



UNIVERSITY
CONCERT HALL
LIMERICK

**Policy and Procedures for the Protection and
Safeguarding of Children
August 2023**

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1. Introduction

This policy document and associated procedures aims to support University Concert Hall Limerick (UCH) in creating and maintaining as safe an environment as possible for children who engage with the company. In creating and maintaining this safe environment UCH will implement specific safeguarding children measures and will support staff in promoting the protection and welfare of children who attend our venue and use our facilities.

1.1 Nature of Service Being Provided

UCH is a relevant service as set out in Schedule 1 of the Children First Act 2015. UCH hosts events involving performers and participants who may be under the age of 18, and may employ personnel who may be under the age of 18. These events include shows, summer camps, educational and cultural activities, and other activities, which permit children to remain in the venue for periods without their parents.

UCH is committed to adopting and upholding the highest possible standards in safeguarding and protecting children. In doing so it shall take all reasonable steps in relation to the protection and welfare of children and young people who may be present within the venue or off site at a UCH activity.

2. UCH Child Safeguarding Context

Statutory Obligations

The 2015 Act places specific obligations on organisations, which provide services to children and young people, including the requirement to:

- Keep children safe from harm while they are using UCH facilities.
- Carry out a risk assessment to identify whether a child or young person could be harmed while attending UCH or availing of UCH facilities.
- Develop a Child Safeguarding Statement that outlines the policies and procedures which are in place to manage the risks that have been identified in the UCH risk assessment.
- Appoint a Relevant Person to be the first point of contact in respect of UCH's Child Safeguarding Statement, which is comprised as part of these procedures.

Non-Statutory Guidance

Children First: National Guidance for the Protection and Welfare of Children (The 2017 Guidance) has been revised on three occasions, most recently in 2017 because of the enactment of the Children First Act 2015. The 2015 Act places a number of statutory obligations on specific groups of professionals and on particular organisations providing services to children.

The schedule of Relevant Services under the Children First Act 2015 is contained in [Appendix 12](#) of these procedures.

A full schedule of Mandated Persons under the Children First Act 2015 is contained in [Appendix 11](#) of these procedures.

The procedures contained within this document are based on the Children First National Guidance 2017 and in compliance with the 2015 Children First Act, they set out :

- the statutory responsibilities for Mandated Persons and non- mandated persons under the 2015 Act
- the best practice procedures that should be in place for all organisations providing services to children.
- guidance in identifying and reporting child abuse and neglect and in dealing effectively with concerns .
- information on the statutory obligations for individuals and organisations
- information about how the statutory agencies respond to reports of concerns made about children.

Guiding Principles

The guiding principles are as set out in the Child Safeguarding Statement of UCH ([Appendix 1](#)). It will be the responsibility of UCH to ensure these principles are followed to safeguard, as far as practicable, children who are using UCH facilities. Staff who work with children and young people must familiarise themselves with these procedures and sign an Acceptance of the UCH Child Safeguarding Statement which can be found in [Appendix 5](#). (The staff member shall return the completed form to their line manager or the Operations Manager for retention on file.)

Actions that will assist the implementation and maintenance of the safeguarding children principles include:

- Responding without undue delay to protection and welfare concerns in respect of children and following the guidance contained within UCH Policy and Procedures for the Protection and Safeguarding of Children 2023 document.
- Ensuring that a Relevant Person and a Named Person are appointed for the purposes of the Children First Act 2015.
- Ensuring that a Designated Liaison Person (DLP) and Deputy Designated Liaison Person (DDLP) are appointed for the purposes of the 2017 National Guidance in respect of Children First.

- Reporting child protection or welfare concerns/suspicions to the Designated Liaison Person or the Deputy Designated Liaison Person without undue delay and following Children First compliant procedures.
- Ensuring that identified mandated staff fulfil their responsibilities under the Children First Act 2015 and that a list is maintained by UCH of such personnel.
- Ensuring appropriate safe management, recruitment and supervision of staff is in place and is subject to regular internal audit.
- Drafting and implementing a safeguarding children training for all appropriate staff for the safeguarding children post holders
- When UCH is partnering with another body in respect of a children's event promoters are required to share the details of their designated liaison person for Children First and their safeguarding statement, with UCH in advance.
- Compliance with UCH Data Protection policy in respect of the retention, by the Designated Liaison Person (DLP), of confidential, personal and sensitive data regarding children and their parents/carers who are subject to protection and/or welfare concerns. Such sensitive personal information must only be shared on a 'need to know' basis.
- Ensuring, when practicable, that parents/guardians are informed of any issues or concerns regarding their children.
- Ensuring children and parents/guardians/responsible adults who are performing in UCH are aware of the UCH Policy and Procedures for the Protection and Safeguarding of Children 2023.
- UCH will be inclusive of children and young people with disabilities in the provision of and access to their venue and facilities.
- Ensuring that all appropriate organisations and the general public are aware of UCH Policy and Procedures for the Protection and Safeguarding of Children 2023 document. This information can be accessed via the UCH website.
- Ensuring staff are aware of the negative impact of bullying on children and their reporting responsibilities.
- Ensuring staff are aware of the dignity at work policy and procedures outlined in the UCH Staff handbook.
- Ensuring a Protected Disclosures policy is in place which reflects the needs of children. UCH will use the UL Protected Disclosures policy as theirs.
- Ensuring that photographing or recording identifiable visual images of children or permitting such actions will only take place with the written consent of the parent/guardian/responsible adult. – **For UCH own events.**
- Not displaying images of children without the written consent of the parent/guardian/responsible adult. This will apply in particular to the UCH website or social media links of the body.

- Any observed possible breach of the UCH code of conduct, related to children, by staff or a volunteer, which is observed by a colleague, will be reported without delay to the relevant line manager for appropriate response.
- UCH will be responsible for reviewing and updating the Policy and Procedures for the Protection and Safeguarding of Children including the Safeguarding Statement and Risk Assessment, at a minimum bi-annually or as soon as possible if there has been a material change in any national policy, legislation or relevant procedural issues.

This review was initiated in March 2023 and completed in August 2023

Note: A glossary of terms and definitions in respect of UCH Policy and Procedures for the Protection and Safeguarding of Children 2023 is referenced in [Appendix 2](#)

Relevant legislation and national guidance is referenced in [Appendix 3](#)

2.1 Code of Conduct for Children

This code of conduct aims to ensure that children and young people who interact with UCH staff during access to the venue and facilities are aware of what is expected of them and feel safe, respected, and valued.

The code of conduct aims to:

- Identify acceptable and unacceptable behaviour.
- Encourage cooperation, fairness, honesty, and respect.
- Encourage children and young people to recognise and respect the rights of others.
- Encourage children and young people to take responsibility for their own behaviour.
- To assist with conflict resolution and to give clarity as to the outcome if this code is not followed.

The code of conduct sets out the following guidance for children and young people attending UCH in terms of:

- Cooperating with others
- Listening to others
- Treating everyone with respect
- Taking responsibility for their own behaviour
- Talking to a responsible adult about anything that they may be worried or concerned about
- Following this code of conduct and other guidance, including the law.

Children and young people should not:

- Be disrespectful to others.
- Bully others whether online or offline.
- Behave in an intimidating manner to others.
- Be abusive to anyone either verbally or physically.

If children do not follow this code of conduct the following will apply:

- If a child acts inappropriately while attending UCH, they will be asked to comply with the code of conduct.
- If this behaviour continues after the first reminder or if it escalates the incident will be recorded and the parent/guardian/responsible adult will be informed.
- When dealing with a disruptive child it is recommended that where possible more than one staff or responsible adult is present.

Engaging with a child exhibiting disruptive behaviour – guidance for staff

It is important to deal with such situations calmly and quietly and to avoid putting yourself or others at risk. When dealing with a disruptive child it is recommended that when possible more than one staff member should be present. In extreme cases where staff have concerns about their own safety or the safety of a child, it may be necessary for UCH management to consider the need to call An Garda Síochana.

Positive behaviour is always expected from children while attending UCH. Parents/guardians, or if in, for example, a school group, their teachers, supervisors, and the school which they attend are expected to take responsibility for the behaviour and safety of children while accessing UCH facilities.

All instances of disruptive behaviour that require the intervention of staff and which put at risk the safety and well-being of others, must be recorded.

The report of a disruptive incident shall describe:

- What happened?
- Who was involved?
- Where and when it happened?
- What was said, if significant?
- The duration of the incident?
- Any injury to person or property?
- How the situation was resolved?

Note: An Incident/Accident Report Form shall be completed ([Appendix 4](#))

2.2 [Code of Conduct for Staff in Relation to Engaging with Children and Young](#)

People

This code of conduct outlines the conduct UCH requires from all staff in their contact with children accessing UCH. The code of conduct also extends to third party entities/bodies who work in partnership with UCH to deliver services.

The code of conduct aims, as far as practicable, to assist UCH in protecting children, in contact with their services, from abuse or harm.

The named person will ensure that everyone involved in the delivery of UCH services has seen this code, understood, and agreed to follow the code of conduct.

All such persons will sign a declaration that they have read these procedures, associated appendices, and the child safeguarding statement. In signing this declaration, they will also agree to abide fully with the contents of the documents. [\(Appendix 5\)](#)

Staff will also be made aware of the possible disciplinary and/or criminal consequences of breaching this code of conduct.

This code of conduct applies to all staff who interact on a regular and planned basis with children in the performance of their duties and/or may have unplanned contact with children during their work activities.

The code sets out the following guidance for staff when in contact with children attending UCH or when they are delivering services to children outside of the venue:

- That a child's welfare and safety is paramount.
- That all children are to be treated fairly and without prejudice or discrimination.
- That a child accessing UCH has a right to be safe and feel safe.

- That a child should be able to make a complaint by using a child friendly process.
- That staff should listen to and respect children.
- That staff should provide positive encouragement, support, and praise to children.
- That staff should have due regard to cultural differences.
- That staff should be alert and tackle inappropriate behaviour in others including peer to peer behaviours.
- That staff should take care that language is not open to sexual or racist connotations. If language used may have caused offence to a child, this should be addressed with them in a sensitive manner.
- That staff should treat all children as individuals.
- That staff should respect a child's personal space.

- That staff should be aware of a child's limitations.
That staff should use age-appropriate teaching/learning and communication aids when required.
- That staff should lead by positive example when interacting with children and young people.
- That staff should work towards creating an atmosphere of trust with children.
- That staff show respect and be aware of differences in gender, sexual orientation, culture, race, ethnicity, disability and religious belief systems between themselves and others
- That if staff are aware of personal information in respect of a child, this must be kept confidential and will only be shared on a need-to-know basis.

Staff should not do the following in respect of their engagement with children:

- Allow allegations or concerns in respect of possible abuse or harm to children to go unreported. Reporting includes abusive behaviour being displayed by an adult or child and directed at a child.
- Smoke, consume alcohol or use illegal substances when interacting with children during working hours.
- Spend excessive amounts of time alone with a child or children during working hours.
- Transport children, attending UCH, on journeys alone in a vehicle without the consent of the parent/guardian/responsible adult. Excepting in an emergency situation.
- Be in a one-to-one situation with a child. However, if a child needs to talk separately to an adult this should be done in an open environment in view of others whilst respecting the child's privacy.
- Use or allow offensive or sexually inappropriate physical contact and or verbal language with children.
- Single out a particular child they have contact with through their work environment for unfair favouritism, criticism, or ridicule.
- Hit or physically chastise children.
- To be involved in horseplay or inappropriate touching of children
- Reveal personal information about children where you are not concerned about possible protection or welfare concerns which may require contact with Tusla and/or An Garda Síochana.
- Collude with any person to suppress child protection or welfare concerns

Staff must also ensure that the following actions are also taken to safeguard children:

- Within UCH if requested to direct a child to the toilet, staff should not accompany the child into the toilet, excepting a child that has a disability and may require or request assistance.
- In a difficult situation involving a child, try and ensure another member of staff is present.

- Do not accompany a child outside of UCH in search of a parent/guardian. Keep them safe until a parent or carer returns.
- Contact UCH management with a view to notifying An Garda Síochana if you have cause to believe that a child has been abandoned/forgotten or may be at possible risk of harm.
- Do not make arrangements to directly contact a child related to work-based activities either by phone or through electronic or social media.
- Do not carry out tasks of a personal nature for a child that the child could do for him/herself.
- Ensure that clear child friendly guidance exists for children and their primary carers to be able to communicate with and access staff if they have a complaint.

The following behaviour will not be accepted “from adults or children” attending UCH:

- Behaviour which is disruptive and interferes with the safe use and enjoyment of the venue by others.
- Harassment of staff or members of the public by use of abusive, racist, obscene, or threatening language.
- Use of violence or threat of violence toward staff and/or members of the public.
- Malicious damage to and/or theft of UCH property.
- The use of illicit drugs while attending UCH.
- Smoking, except in designated areas.

2.3 Supervision of Children

If asked, UCH recommends that organised groups of children using their facilities should apply the following adult to child ratios:

- 0 to 1 year - 1 staff member or responsible adult to 3 children
- 1 to 2 years - 1 staff member or responsible adult to 5 children
- 2 to 3 years - 1 staff member or responsible adult to 6 children
- 3 to 6 years - 1 staff member or responsible adult to 8 children
- 7 to 12 years- 1 staff member or responsible adult to 8 children
- 13 to 18 years- 1 staff member or responsible adult to 10 children

(Additional detail on NSPCC .com: <https://learning.NSPCC.org.uk/research-resources/briefings/recommended-adult-child-ratios-working-with-children#article-top>)

(It should be noted that the above ratios are based as a minimum standard)

Note: Taking into account the following factors the number of responsible adults required may increase:

- whether the children have special needs or medical requirements.
- the range of ages of the children.
- the nature of the activity.
- the duration of the activity.

UCH receive bookings from groups such as drama schools to use the venue, such bodies will take responsibility for ensuring the following measures are in place:

- That the body has in place a Children First compliant protection and safeguarding of children policy and procedures.
- That a safeguarding children risk assessment has been completed in respect of the activity.
- That appropriate insurance is in place.
- That the parents/carers have been informed in writing and briefed in respect of the details of the activity and given written consent for their child / young person to participate

NOTE: Event Booking form (Appendix 6) must be completed in all such circumstances where organised groups of children under the age of 18 will be attending UCH facilities.

2.4. Children with Special Needs or Disabilities

Safeguarding standards for children with special needs or disabilities are the same as for all children. They have the same rights to be protected from abuse however there are certain factors that can **increase** their risk of being abused, these include the following:

- Due to their disability some children may be socially isolated and have fewer outside contacts.
- They may have a reduced capacity to recognise, resist or avoid abuse.
- They can be particularly vulnerable to bullying and intimidation.
- They may have communication difficulties which may make it problematic for them to tell staff if something is happening to them which is of an abusive nature.
- A possible reluctance to accept that children with disabilities can be abused.
- Confusing signs and symptoms of abuse with what may be regarded as behaviour linked with a child's disability and not related to abuse.
- In organising activities for children with disabilities higher adult/child ratios may be required to supervise the activity.
- If a child has specific intimate care needs, they should be assessed prior to involvement in an activity and an agreed action plan be put in place by the relevant body.

2.5 Lost Children at the Venue

If a child is participating in or attending events at UCH and gets lost, UCH will initiate and apply the following procedure in association with the child's guardian:

- Ensure that all other children involved in the event or from the relevant party are fully

accounted for and continue to be supervised appropriately while UCH staff assist and support with a search for the child concerned.

- Notify the person responsible for the event.
- Notify the UCH Line Manager and UL Security.
- An announcement will be made by the Box Office of the child's details and the Box Office will be given as the location for the child or relevant adults to attend.
- Immediate action is required if a child is deemed to be missing from the venue. Make a note of the circumstances in which the child has gone missing and where he/she was last seen and prepare a detailed physical description of the child, to include their hair and eye colour, approximate height and build and clothing he/she was wearing, as this will be required by An Garda Síochána if they need to be notified.
- Follow the guidance of An Garda Síochána if further action is recommended.
- Maintain close and ongoing contact with the parents / guardian / carer, An Garda Síochána and UCH staff and Security to aid the early and safe recovery of the lost/missing child.
- Complete an incident/accident report form ([Appendix 4](#))
- Ensure that all involved including the parents / guardian / carer, searchers and Gardai shall be informed immediately if at any stage the child is located.

Note: Any lost child or adults trying to locate a lost child will be directed to the Box Office.

3. Recognising and Responding to Child Protection or Welfare Concerns

Managing Abuse or Welfare Concerns at UCH

If a staff member becomes concerned that a child's behaviour or presentation suggests that there may be child protection or welfare concerns they will follow UCH Policy and Procedures for the Protection and Safeguarding of Children 2023.

In summary this will involve initially contacting the Designated Liaison Person (DLP) of UCH or the Deputy DLP (DDL) who may then need to inform Tusla, Child and Family Agency.

In this situation best practice would support the parents/guardians being informed, unless to do so could possibly put the child further at risk or if it could interfere with a possible investigation by An Garda Síochána or it is the considered opinion that it could place the person making the report at potential risk from the family.

UCH has in place a Designated Liaison Person and Deputy Designated Liaison Person for Children First.

3.1 The Primary Functions of the Designated Liaison Person are:

- To receive and consider, in consultation with the person making the report, child protection

and welfare concerns and to consider if reasonable grounds exist for reporting to Tusla.

- To ensure that reporting procedures are followed within UCH and such child protection and welfare concerns are referred promptly to Tusla.
- To ensure that all such concerns and the subsequent actions taken by UCH are recorded and retained in a confidential file. This includes recording concerns where it is decided reasonable grounds for concern do not exist and the DLP does not make a report to Tusla.
- To ensure that a secure system is in place to manage and store confidential records of concerns of a child welfare or protection nature.
- To be available for advice and guidance when someone is unsure about reporting a concern.
- Where necessary to carry out informal consultation with the Tusla duty social work service in respect of a concern.
- To ensure that a working relationship is established with An Garda Síochana and Tusla in respect of liaison arrangements for child protection and welfare concerns.
- To develop procedures for liaison between the Designated Liaison Person, Deputy Designated Liaison Persons and the mandated persons, if applicable, in relation to child protection and welfare concerns. This is with particular regard to concerns that come to the notice of mandated persons.
- Where requested to jointly report with a mandated person.
- To inform, with the person making the report, the child's parents/guardians that a report is to be submitted to Tusla or An Garda Síochana **unless**:
 - Informing the parent/guardian is likely to endanger the child or young person.
 - Informing the parents/guardians may place the reporter at risk of harm from the family.
 - The family's knowledge of the report could impair Tusla's ability to carry out an assessment or interfere with a Garda investigation
 - To provide feedback to the reporter, as appropriate

The necessary elements of managing a concern are:

- **Recognising a concern**
- **Responding to a concern**
- **Reporting a concern**
- **Recording a concern**

3.2 Recognising a Concern

Child abuse is categorised as four main types: Neglect, Emotional Abuse/Ill Treatment, Physical Abuse and Sexual Abuse.

Neglect is where a child is deprived of adequate food, warmth, clothing, hygiene, supervision, safety, or medical care. The threshold of harm for neglect is where a child's health, development or welfare have been or are being seriously affected or are likely to be seriously affected.

Ill treatment is defined as to abandon or cruelly treat a child, or to cause or procure or allow a child to be abandoned or cruelly treated. Emotional abuse is the systematic emotional or psychological ill treatment of a child as part of the overall relationship between a care giver and a child. The threshold of harm for emotional abuse is reached when a child's health, development or welfare have been or are being seriously affected or are likely to be seriously affected.

Physical Abuse is when someone deliberately hurts a child physically or puts them at risk of being physically hurt. This may occur as a single incident or as a pattern of incidents. The threshold of harm for physical abuse is reached when you know, believe or have reasonable grounds to suspect that a child has been, is being or is at risk of being assaulted and that as a result the child's health, development or welfare have been or are being seriously affected, or are likely to be seriously affected.

Sexual Abuse 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 or exposing the child to sexual activity directly or through pornography. The threshold of harm for sexual abuse is any concern where reasonable grounds for concern exist that a child has been, is being, or is at risk of being sexually abused. In this context the concern must be reported to Tusla under the Children First Act 2015.

Note that in cases of serious instances of **bullying** where the behaviour is regarded as possibly abusive, or poses a serious risk to the health, development or welfare of a child, a report may be made to Tusla and/or An Garda Síochana.

Note that abuse may not always be due to personal contact with a child or young person. Abuse may also occur through use of social media or the use of information and communication technology.

Appendix 7 references, in detail, recognising child protection and welfare concerns.

3.3. Responding to a Concern

- The responsibility to safeguard children and to report child welfare or protection concerns, without undue delay, is shared by all UCH staff and volunteers.
- Tusla must be informed if a person has reasonable grounds for concern that a child may have been, is being, or is at risk of being abused or neglected.
- Unless it is an emergency such reports will not be made without a consultation with the DLP or DDLP.

- If a report is made by a mandated person, the DLP must be informed of the action.

Children First national guidance 2017 lists the following as reasonable grounds for concern:

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

3.4 Responding to a Child/Young Person who Discloses Abuse.

In responding to a disclosure of abuse by a child the following guidance should be followed:

- Remain as calm as possible.
- Listen to the child and give them time to share their concerns.
- Try not to show any feelings such as anger or disbelief.
- Accept the child's story. False disclosures by children are rare.
- Reassure the child that they have taken the right step in disclosing.
- Avoid asking leading questions.
- Advise the child that you cannot guarantee to keep confidentiality as you may need to share information with Tusla and/or An Garda Síochána
- Keep a record of the conversation and record the actual words used by the child.
- Reflect back to child what you think you have heard, and, in the words, they used to you.
- Do not make any comments about the alleged abuser.
- Do not make any attempt to confront the alleged abuser.
- Ensure the child is aware of what may need to happen next in terms of the process.
- Inform the DLP immediately with a view to appropriate notifications to the statutory authorities.

3.5 Responding to an Adult who Discloses Childhood Abuse.

In responding to a disclosure of childhood abuse by an adult the following guidance should be followed:

- Establish whether there is any current risk to children from the alleged abuser e.g., is this person still alive and do they have contact with children.
- Advise that you cannot guarantee to keep confidentiality as you may need to share information with Tusla and/or An Garda Síochána.
- Reports of retrospective child abuse are assessed by Tusla **(See Appendix 10 for Reporting Retrospective Abuse Report Form)**

- Inform the DLP immediately with a view to appropriate notifications to the statutory authorities.

3.6 Responding to a Person who Admits Abusing a Child.

In responding to a person who admits abusing a child the following guidance should be followed:

- This information cannot be kept confidential.
- Inform the DLP immediately with a view to appropriate notifications to the statutory authorities.

3.7 Responding to Allegations of Child Abuse Made Against a Child by Another Child.

In responding to an allegation of child abuse made against a child by another child the following guidance should be followed:

- Note that this type of abuse may be called peer abuse.
- Inform the DLP immediately with a view to appropriate notifications to the statutory authorities.
- If reports are to be made, they should be made in respect of both children individually.

3.8 Responding to Allegations of Abuse of a Child Made Against Staff or Volunteers

The following issues should be taken into consideration when responding to allegations made against staff or volunteers:

- The concern may relate to possible harm to a child.
- The concern may relate to a possible criminal offence.
- An adult's behaviour may suggest that person may pose a risk of harm to a child.
- The adult's behaviour may be a breach of the code of conduct for adults in respect of children.
- The behaviour may be contrary to professional practice guidelines.

Note that in such cases the reporting system to Tusla is to be followed with the DLP and the internal HR procedures will also be initiated. The DLP is to ensure that the UCH Director or their designate is advised of such concerns.

The key principles to be followed in responding are as follows:

- Priority will be given to protecting the child/young person while at the same time taking account of the staff or volunteer's right to due process. The fact that protective measures may have been taken does not presume guilt.
- To minimise any potential for a conflict of interest the same person in UCH should not have the responsibility for dealing with the child protection reporting procedure and the employment/contractual issues.

- The UCH reporting procedures for the reporting of child protection and welfare concerns will be followed by the DLP and/or deputy DLP.
- The UCH Director or their designate will oversee procedures relating to employment issues.
- Any action taken will consider the applicable employment contract and the rules of natural justice.
- It will be to the benefit of everyone concerned that a timely resolution to the allegation is achieved.
- The agreed procedures for dealing with allegations of abuse against staff should be applied objectively and in a consistent manner.
- All elements of the process will be recorded, including any liaison with the statutory agencies.
- UCH will ensure that any actions or investigations by them do not compromise or prejudice any statutory investigation by An Garda Síochana or assessment by Tusla.
- Close liaison will be maintained between UCH, An Garda Síochana and Tusla. The DLP will be the liaison person for UCH with the statutory agencies.

Responses by UCH will include:

- The DLP will be informed of the allegation, if not previously known.
- The DLP will inform the Director of UCH or their designate of the allegation.
- The DLP will follow the agreed procedures for reporting child protection and welfare concerns.
- In making an immediate decision about the employee's or volunteer's presence in the work environment the Director or designate will as a matter of urgency take any measures necessary to protect the child/young person. Such measures should be proportionate to the level of risk to the child/young person and do not presume any finding of guilt.
- Any action taken by UCH will be guided by the agreed internal procedures i.e. Grievance and Disciplinary procedures, the applicable contract of employment and the rules of natural justice, where appropriate.
- The support contact person and the DLP will inform the staff member, privately, that an allegation has been made against him/her and the nature of the allegation. The staff member will be given an opportunity to respond to the allegation both verbally and in writing. The timing of such a meeting and the level of information sharing may be dependent on the status of any possible criminal investigation by An Garda Síochana or assessment by Tusla in particular.
- The Administration Manager should record the response of the member of staff to the allegation and pass on this information to Tusla via the DLP if making a formal report to that statutory body.
- Formal inter agency meetings will be requested by UCH with Tusla and An Garda Síochana to ensure effective liaison takes place in respect of the allegation and the necessary follow up

actions.

- It should be noted that the requirements of fair procedure and natural justice will result in Tusla not sharing the details of any assessment against a staff member until he/she has had an opportunity to respond fully to the allegation and any findings or decisions by Tusla.
- The Director and Board of UCH, Chief Operations Officer of PCC and the UL Health and Safety Officer should be notified of the final outcomes of the Tusla and Garda investigations. This will assist management in reaching a decision about the action to be taken in the longer term concerning the person against whom the allegation was made.
- The Director of UCH and the UCH DLP must ensure that actions taken by them do not undermine or frustrate any assessment/investigation being conducted by Tusla and/or An Garda Síochána. In order to achieve that close liaison with these authorities must be maintained.
- Any further follow up action required shall accord with established UCH disciplinary procedures and shall only be made following consultation with Tusla (and An Garda Síochána if involved).
- In all cases where those whom we notify are advised of an incident/breach/near miss, the personal details of any person involved in the incident must not be disclosed. The notification will alert those in the reporting line that an incident has occurred pertaining to a child safeguarding matter on X date in X building involving X no. of people, gender X and gender X. An investigation into the matter is ongoing and we will provide an update on the matter as the investigation progresses.’ The maintains the confidentiality of such sensitive matters at all times.

Note:

- Where the allegation/suspicion relates to the DLP, the Director shall assume the responsibility for seeking advice from Tusla and/or for reporting the matter to Tusla.
- Where an allegation or suspicion of child abuse or neglect regarding a member of the UCH Board has been reported to Tusla, the Director shall inform UCH and if required, UL Governing Authority, that a report involving a member of the UCH Board has been submitted to Tusla. It is a matter for them to determine if any action is necessary regarding the member’s continued role on the UCH Board.

[3.9 Responding to a Person Who is Dissatisfied With How Their Allegation Was Dealt with by UCH](#)

UCH has a customer complaints policy in place, (**Appendix 8**) which is available on the UCH website for children and parents to access, as well as staff and volunteers. Any review of a complaint in terms of how a child abuse allegation was processed must involve the DLP of UCH, excepting if that person or their deputy is the subject of the complaint.

This policy may also be accessed by persons who wish to make complaints in respect of children

that may not be of a child protection or welfare nature. Examples of such complaints may include breaches of the codes of conduct which are deemed not to be child protection or welfare concerns.

If necessary, the DLP will consult with HR and/or Tusla if it is deemed necessary during the management of such a complaint.

3.10 Talking to Parents/Guardians About a Concern

The Children First Act 2015 does not place a legal responsibility on the person making the report to advise a family that such a report has been made under the legislation to Tusla. However, it is the view of UCH that it is good practice to do so and where possible the person making the report and/or the Designated Liaison Person should tell the family that a report is being made to Tusla and the reasons for doing so.

It is not necessary to inform the family that a report is being made if by so doing the child may be placed at further risk or where the family's knowledge of the report being made could impair Tusla's assessment process. In addition, the family may not be informed if it is the reasonable opinion of the person making the report that they may be at risk of harm from the family if the family were advised of the reporting to Tusla.

Note: If the parents/guardians are to be met to be informed about the fact that a concern has been reported the following guidance must be considered:

- Make sure, as far as practicable, that parents/guardians have prior knowledge and awareness of UCH guiding principles, procedures and duties to safeguard children and young people.
- In contact with parents/guardians clearly explain the nature of the concern, for example, by using information and records of observations made.
- Consider who is best placed to have this conversation with the parents/guardians e.g., good practice requires that it should be the person making the initial report and the DLP.
- Take an approach which is positive and that everyone is working towards what is in the best interests of the child.
- Ensure that the approach to the parents/guardians is supportive but also ensure the concern is made clear to all in the discussions.

4. Procedure for Responding to and Reporting Child Welfare and Protection Concerns

The following steps will be taken by UCH in responding to and reporting child protection and welfare concerns:

Step 1

- A concern that comes to the notice of a staff member or that a child may have been or is currently being or may in the future be at risk of being abused must be reported to the UCH DLP or Deputy DLP without any undue delay.
- This information should be relayed to the DLP using the Tusla Child Protection and Welfare Report Form. ([Appendix 9](#))
- If there is an immediate risk to a child, the safety and welfare of the child is paramount. The DLP or Deputy DLP in that situation may after consultation with the initial reporter make an immediate report to Tusla or the Gardaí, if Tusla are unavailable.

Step 2

- ☐ The DLP will consult with the person who raised the concern with a view to deciding if reasonable grounds for concern exist to report. Informal consultation can take place between the DLP and the Tusla duty social work service (Such a consultation must be recorded by the DLP). This consultation will be with a view to assisting the DLP in terms of deciding whether reasonable grounds for concern exist to report to Tusla.

Step 3

- If reasonable grounds for concern are deemed to exist, the DLP will report the concern to Tusla without any undue delay.

Step 4

- If the DLP is of the view that a report should not be made to Tusla then the staff member must be given a written explanation for this decision. In this situation the staff member can still make their own report to Tusla or An Garda Síochana if they are of the view that reasonable grounds for concern do exist. They have protections from the Protection of Persons Reporting Child Abuse Act 1998 in making such an independent report in good faith.

Step 5

- A confidential file will be created and held securely by the DLP in respect of any child welfare or protection concern/suspicion that comes to the attention of UCH. This will be a record of all actions taken and all relevant correspondence issued and received by UCH in respect of the concern.

Step 6

- Concerns that do not initially meet reasonable grounds for concern may upon review show patterns or trends which may raise the level of concern to the extent that the DLP may decide that reasonable grounds for concern do now exist and that Tusla should receive a report.

Note: The staff member who first encounters a concern in respect of alleged or suspected child abuse is not responsible for deciding whether or not abuse has occurred. It is the responsibility of Tusla to assess such concerns and of An Garda Síochana to investigate whether a possible crime may have been committed.

Unless it is deemed an emergency a staff member should not attempt to intervene or respond

to a concern alone

4.1 False Abuse Allegations

In working with or having contact with children, staff on some occasions can be subject to false allegations of abuse. These may be due to a misunderstanding of what took place or a genuine mistake.

It is therefore good practice that any allegation of abuse against a staff member is dealt with sensitively. In addition, support should be made available by UCH for both the person against whom the allegation has been made and for the person who reported the alleged abuse.

Throughout the process of responding to the allegation appropriate levels of confidentiality will also be maintained, in the interests of the child/young person and the person against whom the allegation has been made.

4.2. Protected Disclosures

Staff of UCH have guidance available in respect of protected disclosures in the UCH Protected Disclosures Policy. This document provides guidance for staff in respect of the internal and external reporting of wrongdoing and the legal protections of reporting under the Protected Disclosures Act 2014.

In the context of safeguarding children, it remains the responsibility of the individual staff member to bring matters of concern forward to the appropriate person within the UCH structures. This may prevent a child in particular from remaining in a situation where there is a risk of abuse.

4.3. Anonymous Reports

Designated Liaison Persons when making a report to Tusla or An Garda Síochana must comply with the requirements of this policy and procedures, thereby not report anonymously. The same principle is applied to the staff member who makes the initial report to the DLP. Under the Freedom of Information Acts anonymity should never be promised as it cannot be guaranteed.

It is also not possible for mandated persons to submit a report of a mandated concern anonymously as to do so would not discharge the statutory obligations for a mandated person under the Children First Act 2015.

4.4. Malicious Reports

Malicious reports have the potential to cause harm to the named child and the person/s

identified as the alleged abuser/s. The Protection of Persons Reporting Child Abuse Act 1998 has introduced an offence of false reporting of child abuse where a person makes a referral of child abuse to the appropriate authorities “knowing that statement to be false“. In the event that any staff member is concerned that a report is malicious they should initially bring it to the notice of the DLP

4.5. Reporting Concerns in an Emergency or Where There is an Immediate Risk to a Child

In an emergency where the considered opinion is that there is an immediate risk to a child’s health or welfare and the Designated Liaison Person or their Deputy, or Tusla, cannot be contacted a report should be made directly to An Garda Síochana. Following such an action the standard report (CPWRF) (Appendix 9) should be forwarded to the Designated Liaison Person with a view to submission to Tusla as per normal procedures on the next working day.

The information to be provided to An Garda Síochana by the person making such an emergency report is as follows:

- Child’s name, address, and age.
- The names and addresses of parents or guardians.
- Name/s, if known, of who is allegedly harming the child or not caring for him/her appropriately.
- A detailed account of the grounds for concern (e.g., details of the allegation/s, dates of incidents, location/s of incident/s, description of any injuries or possible bruising).
- Current location of the child.
- Names of other children in the household, if known.
- Name of the school the child attends, if of school age, if known.

5. Recording Child Welfare and Protection Concerns

When child abuse or neglect is suspected, it is essential that a written record of all the information created is maintained by UCH. Staff reporting a concern to the DLP shall be expected to provide as detailed an account as possible of the concern by completing the TUSLA Child Protection and Welfare Report form ([Appendix 9](#)). Information required will include:

- The grounds for the concerns (e.g., details of the allegation, dates of incidents, and description of injuries).
- Signs of physical injury shall be described in detail and, if appropriate, sketched.
- Any comment by the child concerned, or by any other person, about how an injury occurred shall be recorded, preferably quoting words actually used, as soon as possible after the comment has been made.
- The names, if known, of who is allegedly harming the child or not caring for them

appropriately should also be recorded.

All written records created must be factual and objective. The name, contact details and relationship to the child of the person bringing the concerns must be included in the written record.

All records shall include the name of the person bringing the concerns, be signed and dated. All records must then be passed onto the DLP for secure storage and appropriate action.

Note: The reporter and DLP may subsequently be invited to attend a child protection conference or any proceedings where the matter is being assessed by TUSLA and/or being investigated by An Garda Síochana as to whether a crime may have been committed.

6. Mandated Persons

Reporting mandated concerns of harm

Mandated persons are persons who have ongoing contact with children and/or families and who, because of their qualifications, training and/or employment role, are in a key position to help protect children and young people from harm. Professionals who may not work directly with children, such as those who work in adult counselling or psychiatry, are also mandated persons.

The Children First Act 2015 contains a list of mandated persons. The full list is available in Appendix 11 of this document.

Under the Children First Act 2015 mandated persons are required to report any concern that meets or exceeds the threshold for reporting harm to a child under the legislation. If reporting is to be made independent of the Designated Liaison Person, the mandated person should inform the DLP that a report has been made.

The statutory obligation of mandated persons to report under the Children First Act 2015 must be discharged by the mandated person and cannot be discharged by the Designated Liaison Person on their behalf.

The Children First Act 2015 requires that UCH maintains a list of mandated persons on the staff, if applicable.

Note: Staff who are mandated persons under this Act should be made aware of their responsibilities at the start of their employment with UCH.

6.1 Legal Obligations of a Mandated Person

Mandated persons have two main legal obligations under the Children First Act 2015:

- To report the harm of children above a defined threshold to Tusla.
- To assist Tusla, if requested, in assessing a concern which has been the subject of a mandated report.

The Children First Act 2015 requires that mandated persons report any knowledge, belief, or reasonable suspicion that a child has been harmed, is being harmed or is at risk of being harmed. They are also required, if requested, to help Tusla in assessing a concern which has been the subject of a mandated report.

The Children First Act 2015 defines harm as:

- 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.”

Section 14(1) of the Children First Act 2015 states:

“Where a mandated person knows, believes or has reasonable grounds to suspect, on the basis of information he or she has received, acquired or becomes aware of in the course of his or her employment or profession as such a mandated person, that a child -

- a) has been harmed.
- b) is being harmed, or
- c) is at risk of being harmed.

he or she shall, as soon as practicable, report that knowledge, belief or suspicion, as the case may be, to the Agency” (Tusla)

Section 14 (2) of the Children act 2015 also places legal obligations on mandated persons to report any disclosures made by a child,

“Where a child believes that he or she –

- a) has been harmed.
- b) is being harmed, or
- c) is at risk of being harmed.

and discloses this belief to a mandated person in the course of a mandated person’s employment

or profession as such a person, the mandated person shall, as soon as practicable, report that disclosure to the Agency” (Tusla)

The threshold of harm for mandated persons reporting for each of the four main types of child abuse is as follows:

1. Neglect

Neglect is defined as ‘to deprive a child of adequate food, warmth, clothing, hygiene, supervision, safety or medical care.’

The threshold of harm at which a mandated person must report to Tusla under the Children First Act 2015, is reached when the mandated person knows, believes or has reasonable grounds to suspect that a child’s needs have been neglected, are being neglected to the point where the child’s health, development or welfare have been or are being seriously affected, or are likely to be seriously affected.

2. Emotional Abuse/ill treatment

Ill-treatment is defined as ‘to abandon or cruelly treat the child, or to cause or procure or allow the child to be abandoned or cruelly treated.’ Emotional abuse is covered in the definition of ill – treatment in Part 1 section 2 of the Children First Act 2015.

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

3. Physical Abuse

Physical abuse is covered by the references to assault in the Children First Act 2015.

The threshold of harm at which a mandated person must report to Tusla under the Children First Act 2015, is reached when the mandated person knows, believes or has reasonable grounds to suspect that a child has been, is being, or is at risk of being assaulted to the point where the child’s health, development or welfare have been or are being seriously affected, or are likely to be seriously affected.

4. Sexual Abuse

Sexual abuse to be reported under the Children First Act 2015 (as amended by Section 55 of the Criminal Law (Sexual Offences) Act 2017) is defined as an offence against the child, as listed in Schedule 3 of the Children First Act 2015.

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

Note: As all sexual abuse falls within the category of seriously affecting a child's health, welfare or development, the mandated person must submit all concerns about sexual abuse as a mandated report to Tusla.

The one exception to this is in respect of certain consensual sexual activity. The exemptions in respect of reporting underage consensual sexual activity are set out in detail under Section 14(3) of the Children First Act 2015.

20. Procedure to be followed by a Mandated Person in making a report to Tusla

1. A concern that a child may have been harmed, is currently being harmed or may be harmed becomes known to the mandated person. The mandated person is of the view that the threshold for making a mandated report is met or exceeded.

2. A child protection and welfare report form is completed in respect of the concern and forwarded to Tusla, as soon as practicable, indicating clearly that this is a mandated report. The mandated person may also first consult with Tusla if the mandated person is in doubt that the concern meets the threshold for a mandated report. Such consultation must be recorded by the mandated person.

The mandated person should receive a response from the authorised person within Tusla formally acknowledging receipt of the report.

Once the report form is received by Tusla a child protection assessment will commence if a sufficient level of risk is identified.

3. The mandated report must be copied internally to the Designated Liaison Person of UCH as per procedure.

Note:

- As stated above, it will be best practice within UCH that mandated reports when made are brought to the attention of the Designated Liaison Person.
- The statutory obligation of mandated persons to report under the Children First Act 2015 must be discharged by the mandated person and cannot be discharged by the Designated Liaison Person on their behalf.
- Mandated persons can make a joint report with the Designated Liaison Person or another person, mandated or otherwise.
- If UCH or the DLP do not wish to report to Tusla, the mandated person should still proceed with the report if the defined threshold for reporting has been met or exceeded. In this case the provisions of the Protection for Persons Reporting Child Abuse Act 1998 apply.
- If the mandated person has a concern that they believe does not reach the threshold for a mandated report, they must consider whether the concern meets reasonable grounds for concern. The concern will then be reported to the DLP if the mandated person is of the view that reasonable grounds for concern exist.

- If a mandated person is in doubt as to whether the concern reaches the legal definition of harm for making a mandated report, the Tusla duty social work service can be approached to give advice in this regard. The decision to report remains the individual responsibility of the mandated person. Any advice received must be recorded on the confidential file which will have been created by the DLP.
- Mandated persons who receive a disclosure of harm from a child/young person which meets or exceeds the thresholds set out in Children First: National Guidance for the Protection and Welfare of Children 2017 are required to make a mandated report to Tusla. It is not required of the mandated person that they would assess the accuracy or credibility of the child's claims.
- As noted previously in this document under no circumstances should a child be left in a situation that exposes him or her to harm or risk of harm pending intervention by Tusla. If the mandated person is of the view that the child is in immediate danger and Tusla cannot be contacted, An Garda Síochana should be contacted. A mandated report should then be made to Tusla on the next working day by the mandated person.
- The same concern should not be reported more than once. If, however, additional information comes to the attention of the mandated person in respect of the reported concern this should be considered and forwarded to Tusla without undue delay in the form of a further report.
- The legal obligation to report under the Children First Act 2015 applies only to information that a mandated person acquires in the course of their professional work or employment. It does not apply to information acquired outside of their employment, or information given to them in respect of a personal rather than a professional relationship.
- Reporting requirements under the Children First Act 2015 only apply to information that a mandated person has received or become aware of since the Act came into force, irrespective of whether the harm occurred before or after the commencement of the section related to mandated reporting. However reasonable concerns about past abuse where information came to the notice of the professional prior to the Act where there is a possible *continuing risk* to children can be reported to Tusla under Children First: National Guidance for the Protection and Welfare of Children 2017.
- Mandated persons cannot report a concern anonymously and if they do so they are not in compliance with their obligations under the Children First Act.

6.2. Informing a Family that a Mandated Report is Being Made

The Children First Act 2015 does not place a legal responsibility on the person making the mandated report to advise a family that such a report has been made under the legislation to Tusla. However UCH regard it as good practice to do so and where possible the person making the mandated report plus a second person, if it was a joint report, should meet the family to advise them that a report is being made to Tusla and the reasons for doing so.

It is not deemed necessary to inform the family that a mandated report is being made if it is the reasonable opinion of the reporter that by so doing the child may be placed at further risk or where the family's knowledge of the report being made could impair Tusla's assessment process or a criminal investigation by An Garda Síochana. A family may also not be informed if it is the reasonable opinion of the person making the report that they may be at risk of harm from the family if the family were advised of the reporting to Tusla.

6.3. Consequences of Non-Reporting by the Mandated Person

The Children First Act 2015 does not impose criminal sanctions on mandated persons who fail to make a report to Tusla. However mandated persons should be aware that there are possible consequences for a failure to report. If after an investigation by Tusla it emerges that the mandated person did not make a mandated report and a child was subsequently left at risk and harmed, Tusla may:

- Make a complaint to the Fitness to Practice Committee of a regulatory body of which the mandated person is a member.
- Pass information about the mandated person's failure to make a report to the National Vetting Bureau of An Garda Síochana. This information can therefore be disclosed to the mandated person's current employer or a future employer when that person is next vetted by the National Vetting Bureau

Note:

- UCH may consider a failure to report a child protection or welfare concern as a disciplinary matter for a member of staff.
- The Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012 requires that any person who has information about a serious offence against a child, which may result in charges or prosecution, must report this to An Garda Síochana. Failure to report under this Act is a criminal offence. This obligation is in addition to any obligations placed on mandated persons under the Children First Act 2015

6.4. Mandated Assisting

As noted earlier, the Children First Act 2015 also places a statutory requirement on mandated persons to assist Tusla in the assessment of risk of mandated reports, when requested to do so. Such assistance should be as deemed necessary and proportionate, with a view to assisting Tusla in assessing the risk to a child arising from the mandated report. A mandated person must comply with this request from Tusla, regardless of who made the mandated report.

Mandated assistance may include, for example, a request to provide further information or attend a meeting in relation to a mandated report.

Information may be shared by Tusla with the mandatory reporter in order to enable their assistance. This information cannot be shared by the mandatory reporter with any third parties, and such disclosure is subject to criminal sanction.

6.5. Information Sharing

The Data Protection Acts of 1998 - 2018 do not prevent the sharing of information on a reasonable and proportionate basis for the purposes of child protection. Tusla has the authority to share information concerning a child who is undergoing a risk assessment with a mandated person who has been asked to provide assistance. In doing so, Tusla must only share with the mandated person what is necessary and proportionate in the circumstances of each individual case.

Note: As noted above Section 17 of the Children First Act 2015 makes it an offence if a mandated person discloses information to a third party which has been shared by Tusla during the course of an assessment, unless Tusla has given the mandated person written permission to do so.

Failure to comply with this section may make the mandated person liable to a fine or imprisonment for up to six months or both. This offence can also be applied to the mandated person's employer.

6.6. Protection from Civil Liability

If a mandated person is required to share information with Tusla when assisting in the assessment of risk to a child, the mandated person is protected from civil liability.

Section 16 (3) of the Children First Act 2015 states:

'If a mandated person furnishes any information (including a report) document or thing to the Agency (Tusla) pursuant to a request made under subsection (1), the furnishing of that information, document or thing shall not give rise to any civil liability in contract, tort or otherwise and nor shall the information, document or thing be admissible as evidence against that person in any civil or criminal proceedings.'

6.7 Confidentiality

UCH is committed to protecting a person's right to confidentiality. However, considerations in respect of confidentiality will not overrule a child's right to be protected. It is not a breach of data protection or confidentiality to provide information with the intention of protecting a child. On that basis UCH undertakes to:

- Where child protection and welfare concerns arise, to share personal information on a ‘need to know’ basis, in the best interests of the child, with the relevant statutory authorities and the parents/guardians. Such sharing may require attendance at formal meetings organised by Tusla e.g child protection conferences or strategy meetings.
- Not to give undertakings regarding secrecy. Those staff members engaged with or in contact with children should make this clear to parents/ guardians and the children themselves.
- To provide information on a proportionate basis to the statutory agencies necessary for the protection of a child.
- To advise children and parents/guardians that personal information is being shared, unless it is the considered opinion that doing so could put the child at further risk or may place the reporter at risk.
- To retain records generated in respect of child protection and welfare concerns in accordance with Data Protection legislation, in a secure setting, managed by the DLP.
- To respond to breaches by staff in respect of the sharing of confidential information which is not related to child protection or welfare concerns which may be regarded as a disciplinary matter.

Note: The Protection for Persons Reporting Child Abuse Act 1998 provides immunity from civil liability and from possible disciplinary action by an employer to persons who report child protection concerns “reasonably and in good faith “to the authorised persons in Tusla or An Garda Síochana.

7. Safe Recruitment

UCH will take all steps to ensure that persons in contact with children on UCH programmes, are suitable and appropriately qualified. Recruitment and selection procedures are therefore necessary, and these procedures apply to all persons recruited including those with substantial access to children.

Safe recruitment requires that UCH will:

- Ensure that all reasonable steps are taken to ensure that all relevant applicants who may pose a risk to children are identified and that an appropriate HR response is initiated prior to any appointment.
- Ensure that persons involved in the recruitment of staff are trained appropriately and have the experience to undertake this role.
- Ensure that UCH recruitment procedures are transparent, comply with best practice standards and also comply with the principles of natural justice, data protection compliant record keeping and human resource management.

- Ensure that the recruitment procedures of UCH are inclusive and treat all applicants as having equal status.

7.1 Recruitment of Staff

The following procedures will apply to the appointment of Staff:

- The relevant interview process, including 2 reference requests will be completed by the Company. This will include a declaration relating to there being no reason why a person would be considered unsuitable to work with or near children and/or vulnerable persons.
- The successful applicant will be offered employment, post interview, subject to:
 - Appropriate suitable references
 - Completed relevant interview scoring sheet.
 - Signing relevant employment contract of employment
 - Where applicable, proof of qualifications
 - Appropriate Garda vetting, where applicable
 - Positive proof of identification

Note: Statutory obligations on employers in relation to Garda vetting requirements for persons working with children and vulnerable adults are set out in the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012–2016.

Under these Acts, it is compulsory for employers to obtain vetting disclosures in relation to anyone who is carrying out relevant work with children or vulnerable adults. The Acts create offences and penalties for persons who fail to comply with its provisions.

Service level agreements (**SLA**) have been signed previously between UCH and UL for service use and data processing of the vetting application system for the National Vetting Bureau of An Garda Síochana

No person who would be deemed to constitute a risk will be employed.

Some of the factors which would exclude a person from working in UCH would include:

- Any child-related convictions.
- Refusal to undergo Garda vetting.
- Refusal to sign the Acceptance of the UCH Child Safeguarding Statement.
- Insufficient documentary evidence of identification.

- Insufficient reference checks, or refusal to provide reference contact details.
- Concealing information on one's suitability to working with children.

Note: In terms of other persons providing a relevant service at UCH from a third-party organisation, that body is responsible for the relevant Garda vetting of their employees. If the service provider is not associated with a body registered with the National Vetting Bureau for Garda vetting, it may not be possible for UCH to allow their engagement with children only relevant activities. They may however provide or be involved with activities to groups where the presence of children is incidental to the presence of people in general.

8. External Contractor Carrying out Work at UCH

UL Buildings and Estates engage contractors and they take responsibility to ensure contractors are Children First compliant, as appropriate .

If a welfare or child protection concern is raised in respect of a contractor working within the venue the UCH DLP will assume responsibility for responding to the concern in respect of the alleged victim. In view of the fact that external contracts are held by the University of Limerick the relevant HR manager will be advised by UCH of the fact that an allegation has been reported. The University will be responsible for ensuring there is follow up with the contractor.

9. Safeguarding Children Training Plan

The effective safeguarding and protection of children depends on the skills, knowledge and values of personnel working with children and families, as well as co-operation between agencies (interagency) and within Agencies (intra-agency).

Training and education are an important means of achieving this. It is imperative that all UCH Departments ensure that all personnel are familiar with these procedures to enable them to fulfil their responsibilities therein.

This will be achieved by developing within UCH a culture of awareness and knowledge of these procedures amongst all personnel and, where necessary, ensuring that appropriate training is undertaken.

Children First, Child Protection training is conducted on the UL campus at regular intervals and is co-ordinated by the Health and Safety Unit at UL. Children First, Child Protection training records are maintained by the Health and Safety Unit, and records of UCH staff undertaking this

training are also maintained by the Operations Manager. Members of UCH whose role involves working with children are required, and all other relevant staff are also required to undertake the Tusla Children First eLearning programme. The eLearning training programme is called 'Introduction to Children First'. The programme has been written to support people of all backgrounds and experience in recognising concerns about children and reporting such concerns if they arise and is available on: <https://www.tusla.ie/children-first/children-first-e-learning-programme>

In setting out our training plan for safeguarding children UCH commits to the following actions in respect of training staff:

- That all post holders within the safeguarding children structure will receive training commensurate with their roles
- That the induction programme for all relevant UCH staff will include a briefing in respect of the UCH Policy and Procedures for the Protection and Safeguarding of Children 2023 plus completion of the Tusla E learning Children First module. Copies of the Tusla certificates will be held by UCH Operations Manager
- That all UCH staff will be facilitated to access the Tusla Children First E learning module when they are due to do so.
- That a training needs analysis in respect of safeguarding children training needs for all staff will be initiated with a view to completion by the end of September 2023. This will inform and help to frame any future training plans on an annual basis.

10. Safeguarding Children Communications Plan

UCH commits to the following actions to ensure that staff and the general public are aware of the company's commitment to safeguarding children:

- The child safeguarding statement and the Policy and Procedures for the Protection and Safeguarding of Children will be placed on the UCH web- site and the shared drive.
- UCH will display child safeguarding notices which reference, in particular, the contact details for the Designated Liaison Persons and the website link for the child safeguarding statement.
- All relevant agencies, including statutory bodies, will be given details in respect of the internet links for accessing the child safeguarding statement and the related policy and procedures,
- Feedback systems will be developed with children, parents/guardians and staff to advise UCH as to whether the safeguarding children communication process is working.

11. Online Safety for Children

Children and young people will have no access to UCH online equipment or platforms. The use of personal phones or tablets whilst in the venue are deemed to be the ultimate responsibility of their responsible adult e.g. parent/teacher/guardian.

12. Photography and Children

The following guidelines are to be followed by staff in respect of photography and children:

- If UCH wishes to use an identifiable photograph of a child for promotional publicity, then written permission must be sought from the parents/guardians via the media consent form (**Appendix 14**). Such consent must be further approved by the relevant Line Manager in advance of the event.
- Photographs of children attending UCH will not be taken by staff using their own cameras, except for specified official reasons authorised by a Line Manager.
- Professional photographs for official events should have an appropriate accreditation which must be provided to a Line Manager in advance of the event.
- The names of children whose photographs are used for promotional activity will not be made public.
- Inappropriate use of children's images by staff will be reported to the DLP and may be considered a breach of the code of practice.
- Where possible UCH aims to use professional models or illustrations when promoting an activity and will avoid the use of identifiable photographs of children. This will also include the UCH website and social media. The content of any photographs must focus on the activity not on a particular child.
- The use of a phone's camera function in UCH dressing areas and toilet facilities is prohibited.

13. Use of CCTV and Video Equipment in UCH Facilities

- UCH has Closed Circuit Television Camera (CCTV) located throughout the venue, covering buildings and internal areas. UCH CCTV system is implemented in a proportionate manner as necessary to protect UCH property against theft, pilferage or damage and for the safety and security of staff, students and visitors to the UCH facility (to protect their vital interests).
- CCTV footage is monitored by UL staff/security. Access to recorded footage is strictly limited to authorised personnel. Footage is retained for 3 weeks, except where incidents or accidents have been identified in which case such footage is retained specifically in the context of an investigation of that issue.

- CCTV footage is not disclosed to third parties except where disclosure is required by law (such as for the purpose of preventing, detecting or investigating alleged offences) and in such instances disclosure is based on a valid request. Signage indicating that CCTV is in use is displayed prominently throughout UCH

14. General Health & Safety Considerations

General Health and Safety considerations referenced for children accessing UCH include:

- Obligations under the Employment Equality Acts (1998 – 2011) and Equal Status Acts (2000 – 2012) must be taken into consideration. In providing services, staff shall not discriminate against any child on the basis of the nine grounds detailed in the Acts.
- Obligations under the Disability Act 2005 shall also be taken into consideration.
- UCH must ensure there is compliance with the requirements of the relevant fire certificates and any recommendations or requirements of the fire authority and the facilities' insurers.
- UCH must ensure that there is awareness of UCH's first aid arrangements.
- UCH must ensure there is an awareness of the emergency evacuation procedures and ensure that children and adults are also aware of what to do if there is an emergency.

15. UCH Designated Liaison Persons Contact Details and Statutory Agencies Contacts.

Details of personnel to contact if a concern exists in respect of the protection and welfare of a child:

The Designated Liaison Person (DLP) for UCH is:

Admin Manager: Marie Healy

Contact Details: 061 213304 / Marie.Healy@uch.ie

The Deputy Designated Liaison Person (DDL) for UCH is:

Operations and Event Manager: Miceal Mc Namara

Contact details: 061 234706 / Miceal.McNamara@uch.ie

An Garda Síochána

Protective Services Unit, Henry Street Garda
Station, Limerick.
061 212448
Limerick.psu@garda.ie

TUSLA, Child and Family Agency

The Limerick dedicated contact point for reporting a concern about a child or to discuss a concern is:

Child and Family Agency
Tusla Building,
St Joseph's Campus
Mulgrave Street
Limerick
Telephone number 061588688

Tusla operates an out-of-hours social work service, which is available by contacting An Garda Síochána. This service deals with any emergencies that occur outside of office hours. If there are concerns for the immediate safety of a child, please contact An Garda Síochána in an out-of-hours situation. The out-of-hours service deals with cases that come to the attention of An Garda Síochána, where a child is at immediate risk of harm.

Appendices

Appendix 1: University Concert Hall Child Safeguarding Statement

University Concert Hall Limerick Child Safeguarding Statement

This Child Safeguarding Statement is in compliance with the requirements of the Children First Act 2015 and of Children First National Guidelines for the Protection and Welfare of Children 2017. The statement sets out the services being provided by and the principles and procedures that are in place to ensure, as far as practicable, that a child/young person availing of, or in contact with, University Concert Hall (UCH) services is safe from abuse or harm. This statement includes an assessment of risk of “harm” to a child/young person while attending the venue or in contact with UCH services. Procedures to manage and mitigate such risks are specified.

This document has been developed with reference to the following:

Children First Act 2015

“Children First National Guidelines for the Protection and Welfare of Children”. DYCA 2017

“Guidance on Developing a Child Safeguarding Statement” (tusla.ie)

“What is a risk assessment?” (tusla.ie)

Guidelines for the Protection and Welfare of Children and Young People in the

Arts Sector, published by the Arts Council of Ireland.

UCH Policy and procedures for the protection and safeguarding of children May 2023

Legal framework

Section 11(3) of the Children First Act 2015 states that a “child safeguarding statement **shall** include a written assessment of the risk and, in that regard, specify the procedures that are in place:

- a) To manage any risks identified
- b) In respect of any member of staff who is the subject of any investigation (howsoever described) in respect of any act, omission or circumstance in respect of a child availing of the relevant service.
- c) For the selection or recruitment of any person as a member of staff of the provider with regard to that person’s suitability to work with children

- d) For the provision of information and, where necessary, instruction and training, to members of staff of the provider in relation to the identification of the occurrence of harm
- e) For reporting to the Agency (TUSLA, Child and Family Agency) by the provider or a member of staff of the provider (whether a mandated person or otherwise) in accordance with this act or the guidelines issued by the Minister under Section 6 (Children First National Guidelines, 2017)
- f) For maintaining a list of persons (if any) of the relevant service who are mandated persons, and
- g) For appointing a relevant person for the purposes of this part of the Act.

The relevant person for UCH is Admin Manager, Marie Healy

Named Person

Children First national guidance states that providers of relevant services should appoint a named person to lead the implementation of guiding principles and child safeguarding procedures. This person is also responsible for ensuring that the policies and procedures are aligned with best practice as set out in Children First national guidance 2017.

The named person for UCH is Operations and Event manager, Miceal McNamara.

UCH recognises that the welfare of the child is paramount, that children should be protected, treated with respect, listened to, and have their views taken into consideration.

UCH recognises its responsibility to promote and safeguard the welfare of children, young people and vulnerable persons.

UCH acknowledges that all children should be valued and treated in an equitable and fair manner regardless of ability, age, gender, religion, social and ethnic background or political persuasion.

UCH is committed to adopting and upholding the highest possible standards in safeguarding and protecting children / young people and shall take all reasonable steps in relation to the protection and welfare of children, young people and vulnerable persons who may be present within the venue.

Name of Organisation:

University Concert Hall, Limerick

Nature of Organisation:

Established in 1993, University Concert Hall (UCH) is a 1,038-seat auditorium situated on the University of Limerick campus. Opened on September 18th, 1993, by the then Taoiseach Mr Albert Reynolds T.D. and U.S. Ambassador Mrs Jean Kennedy Smith, it was the first purpose built concert hall in Ireland. The venue can be tailored to suit the needs of all genres of performance, including everything from Classical to Comedy and Panto to Pop music.

UCH also actively engages with Limerick's wider community organisations and artists, including local primary and secondary schools, to promote and showcase their artistic endeavours while providing a professional platform for their performances.

UCH has eleven permanent staff members, and approximately thirty-five part-time/casual staff.

Nature of Services Provided to Children:

UCH presents performances and workshops for and by children of all ages and is committed to a child-centered approach to our work with children and young people. Services provided to children include:

- UCH's annual Panto shows.
- performances by schools and performing arts schools (facilitated by the schools on UCH premises)
- educational workshops such as song writing and filmmaking classes.
- dance and theatre summer camps
- performances by children's choirs and performing groups.
- concerts by children's choirs as part of the annual Limerick Sings International Choral Festival, which is organised and managed by UCH. Such concerts take place in UCH and in external venues.

Principles to Safeguard Children from Harm:

UCH is committed to a child centred approach in the provision of services and the use of the venue by all persons under 18 years.

UCH is committed to the following principles in safeguarding children/young people and maintaining child centred relevant services:

- That the safety and welfare of children/young people is everyone's responsibility.
- That the promotion of the welfare, health and safety of children/young people is paramount.
- That children/young people attending and using the UCH venue are to be respected as individuals and encouraged to reach their potential, regardless of background.

- That children/young people raising welfare or abuse concerns will be treated equally and listened to by staff members.
- That any identified welfare or protection concern of a child/young person that becomes known to UCH staff will be managed in a safe manner. The response will be in compliance with best practice as set out in Children First National Guidance 2017 and will adhere to UCH Policy and Procedures for the Protection and Safeguarding of Children 2023.
- That safe management procedures are in place for all staff and volunteers, covering in particular; recruitment, Garda vetting and a person's suitability to work with children.
- That designated liaison persons and mandated persons in respect of child safeguarding have been identified, trained and are known to all staff members and volunteers.
- That UCH retains and maintains a list of staff who are mandated persons.
- That safe procedures are in place and implemented, to respond to an allegation of abuse of a child/young person against a staff member.
- That procedures are in place to respond to an allegation of abuse of a child by another child/young person.
- That a specific safeguarding children training plan is in place to ensure that all staff are aware of their role in keeping children safe and to raise organisational awareness of this issue.
- That UCH has developed and is maintaining clear and secure record keeping procedures in respect of child protection and welfare concerns. Such records are held by the Designated Liaison Person.
- That a code of conduct is in place for staff which sets out their responsibilities in their engagement with children and young people.
- That a code of conduct is in place which outlines the responsibilities of children in their interactions with each other and adults whilst attending the UCH venue.
- That UCH recognises the importance of multi-agency working in keeping children safe and on that basis working relationships have been developed with the relevant statutory agencies e.g. An Garda Síochana and Tusla
- That the safest possible practices will be adopted to minimise the possibility of harm or accidents happening to children and to protect members of University Concert Hall from the necessity to take unnecessary risks.
- That UCH will endeavour to ensure that children are always accompanied by a parent, guardian, teacher or carer (responsible adult) while in the venue.
- That a child in need of personal support because of illness, physical needs or any form of distress, shall be referred in the first place to his/her parent/guardian or teacher. In the absence of a guardian, the staff member who is working with or supervising that activity will provide such support. Parent/guardian or teacher are requested to inform a member of staff if there are any specific needs required during a child's participation at a UCH event.

Note

- A. Our guiding principles apply to all paid staff, volunteers, committee/board members and students or others on work placement within our organisation. All committee/board members, staff and students must abide by these guiding principles and our child safeguarding procedures.
- B. All external parties, organisations, promoters, production companies, agencies and groups engaging with children operating both UCH and on behalf of UCH are required to have a Child Safeguarding Statement, in line with the requirements of Children First National Guidance (2017) before entering into a contractual relationship with UCH. All such organisations, promoters, production companies, agencies and groups will be required to furnish UCH Management with a copy of their Child Safeguarding Statement.

RISK ASSESSMENT

UCH is a relevant service as set out in Schedule 1 of the Children First Act 2015. On that basis UCH completed a safeguarding children risk assessment. This is with a view to having a safeguarding plan in place which minimises the risk, as far as practicable, to any children attending the venue and/or having contact with the services.

The completed risk assessment framework is set out below. This is an updated and revised version of the initial risk assessment.

NOTE: Section 11(1) (a) of the Children First Act 2015 defines risk as ‘any potential for harm to a child while availing of the service’

Section 2 of the Act defines harms as ‘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 circumstances or a series or combination of acts omissions or circumstances or otherwise ‘

The table below sets out the identified risks to the safety of children and young people, involved with or attending the UCH venue and the steps taken to manage and minimise the risk of harm. These risks are relevant to UCH.

Responsibility is placed on relevant services contracted by UCH, in contact with children, to manage the risk issues relevant to them and to take steps to minimise the risk of harm.

UCH Activity	Activities Risk of Harm in respect of the activity	Procedures / Protocols in place to address risk of harm identified
1. Venue & Infrastructure		
Children visiting UCH	Risk of harm to children by members of the UCH Community, visiting performers or crew, or members of the public.	<ul style="list-style-type: none"> - All relevant UCH staff complete the UCH/UL Garda Vetting/foreign police clearance process. - UCH provides all relevant staff and promoters with a copy of UCH's Child Protection Policy. - Relevant UCH staff complete online Children First, Child Protection training. - UCH's Child Safeguarding Statement is emailed to promoters bringing children into the venue, and promoters are asked for a copy of their own. - A pre-show questionnaire is sent to promoters/tour managers, including questions re promoter child safeguarding policies and Garda vetting/police clearance. - 24-hour campus security contractor is in place on campus, available/contactable at all times.
Use of toilet/shower /changing facilities	Risk of harm to children by members of the UCH Community, visiting performers or crew, or members of the public.	<ul style="list-style-type: none"> - Facilities are allocated for each gender. Facilities are maintained at regular intervals by UCH and/or UL Cleaning Services staff. - All relevant UCH staff complete the UCH/UL Garda Vetting/foreign police clearance process. - UCH provides all relevant staff and promoters with a copy of the Child Safeguarding Statement. - All relevant UCH personnel undertake the Tusla Children First training module, and any online training as may be required from time to time.
Children and young people under the age of 18 attending events during which alcohol is served.	Risk of harm to children under 18, including being vulnerable from alcohol consumption.	<ul style="list-style-type: none"> - The UCH bar complies with all licensing laws. - Staff are authorised to inspect identification documents to confirm identity and age. - Bar staff do not serve alcohol to intoxicated persons
2. Personnel		
Child Protection Training for UCH Personnel	Risk of harm to children by members of the UCH Community	- Designated Liaison Person (DLP) /Deputy Designated Liaison Person (DDL) avail of training provided by professional organisations.

	<p>or members of the public. Harm or abuse not being reported properly and promptly by personnel.</p>	<ul style="list-style-type: none"> - All relevant personnel complete Tusla Children First E-Learning Programme and provide a copy of the certificate of completion to their line manager. Training can be found at: https://www.tusla.ie/childrenfirst/children-first-e-learningprogramme/ - The UCH Child Safeguarding Statement is available to all personnel. All members of staff who work with children are required to sign the 'Acceptance of UCH Child Safeguarding Statement' and return to their line manager.
<p>Recruitment of UCH personnel (all departments)</p>	<p>Risk of a child being harmed by a member of the UCH Community. Indicators of harm /abuse not being recognised by UCH personnel.</p>	<ul style="list-style-type: none"> - Recruiting managers issue job descriptions for each position detailing the required qualifications and the job role being recruited for. Staff with appropriate qualifications and experience are appointed, in line with UCH recruitment procedures. - Candidates undertake formal interviews. Reference checks are completed on successful candidates. - All departments must ensure compliance with the legal requirements in relation to vetting of all employees who conduct relevant work. The UL Health and Safety Unit oversees the University vetting and foreign police clearance process with the National Vetting Bureau. Department Managers or their delegates are responsible for ensuring appropriate staff are vetted. - The recruiting manager is responsible for identifying new recruits who require vetting. It is compulsory for all hiring departments of UCH to ensure that anyone who is carrying out relevant work with children or vulnerable adults undergo the University vetting process. - All new recruited staff undergo a probationary period. - The UCH Child Safeguarding Statement is made available to all personnel. - All relevant UCH personnel complete Tusla Children First E-Learning Programme and provide a copy of the certificate of completion to their line manager. - All concerns shall be reported to the DLP.

Retrospective vetting	Risk of a child being harmed by a member of the UCH community. Indicators of harm /abuse not being recognised by UCH personnel	<ul style="list-style-type: none"> - All relevant UCH staff undergo the University Garda vetting/foreign police clearance process. Any non-vetted staff who wish to move to a role which involves working with children and/or vulnerable adults must undergo the vetting process before taking on the new role. - Relevant staff are provided with a copy of the Child Safeguarding Statement and undergo the Tusla Children First, Child Protection training.
3. Communication/Images		
Use of camera / mobile phone camera	Risk of harm/abuse to children through the inappropriate taking of and /or sharing of images.	<ul style="list-style-type: none"> - Members of UCH are forbidden from photographing or recording images in changing rooms, toilet area or locker rooms. - Photographs and/or recorded images of children cannot be used or shared without the prior approval of parents/legal guardians/representatives. - UCH encourages event organisers to make announcements before shows involving children, advising customers to be cautious of taking photographs of children other than their own, and not to post photographs online/on social media platforms.
Posting of event/performance photographs online/on social media	Risk of harm/abuse to children through the inappropriate taking of and/or sharing of images.	<ul style="list-style-type: none"> - Photographs and/or recorded images of children cannot be used or shared without the prior approval of parents/legal guardians/representatives. - UCH encourages event organisers to make announcements before shows involving children, advising customers to be mindful of taking photographs of children other than their own, and not to post the same online/on social media platforms. - GDPR guidelines and UCH's data protection policy are followed at all times.
Use of Information and Communication Technology by UCH staff to access child pornography	Risk of harm/abuse to children through the inappropriate taking of and /or sharing of images.	<ul style="list-style-type: none"> - The <i>UCH Staff Handbook</i> (Section 16) contains detail of acceptable internet usage. All UCH staff are provided with this Handbook.
4. Off-Site Events/Performances		

Use of UCH personnel to support events involving children	Risk of a child being harmed by a member of the UCH Community. Indicators of harm/abuse not being recognised by UCH personnel.	<ul style="list-style-type: none"> - Safe recruitment procedures are followed, including completion by relevant UCH staff of Garda vetting/foreign police clearance process. - UCH's Child Safeguarding Statement, which has been written and is maintained in accordance with the 2015 Act and 2017 Guidance, applies to all external UCH-organised events. - UCH personnel are encouraged to complete Tusla Children First E-Learning Programme and provide a copy of the certificate of completion to their line manager. - UCH provides all relevant staff and promoters with a copy of the UCH Child Safeguarding Statement
5. Record Keeping		
Records kept of all child protection training	That compliance with the legal requirements has not taken place/ cannot be shown.	<ul style="list-style-type: none"> - Line managers are responsible for ensuring appropriate staff complete Child Protection training. Staff are requested to submit a soft copy of the Tusla eLearning training programme certificate to their line manager. The Operations Manager maintains records of this training. The Operations Manager, and the UL Health and Safety Unit, maintain staff records for Children First Child Protection training courses provided in-person on campus.
Records kept of mandated and non-mandated reports	Failure to record records.	<ul style="list-style-type: none"> - All concerns with child protection at UCH shall be reported to the DLP. DLP records all information and stores records in a safe and secure manner.
Records kept of claims/child protection related instances and injuries which requires insurance notification	Failure to record records.	<ul style="list-style-type: none"> - All concerns with child protection at UCH shall be reported to the DLP. DLP records all information and stores records in a safe and secure manner. - All child safeguarding data is processed and managed in accordance with the UCH Records Management & Retention Policy. All child safeguarding records are processed and held in accordance with the GDPR regulations.

Procedures for Managing Risks

In addition to the procedures listed in our risk assessment, the following procedures support our intention to safeguard and protect children while they are attending our venue:

- UCH child safeguarding statement (August 2023)
- UCH child safeguarding risk assessment and plan (August 2023)
- UCH policies and procedures for the protection and safeguarding of children (August 2023))
- UCH Equal Opportunities , Diversity and Workplace Dignity and Respect Policy
- UCH IT Acceptable Usage Policy
- UCH CCTV policy
- UCH safe recruitment procedures.
- UCH Staff Garda Vetting Risk Assessment
- UCH code of conduct for staff with regard to their interactions with children and young people
- UCH code of conduct for children and young people for when they are availing of UCH facilities.
- UCH Customer Charter
- UCH Complaints procedure
- UL / UCH protected disclosures of information policy
- UCH Data Protection Policy
- UCH Disciplinary procedure
- UCH safeguarding children training strategy and action plan 2023.
- UCH safeguarding children communication plan 2023.
- UCH lone worker policy and lone incident procedure
- UCH confidentiality guidance in respect of safeguarding children

All procedures and policies listed above are available on request.

Implementation

This Child Safeguarding Statement is provided to.

- All staff, relevant Promoters and agencies linked with UCH.
- UCH Board
- On request it will be provided to a parent/guardian (primary carer) of a child/young person availing of UCH services.
- Or to TUSLA, child and family agency.

This statement is also available on line on the UCH web site <https://www.uch.ie/governance/>

UCH is committed to the implementation of this child safeguarding statement and to the policies and procedures that will support our intention to keep children and young people (under 18 years) safe from abuse or harm, as far as practicable, while attending our venue and/or services.

This child safeguarding statement will be reviewed no later than 2 years from the date of issue of this document or as soon as practicable if there has been a material change in any matter to which this statement refers.

Signed: 

Date: 31/08/2023

Director of University Concert Hall

Glossary of Terms and Definitions

Age of Consent: The age of consent is 17 years. It is a criminal offence to engage or attempt to engage in a sexual act with a child under 17 years of age.

Agency: In the Children First Act, 2015 “agency” means the Child and Family Agency (Tusla)

An Garda Síochana:

It is the responsibility of An Garda Síochana to investigate if a crime has been committed with regard to child protection and welfare concerns. They will liaise with the Designated Liaison Person/s in respect of child protection and welfare concerns, as appropriate.

Assault: see physical abuse

Associated organisations : means contractors, visitors, external parties who are granted access to UCH resources and facilities but who are not under the direct management of UCH

Authorised persons: have been appointed within Tusla, under the requirements of the Children First Act 2015. They have a responsibility to receive reports under Section 14 of the Act and to ensure an acknowledgement of receipt is sent to the mandated person or other persons who made the report.

Child: A person who has not attained 18 years of age, excluding a person who is or has been married (Note from 1.1.19, under the Domestic Violence Act 2018, a person under the age of 18 can no longer apply to the Circuit Courts for permission to marry. However, a person may get married if permission was granted before 1.1.19 or an application was made before 1.1.19 and permission was granted afterwards).

Child Abuse: Where the words “child abuse” are used in these procedures they should be taken to include all four categories (neglect, emotional abuse, physical abuse and sexual abuse) as outlined in chapter 2 of Children First: National Guidance for the Protection and Welfare of Children 2017

Child protection: Child protection focuses on **one** aspect of safeguarding, the protection of a child who has suffered from, is suffering from, or has the potential to suffer from harm.

Child protection requires staff to **recognise, respond, report** and **record** such concerns.

Child protection procedures are the detailed procedures in place in UCH for responding to and reporting child protection concerns

Child Safeguarding Statement: A Child Safeguarding Statement is a statement prepared by a relevant service in accordance with section 11 of the Children First Act, 2015

Designated and Deputy Designated Liaison Persons:

The Designated Liaison Person (DLP) liaises with the relevant statutory agencies responsible for child protection and welfare and is the resource person to staff members who have child protection and welfare concerns. This person has the responsibility to ensure that the reporting procedure within UCH is followed so that suspected cases of child abuse or neglect, where reasonable grounds for concern exist, are referred without undue delay to Tusla or, in an emergency and the unavailability of Tusla, to An Garda Síochana.

In the event that the Designated Liaison Person is unavailable a Deputy Designated Liaison Person with delegated responsibility has been appointed by UCH .

Digital Age of Consent: the digital age of consent is 16 years.

Emotional abuse: the systematic emotional or psychological ill-treatment of a child as part of the overall relationship between a caregiver and a child.

Employee: a full time, part time or voluntary employee of UCH

Harm: in relation to a child Harm has the meaning assigned to it under section 2 of the Children First Act, 2015, “
“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.”

Ill Treatment: in relation to a child ill treatment is defined as to abandon or cruelly treat the child, or to cause or procure or allow the child to be abandoned or cruelly treated.

Mandated Persons: A Mandated Person is a person specified in schedule 2 of the Children First Act, 2015. The Act contains a list of classes of mandated persons (**Appendix 11**). Under this Act, mandated persons have a statutory obligation to report concerns which meet or exceed a particular threshold and to cooperate with Tusla in the assessment of such mandated reports, where requested to do so.

Mandated report: a report made by a Mandated Person in accordance with Sections 14 (1) and 14(2) of the 2015 Children First Act

**Member of a person who is involved in the operation of UCH including all staff ,
UCH:** contractors, students and voluntary workers.

Named Person/s:

In the context of UCH there is a named person nominated to this role. This person is responsible for implementing and maintaining compliance with Children First both from the perspective of the Children First Act 2015 and Children First: National Guidance for the Protection and Welfare of Children 2017. This person will also take a lead in ensuring the review of the UCH Policy and Procedures for the Protection and Safeguarding of Children occurs within the agreed timeframe.

The named person for UCH is Operations and Event manager Miceal McNamara

Neglect: in relation to a child, to deprive the child of adequate food, warmth,

clothing, hygiene, supervision, safety or medical care

Parent: A birth parent, a foster parent, a legal guardian appointed under the Guardianship of Children Acts, 1964 to 1997, as amended by the Children and Family Relationships Act 2015 or other person acting in *loco parentis* who has a child in his or her care subject to any statutory power or order of a court and, in the case of a child who has been adopted under the Adoption Acts, 1952 to 1998, or, where the child has been adopted outside the State, means the adopter or adopters or the surviving adopter

Physical Abuse: deliberate physical hurt to a child or action/s that 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 affected as a result of suspected physical abuse.

Provider: Provider has the meaning assigned to it under section 8 of the Children First Act, 2015.

Reasonable grounds for concern: Reasonable grounds for concern exist when you have a view that a child may have been, is being, or is at risk of being abused or neglected. Such concerns shall be supported by evidence or indicators of abuse.

Relevant Person: Relevant person has the meaning assigned to it under section 8 of the Children First Act, 2015 and is a person who is appointed by a provider of a relevant service to be the first point of contact in respect of the provider's child safeguarding statement.

The Relevant Person for UCH is Admin manager, Marie Healy

Relevant Service: Relevant service means any work or activities specified in schedule 1 of the Children First Act, 2015.

Responsible adult: This is a person of or above the age of 18 years who, in relation to a person under the age of 18 years (the child/young person), belongs to one of the following classes of persons:

(a) parent, stepparent or guardian of the child/young person

Or

(b) a person who, for the time being, has parental rights, duties and responsibilities for the child/young person

Risk Assessment: Risk assessment as used in the Children First Act, 2015 means an assessment of any potential for harm to a child while availing of the provider's services.

Safeguarding: Safeguarding children/young person's involves creating and maintaining safe environments for children by:

- Protecting children/young persons from harm, abuse and neglect
- Ensuring children have access to the care and support they need
- Enabling safe and effective care by families and other carers
- Enabling children to achieve the best outcomes

Scheduled Offence : an offence as specified in Schedule 1 or Schedule 2 of the Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012.

Sexual Abuse : in relation to a child

- a) an offence against the child, specified in Schedule 3 of the Children First Act 2015,
- b) wilful exposure of the child to pornography, or
- c) wilful sexual activity in the presence of the child

Volunteer: Any activity that involves spending time, unpaid, doing something that aims to benefit the environment or someone (individuals or groups) other than, or in addition to, close relatives. Central to this definition is the fact that volunteering must be a choice freely made by each individual. This can include formal activity undertaken through public, private and voluntary organisations as well as informal community participation.

Vulnerable adult: a person (a) who:

(i) is suffering from a disorder of the mind, whether as a result of mental illness or dementia, or (ii) has an intellectual disability, which is of such a nature or degree as to severely restrict the capacity of the person to guard himself or herself against serious exploitation or abuse, whether physical or sexual, by another person, or

(b) Who is suffering from an enduring physical impairment or injury, which is of such a nature or degree as to severely restrict the capacity of the person to guard himself or herself against serious exploitation or abuse, whether physical or sexual, by another person or to report such exploitation or abuse to the Garda Síochána or both

In certain cases, and pursuant to certain offences under law, this definition can apply to a child aged 17 and over.

Welfare concern: A child welfare concern 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 not require a child protection response

Relevant Legislation

Child Care Act 1991

Under this act, Tusla has a statutory responsibility to promote the welfare of children who are not receiving adequate care and protection. If it is found that a child is not receiving adequate care and protection, Tusla has a duty to take appropriate action to promote the welfare of the child. This may include supporting families in need of assistance in providing care and protection to their children. The Child Care act also sets out the statutory framework for receiving children into care, if necessary.

Non-Fatal Offences Against The Person Act 1997

This act codifies the criminal law on offences against a person and includes the offences of assault causing harm, endangerment and abduction. Generally speaking, the act does not limit in terms of age and can apply to offences against a person perpetrated by a child and an offence suffered by a child. The defence of assault was previously defensible by virtue of a common law defence of reasonable chastisement, and this defence was removed in the children first act. It is worth noting that a number of offences, such as assault causing harm, are scheduled offences under the criminal justice (withholding of information on offences against children and vulnerable persons) act 2012 and accordingly information on such an offence must be notified to An Garda Síochána.

Protections for Persons Reporting Child Abuse Act 1998

This act protects you if you make a report of suspected child abuse to designated officers of Tusla, the Health Service Executive (HSE) or to members of the Gardaí as long as the report is made in good faith and is not malicious. Designated officers also include persons authorised by the chief executive officer of Tusla to receive and acknowledge reports of mandated concerns about a child from mandated persons under the Children First Act 2015.

This legal protection means that even if a person reports a case of suspected child abuse and it proves unfounded, a plaintiff who took an action would have to prove that you had not acted reasonably and in good faith in making the

report. A person who makes a report in good faith and in the child's best interests, may also be protected under common law by the defence of qualified privilege.

The act created an offence of false reporting of child abuse where a person makes a report of child abuse to a designated officer of Tusla or of the Health Service Executive (HSE) or to a member of an Garda Síochána "knowing that statement to be false". This is a criminal offence designed to protect innocent persons from malicious reports.

A full list of persons in Tusla and the HSE, who are designated officers under the 1998 Act, can be found on the website of each agency (www.tusla.ie and www.hse.ie).

Criminal Justice Act 2006

Reckless Endangerment

Section 176 of this act created an offence of reckless endangerment of children. This offence may be committed by a person who has authority or control over a child or abuser who intentionally or recklessly endangers a child by:

1. Causing or permitting the child to be placed or left in a situation that creates a substantial risk to the child of being a victim of serious harm or sexual abuse; or
2. Failing to take reasonable steps to protect a child from such a risk while knowing that the child is in such a situation.

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

Under this act, it is a criminal offence to withhold information about a serious offence, including a sexual offence, against a person under 18 years or a vulnerable person. The offence arises where a person knows or believes that a specified offence has been committed against a child or vulnerable person and he or she has information which would help arrest, prosecute or convict another person for that offence, but fails without reasonable excuse to disclose that information, as soon as it is practicable to do so, to a member of an Garda Síochána.

The provisions of the withholding legislation are in addition to any reporting requirements under the Children First Act 2015.

Accordingly, it is very important to note that:

The fact that a member of UCH has dealt with a child protection or welfare concern in accordance with these procedures and/or reported it under the children first act, 2015 does not absolve that person of his or her statutory obligation to

disclose information to an Garda Síochána under the criminal justice (withholding of information on offences against children and vulnerable persons) act 2012 where that person has information that falls within the scope of that act or the fact that a member of UCH has disclosed information to An Garda Síochána does not absolve that person of his or her obligations to report concerns to Tusla in accordance with the requirements of these procedures and/or in accordance with requirements of the Children First Act, 2015.

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

Under these acts, it is compulsory for employers to obtain vetting disclosures in relation to anyone who is carrying out relevant work with children or vulnerable adults. The acts create offences and penalties for persons who fail to comply with their provisions. Statutory obligations on employers in relation to Garda vetting requirements for persons working with children and vulnerable adults are set out in the national vetting bureau (children and vulnerable persons) acts 2012–2016.

Children First Act 2015

This act places a number of statutory obligations on specific groups of professionals and on particular organisations providing services to children.

The schedule of relevant services under the Children First Act 2015 is contained in Appendix 12 of these procedures.

A full schedule of Mandated Persons under the Children First Act 2015 is contained in Appendix 11 of these procedures.

Through the provisions of the act, it is intended to:

- Raise awareness of child abuse and neglect or harm against a child.
- Provide for mandatory reporting of instances of harm by key professionals.
- Improve child safeguarding arrangements in organisations providing services to children; Provide for cooperation and information-sharing between agencies when Tusla – child and family agency, is undertaking child protection assessments.

The Children First Act 2015 will help to ensure that child protection concerns are brought to the attention of Tusla without delay.

Criminal Law (Sexual Offences) Act 2017

This act addresses the sexual exploitation of children and targets those who engage in this criminal activity. It creates offences relating to the obtaining or providing of children for the purposes of sexual exploitation. It also creates offences of the types of activity which may occur during the early stages of the predatory process prior to the actual exploitation of a child, for example, using modern technology to prey on children and making arrangements to meet with a child where the intention is to sexually exploit the child. The act also recognises the existence of underage, consensual peer relationships where any sexual activity falls within strictly defined age limits and the relationship is not intimidatory or exploitative.

Freedom of Information Acts 1997, 2003 & 2014

Any reports which are made to Tusla may be subject to the provisions of the freedom of information acts, which enable members of the public to obtain access to personal information relating to them which is in the possession of public bodies. However, the freedom of information acts also provide that public bodies may refuse access to information obtained by them in confidence.

The exemptions and exclusions which are relevant to child protection include the following:

- (a) protecting records covered by legal professional privilege.
- (b) protecting records which would facilitate the commission of a crime.
- (c) protecting records which would reveal a confidential source of information.

UCH notes that records forwarded to a public body by all members of UCH and held by that body may be subject to the provisions of the freedom of information acts.

The Data Protection Acts, 1998 and 2003

The data protection acts are designed to protect the rights of individuals with regard to personal data. The law defines personal data as “data relating to a living individual who is or can be identified from the data or from the data in conjunction with other information that is in, or is likely to come into, possession of the data controller”.

The acts give a right to every individual, irrespective of nationality or residence, to establish the existence of personal data, to have access to any such data relating to him or her and to have inaccurate data rectified or erased. It requires data controllers to make sure that the data they keep are collected fairly, are accurate and up to date, are kept for lawful

purposes, and are not used or disclosed in any manner incompatible with those purposes. It also requires both data controllers and data processors to protect the data they keep and imposes on them a special duty of care in relation to the individuals about whom they keep such data.

GDPR (General Data Protection Regulation)

Is a regulation in EU law on data protection and privacy for all individuals within the European Union. It also addresses the export of personal data outside the EU. It came into force on May 25th, 2018, giving individuals more control over how our data is used, and putting more responsibility on businesses who use it.

Incident/Accident Report Form

1. Name of Person involved in accident: _____

2. Address: _____

3. Phone: _____

4. Occupation: _____

5. Employed at University Concert Hall Yes: No: *Put an "X" in appropriate box*

6. Particulars of Accident: (Where it happened)

7. Circumstances of Accident, and actions taken _____

Use additional pages if necessary

8. Place: _____

9. Time: _____ Date: _____

10. Witness: _____ Phone No: _____

Address: _____

Witness: _____ Phone No: _____

Address: _____

Record names, addresses, phone numbers of other witnesses under additional information at end of report.

11. When and to whom was the accident initially reported: _____

12. Details of Injury (put an 'x' in one box only)

- | | |
|--|--|
| <input type="checkbox"/> Bruising, contusion | <input type="checkbox"/> Suffocation, asphyxiation |
| <input type="checkbox"/> Concussion | <input type="checkbox"/> Gassing |
| <input type="checkbox"/> Open wound | <input type="checkbox"/> Poisoning |
| <input type="checkbox"/> Abrasion, graze | <input type="checkbox"/> Infection |
| <input type="checkbox"/> Amputation | <input type="checkbox"/> Burns, scalds and frostbite |
| <input type="checkbox"/> Open fracture (i.e. bone exposed) | <input type="checkbox"/> Electrical injury |
| <input type="checkbox"/> Closed fracture | <input type="checkbox"/> Injury not ascertained |
| <input type="checkbox"/> Dislocation | <input type="checkbox"/> Other, please specify_____ |
| <input type="checkbox"/> Sprain, torn ligaments | <input type="checkbox"/> |

13. Indicate part of body **most seriously** injured (put an 'x' in one box only)

- | | |
|---|---|
| <input type="checkbox"/> Head, except eyes | <input type="checkbox"/> Fingers, one or more |
| <input type="checkbox"/> Eyes | <input type="checkbox"/> Hip joint, thigh, knee cap |
| <input type="checkbox"/> Neck | <input type="checkbox"/> Knee joint, lower leg, ankle |
| <input type="checkbox"/> Back, spine | <input type="checkbox"/> Foot |
| <input type="checkbox"/> Chest | <input type="checkbox"/> Toes, one or more |
| <input type="checkbox"/> Abdomen | <input type="checkbox"/> Extensive parts of the body |
| <input type="checkbox"/> Shoulder, upper arm, elbow | <input type="checkbox"/> Multiple injuries |
| <input type="checkbox"/> Lower arm, wrist, hand | <input type="checkbox"/> Other, Please specify_____ |

Signature of person completing report: _____

Date:_____

Print Name and Job Title _____

Signature of Supervisor:_____

Date:_____

Print Name: _____

Appendix 5: Acceptance of Child Safeguarding Statement

Acceptance of UCH Child Safeguarding Statement

I have read the Child Safeguarding Statement of University Concert Hall and agree to abide by its contents. There is no reason why I would be considered unsuitable to work with or have contact with children or young people

Signature: _____

Date: _____

Print Name: _____

Employee number

This form must be retained by UCH DLP

CONCERT BOOKING FORM 2023-2024

Please complete this form in full and return as an attachment via email. This is used to sell your concert so please complete fully.

SECTION 1: EVENT DETAILS

<i>Day(s)/Date(s)/Time:</i>	
<i>Genre:</i>	
Concert Times	
Title of Event: (Please note word limit of 5 words ONLY. This will be edited if too many words are supplied)	
Presented by:	
Sponsored by: (Please note text only on uch.ie, no logo's)	
<i>Logos for venue brochure:</i> (To be supplied as high-resolution files)	
Performing Artists: (Please provide URL's to artists websites so we can use in any additional online promotion)	

Programme Details:	
Event information for Venue Brochure: (40 words only)	
Event information for uch.ie (You may include more detail here).	
Photographs (To be supplied as high-resolution files, dimensions below – minimum of 3 required)	Please note that photography in the calendar is used at the discretion of the editor.
You tube link for footage for uch.ie (Please ensure you have necessary permissions)	
Please specify an exact on sale date for your concert (Using a specified on sale date and advertising this can give an excellent early boost to sales)	

You may use the University Concert Hall logo on your collateral however a final proof must be cleared by our Marketing Manager before anything goes to print. We recommend that your marketing collateral should carry the following information:

Name of artist

Programme (where available)

Day, Date and Time of performance

University Concert Hall, Limerick

Ticket prices from €X

Box Office www.uch.ie or 061 331549

Supplying Marketing Material

Please Note UCH A3 Poster boards have been replaced by 7 large Plasma Screens. Please supply artwork for these designed to the following spec:

High Res Jpeg (at least 1MB), emailing them to mairead@uch.ie

- **Website image Dimensions: 1400 x 550px**
- **Plasma screen Dimensions: 720 x 1280px**
- **Instagram Post Dimensions: 1080 x 1080px**
- **Facebook/Twitter Post Dimensions: 1600 x 900px**

Please do not send A3 posters or pull up banners for display at the venue. A5 (preferably) or DL Flyers can be displayed at the Box Office

Section 2: PRICING DETAILS

(Please contact Box Office Management in advance to discuss in more detail. Please refer to projection sheet attached to assist in your pricing).

Seat pricing: (Please indicate price bands, where applicable, and approx number of seats in each band)	
--	--

Section 3: DISCOUNTS

(Please specify percentage for each where applicable)

Groups:	
Concessions: (Senior Citizens, unwaged, students):	
Friends of University Concert Hall	
Student Discount Scheme: (€5 ticket one hour before performance at the discretion of the Box Office Manager)	YES or NO

Section 4: SEATING

<p>Seats not available for sale</p> <p>(Please specify in detail sections where you do not wish to sell seats, ie Choir Balcony, Row A, Divide etc)</p>	
<p>Seats for Promoter's guests</p> <p>(Please specify exactly where you require these seats)</p>	
<p>Agency Seats:</p> <p>(Please specify exactly how many and where)</p>	

Please note: Agency seats are subject to Box Office commission.

Any agency seats not required must be returned to the Box Office at least 48 hours before the performance.

Section 5: FILMING & PHOTOGRAPHY

<p>Photography</p> <p>Will this performance be photographed?</p> <p>Yes No</p>	<p>If Yes please specify –</p> <ul style="list-style-type: none"> • Purpose of Photography • Name/Contact Details of Photographer
<p>Filming</p> <p>Will this performance be filmed?</p> <p>Yes No</p>	<p>If Yes please specify –</p> <ul style="list-style-type: none"> • Purpose of Film footage • Name/Contact Details of Videographer • Camera Positions required

Please note: A Media Permission Form must be filled in for all photography/filming.

A Facility Fee may be incurred. A copy of all photos/footage should be given to University Concert Hall for our records.

Section 6: CHILD SAFEGUARDING

Please note: This section must be completed

Will participants include persons 18 years or younger:	YES		NO	
If you have indicated YES to the above question you MUST answer the following questions:				
Have all staff/contractors/volunteers whose work or activity involves access to children or vulnerable adults been Garda vetted?				
Do you have a detailed Child Safeguarding Risk Assessment in place to safeguard children before, during and after event?				
Do you have a Lost/Missing Child Policy in place for the event?				
Have all Event staff/contractors/volunteers been provided with appropriate Child Safeguarding Training?				
Name of Child Safeguarding contact Person				
Contact details for Child Safeguarding Contact Person				
Please attach a copy of the current Child Safeguarding Statement for your organisation				

Section 7: CONTACT DETAILS

	Promoter Details	Tour Manager Details
Key Contact:		
Mobile/Telephone:		

E-mail		
Postal Address:		

Key Contacts – University Concert Hall Limerick

	Contact	E-mail	Phone
Booking Dates	Sinead Hope Marie Healy	Sinead.Hope@uch.ie Marie.healy@uch.ie	061 213304 061 213304
Business Development	Jennifer Flewett	Jennifer.flewett@uch.ie	086 0409500
Marketing/PR & Box Office	Claire Howard	Claire.Howard@uch.ie	061 202343/061 213302
Friends	Mairead Tierney	Mairead.Tierney@uch.ie	061 213306
Technical/Stage	Sean Harrold	Sean.Harrold@uch.ie	087 1332247
Operations	Miceal Mc Namara	miceal.ncnamara@uch.ie	086 1028110

Recognising child protection and welfare concerns

Categories and indicators of abuse:

Types of child abuse and how they may be recognised

Child abuse can be categorised into four main 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 institution. The abuser may be known to the child or a stranger and can be an adult or another child.

In a situation where abuse is alleged to have been carried out by another child, it should be considered a child protection and welfare issue for both children and child protection procedures should be adhered to for both the possible victim and the alleged abuser.

The important factor in determining whether behaviour constitutes abuse or neglect is the impact of that behaviour on the child rather than the intention of the parent/guardian

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.

Neglect

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, supervision and safety. Emotional neglect may also lead to the child having attachment difficulties. 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, but not necessarily caused by, poverty. It is strongly linked with parental substance misuse, domestic violence and parental mental illness

Neglect, including serious neglect, may be apparent immediately and on the basis of one engagement. An example is a child who is seriously underweight (without a medical condition) and has persistent hair and skin infections from poor hygiene. This condition is not the result of a one-off lapse on the part of a parent.

Other forms of neglect may only emerge over time as a pattern emerges. For example, a child who suffers a series of ongoing minor injuries may not be having his or her needs met in terms of necessary supervision and safety. A child who consistently misses school may be being deprived of intellectual stimulation or adequate supervision.

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.

The following are examples 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, such as, child not gaining weight due not only to malnutrition but also to 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 appropriate heating and furniture.
- lack of adequate clothing.
- inattention to basic hygiene.
- lack of protection and exposure to danger, including moral danger, or lack of supervision appropriate to the child's age.
- persistent failure to attend school.
- abandonment or desertion.

Emotional abuse/ill treatment

Emotional abuse/ill treatment 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/guardian 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 (for example, fun and play).
- lack of continuity of care (for example, 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 is made contingent on his or her behaviours or actions.
- extreme over-protectiveness.
- inappropriate non-physical punishment (for example locking a child in a room)
- ongoing family conflicts and family violence.
- significant inappropriate expectations of a child relative to his/her age and stage of development.

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

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

Physical Abuse

Physical abuse is when someone deliberately hurts a child physically or puts them at risk of being physically hurt. It may occur as a single incident or as a pattern of incidents.

A reasonable concern exists where the child's health and/or development is, may be or has been damaged as a result of suspected physical abuse.

Physical abuse can include the following:

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

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 legislation now means that in prosecutions relating to assault or physical cruelty, a person who administers such punishment to a child **cannot** rely on the defence of reasonable chastisement in the legal proceedings.

The result of this is that the protections in law relating to assault now apply to a child in the same way as they do to an adult. There has been no change to the reporting requirements in relation to corporal punishment.

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 principally 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.

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

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 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 the act of masturbation
- Sexual intercourse with a child, whether oral, vaginal or anal
- Exposing a child to inappropriate or abusive material through information and communication technology
- Consensual sexual activity involving an adult and underage person.
- Sexual exploitation of a child, which includes:
 - Inviting, inducing or coercing a child to engage in prostitution or the production of child pornography.
 - Inviting or 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.

An Garda Síochána have the responsibility to investigate any criminal aspects of a sexual abuse case under the relevant criminal justice legislation and 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.

In relation to child sexual abuse, it should be noted that, for the purposes of criminal law, the age of consent to sexual intercourse is 17 years for both boys and girls. Any sexual relationship where one or both parties are under the age of 17 is illegal; however, it may not necessarily be regarded as child sexual abuse.

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 be 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. It includes behaviours such as physical aggression, cyber bullying, and 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, through mobile phones, the Internet and other personal devices.

While bullying can happen to any child, some may be more vulnerable such as disabled children or children who have special educational needs, those from ethnic minority and migrant groups, 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 amongst children with special educational needs and particularly 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.

Bullying in schools is a particular problem due to the fact that children spend a significant portion of their time there and are in large social groups. In the first instance, the school authorities are responsible for dealing with such bullying. School management boards are required to have a code of conduct and an anti-bullying policy in place. School personnel should be aware of their school's anti-bullying policy and of the relevant procedural guidelines.

NOTE: In cases of serious instances of bullying where the behaviour is regarded as possibly abusive, or poses a serious risk to the health, development or welfare of a child, a report may need to be made to Tusla and/or An Garda Síochána.

Complicating factors in child welfare and protection

The following are some of the complicating factors and circumstances that may make children more vulnerable to child protection and welfare concerns:

- Age of child
- Gender
- Sexuality
- Trafficked and/or exploited children.
- Children with communication difficulties
- Children with mental health issues
- Children with disabilities
- Domestic violence
- Sexual violence
- Adolescent parents
- Parental mental health issues
- Parental substance misuse
- Parental intellectual disability
- Unknown male partners and their history/association with the child's family
- Families who are uncooperative or hard to engage
- Poverty and social exclusion

Outside of the above child and parental factors there may also be relevant community, environmental and motivational engagement factors with and for parents/guardians.

Examples of these may include:

- Housing issues
- Children who are out of home and not living with their parents
- Bullying
- Internet and social media concerns

Non- attendance of children at health appointments

- Parents/guardians avoiding contact with services and displaying a reluctance to work with services.

NOTE: It is important to remember that the identification of additional vulnerability to risk of abuse does not mean that a child in those circumstances or environment is being abused.

Appendix 8: UCH Complaints Policy

The UCH Complaints Policy is available on this link on the UCH website.

Child Protection and Welfare Report Form
MANDATED PERSONS AND NON-MANDATED PERSONS
(Children First Act 2015 & Children First National Guidance)

Use block letters when filling out this form.

Fields marked with an * are mandatory.

1. Tusla Area (this is where the child resides) *	
--	--

2. Date of Report*	
---------------------------	--

3. Details of Child

First Name*		Surname*	
Male*	<input type="checkbox"/>	Female*	<input type="checkbox"/>
Address*	Date of Birth*		
	Estimated Age*		
	School Name		
	School Address		
Eircode			

4. Details of Concerns*

Please complete the following section with as much detail about the specific child protection or welfare concern or allegation as possible. Include dates, times, incident details and names of anyone who observed any incident. Please include the parents and child's view, if known. Please attach additional sheets, if necessary

Please see '*Tusla Children First – A Guide for the Reporting of Child Protection and Welfare Concerns*' for additional assistance on the steps to consider in making a report to Tusla

5. Type of Concern

Child Welfare Concern	<input type="checkbox"/>		
Emotional Abuse	<input type="checkbox"/>	Physical Abuse	<input type="checkbox"/>
Neglect	<input type="checkbox"/>	Sexual Abuse	<input type="checkbox"/>

6. Details of Reporter

First Name		Surname	
Address If reporting in a professional capacity, please use your professional address		Organisation	
		Position Held	
		Mobile No.	
		Telephone No.	
Eircode		Email Address	
Is this a Mandated Report made under Sec 14, Children First Act 2015?*			Yes <input type="checkbox"/> No <input type="checkbox"/>
Mandated Person's Type			

7. Details of Other Persons Where a Joint Report is Being Made

First Name		Surname	
Address If reporting in a professional capacity, please use your professional address		Organisation	
		Position Held	
		Mobile No.	
		Telephone No.	
Eircode		Email Address	

First Name		Surname	
Address If reporting in a professional capacity, please use your		Organisation	
		Position Held	
		Mobile No.	
		Telephone No.	

professional address			
Eircode		Email Address	

8. Parents Aware of Report

Are the child's parents/carers aware that this concern is being reported to Tusla?*	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
If the parent/carer does not know, please indicate reasons:				

9. Relationships

Details of Mother			
First Name		Surname	
Address		Mobile No.	
		Telephone No.	
		Email Address	
Eircode			

Is the Mother a Legal Guardian?*	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
---	-----	--------------------------	----	--------------------------

Details of Father				
First Name		Surname		
Address		Mobile No.		
		Telephone No.		
		Email Address		
Eircode				
Is the Father a Legal Guardian?*	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

10. Household Composition

First Name	Surname	Relationship	Date of Birth	Estimated Age	Additional Information e.g. school, occupation, other

11. Details of Person(s) Allegedly Causing Harm

First Name*		Surname*	
Male*	<input type="checkbox"/>	Female*	<input type="checkbox"/>
Address		Date of Birth	
		Estimated Age	
		Mobile No.	

Telephone No.			
Eircode		Email Address	
Occupation		Organisation	
Position Held			

Relationship to Child	
Address at time of alleged incident	
If name unknown, please indicate reason	

First Name*		Surname*	
Male*	<input type="checkbox"/>	Female*	<input type="checkbox"/>
Address		Date of Birth	

		Estimated Age	
		Mobile No.	
		Telephone No.	
Eircode		Email Address	
Occupation		Organisation	
Position Held			

Relationship to Child	
Address at time of alleged incident	
If name unknown, please indicate reason	

12. Name and Address of Other Organisations, Personnel or Agencies Known to be Involved Currently or Previously with the Family

Profession	First Name	Surname	Address	Contact Number	Recent Contact e.g. 3/6/9 months ago
Social Worker					
Public Health Nurse					
GP					
Hospital					
School					
Gardaí					
Pre-school/ crèche					
Other					

13. Any Other Relevant Information, Including any Previous Contact with the Child or Family

--

Please ensure you have indicated if this is a mandated report in section 6.

Thank you for completing the report form.

In completing this report form you are providing details on yourself and on others. Details such as name, address and date of birth fall under the definition of 'Personal Data' in the Data Protection Acts, 1988 & 2003. Tusla has a responsibility under these Acts in its capacity as a Data Controller to, amongst other things, obtain and process this data fairly; keep it safe and secure; and to keep it for a specified lawful purpose.

That purpose is to fulfil our statutory responsibility under the Child Care Act 1991 to promote the protection and welfare of children.

Tusla may, during the course of the assessment of this report disclose such Personal Data to other agencies including An Garda Síochána.

Further details about Tusla's responsibilities as a Data Controller and your rights as a Data Subject can be found on our website, www.tusla.ie.

As you are providing Personal Data on others, you are a Data Processor. We ask that you only provide those details that are necessary for the report and that you keep this report and the Personal Data contained in it secure from unauthorised access, disclosure, destruction or accidental loss.

14. For Completion by Tusla Authorised Person on Receipt of Report

Report Received by					
First Name		Surname		Date	

Mandated Report Acknowledgement by					
First Name		Surname		Date Sent	

Authorised Person Signature*	
Date*	

Child Previously Known	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Allocated Case No				

Retrospective abuse report form

MANDATED PERSONS AND NON-MANDATED PERSONS
(Children First Act 2015 & Children First National Guidance)

Use block letters when filling out this form.

Fields marked with an * are mandatory.

1. Tusla Area (this is where the person subject to allegations of abuse resides (PSAA))*	
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2. Date of report*	
---------------------------	--

3. Date information was received by reporter*	
--	--

4. Reporter details if third party*			
First name		Surname	
Address If reporting in a professional capacity, please use your professional address		Organisation	
		Position held	
		Mobile no.	
		Telephone no.	
Eircode		Email address	

Reporter's relationship to adult complainant	
---	--

Is this a mandated report made under Sec 14, Children First Act 2015?*	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Mandated person's type				

5. Details of other persons where a joint report is being made

First Name		Surname	
Address If reporting in a professional capacity, please use your professional address		Organisation	
		Position Held	
		Mobile No.	
		Telephone No.	
Eircode		Email Address	

First Name		Surname	
Address If		Organisation	

reporting in a professional capacity, please use your professional address		Position Held	
		Mobile No.	
		Telephone No.	
Eircode		Email Address	

6. Details of person disclosing abuse (adult complainant)*

First name		Surname			
Address		Female	<input type="checkbox"/>	Male	<input type="checkbox"/>
		Date of birth			
		Estimated age			
		Previous address, if known			
Telephone No.					
Eircode					

7. Type of abuse being reported*

Emotional abuse	<input type="checkbox"/>	Physical abuse	<input type="checkbox"/>
Neglect	<input type="checkbox"/>	Sexual abuse	<input type="checkbox"/>

8. Details and description of alleged abuse*

Date of alleged abuse		Period of alleged abuse	
Location of alleged abuse		Reason for report at this time	

Further detail (include, if known, age of adult complainant at time of abuse, age of PSAA at time of abuse). Please attach additional sheets if necessary.

--

9. Details of person subject to allegations of abuse (PSAA)

First name*		Surname*	
Male*	<input type="checkbox"/>	Female*	<input type="checkbox"/>
Address		Date of birth	
		Estimated age	
		Mobile no.	
		Telephone no.	

Eircode		Email address	
Occupation			

10. Details of PSAA's social and employment status

--

11. PSAA household composition

First name	Surname	Relationship	Date of birth	Estimated age	Additional information, e.g. school, occupation, etc.

12. Does the PSAA have contact with children?*	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
---	-----	--------------------------	----	--------------------------

If Yes, please complete information below. If No, proceed to 11.

Details of child					
First name		Surname			
Address		Mobile no.			
		Telephone no.			
		Email address			
		Date of birth			
Eircode		Age			
Parent/carers' names		Parent/carers' names			
Relationship to adult complainant		Relationship to PSAA			
Frequency of contact, if known					
Male	<input type="checkbox"/>	Female	<input type="checkbox"/>	Unknown	<input type="checkbox"/>

Please attach additional sheets for additional children, if necessary.

13. Based on information known at this time, is the PSAA known to the Tusla Social Work Department?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
--	-----	--------------------------	----	--------------------------

If yes, please provide detail:

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14. Based on information known at this time, is the adult complainant known to the Tusla Social Work Department?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
---	-----	--------------------------	----	--------------------------

If yes, please provide detail:

15. Based on information known at this time, has a report been made to An Garda Síochána?		Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Garda name:		Telephone no.			
Garda district:		Email:			
Address:		PULSE ID number:			
		Date notification made:			
Eircode		Date report made			

16. Is the PSAA aware of this report?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
If yes, please provide further details:				

17. Any additional information	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Please provide any further information that will assist Tusla in assessing and prioritising this report:				

In completing this report form you are providing details on yourself and on others. Details such as name, address and date of birth fall under the definition of 'Personal Data' in the Data Protection Acts, 1988 & 2003. Tusla has a responsibility under these Acts in its capacity as a Data Controller to, amongst other things, obtain and process this data fairly; keep it safe and secure; and to keep it for a specified lawful purpose. That purpose is to fulfil our statutory responsibility under the Child Care Act 1991 to promote the protection and welfare of children.

Tusla may, during the course of the assessment of this report disclose such Personal Data to other agencies including An Garda Síochána.

Further details about Tusla's responsibilities as a Data Controller and your rights as a Data Subject can be found on our website, www.tusla.ie.

As you are providing Personal Data on others, you are a Data Processor. We ask that you only provide those details that are necessary for the report and that you keep this report and the Personal Data contained in it secure from unauthorised access, disclosure, destruction or accidental loss.

Please ensure you have indicated if this is a mandated report in section 2.

Thank you for completing the report form.

18. For completion by Tusla authorised person on receipt of report

Report received by

First name		Surname		Date	
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Mandated report acknowledgement by					
First name		Surname		Date sent	

Authorised person signature*					
Date*					

Child previously known	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Allocated case no				

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 protection and welfare function of religious, sporting, recreational, cultural, educational and other bodies and organisations offering services to children.

2. child care staff member employed in a pre-school service within the meaning of Part VIIA of the Child Care Act 1991;

(a) 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 the Agency.

(a) A person carrying on a pre-school service within the meaning of Part VIIA of the Child Care Act 1991.

Schedule 1 of the Children First Act 2015 defines Relevant Services as:

1. Any work or activity which is carried out by a person, a necessary and regular part of which consists mainly of the person having access to, or contact with, children in—
 - a) an establishment which provides early years services within the meaning of Part VIIA of the Child Care Act 1991,
 - b) a school or centre of education, both within the meaning of the Education Act 1998,
 - c) any hospital, health care centre or other centre which receives, treats or otherwise provides physical or mental health services to children,
 - d) a designated centre within the meaning of section 2 of the Health Act 2007, in so far as it relates to an institution at which residential services are provided in accordance with the Child Care Act 1991 or to children with disabilities in relation to their disabilities,
 - e) a special care unit provided and maintained in accordance with section 23K of the Child Care Act 1991,
 - f) a children detention school within the meaning of section 3 of the Children Act 2001,
 - g) a reception or accommodation centre which provides residential accommodation services to applicants for asylum under contract to the Department of Justice and Equality where children may be accommodated, or
 - h) a centre which provides residential accommodation services to victims of domestic violence where children may be accommodated.
2. Any work or activity which consists of the inspection of a service provided to a child under the Child Care Act 1991, the Education Act 1998, the Children Act 2001 or the Health Act 2007.
3. Any work or activity which consists of the inspection, examination or investigation by the Office of the Ombudsman for Children under the Ombudsman for Children Act 2002.
4. Any work or activity which consists of treatment (including assessment which may lead to treatment), therapy or counselling provided to a child.
5. Any work or activity which consists of the provision of—
 - a) educational, research, training, cultural, recreational, leisure, social or physical activities to children,
 - b) (b) care or supervision of children, or

- c) (c) formal consultation with, or formal participation by, a child in respect of matters that affect his or her life, whether or not for commercial or any other consideration.
6. Any work or activity which consists of the provision of advice or guidance services (including by means of electronic interactive communications), a necessary and regular part of which consists, mainly, of the person having access to, or contact with, children.
 7. Any work or activity as a minister or priest or any other person engaged in the advancement of any religious beliefs which would or could bring that minister, priest or other person, as the case may be, into contact with a child.
 8. Any work or activity as a driver of, or as an assistant to the driver, or as a conductor, or as a supervisor of children using a vehicle which is being hired or used only for the purpose of conveying children who are unaccompanied by a parent or legal guardian.
 9. Any work or activity which is carried out by a member of An Garda Síochána, a necessary and regular part of which consists mainly of the person having access to or contact with children.

Appendix 13: Guidance for Reviewing the Child Safeguarding Statement

The UCH Child Safeguarding Statement will be reviewed every 24 months.

The DLP is the “Relevant Person” appointed by UCH.

UCH will undertake a biannual review of its Child Safeguarding Risk Assessment.

The following checklist shall be used in undertaking this review.

		Yes/No
1	Have relevant UCH Management and Staff completed child protection training as required under the UCH Safeguarding Statement?	
2	Has UCH Management appointed a DLP and a DDLP?	
3	Is UCH Management satisfied that all appropriate actions are being taken or have been taken in respect of any member of the UCH community against whom an allegation of abuse or neglect has been made?	
4	Has UCH Management ensured that the DLP has been provided with the Child Safeguarding Risk Assessment, and that the Risk Assessment sufficiently addresses risks within each UCH department?	
5	Is UCH Management satisfied that it has been informed of any child protection reports made by the DLP?	
6	Is UCH Management satisfied that the child protection procedures in relation to the making of reports by the DLP were appropriately followed?	
7	Is UCH Management satisfied that it has been informed of any cases where an allegation of abuse or neglect was made against any member of UCH?	
8	Is UCH Management satisfied that all appropriate actions are being taken or have been taken in respect of any member of UCH against whom an allegation of abuse or neglect has been made?	
9	Is UCH Management satisfied that all records relating to child protection are appropriately filed and stored securely?	
10	Has the Child Safeguarding Risk Assessment been developed in accordance with the <i>UCH Child Safeguarding Statement</i> ?	

11	Where appropriate, has UCH Management ensured that the <i>UCH Child Safeguarding Statement</i> , including the Risk Assessment, is readily accessible to parents/legal guardians, and to promoters and event organisers bringing children in to UCH?	
12	Has UCH Management considered and addressed any complaints or suggestions for improvements regarding the <i>UCH Child Safeguarding Risk Assessment</i> ?	
13	Is UCH management satisfied that the <i>UCH Child Safeguarding Statement</i> is being fully and adequately by all members of UCH?	
14	Have all UCH Staff signed the <i>Acceptance of the UCH Child Safeguarding Statement</i> ?	
15	Is there a procedure in place to communicate the <i>UCH Child Safeguarding Statement</i> , including the Risk Assessment, to all UCH Staff?	
16	Is UCH Management satisfied that all personnel have been made aware of their responsibilities under the <i>UCH Child Safeguarding Statement</i> and the Children First Act 2015?	
17	Is UCH Management satisfied that the statutory requirements for vetting have been met in respect to all members of UCH?	
18	Is UCH Management satisfied that, from a child protection perspective, thorough recruitment and selection procedures are applied by all relevant UCH departments?	
19	Is UCH Management satisfied that the <i>UCH Child Safeguarding Statement</i> is being fully and adequately implemented by all relevant UCH departments?	
20	Has UCH Management identified any aspects of the UCH Child Safeguarding Risk Assessment that require amending or further improvement?	
21	Has UCH Management put in place an action plan containing appropriate timelines to address those aspects of the UCH Child Safeguarding Risk Assessment that have been identified as requiring amending or further improvement?	
22	Has UCH Management ensured that any areas for improvement that were identified in any previous review of the UCH Child Safeguarding Risk Assessment have been adequately addressed?	

Signed _____ Date _____

Title _____

Appendix 14: Media Consent form

Parent/Guardian Release Form for Media Recording

I, the undersigned, do hereby grant or deny permission to UCH to use the image of my child (aged under 18 years),

_____, as marked by my selection(s) below. Such use includes the display, distribution, publication, transmission, or otherwise use of photographs, images, and/or video taken of my child for use in materials that include, but may not be limited to, printed materials such as brochures and newsletters, videos, and digital images such as those on the UCH web site.

Deny permission to use my child's image at all.

Grant permission to use my child's image in the following ways (mark all that apply):

- I. Limited usage: I consent to my child's image being used within the UCH setting only (not in the larger community).
- II. Limited usage: I consent to my child's image being used for educational materials only (not marketing). This could be either within UCH or in the larger community.
- III. Unrestricted usage: I give unrestricted permission for my child's image to be used in print, video, and digital media. I agree that these images may be used by UCH for a variety of purposes and that these images may be used without further notifying me. I do understand that the child's last name will not be used in conjunction with any video or digital images.

Parent/guardian/other signature _____

Date

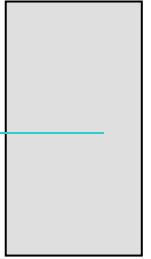
Child's consent (if of secondary level age)

I consent to photographing or recording of my involvement in activities run by UCH for use on the UCH web site, publications, media releases and associated social media channels. I understand that my consent may be withdrawn at any time.

Signed: _____

Date:

For completion by UCH:



Recording Name/Subject: _____

Recording Type (e.g. Audio/Video): _____

Recording requested by: _____

Date: _____

WITHDRAWAL OF CONSENT

I can withdraw consent regarding the above use of my personal data at any time by emailing UCH. I acknowledge and understand that this will not apply to material already published as UCH cannot control such material.

In line with Data Protection regulations, UCH is committed to protecting the personal information given on this form. By providing the information requested, you are giving UCH permission (consent) to use this information for safeguarding, legal or regulatory purposes and we will use it for no other purpose without further consent unless mandated or required to do so under the Data Protection Act 2018 or equivalent legislation. If you have any questions about how we process your personal data, please contact the

UCH Data Controller at DataProtection@uch.ie

University Concert Hall Limerick Child Safeguarding Statement

The Child Safeguarding Statement of University Concert Hall (UCH) has been completed in compliance with the requirements of the Children First Act 2015 and of the Children First National Guidelines for the Protection and Welfare of Children 2017.

The services being provided by UCH are set out. The principles and procedures that are in place to ensure, as far as practicable, that a child attending UCH or in contact with their staff is safe from abuse or harm are also stated.

An assessment of risk of harm to a child while attending UCH or in contact with our staff has also been completed. Procedures to manage such identified risks have also been specified.

A full version of the statement and the risk assessment is available on the UCH website.

The relevant person for any enquiries in respect of the child safeguarding statement is Marie Healy.

If you have a protection or welfare concern in respect of a child please contact:

Designated Liaison Person: Marie Healy

Telephone: 061 213304

Email: Marie.Healy@uch.ie

Signed :



Director of University Concert Hall

Date 14/08/2023

Revision History

Version	DATE OF ISSUE	DESCRIPTION OF CHANGE	OWNER
1	09.02.21	Internal Review and Update	Jennifer Flewett
2.	08.03.23	Internal Review	Jennifer Flewett
3.	31.08.23	Process update & Release – Full Review by consultant Kevin O ' Farrell	Miceal McNamara