

DEVELOPING A CHILD PROTECTION & WELFARE POLICY: A RESOURCE FOR EARLY YEARS SERVICES

NATIONAL EARLY YEARS
CHILD PROTECTION PROGRAMME





This Resource is intended to support early years services to develop their own Child Protection and Welfare Policy. The resource is designed to be tailored to the management structure, number of employees, age of children in the service and other policies and procedures in operation in the service.

This Document is intended as a guide only and does not take the place of legal or other advice.

The information is correct as of the publication date. It remains the responsibility of the service to ensure that their Child Protection and Welfare Policy complies with all the relevant requirements.

**National Early Years Children First Committee,
First published in March 2015, Updated in August 2016**



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Introduction

Purpose of this Resource

A key element of effective child safeguarding is the development and implementation of a robust Child Protection and Welfare Policy. The purpose of this guide is to support early years services to develop, implement and review their Child Protection and Welfare Policy.

The information in this document has been derived from: *Children First: National Guidance for the Protection and Welfare of Children*¹ and *Our Duty to Care – The Principles of Good Practice for the Protection of Children and Young People*², it will support services to develop policies which are consistent with both.

Who is this resource for?

- Full day care services
- Sessional services
- After school services
- Preschool services
- Drop-in services



It is recommended that this resource is used in conjunction with:

- *Children First*
- *Our Duty to Care*
- *Child Protection and Welfare Practice Handbook*³
- *Interim Guide for the Development of Child Protection and Welfare Policy, Procedures & Practices*⁴

Child Care (Pre-School Services) Regulations 2006:

The importance of child protection in early years settings is reflected in the pre-school regulations which stipulate that clear written guidelines on identifying and reporting child abuse should be developed by the service provider within the framework of *Children First*.

¹ Department of Children and Youth Affairs, 2011. Available at www.tusla.ie.

² Department of Health and Children, 2002. Available at www.tusla.ie.

³ Health Services Executive, 2011. Available at www.tusla.ie.

⁴ Tusla, Child & Family Agency, 2014. Available at www.tusla.ie.

Developing Your Policy

Step 1	Decide who will develop the policy	Who will develop the policy? The manager, service owner, voluntary management committee or a working group? Who are the stakeholders? Who needs to be consulted?
Step 2	Assess the current status of your child protection policy	If you already have a child protection policy, review it using the information in this resource. Which sections do you already have? Which sections need to be re-written? How does current practice relate to your child protection policy?
Step 3	Draft the policy	Use the information in this resource to develop your own policy and procedures. Use the checklist on p.8 to make sure you have all the relevant sections. Don't forget the appendices!
Step 4	Consult with the stakeholders	Share the draft policy with staff, volunteers, parents, management and the voluntary management committee (as relevant).
Step 5	Ratify the Policy	The policy should be formally adopted or ratified by senior management or the voluntary management committee as appropriate.
Step 6	Implement the Policy	Make an implementation plan for your service. See p.6 for some ideas on what implementation.
Step 7	Review your policy	Review your policy every 2 years or sooner if there has been an incident. Assess and evaluate if it is being implemented and if it is working. The <i>Interim Guide for the Development of Child Protection and Welfare Policy, Procedures & Practices</i> is a useful tool for review.

Implementing Your Policy



I will know that this policy is being implemented when:

- All students, employees and volunteers have read and signed the policy
- Parents are given information about the policy at intake meetings⁶
- Child Protection and Welfare Policy is part of the induction process for new employees, students and volunteers
- A Designated Liaison Person for child protection and a Deputy have been appointed
- All students, employees, volunteers and parents know who the Designated Liaison Person is
- Information about the Designated Liaison Person and Deputy are displayed in the service
- The Designated Liaison Person and Deputy have attended up to date child protection training
- Contact details for the local duty social work team and An Garda Síochána are displayed for staff
- All staff have been Garda Vetted
- All students, employees, volunteers and parents understand the Code of Behaviour

⁶Throughout this document 'parents' refers to the parent or guardian of a child.

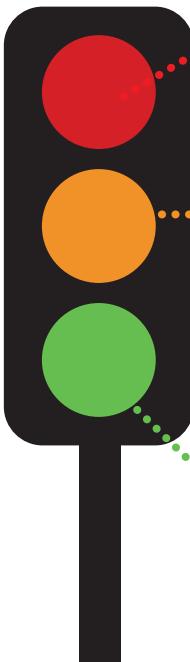
Using This Resource



Make sure
to read the
following!

HOW TO USE THIS DOCUMENT:

Sections 1-12 and the appendices are required in your final policy. For some sections the **text cannot be changed** as it must not deviate from *Children First* whereas other sections can be tailored to reflect the specifics of your service. As shorthand for this, a traffic light system is used to guide the reader through the document.



RED

These sections must not differ from *Children First* and should not be changed or adapted in any way (see Appendix 8, *Children First*).

ORANGE

These sections contain either sample policy wording or guidance on what information a section should contain. Where a sample policy is provided, the text or information can be used as the basis for the wording in your policy. The text in these sections can be changed and should be expanded and tailored to the needs of your service.

GREEN

These sections contain additional information, guidance and points to consider.



Child Protection Policy Checklist



Does your Child Protection Policy have the following sections?	Yes	No	In Progress
Child Protection and Welfare Policy Statement			
Role of the Designated Liaison Person (*)			
Recognising, Responding and Reporting Concerns about a Child's Welfare or Possible Abuse (*)			
Confidentiality Statement (*)			
Procedures for Dealing with Allegations of Abuse or Neglect against Employees and Volunteers			
Record Keeping			
Code of Behaviour			
Safe Recruitment			
Structures for Induction, Training and Staff Supervision & Support			
Responding to Complaints			
Management of Day Trips/Outings			
Dealing with Accidents and Incidents			
Managing Social Media (optional section)			
Appendices e.g. definitions of Abuse (*), Signs & Symptoms of Abuse(*)			

* indicates a section that cannot deviate from Children First.

Additional Policies that may be relevant to the Child Protection and Welfare Policy:

- Bullying Policy (depending on the age of the children in the service)
- Nappy and Toileting Policy
- Managing Challenging Behaviour Policy
- Partnership with Parents or Involving Parents Policy
- Garda Vetting Policy





1. Child Protection & Welfare Policy Statement

1.1 Child Protection & Welfare Policy Statement

Sample Service is committed to safeguarding the children in our care and to providing a safe environment in which they can play, learn and develop.



We are committed to child centred practice in all our work with children and full compliance with *Children First* and *Our Duty to Care*.

We recognise the right of children to be protected from harm, treated with respect, listened to and have their views taken into consideration in matters that affect them.

Management, staff, volunteers and students in this service recognise that the welfare of children is paramount and our service will endeavour to safeguard children by:

- Having procedures to recognise, respond to and report concerns about children's protection and welfare
- Having a confidentiality policy
- Having a code of behaviour for management, employees, students and volunteers.
- Having a safe recruitment procedure
- Having procedures for managing/supervising employees, students and volunteers
- Having a procedure to respond to accidents and incidents
- Having a procedure to respond to complaints
- Having procedures to respond to allegations of abuse and neglect against staff members.

As part of the policy, this service will:-

- Appoint both a Designated Liaison Person for dealing with child protection concerns and a Deputy
- Provide induction training on the Child Protection and Welfare Policy to all staff, volunteers, students and members of the board of management
- Ensure that staff attend child protection training as appropriate
- Provide supervision and support for staff and volunteers in contact with children
- Share information about the Child Protection and Welfare Policy with families and children
- This policy will be shared with parents on enrolment with our service
- This policy will be reviewed each time an incident is reported or every 2 years if that is sooner (include information about who is responsible for carrying out this review)
- Work and cooperate with the relevant statutory agencies as required.

1. Child Protection & Welfare Policy Statement



1.2 Overall Responsibility of all Employees, Board Members, Volunteers and Students

Although the Designated Liaison Person (see section 2 below) has a lead on issues relating to the protection and welfare of children, it is the responsibility of all service personnel to ensure the safety, protection and well-being of children in the care of the service. All staff, management, board members, relief staff and volunteers are required to read, understand and sign off on the Child Protection and Welfare Policy. It is expected that if staff, board members or volunteers have any questions about the policy or its implementation they speak with the Designated Liaison Person.

We will ensure that all personnel:

- Are aware of their responsibilities and their obligations under *Children First*
- Are aware of their responsibilities for reporting concerns and/or incidents regarding the safety or well-being of children to the Designated Liaison Person
- Attend child protection training as appropriate

This policy is applicable at all times when children are in the care of the service, including on day trips and outings.

We will ensure this policy is observed by (this is a suggested list – amend as relevant):

- Staff
- Special Needs Assistants
- Board of Management
- Volunteers
- Students on placement
- Visitors to the service
- Children (depending on the age)



1.3 Definition of a Child

For the purpose of this policy, a 'child' means anyone who is under 18 years of age.



Thinking About Implementation

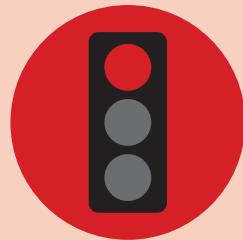
Are all staff, board members and volunteers familiar with the Child Protection and Welfare Policy?

Are students on placement in the service provided with information about the policy?

How is the policy communicated to parents?

2. Role of the Designated Liaison Person

Children First requires that every organisation providing services to children appoint a Designated Liaison Person (DLP) for reporting neglect or abuse. The DLP is responsible for dealing with child protection and welfare concerns in accordance with *Children First* and Our Duty to Care.



The Deputy DLP will be appointed by the board of management/ manager to undertake the below duties when the DLP is on leave or is unavailable for a long period of time.

Designated Liaison Person	Deputy Designated Liaison Person
Name, post, contact details	Name, post, contact details Fill in here

The Role of the DLP is to:

- Provide information and advice on child protection and welfare concerns and issues to the staff of the service
- Be accessible to all staff
- Ensure that they are knowledgeable about child protection and welfare and that they undertake any training considered necessary to keep updated on new developments
- Ensure that the Child Protection and Welfare Policy and procedures of the service are followed
- Be responsible for reporting concerns about the protection and welfare of children to TUSLA – Child & Family Agency or to An Garda Síochána
- Ensure that appropriate information is included in the report to the Child & Family Agency and that the reported is submitted in writing (under confidential cover) using the Standard Report form (see Appendix (i))
- Liasise with the Child & Family Agency, An Garda Síochána and other agencies as appropriate
- Keep relevant people within the organisation informed of relevant issues, whilst maintaining confidentiality
- Ensure that an individual case record is maintained of the action taken by the service, the liaison with other agencies and the outcome
- Advise the organisation of child protection training needs
- Maintain a central log or record of all child protection and welfare concerns in the service

2. Role of the Designated Liaison Person



Appointing a Designated Liaison Person

The role of Designate Liaison Person (DLP) is a very important one, it is important that the DLP:

- Is a senior staff member
- Has a good working knowledge of the organisation
- Has good listening and communication skills
- Has an understanding of abuse
- Is available

Community Services/Services with a Voluntary Management Committee:

The DLP is appointed by the management committee. In general, it is the manager who is the DLP.

Other Services: The owner or a person delegated by them (in general the manager) is the DLP.

Services that operate in a range of sites may need to appoint more than one DLP, while ensuring that central records are maintained.

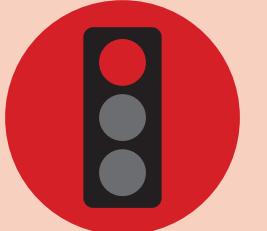


3. Recognising, Responding and Reporting Concerns about a Child's Welfare or Possible Abuse



3.1 Recognising Concerns

- Staff and/or volunteers may at times be concerned about the general welfare and development of children they work with and they can discuss any concerns with their manager and/or Designated Liaison Person at any time.
- All staff and volunteers should be familiar with the definitions of abuse as outlined in *Children First* (see Appendix (ii)) and the signs and symptoms of abuse (see Appendix (iii)).



3. Recognising, Responding and Reporting Concerns about a Child's Welfare or Possible Abuse



In accordance with *Children First*:

- Everyone must be alert to the possibility that children with whom they are in contact may be suffering from abuse or neglect.
- The Child and Family Agency should always be informed when a person has reasonable grounds for concern that a child may have been, is being or is at risk of being abused or neglected. Child protection concerns should be supported by evidence that indicates the possibility of abuse or neglect.
- A concern about a potential risk to children posed by a specific person, even if the children are unidentifiable, should also be communicated to the Child and Family Agency.
- The guiding principles in regard to reporting child abuse or neglect may be summarised as follows:
 - (I) *the safety and well-being of the child must take priority*
 - (II) *reports should be made without delay to the Child and Family Agency.*
- Any reasonable concern or suspicion of abuse or neglect must elicit a response. Ignoring the signals or failing to intervene may result in ongoing or further harm to the child.
- Section 176 of the Criminal Justice Act 2006 introduced the criminal charge of reckless endangerment of children. It states:

'A person, having authority or control over a child or abuser, who intentionally or recklessly endangers a child by – (a) causing or permitting any child to be placed or left in a situation which creates a substantial risk to the child of being a victim of serious harm or sexual abuse, or (b) failing to take reasonable steps to protect a child from such a risk while knowing that the child is in such a situation, is guilty of an offence.'

The penalty for a person found guilty of this offence is a fine (no upper limit) and/or imprisonment for a term not exceeding 10 years.

3.2 A concern could come to your attention in a number of ways:

- A child tells you or indicates that she/he is being abused. This is called a disclosure (see Appendix (iv) for guidance on responding to a disclosure from a child)
- An admission or indication from the alleged abuser
- A concern about a potential risk to children posed by a specific person, even if the children are unidentifiable
- Information from someone who saw the child being abused

3. Recognising, Responding and Reporting Concerns about a Child's Welfare or Possible Abuse



- Evidence of an injury or behaviour that is consistent with abuse and unlikely to be caused in any other way
- Consistent indication over a period of time that a child is suffering from emotional or physical neglect
- An injury or behaviour which is consistent with abuse, but an innocent explanation is given
- Concern about the behaviour or practice of a colleague

All Personnel are expected to consult *Children First* and the *Child Protection & Welfare Practice Handbook* for detailed information on the signs and symptoms of abuse.

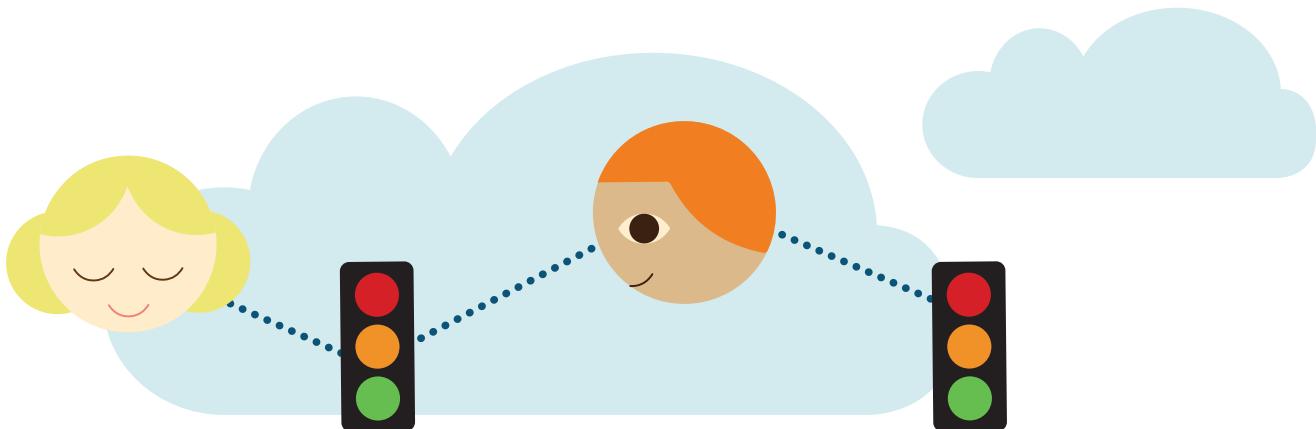
3.3 Procedures for Responding to a Child Protection or Welfare Concern

- Under no circumstances should a child be left in a situation that exposes him or her to harm or risk pending Child & Family Agency intervention. In the event of an emergency and the unavailability of a Duty Social Worker, the DLP will contact An Garda Síochána
- If the child has made a disclosure, a written record will be made. If there are other grounds for concern that the child has been abused or neglected, a written record will be made
- If there are reasonable grounds for concern (see Appendix (v)) the DLP will complete the Standard Report Form without delay and send it to the Duty Social Work Team in the Child & Family Agency (see below for contact details).

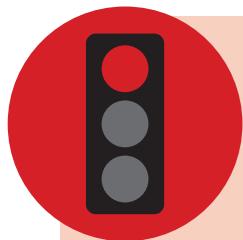


Useful Resources:

Children First, the Child Protection and Welfare Practice Handbook and the other documents referred to in this resource document can be found at www.tusla.ie. The website also contains a wide range of information on child protection and welfare issues.



3. Recognising, Responding and Reporting Concerns about a Child's Welfare or Possible Abuse



Duty Social Work Team, Tusla - Child & Family Agency

Name, post, contact details (phone number and address)

An Garda Síochána

Name, post, contact details (phone number and address)



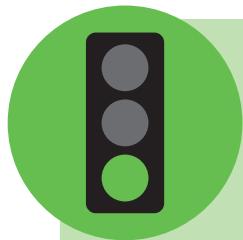
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- If the concern is urgent and the child is in immediate danger, the report to the Child & Family Agency will be made by telephone and followed up with the completed Standard Report Form.
- In the event of an emergency and the unavailability of a Duty Social Worker, the DLP will contact An Garda Síochána
- The DLP may use the process of informal consultation with the Duty Social Work Team to discuss the response to a child protection and welfare concern and whether or not it warrants reasonable grounds for concern. Informal consultation is carried out without providing the name of the family or the child. If advised to do so, a formal report will be made.
- The DLP will record information about the concern, informal consultation (if carried out) and details regarding if and when the parents were informed



Community Services/Services with a Voluntary Management Committee: Where there is a voluntary management committee in place, the chairperson is informed each time a referral or report is made under the Child Protection and Welfare Policy. In accordance with the confidentiality policy, no identifying information is included when informing the chairperson.

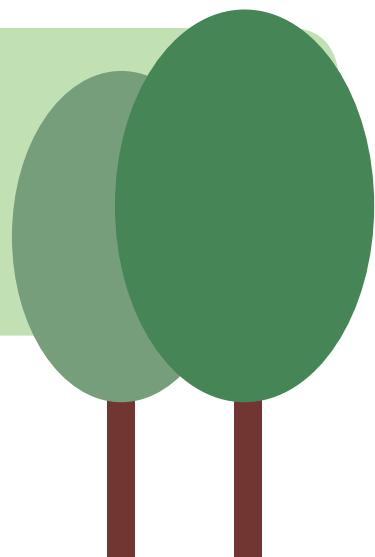
Other Services: If the owner is not the DLP they are informed when a referral or a report is made under the Child Protection and Welfare Policy.



Duty Social Work Team Contact Details

A list of all the duty social work teams can be accessed here:

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



3. Recognising, Responding and Reporting Concerns about a Child's Welfare or Possible Abuse



Procedure when a referral is not made to the Child & Family Agency

- Not all concerns will meet the reasonable grounds for concern. In this case, the concern and any informal consultation will be documented and kept confidentially and securely.
- The DLP will inform the member of staff, volunteer or student who raised the concern that it is not being referred in writing, indicating the reasons. The DLP will advise the individual that they may make a report themselves or contact the Duty Social Work Team and that the provision of the *Protection for Persons Reporting Child Abuse Act, 1998* will apply.⁹

3.4 Informing Parents about Child Protection and Welfare Concerns

- Good communication with parents is very important in ensuring best outcomes for children and any concerns about the health and well-being of a child will always be discussed with parents from the outset.
- When a child protection concern is being reported to the Child & Family Agency, good practice indicates that parents should be informed about the report unless doing so may put the child at further risk.** The DLP may seek advice from the Child and Family Agency Social Work Department in relation to this.

3.5 Responding to a Retrospective Disclosure by an Adult of abuse as a child

- In relation to retrospective disclosures, it is imperative that all child protection concerns are examined and addressed.
- An increasing number of adults are disclosing abuse that took place during their childhood. If a staff member becomes aware of a retrospective concern they should follow the reporting procedure and speak with the DLP. If any risk is deemed to exist to a child who may be in contact with an alleged abuser, the service should report the concern to the Children and Family Agency without delay.
- Information about relevant support services may be provided to the adult if appropriate.

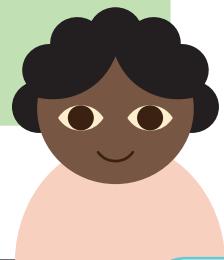


Thinking About Implementation

Do all staff and volunteers know who to contact if they have a concern about the welfare of a child?

Are the numbers for the Duty Social Work Team and the Gardaí displayed for staff?

Does the service have copies of *Children First* and the *Child Protection & Welfare Practice Handbook*?



⁹The Protection for Persons Reporting Child Abuse Act, 1998 provides protection from civil liability and penalisation by an employer where reports are made to designated officers in the HSE or to An Garda Síochána reasonably and in good faith.

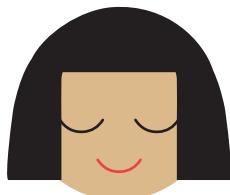


4. Confidentiality Statement

- The effective protection of a child often depends on the willingness of the staff in statutory and voluntary organisations involved with children to share and exchange relevant information. It is therefore critical that there is a clear understanding of professional and legal responsibilities with regard to confidentiality and the exchange of information.
- All information regarding a concern or assessment of child abuse or neglect should be shared on 'a need to know' basis in the interests of the child with the relevant statutory authorities.
- No undertakings regarding secrecy can be given. Those working with a child and family should make this clear to all parties involved, although they can be assured that all information will be handled taking full account of legal requirements.
- 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 staff with a responsibility for ensuring the protection and welfare of children. The provision of information to the statutory agencies for the protection of a child is not a breach of confidentiality or data protection.
- It must be clearly understood that information gathered for one purpose must not be used for another without consulting the person who provided that information.



5. Allegations of Abuse or Neglect against Employees¹⁰



5.1 Allegations of Abuse or Neglect against Employees, Students or Volunteers



- When developing procedures for dealing with allegations of abuse or neglect against employees it is recommended that services seek legal advice and/or Human Resource Management advice.

The following should be considered when developing this section of your policy:

- The protection and welfare of the children in the service are paramount and their safety and well-being is the priority. However, the service also has a duty and responsibility, as an employer, in respect of its employees. It is important to note that there are two procedures to be followed when an allegation of abuse or neglect is made against an employee:
 1. Reporting procedure in respect of any child protection and welfare concern
 2. The procedure in respect to the allegation against the employee

¹⁰ Note that Employee includes all ancillary staff, students and volunteers.

5. Allegations of Abuse or Neglect against Employees



It is recommended that two different people are nominated to manage each procedure. In small staff teams it may be necessary to call on external people who are independent to the parties.

- In general, it is the Designated Liaison Person who is responsible for reporting the matter to the Child & Family Agency (as per the reporting procedure) while the employer is responsible for addressing the employment issues.
- If the concern meets the reasonable grounds for reporting then it should be referred without delay to the Child & Family Agency.
- To be reported to the Child & Family Agency the allegation must meet the reasonable grounds for reporting of a concern. Informal consultation with the Child & Family Agency may be used to determine if reasonable grounds are present.
- Where there is a Board of Management, they are the employer, otherwise the owner of the service is the employer.
- All staff and volunteers in the service should be aware of who to contact should they become aware of an allegation of abuse or neglect against any employee in the service.
- Written records are very important: If a disclosure is made by a child, a written record of the disclosure should be made as soon as possible by the person receiving it. Where an allegation of abuse or neglect is made by an adult, a written record of the allegation should be made and a written statement should be sought from this person.
- Where an employer becomes aware of an allegation of abuse by an employee while executing their duties, an employer should privately inform the employee of the following:
 - (i) The fact that an allegation has been made against him/her
 - (ii) The nature of the allegation.

The employee should be afforded the opportunity to respond, the response should be noted and passed onto the Child & Family Agency with the formal report.

- All stages of the process should be recorded.
- An investigation may be required and the policy should note who will carry this out, the time involved and any appeal process. In small staff teams, independent, external parties may be called upon.
- Whether or not the matter is being reported to the Child & Family Agency, the employer is always informed of an allegation of abuse or neglect against an employee.
- Confidentiality: It is essential that at all times the matter is treated in the strictest confidence and that the identity of the employee is not disclosed, other than as required under the procedures within the policy.
- Protective measures may be required while the allegation is being investigated. The principles of natural justice, the presumption of innocence and fair procedures should be adhered to. It is very important to note protective measures are intended to be precautionary and not disciplinary.
- The employer should maintain regular and close liaison with the Child & Family Agency and or An Garda Síochána and ensure that no action by the service frustrates or undermines any investigation.
- Further action will be guided by employment legislation, the contract of employment, the other policies and procedures of the service (including the disciplinary policy) and the advice of the investigating agencies.
- *It is recommended that services always seek legal advice when dealing with allegations of abuse or neglect against an employee.*

5. Allegations of Abuse or Neglect against Employees



5.2 Parents and Allegations of Abuse or Neglect Against Employees

- Parents have the right to contact the Child & Family Agency to report an allegation of abuse or neglect about the employee or service.
- Parents of children who are named in an allegation of abuse or neglect will be kept informed of actions planned and taken, having regard to the rights of others concerned.
- If there is any concern that a child may have been harmed, their parents will be informed immediately.

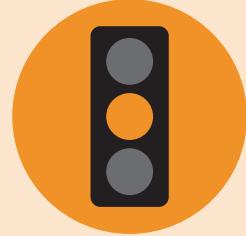


6. Record Keeping

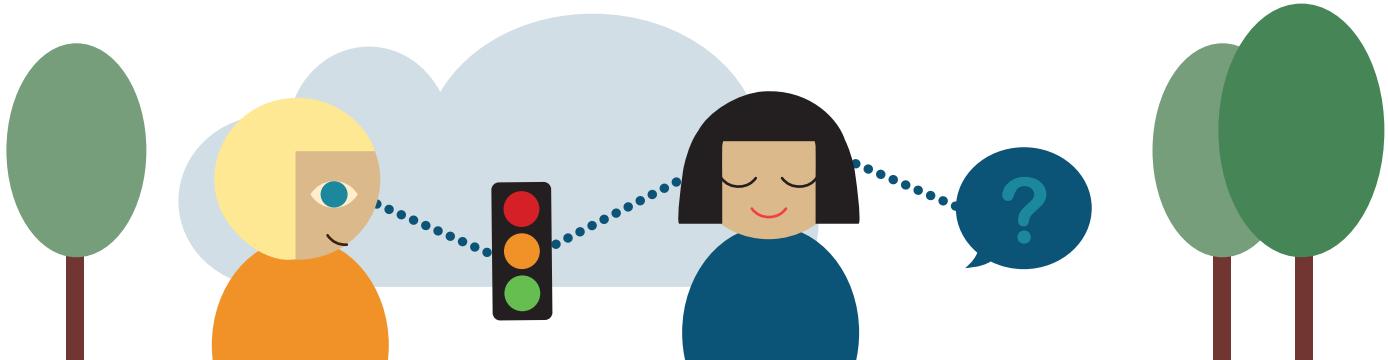
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6.1 Record Keeping

The following should be considered when developing this section of your policy:



- Under the Child Care (Pre-school Services) Regulations 2006, accurate and up to date records in relation to children, staff and service provision must be kept. The Early Years (Pre-school) Inspectorate will have access to files for inspection purposes.
- Parents may have access to the files and records of their own children on request but may not have access to information about any other child.
- Only employees involved with a particular child should have access to confidential files.
- Records are stored in compliance with 2006 Child Care Regulations.
- Where there are child protection or welfare concerns, observations/records will be kept on an ongoing basis and information shared with the Child and Family Agency as appropriate. It is important to note where these will be recorded and stored.
- Procedures are in place for archiving records.
- All records should be managed in line with the service Data Protection Policy

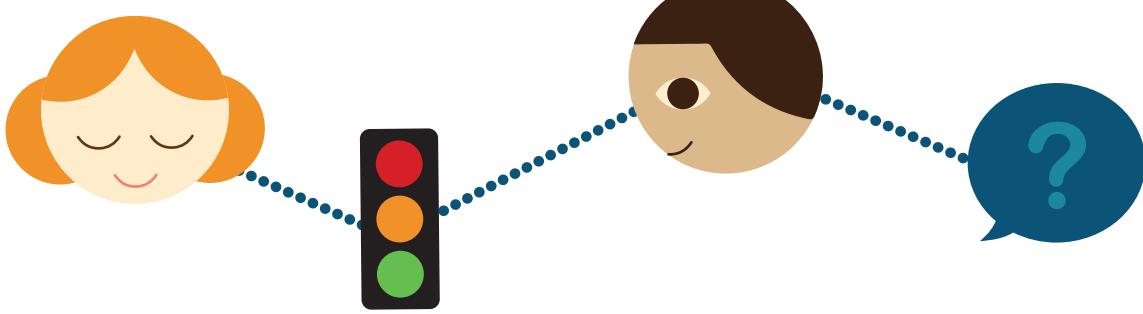




7. Code of Behaviour

7.1 Developing a Code of Behaviour

- A Code of Behaviour is an important part of a Child Protection and Welfare Policy as it sets out the standard expected from all employees and explains what is acceptable and what is not when employees are working with children.
- The Code of Behaviour can be used to:
 - Explain to new staff how we work with children and what is acceptable
 - Explain to parents what they and their child can expect from employees in the service
 - Create a shared understanding of best practice
 - Challenge an employee when practice is not at an acceptable standard
 - Challenge parents when behaviour in the service is not acceptable
 - As a Training tool
- The Code of Behaviour relates both to interactions with children and to what is acceptable between adults while children are present; it applies to all adults in the service including parents.
- The Code of Behaviour is developed in consultation with employees, parents and children (if relevant) and will vary depending on the age of children in the service and the scope of the service.
- Some headings that might be found in a Code of Behaviour :
 - Managing/Supervising Activities
 - Use of Mobile Phones and Technology
 - One-to-One work
 - Touch and Physical Contact
 - Communication with Children
- The code of behaviour should be included in the Child Protection and Welfare Policy either in this section or listed as an Appendix.



7. Code of Behaviour



7.2 The following points should be included in your Code of Behaviour

- We recognise the importance of a Code of Behaviour between staff and children as recommended in *Our Duty to Care*. Our Code of Behaviour is kept under regular review. The Code of Behaviour supports all staff and volunteers to have a clear understanding of what is acceptable with respect to their behaviour with children.
- We recognise that children have an equal right to our service provision in line with the *Equal Status Act* and the *National Disability Strategy*.
- We are committed to -
 - Valuing and respecting all children as individuals
 - Listening to children
 - Involving children in decision making as appropriate
 - Encouraging children to express themselves
 - Working in partnership with parents
 - Promoting positive behaviour
 - Valuing difference
 - Implementing and adhering to all relevant policies to keep children safe
- Information on adult to child ratios in the service should be included in this section.
- The Code of Behaviour is given to all staff and volunteers at induction and it is expected that all staff and volunteers are familiar with the code and that they will raise any questions arising with their line manager.



7. Code of Behaviour



- All employees have a duty to adhere to the Code of Behaviour and to bring breaches of the code to the attention of their line manager. Breaches of the Code of Behaviour are dealt with through the disciplinary procedure.
- Information on the service policy for managing behaviour could be included here or cross referenced with this section of the policy.

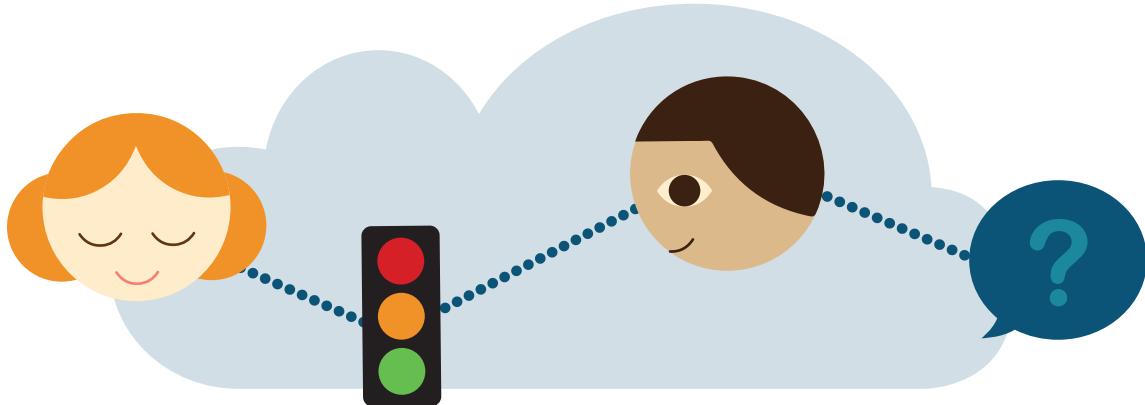


Developmentally Appropriate Practice: Positive Physical Contact

Touch and physical interaction are essential to the healthy development and well-being of young children. How you manage touch and physical contact with children should be included in your Code of Behaviour. Misunderstanding of Child Protection and Welfare Policy has, at times, left practitioners unsure as to how to provide the care that children require.

Points to Consider:

- Young children and babies require touch and physical contact to develop.
- Touch and physical contact are important in offering comfort and reassurance to young children – consider including information about how children are comforted in your service.
- Touch and physical contact should be governed by the age and developmental stage of the child for example physical interaction with a 6-month old baby is very different to that with a 4 year old child.
- All children are different and may need assistance in different ways. Children should be assisted with toileting and dressing based on individual need.
- Touch should be in response to the needs of a child not the adult. However, young children should be given the opportunity for physical contact if they require it.
- Touch and physical contact should be with the child's permission – resistance from the child should be respected.
- Touch and physical contact should be open and not secretive.





8. Safe Recruitment

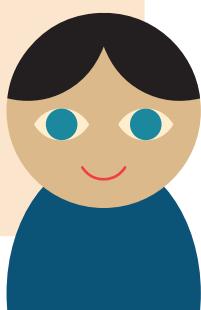
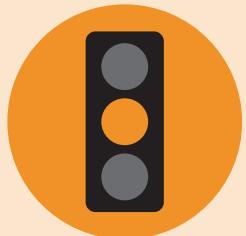
The following should be included in your policy in relation to recruitment of new employees and volunteers:

- We will ensure that all staff and volunteers are carefully selected in line with the Service Recruitment Policy and the Child Care (Pre-school Services) Regulations 2006. The following will be undertaken:
 - Development of job description which outlines the qualifications, skills and experience needed for each post
 - Advertising vacancies externally and as widely as practicable
 - Requesting candidates to supply personal information on an application form
 - Interviews will be conducted by more than one person. It is the responsibility of the interview panel and not one individual to appoint staff/volunteers
 - All processes should be consistent and transparent (i.e. interview questions agreed in advance, scoring sheets and feedback to candidates)
 - Prior to an offer of employment being made, two references from previous employers (including the most recent) should be supplied, verified and kept on file
 - Prior to commencement of position, proof of identity including address (passport, driving licence or ID card) will be requested and kept on file
 - Prior to commencement of position, satisfactory Garda vetting will be in place for all staff or volunteers
 - The development of criteria on decision making regarding suitability in the event of a vetting disclosure (Garda Vetting Policy)
- Any child protection and welfare concerns that arise through the recruitment process should be dealt with through the reporting procedures as outlined in Section 3
- All new appointments should be subject to a probationary period for a stated period and a review meeting held before the post is confirmed
- All employees will be provided with an employment contract

Personnel File

An up-to-date and accurate personnel file is kept for each member of staff that includes the following records:

- proof of identity and that the person is over 18 years of age
- proof of satisfactory Garda Vetting
- two validated references, including a reference from the most recent place of employment
- verification of qualifications
- investigation of any gaps in employment.





9. Induction, Training and Supervision/Support

Induction for new employees, students and volunteers:

- As part of the induction process, all new management, staff, volunteers and students will be briefed on all the elements of the Child Protection and Welfare Policy including the ethos of the service, child centred practice and the Code of Behaviour, within the first week of employment.
- All management, staff, volunteers and students will be required to commit to and abide by the Child Protection and Welfare Policy. They are required to confirm that they have read and understand the Child Protection and Welfare Policy with their signature.



Training on Child Protection:

- The DLP and Deputy DLP will be released to attend *Always Children First* Training and/or other relevant training as identified and we will ensure that the DLP and Deputy DLP attend child protection training every 3 years.
- All management, staff and volunteers will be encouraged to attend child protection and other relevant training as identified.
- Staff will be provided with information in relation to particular skills training to encourage professional development and best practice.



Thinking About Implementation

- Have the DLP and Deputy DLP attended the Tusla *Always Children First* Training in the last 3 years?
- Child protection training should be attended every 3 years.
- For more information on the Early Years Child Protection Training Programme contact your local childcare committee.



9. Induction, Training and Supervision/Support



Staff Supervision and Support

- Regular supervision and support is available to staff and volunteers, through one to one meetings or group meetings.
- Staff will be supported while dealing with a child protection concern and outside support will be sought where necessary, the costs of this will be borne by the company.

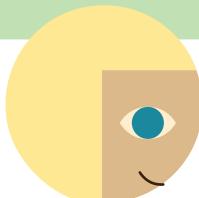


Employee Assistance Scheme:

Dealing with child protection and welfare concerns can be very challenging and can impact practitioners in different ways. Employee assistance programmes (such as those provided by health insurance providers) offer confidential support and counselling to employees on issues affecting any aspect of their personal or professional life. For examples of such schemes see VHI, Laya Healthcare.



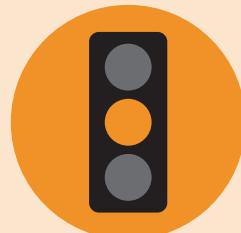
10. Responding to Complaints



Sample Policy on Responding to Complaints:

10.1 Policy Statement:

We work in partnership with parents by seeking their views and encouraging parents to participate in any decision making in relation to the service. We welcome comments/suggestions on the delivery of the service.



10.2 Procedures for Responding to a Complaint:

- We undertake to ensure all complaints are taken seriously and dealt with fairly, impartially and confidentially.
- We will endeavour to quickly and informally resolve complaints through discussion with parents and members of staff as appropriate.
- Parents will be made aware that there is a complaints procedure in operation as part of enrolment/intake.
- If we find that we have made a mistake or that something could have been done better we will change the way we do things to avoid making the same mistake in future.
- Complaints can be made by parents, guardians and other advocates on behalf of children.

10. Responding to Complaints



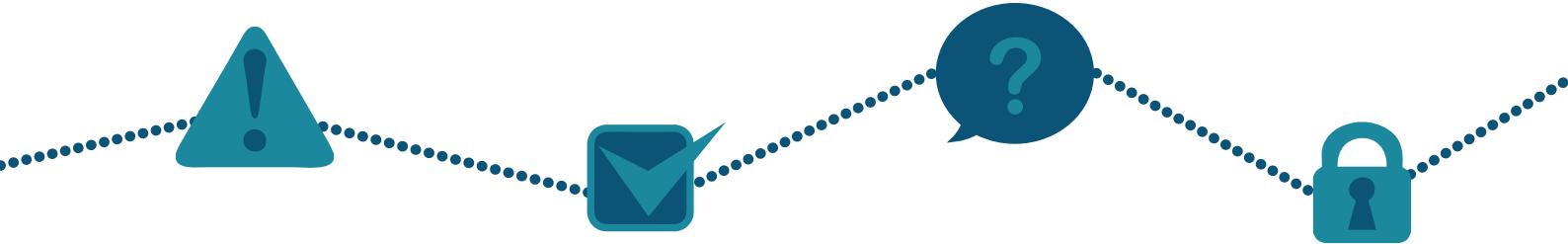
- If a parent is not satisfied with any aspect of the service they are requested to resolve the issue informally through discussion with the room leader /owner / manager.
- If the problem persists, re-occurs or the parent is not satisfied with the response, the complaint should be put in writing to the manager/chairperson of the Board of Management. (Contact details could be inserted including email address).

Community Services/Services with a Voluntary Management Committee

- The Board of Management may then nominate a committee member to meet with the parents and the room leader/manager (as appropriate) to try and resolve the issue.
- Most complaints are resolved at this stage. However if there are other or more serious issues arising from the complaint or it cannot be resolved then both sides may agree the need for a third party to mediate in relation to the complaint.
- Written records of discussion and agreements made will be kept of this meeting and copies made available to parents, room leader, or other involved staff (as appropriate).
- All complaints will be dealt within in a timely manner.

Other Services

- If the issue still remains unresolved the owner/manager will ask the parents to put their complaint in writing to them, a further meeting may take place and agreements reached will be written up and copies forwarded to parents and other relevant personnel (as appropriate).
- Most complaints are resolved at this stage. However if there are other or more serious issues arising from the complaint then both sides may agree the need for a third party to mediate in relation to the complaint.
- Depending on the nature of the complaint the Disciplinary Procedures may also be followed.
- If a complaint is made to the Early Years/Pre-school Inspectorate about any aspect of this service we will co-operate fully with the Inspectorate to resolve the issue.



11. Management of Day Trips/Outings from Service

Sample Policy: Managing Day Trips/Outings from the Service

11.1 Policy Statement

This service aims to provide children with a varied and wide experience and from time to time the service may organise day trips and outings. It is our policy to ensure the safety and well-being of children during these activities through planning, risk assessment, management and supervision of the activity.



11.2 Managing Routine Outings

Sample Service uses the facilities in park/playground when weather permits. In managing and planning these activities we will:

- Inform parents at enrolment of the proposed activity, method of travel and supervision in place
- Seek written consent from the parents; children will not be able to participate in this activity unless this has been obtained
- Ensure an adequate number of personnel are present and that the children are supervised at all times
- Ensure that the person in charge will have access to the service mobile phone in case of emergency
- A risk assessment of the venue/facility will be carried out and reviewed annually
- Ensure that adequate insurance is in place for the outing
- Ensure staff are familiar with emergency procedures

11.3 Managing and Planning Day Trips/Outings

This service aims to provide children with a varied and wide experience and from time to time the service will organize Day Trips. The following will be considered in planning these activities.

- All trips and outings will be planned in advance and a risk assessment will be carried out with regard to the following issues: safety in regard to method of transport, facilities, activities, accessibility for children with additional needs and emergencies.

Guidelines for Developing an Outings Policy/Procedure

In developing this section of the policy it is recommended that services refer to the Early Years Inspectorate guidelines for developing an Outings Policy/Procedure. See: http://www.tusla.ie/uploads/content/Pre_School_Outings_Procedures.pdf

11. Management of Day Trips/Outings from Service



- We will ensure that the method of transport complies with relevant safety requirements and insurance.
- We will ensure that adequate insurance is in place and that appropriate staff/child ratios are maintained in line with the pre-school regulations and the risk assessment.
- An outline of the details of the trip and related activities will be supplied in writing to parents and written consent by a parent specifically for each trip will be obtained. Parents will be asked to provide information about any allergies that their child has.
- Where appropriate, parents may be invited to accompany their children on trips.
- If all staff are leaving the service, emergency contacts for all children will be brought on the trip.
- Children will be appropriately supervised at all times and the relevant adult/child ratios maintained.
- Safety measures such as frequent head counts/roll calls at key stages, name tags, hats, armbands may be used as appropriate.

11.4. Managing Emergencies and Critical Incidents

- A first aid box will be brought and a person with a First Aid certificate will be present
- The person in charge will have access to the service mobile phone in case of emergency
- The service does its utmost to minimize risk and ensure the safety of all children at all times. However, it is important that staff are prepared for any emergencies that may arise and in this regard, a plan to deal with emergencies (such as critical incidents or an incident involving a missing child) will be developed for each outing. Staff will be reminded of any relevant policies and procedures prior to the day trip.





12. Dealing with Accidents or Incidents

12

Sample Policy: Accidents and Incidents

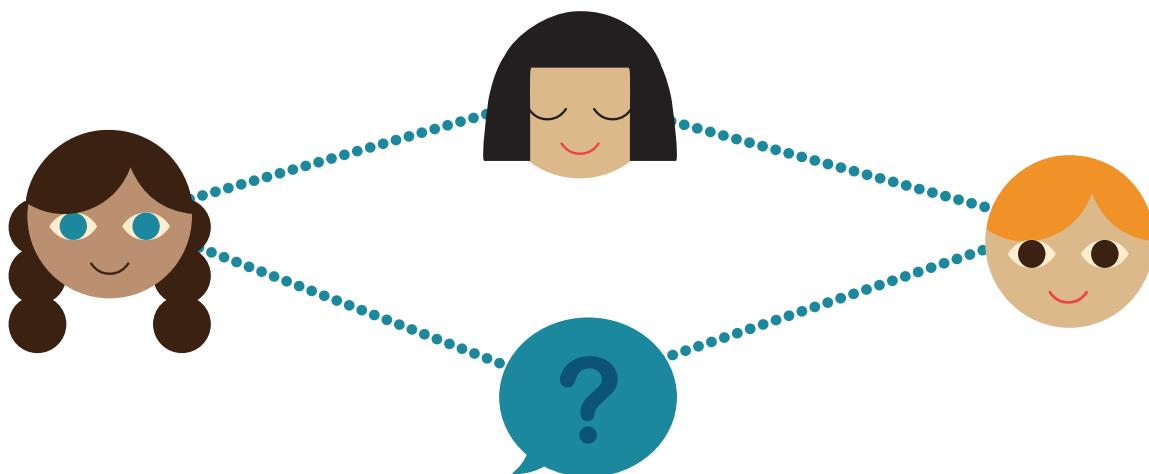
12.1 Policy Statement



It is our policy to promote the health, well-being and safety of all the children in our service through the implementation of robust policies and procedures and by developing and regularly reviewing accident prevention procedures and fire safety. Although we adhere to all safety precautions and guidelines, accidents may occur.

12.2 Procedures for Responding to an Accident/Incident

- We will ensure that all personnel are aware of emergency numbers and that they are prominently displayed.
- We will ensure that all relevant personnel have up to date First Aid Training and that a complete First Aid Box is accessible.
- The safety and welfare of the child is always the first consideration if a child is injured or an accident occurs.
- After an accident, as soon as practicable, the accident Report Form is completed and recorded in the Accident book/log.
- The manager/owner/chairperson is informed of serious accidents or incidents.
- Parents are always informed of incidents or accidents involving their child and requested to sign the relevant form.
- The manager will review the accident and incident reports annually.





13. Social Media Policy

Many services are using social media as an additional tool for communication with parents and families. Where a service is using social media it is recommended that a policy is in place and the following points should be considered in developing it.



Purpose of Social Media Use:

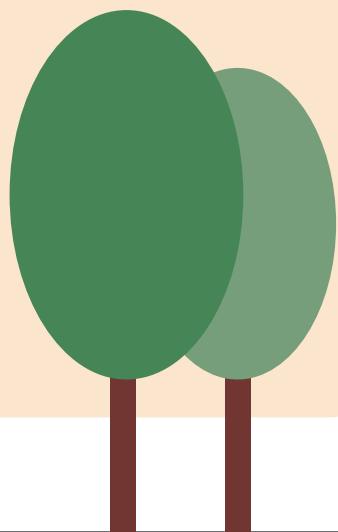
- The policy should include a written statement about the purpose of the engagement with social media and services should be clear about the purpose of their use of social media. Is it to communicate with parents? Market the service? Provide information to parents? Seek feedback? Provide information on community resources?
- Clear guidance is required for employees as to what is appropriate to post on the service social media sites.
- Social media should only be used for communication in relation to professional matters relating to the service.

Social Media Administrator:

- A social media administrator should be appointed by the service to manage social media engagement. One of their roles is to verify all social media posts (including those by parents) before they are published online.
- Children in the service will not be engaged with on social media. In relation to Facebook, Children in the service will not be 'friended'.

Consent & Images

- Consent is required from parents before an image of a child can be used on social media.
- Consider what devices are used to take images of children – this should be on service equipment not employee phones.
- Images of children are covered by Data Protection Legislation.
- The policy should state for how long the images will remain on the social media site.
- Careful consideration should be given by managers to the use of personal mobile phones by staff whilst working with children.



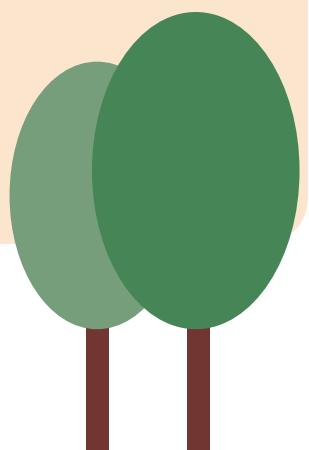
13. Social Media Policy



- Always consider whether it is necessary to post the image of a child online. We are creating digital footprints for children which they are unable to consent to.
- Never post an image of a child with identifying information
- Be mindful not to create a perception of division in groups of children or leave some children feeling left out (for example if not all the children have consent for their image to appear on Facebook then is a group shot appropriate?)
- Ensure children are appropriately dressed before posting any image

Service Events

- Request that parents do not share images of other people's children online, most parents will be respectful of this.



14. Children First Act 2015

Children First Act 2015 - New Child Protection Legislation

New legislation: the Children First Act 2015 has been passed, this will impact on early years services - the legislation will be introduced in a phased way and this information has been included for **information purposes only** and to assist services in preparing for the new requirements.



Children First Act 2015

Central to Ireland's child protection system is the implementation and adherence to *Children First: National Guidance for the Protection and Welfare of Children* (2011). This national guidance provides a framework to assist individuals and agencies working with children to identify incidences of child abuse and the procedures to follow to report any concerns to the relevant authorities.

The Children First Act 2015 aims to strengthen the child protection response of all agencies and when fully enacted, it will put elements of *Children First* on a statutory footing – this means that early years services will have new legal requirements in relation to child protection. Although the Act has passed all stages in the Oireachtas, the sections that will apply to early years services have not yet started.



What will the Children First Act 2015 mean for Early Years Services?

When the Act is fully commenced, it will place additional responsibilities on early years services and it will be a legal obligation to carry out these new requirements. The intention is that the legislation will operate side-by-side with the existing non-statutory obligations provided for in *Children First*.

● **Child Safeguarding Statement**

Early years services will be required to have a Child Safeguarding Statement. The Statement will include a child protection and welfare policy, along with other elements such as a risk assessment. The legislation makes provision for a Register of non-compliance for those providers who fail, on request, to provide a copy of the Child Safeguarding Statement to Tusla.

● **Early Years Workers will be Mandated Reporters**

Mandated reporters are persons who, by virtue of their training, responsibilities and experience should have an awareness of issues relating to child protection. These professionals either work with children or young people or they are in service sectors that encounter adults or families and children where there is risk of abuse and neglect. Mandated reporters will be required to report information regarding child abuse which comes to their attention in the course of their professional or employment duties. They will also be required to report any direct disclosures of abuse from a child. As well as early years workers, a range of other professional groups including teachers, GPs, and nurses are named in the legislation and will be mandated reporters.

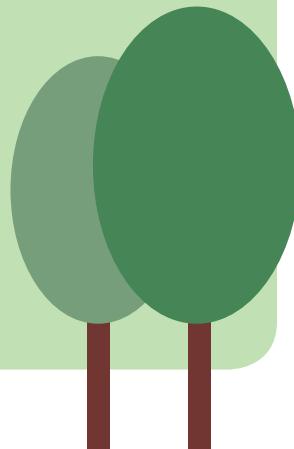
Under the new legislation, mandated reporters may be required to cooperate with the Child and Family Agency, if requested, in relation to assessment of child welfare and protection concerns by the Agency.

The new requirements will be introduced in a phased way in conjunction with new guidance and supports.

Preparing for the Children First Act 2015

- Update or review your child protection & welfare policy
- Think about how your child protection and welfare policy is implemented
- Child protection training - ensure the DLP and the deputy DLP and any other team members with a lead role have up to date child protection training

For more information about the Children First Act 2015 see www.tusla.ie/children-first/children-first-act-2015/



15. List of Appendices



There is some information which must be included in your **Child Protection and Welfare Policy** and it is recommended that this is not changed in anyway. The recommended Appendices are listed below:

Additional appendices may be required and it can be a useful way of keeping all the forms related to the Child Protection and Welfare Policy together.

Appendix (i) Standard Report Form (see <http://www.tusla.ie/children-first/publications-and-forms>)

Appendix (ii) Definitions of Abuse from *Children First* (pp. 8-10)

Appendix (iii) Signs and Symptoms of Abuse from *Children First* (pp. 70-74)

Appendix (iv) Guidance on responding to a disclosure from the *Child Protection and Welfare Practice Handbook* (Section 5)

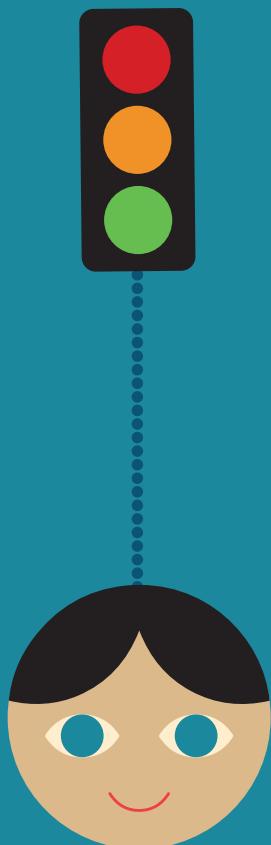
Appendix (v) Reasonable Grounds for Reporting a child protection and welfare concern from *Children First*



The Early Years Child Protection Programme has been developed by the National Early Years Children First Committee. The interagency committee, was established by the Department of Children and Youth Affairs, to support the implementation of *Children First* in the early years sector. The programme consists of a National Child Protection Training Programme for early years services and Child Protection and Welfare Policy implementation support.

This resource has been funded by the Department of Children and Youth Affairs.

The **National Early Years Children First Committee** is made up of the following organisations:



Cork City Childcare Committee
Forbairt Naónraí Teoranta
Barnardos
Dublin City Childcare Committee
Fingal County Childcare Committee
Early Childhood Ireland
Early Years/Pre-School Inspection Service
Tusla - Child & Family Agency
Louth County Childcare Committee
Childminding Ireland
Cork Education & Training Board
Comhar Naónraí na Gaeltachta

