. who has behaved in a manner that:

- has or may have resulted in harm to a child
- indicates that s/he may pose a risk of harm to a child
- may constitute a criminal offence in relation to a child
- is contrary to A.S.S.C.'s Code of Behaviour, or
- is contrary to professional practice guidelines.

A.S.S.C. will ensure that everyone involved is dealt with appropriately and fairly. The complaint will be handled in accordance with A.S.S.C.'s Child Safeguarding Policy. A.S.S.C. will apply fair procedure in accordance with the rules of natural justice and relevant employment law.

A.S.S.C. personnel must ensure that actions taken by the organisation do not frustrate or undermine any investigations or assessments undertaken by the statutory authorities. Continued liaison between A.S.S.C. and the statutory authorities should be maintained throughout.

5.1 Liaison with Complainant and Respondent

When a volunteer or staff member is the subject of a safeguarding concern, two staff members will liaise separately with the Complainant and Respondent.

The Executive Director (DLP) at A.S.S.C. will liaise with the Complainant and/or the parent/guardian, providing updates on the matter, where appropriate.

The Director of Services will liaise with the Respondent providing updates on the matter, where appropriate.

5.2 Volunteers who are the subject of a Safeguarding concern

When A.S.S.C. becomes aware of a safeguarding concern in respect of a volunteer that constitutes:

- knowledge, belief or reasonable grounds to suspect that a child has been harmed, is being harmed, or is at risk of being harmed as defined by the [Children First Act, 2015](#), or
- reasonable grounds for concern that a child has been abused or neglected.

an A.S.S.C. DLP will report the matter to the relevant statutory authorities, in respect of the child and the Respondent, in accordance with Chapter 4.

The Executive Director (or, in her/his absence, the Director of Services) will report to the Board of Directors of A.S.S.C. making recommendations as to the actions that should be taken in respect of the Respondent. The Board of Directors will then consider the appropriate measures to be taken in respect of the Respondent, **the paramount consideration being the welfare of children**. The measures taken will be proportionate to the level of risk to any child and to the safeguarding reputation of A.S.S.C.

Such measures may include the suspension of the volunteer without prejudice. A.S.S.C. acknowledges that any action taken, such as suspension, does not presume guilt in respect of the suspended volunteer. Suspension without prejudice is not a disciplinary measure but may be necessary as a precaution to safeguard children pending the outcome of any investigation(s).

The Director of Services (or, in her/his absence, the Executive Director) will inform the Respondent of the nature of the complaint and any initial actions being taken or considered in respect of the Respondent. Should the Respondent avail of his/her right to respond to the complaint the staff member informing him/her of the nature of the complaint should note the response and forward it to the reporting DLP, who will advise the statutory authorities. The Respondent should be offered the option of having representation and should be informed that any response will be noted and shared with statutory authorities.

When all investigations/assessments conducted by the statutory authorities are complete, regardless of the outcome, a Case Management Team, consisting of the

Executive Director, Director of Services and one member Board of the Board of Directors will risk assess the suitability of the volunteer to resume working with A.S.S.C. in accordance with [Risk Assessment Policy: volunteers who have been the subject of a child safeguarding concern](#).

5.3 A.S.S.C. staff members who are the subject of a Safeguarding concern

When A.S.S.C. becomes aware of a safeguarding concern in respect of an A.S.S.C. staff member that constitutes:

- knowledge, belief or reasonable grounds to suspect that a child has been harmed, is being harmed, or is at risk of being harmed as defined by the [Children First Act, 2015](#), or
- reasonable grounds for concern that a child has been abused or,

an A.S.S.C. DLP will report the matter to the relevant statutory authorities, in respect of the child and the Respondent, in accordance with Chapter 4.

The Executive Director and the Director of Services will then consider the appropriate measures to be taken in respect of the Respondent, **the paramount consideration being the welfare of children**. The measures taken will be proportionate to the level of risk to any child and the safeguarding reputation of A.S.S.C. All action taken will be in accordance with A.S.S.C.'s [Employee Handbook](#).

Such measures may include suspension pending the outcome of any investigation(s). A.S.S.C. acknowledges that any action taken, such as suspension, does not presume guilt in respect of the suspended volunteer.

The Director of Services (or, in her/his absence, the Executive Director) will inform the Respondent of the nature of the complaint and any initial actions being taken or considered in respect of the Respondent. Should the Respondent avail of his/her right to respond to the complaint the Director informing him/her of the nature of the complaint should note the response and forward it to the reporting DLP, who will advise the statutory authorities. The Respondent should be offered the option of having representation and should be informed that any response will be noted and shared with statutory authorities.

When all investigations/assessments conducted by the statutory authorities are complete, regardless of the outcome, the Executive Director will risk assess the suitability of the staff member to continue/resume employment with A.S.S.C. in accordance with A.S.S.C.'s [Employee Handbook](#).

If a safeguarding concern arises in relation to A.S.S.C.'s Executive Director, the Director of Services will liaise the complainant and the parent/guardian. The Chairperson of the Board of Directors will liaise with the Respondent.

If a safeguarding concern arises in relation to A.S.S.C.'s Director of Services, the Executive Director will liaise the complainant and the parent/guardian. The Chairperson of the Board of Directors will liaise with the Respondent.

5.4 Matters not appropriate for reporting to the Statutory Authorities

When a concern is raised regarding a volunteer in A.S.S.C. that **does not** constitute:

- reasonable grounds for concern for reporting to the statutory authorities or,
- harm or a risk of harm to children as defined by the *Children First Act, 2015*,

but is considered to be a Breach of the A.S.S.C.'s *Code of Behaviour* the Director of Services will do one or more of the following:

- deal with the Respondent by way of advice, warning or re-training,
- conduct a Risk Assessment as outlined in A.S.S.C.'s *Risk Assessment Policy: volunteers who have been the subject of a child safeguarding concern* in respect of the Respondent's continued suitability to work with children in A.S.S.C.,
- report the matter to the Executive Director with a view to commencing A.S.S.C.'s *Disciplinary Process*.

5.5 Erroneous Reporting of Safeguarding concerns

A.S.S.C. personnel may feel vulnerable to reports of abuse or of breaches of the *Code of Behaviour*. This may arise from a misunderstanding, a misinterpretation of non-abusive behaviour, a genuine mistake or vexatious/malicious/false reporting. A.S.S.C. will ensure that all reports are dealt with sensitively, that appropriate levels of confidentiality are maintained, and that fair procedure will apply while ensuring the safeguarding of children.

5.6 Supports for A.S.S.C. Personnel who are the subject of a Complaint

A.S.S.C. acknowledges that any action taken in respect of an A.S.S.C. volunteer or staff member, including suspension, does not presume guilt in respect of a person who is suspended but may be necessary to safeguard children pending the outcome of any investigation(s).

A.S.S.C. recognises that being the subject of a complaint, and any related measures taken by A.S.S.C., can have a negative and isolating impact. The appointment of an Independent Liaison Person (by mutual agreement with the Liaison Person and the Executive Director) during this process can be a key factor in providing support throughout an investigation.

A Link Person will be:

- Independent of the complaint
- Not a member of the Respondent's family
- Experienced in remaining objective, neutral, non-judgemental and keeping confidentiality
- A good listener, open minded, approachable and practice good people skills
- Aware of the informal nature of the role & the possible time commitment
- Accepting of the principles, procedures and boundaries inherent in the role
- Appointed as soon as possible after the Respondent is advised of the complaint

A confidential counselling helpline, operated by EAP Consultants on a 24/7 basis, is available to Respondents, who may also access up to 6 face-to-face counselling sessions.

5.7 Protected Disclosures – ‘Whistleblowing’

The Protected Disclosures Act 2014 (also called ‘whistleblower’ legislation) aims to protect people who raise concerns about possible wrongdoing in the workplace. They provide for the making of reports of wrongdoing and for redress for employees who are dismissed or otherwise penalised for having reported possible wrongdoing in the workplace.

Neither piece of legislation specifically covers volunteers, who do not benefit from the protections outlined in the 2014 Act or 1998 Order. A.S.S.C. will continue to investigate reports of wrongdoing from volunteers as if they were protected disclosures and offers protection to volunteers against retaliation for reporting wrongdoing in [A.S.S.C. Whistle Blower Policy](#).

6. Managing Information

All information relating to safeguarding concerns raised by A.S.S.C. personnel must be treated and managed with utmost confidentiality and must be retained by A.S.S.C. in accordance with the [Data Protection Acts 1988 to 2018](#).

6.1 Confidentiality

Throughout this procedure document, it has been made clear that confidentiality is essential in safeguarding to protect the privacy and reputation of both Complainants and Respondents. Information must only be shared on a need-to-know basis, and in the best interests of the child. **Volunteers must report all safeguarding concerns directly to an A.S.S.C. DLP.**

Children disclosing abuse to A.S.S.C. personnel must be made aware that the disclosure cannot be kept secret, but that it will only be shared with people who are in a position to help them. Parents and children have a right to know if personal information is being shared, unless doing so may put the child at further risk or impact on an assessment/investigation by the statutory authorities.

6.2 Managing Safeguarding Records

A.S.S.C. is committed to ensuring that, when dealing with child safeguarding issues, the following procedures are followed in relation to managing sensitive information.

When a volunteer or staff member becomes aware of a safeguarding concern or disclosure, s/he should keep a written record of any information received or actions taken. All written records should be provided, as soon as possible, to the Executive Director, who will retain the notes in the relevant file. The Executive Director will issue a receipt in writing or by email to the person providing the written record.

The Executive Director of A.S.S.C. will ensure that records:

- are factual and include details of contacts, consultations and any actions taken.

- will be retained confidentially, securely and safely within the organisation.
- will be used only for the purpose for which they are intended.
- will be shared with the Statutory Authorities where a child protection or welfare issue arises.
- will be otherwise shared only on a need-to-know basis in the best interests of children.

The [Data Protection Acts 1988 to 2018](#) will be observed by A.S.S.C. volunteers and staff at all times.

Appendix 1 – Children First Act 2015, Schedule 2 – ‘mandated persons’

The following classes of persons are specified as mandated persons for the purposes of this Act:

1. Registered medical practitioner within the meaning of section 2 of the Medical Practitioners Act 2007.
2. Registered nurse or registered midwife within the meaning of section 2(1) of the Nurses and Midwives Act 2011.
3. Physiotherapist registered in the register of members of that profession.
4. Speech and language therapist registered in the register of members of that profession.
5. Occupational therapist registered in the register of members of that profession.
6. Registered dentist within the meaning of section 2 of the Dentists Act 1985.
7. Psychologist who practises as such and who is eligible for registration in the register (if any) of members of that profession.
8. Social care worker who practises as such and who is eligible for registration in accordance with Part 4 of the Health and Social Care Professionals Act 2005 in the register of that profession.
9. Social worker who practises as such and who is eligible for registration in accordance with Part 4 of the Health and Social Care Professionals Act 2005 in the register (if any) of that profession.
10. Emergency medical technician, paramedic and advanced paramedic registered with the Pre-Hospital Emergency Care Council under the Pre-Hospital Emergency Care Council (Establishment) Order 2000 (S.I. No. 109 of 2000).
11. Probation officer within the meaning of section 1 of the Criminal Justice (Community Service) Act 1983.
12. Teacher registered with the Teaching Council.
13. Member of An Garda Síochána.
14. Guardian *ad litem* appointed in accordance with section 26 of the Child Care Act 1991
15. Person employed in any of the following capacities:
 - (a) manager of domestic violence shelter;
 - (b) manager of homeless provision or emergency accommodation facility;
 - (c) manager of asylum seeker accommodation (direct provision) centre;
 - (d) addiction counsellor employed by a body funded, wholly or partly, out of moneys provided by the Oireachtas;
 - (e) psychotherapist or a person providing counselling who is registered with one of the voluntary professional bodies;
 - (f) manager of a language school or other recreational school where children reside away from home;
 - (g) member of the clergy (howsoever described) or pastoral care worker (howsoever described) of a church or other religious community;
 - (h) director of any institution where a child is detained by an order of a court;
 - (i) safeguarding officer, child protection officer or other person (howsoever described) who is employed for the purpose of performing the child welfare and protection function of religious, sporting, recreational, cultural, educational and other bodies and organisations offering services to children;

- (j) child care staff member employed in a pre-school service within the meaning of Part VIIA of the Child Care Act 1991;
 - (k) person responsible for the care or management of a youth work service within the meaning of section 2 of the Youth Work Act 2001.
16. Youth worker who –
 - (a) holds a professional qualification that is recognised by the National Qualifications Authority in youth work within the meaning of section 3 of the Youth Work Act 2001 or a related discipline, and
 - (b) is employed in a youth work service within the meaning of section 2 of the Youth Work Act 2001.
 17. Foster carer registered with Tusla.
 18. A person carrying on a pre-school service within the meaning of Part VIIA of the Child Care Act 1991.

Appendix 2 – Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012, Schedule 1

Offences against children for purposes of an offence contrary to section 2 of the Act of 2012

1. Murder.
2. Manslaughter.
3. Common law offence of false imprisonment.
4. Rape.
5. Rape under section 4 of the Criminal Law (Rape) (Amendment) Act 1990.
6. Sexual assault.
7. Aggravated sexual assault within the meaning of section 3 of the Criminal Law (Rape) (Amendment) Act 1990.
8. An offence under section 1 of the Punishment of Incest Act 1908 (incest by males).
9. An offence under section 2 of the Punishment of Incest Act 1908 (incest by females of or over 17 years of age).
10. An offence under section 6(1) of the Criminal Law (Sexual Offences) Act 1993.
11. An offence under section 2 of the Criminal Law (Sexual Offences) Act 2006 (defilement of child under 15 years of age).
12. An offence under section 3 of the Criminal Law (Sexual Offences) Act 2006 (defilement of child under the age of 17 years).
- 12A. An offence under section 3A of the Criminal Law (Sexual Offences) Act 2006 (offence by person in authority).
13. An offence under any of the following provisions of the Child Trafficking and Pornography Act 1998
 - (a) section 3 (child trafficking and taking, etc., child for sexual exploitation),
 - (b) section 4 (allowing child to be used for child pornography),
 - (c) section 4A (organising etc. child prostitution or production of child pornography),
 - (d) section 5A (participation of child in pornographic performance).
14. An offence under section 2 of the Sexual Offences (Jurisdiction) Act 1996 insofar as it relates to an offence specified in the Schedule to that Act that is also specified in this Schedule.
15. An offence under the following provisions of the Criminal Law (Human Trafficking) Act 2008—
 - (a) section 2 (trafficking, etc., of children),
 - (b) section 5 insofar as it relates to a child who has been trafficked for the purpose of his or her exploitation (soliciting or importuning for purposes of prostitution of trafficked person),
 - (c) section 7 insofar as it relates to an offence under section 2 of that Act or section 3 (other than subsections (2A) and (2B)) of the Child Trafficking and Pornography Act 1998.
16. An offence under section 249 of the Children Act 2001 (causing or encouraging sexual offence upon a child).
17. An offence under section 176 of the Criminal Justice Act 2006 (reckless endangerment of children).
18. An offence under the following provisions of the Non-Fatal Offences against the Person Act 1997
 - (a) section 3 (assault causing harm),
 - (b) section 4 (causing serious harm),
 - (c) section 5 (threats to kill or cause serious harm),
 - (d) section 13 (endangerment),
 - (e) section 15 (false imprisonment),

- (f) section 16 (abduction of child by parent, etc.),
- (g) section 17 (abduction of child by other persons).
- 19. An offence under section 246 of the Children Act 2001 (cruelty to children).
- 20. An offence under the following provisions of Criminal Justice (Female Genital Mutilation) Act 2012
 - (a) section 2 (offences of female genital mutilation, etc.),
 - (b) section 3 (offence of removal from State for purpose of female genital mutilation),
 - (c) section 4 (acts, etc., done outside State).
- 21. An offence under any of the following provisions of the Criminal Law (Sexual Offences) Act 2017 —
 - (a) section 3 (obtaining, providing etc. a child for purpose of sexual exploitation),
 - (b) section 4 (invitation etc. to sexual touching),
 - (c) section 5 (sexual activity in presence of child),
 - (d) section 6 (causing child to watch sexual activity),
 - (e) section 7 (meeting child for purpose of sexual exploitation),
 - (f) section 8 (use of ICT to facilitate sexual exploitation of child).

Appendix 3 – Contact details for Statutory Authorities

Child and Family Agency (Tusla)

You may make a report via the Tusla Portal, having registered as a user of the portal: <https://portal.tusla.ie/Account/Login>.

You may also make a report to your local Tusla Office by completing this [form](#). Your local Tusla Office can be found at <https://www.tusla.ie/children-first/contact-a-social-worker3/>.

The Garda Síochána

You may make a report to the Garda Síochána by contacting your local Garda Station, which can be found at <https://www.garda.ie/en/contact-us/station-directory/>.

In an emergency you should dial **999/112**

Advise the Executive Director if you make a report to the Statutory Authorities.

Appendix 4 – Relevant Legislation & Publications

There are several publications and pieces of legislation relevant to the safeguarding of children. The following indicative list is not intended to be comprehensive but rather to give a sense of the breadth and wide array of relevant legislation.

Child and Family Agency Act 2013

<http://www.oireachtas.ie/documents/bills28/acts/2013/a4013.pdf>

Child Care Act 1991 <http://www.irishstatutebook.ie/eli/1991/act/17/enacted/en/print.html>

Children Act 2001

<http://www.irishstatutebook.ie/eli/2001/act/24/enacted/en/pdf>

Children First Act 2015

<http://www.irishstatutebook.ie/eli/2015/act/36/enacted/en/pdf>

Children First: National Guidance for the Protection and Welfare of Children

https://www.tusla.ie/uploads/content/Children_First_National_Guidance_2017.pdf

Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012

<http://www.irishstatutebook.ie/eli/2012/act/24/enacted/en/pdf>

Data Protection Acts 1988 to 2018

<http://www.irishstatutebook.ie/eli/1988/act/25/enacted/en/html>

<http://www.irishstatutebook.ie/eli/2003/act/6/enacted/en/pdf>

<http://www.irishstatutebook.ie/eli/2018/act/7/enacted/en/pdf>

Domestic Violence Act 2018

<http://www.irishstatutebook.ie/eli/2018/act/6/enacted/en/html>

Freedom of Information Act 2014

<http://www.irishstatutebook.ie/eli/2014/act/30/enacted/en/pdf>

National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016

<http://www.irishstatutebook.ie/eli/2012/act/47/enacted/en/pdf>

Non-Fatal Offences against the Person Act 1997

<http://www.irishstatutebook.ie/eli/1997/act/26/enacted/en/pdf>

Protected Disclosures Act 2014 <http://www.irishstatutebook.ie/eli/2014/act/14/enacted/en/pdf>

Protections for Persons Reporting Child Abuse Act 1998
<http://www.irishstatutebook.ie/eli/1998/act/49/enacted/en/pdf>

United Nations Convention on the Rights of the Child
<https://www.ohchr.org/Documents/ProfessionalInterest/crc.pdf>