

Nasc, Migrant and Refugee Rights Centre

Child Protection Policy

December 2022



Nasc

Migrant & Refugee Rights

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1 Introduction

Nasc, the Migrant and Refugee Rights Centre's (Nasc) Child Protection Policy (hereinafter the 'Policy' is in line with the Children First Act 2015. Nasc's Child Protection Policy is a guidance document for Nasc staff in identifying and responding to allegations and suspicions of child abuse or neglect. This Policy has been developed in line with the [Children First: National Guidance for the Protection and Welfare of Children](#) (hereinafter referred to as the 'Children First Guidance') and adheres to the Children First Act 2015 and the Charities Regulator Safeguarding for Charitable Organisations working with Children 2020.

1. The Policy promotes a Code of Behaviour for our staff, interns, volunteers and board members in their work with children.
2. This Policy provides guidance for staff, interns, volunteers and board members on dealing with any disclosures which may arise through their interaction with children. It details the procedures for reporting any such child protection or welfare concerns.

The procedures outlined in this Policy are designed to protect children who may interact with Nasc's services and to protect staff, interns, volunteers and board members of Nasc by minimizing the potential for allegation of misconduct or the possibility of misunderstanding.

1.1 Scope of Policy

The Policy applies to:

- All staff members in Nasc (any person who has a contract of employment and receives payment for the role in which they are employed to work),
- Interns or volunteers or students on placement in Nasc,
- Board members (any person appointed to the Board of Directors of Nasc).
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For the purposes of this Policy, 'staff' or 'staff member' can be defined to include interns, volunteers, students on placement and all staff members.

The Policy applies equally to existing and newly recruited staff, interns, volunteers and board members working with children and young people, all of whom must follow the policies and procedures outlined within the guidelines.

It is the responsibility of management to ensure that all staff, both current and new:

1. Receive a copy of the Child Protection Policy and the Child Safeguarding Statement.
2. Undertake [Children First E-Learning ProgrammeTusla - Child and Family Agency](#)
3. Receive in-house child protection related training, which stresses the importance of child protection and encourages staff to act on any reasonable concern which they may have. During this training the Child Protection Policy and the Child Safeguarding Statement are to be reviewed in order to ensure that all staff members are aware of the procedures and commitments contained therein.

1.2 Key Principles of Policy

The following principles underpin Nasc's Child Protection Policy:

1. The welfare and best interests of children are of paramount importance. Nasc is committed to respecting the right to dignity and bodily integrity of every child and to protecting those

rights in line with the core principles of the UN Convention on the Rights of the Child (UNCRC) as articulated in Articles 2, 3 and 6.

2. Nasc upholds and is guided by the principles of the UNCRC and, in this regard, is committed to ensuring that all children with whom staff members have contact are treated equally and that all children have a right to voice their opinion in matters affecting them (Articles 2, 12 and 13).
3. All Nasc staff members have a responsibility to protect children and therefore have a duty to report child abuse as set out in the Children First Act 2015.
4. Nasc fully accepts and endorses the Children First Guidance.
5. Nasc will not knowingly engage with any person, organisation or any project that poses a risk to children or that does not meet the child protection and safeguards outlined in the Children First Guidance.
6. Nasc ensures that staff receives the appropriate training in child protection and welfare procedures. Nasc recruitment policy adheres to best practice and ensures that anyone employed in Nasc or contracted on a consultancy basis to work on projects that involve contact with children, are, where appropriate, Garda vetted or works alongside a Nasc member of staff who has been vetted by the Garda Central Vetting Unit (GCVU).

1.3 Person responsible for the Child Protection Policy

The Chief Executive Officer (CEO) has overall policy and implementation responsibility for the protection of children with whom Nasc directly interacts.

The CEO is the designated Child Protection Officer (CPO). The CEO is also the Relevant Person as defined in the Children First Act 2015: '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 Policy is subject to regular review (every 2 years).

The CPO at Nasc has the ultimate responsibility for ensuring that the organisation's Child Protection Policy is promoted and implemented. The role of the CPO involves the following duties:

1. To be familiar with the Children First Guidance, the Children First Act 2015, the Charities Regulator Safeguarding Guidance for Charitable Organisations working with Children and the Tusla [Child Safeguarding: A Guide for Policy, Procedure and Practice](#), the principles of good practice for the protection of children and young people and to have responsibility for the implementation and monitoring of the Child Protection Policy
2. To receive reports of alleged/suspected or actual child abuse and act on these in accordance with the guidelines. The CPO is the Designated Liaison Person (DLP) responsible for taking all initial reports;
3. To ensure that training is provided for all new and existing staff on the Child Protection Policy;
4. To ensure that supports are put in place for the young person and staff in cases of allegations being made;
5. To keep up to date and undertake relevant training on child protection policy and practice,
6. To review Nasc's policy and procedures on child protection on a regular basis and amend as appropriate;
7. To ensure that systems are in place for recording and retaining all relevant documentation in relation to child protection issues appropriately, safely and confidentially.

Where an urgent child protection matter arises and the CEO is unavailable, Nasc's Deputy Designated Liaison Person shall act as the CPO for the purposes of an initial investigation. A Deputy Child Protection Officer will take over the responsibilities of the Child Protection Officer if they are unavailable for a significant amount of time. This role will be appointed by the CEO and will be a member of the Nasc management team.

2 Nasc's work with children and young people

Nasc, the Migrant and Refugee Rights Centre's staff members may engage with dependent children who are living in congregated settings including direct provision centres, homeless accommodation, domestic violence shelters, reception centres or other International Protection Accommodation Service (IPAS)-provided accommodation and who may be living in close proximity to non-related adults. While principally it is the responsibility of the parents or guardians to ensure the care and protection of their children in these settings, staff members and volunteers with Nasc should also be alert to any activities indicating the possibility of abuse.

Nasc engages with children in the following ways:

- Nasc's Advocacy Service occasionally provides face-to-face support, advice and representation to children, young people and their families. Typically the minor is accompanied by a parent, guardian or other professional (eg foster parent, teacher, guardian *ad litem*, social worker) during these consultations.
- Nasc's Advocacy Service may provide immigration or international protection-related information or advice to a minor via its phone line service.
- Nasc staff members responsible for outreach may provide information or support to children, young people and their families while visiting congregated settings including direct provision or emergency centres or accommodation centres for Ukrainians. Typically the minor is accompanied by a parent, guardian or other family members during these sessions.
- Nasc staff members responsible for outreach may visit a family home for the purposes of providing information, advice or support and may meet children as part of the family unit living in that home. Children will be accompanied by a parent or guardian during any such visits.
- Nasc may, at the request of a school, provide an information session to promote integration and/or educate children and young people on issues affecting migrants, refugees and international protection applicants. These sessions are supervised by staff from the school.
- Nasc provides 1:1 social work-led services to children and young people through its Connect and New Beginnings Projects. As part of these services, one of the staff members or volunteers employed through the Connect or New Beginnings Project may visit the child or young person and their family in their home or arrange a consultation in Nasc's office.
- Occasionally, Nasc hosts events that may include minors. Typically minors are accompanied by a parent, guardian or other professional (eg foster parent, teacher, guardian *ad litem*, social worker).
- On a very occasional basis, Nasc may work directly with children and young people on legal, policy or other projects.
- On a very occasional basis, minors may work in Nasc offices (as volunteers or interns) as part of a school placement. Minors will be supervised by a Nasc member of staff at all times.
- Nasc liaises with organisations that work directly with children.

2.1 Identified Risks

We have carried out an assessment of any potential for harm to a child while availing of our services. Below is a list of the main areas of risk identified. These risks will be mitigated and managed through the application of the policies and procedures contained in this Child Protection Policy.

The risks we have identified are:

- A child is harmed by a Nasc staff member (for the purposes of the Child Safeguarding Statement to include volunteers, interns, students on placement) or and board members through coming into contact with Nasc.
- A child is harmed by a failure on the part of a staff member to report or the filing of a poor report of allegations/suspicions of abuse made to Nasc staff by telephone, email, letter or in person.
- A child is harmed by another person (including another child) through coming into contact with Nasc.

3 Abuse

3.1 Definition of abuse

Child abuse can be categorised into four different types: neglect, emotional abuse, physical abuse and sexual abuse. A child may be subjected to one or more forms of abuse at any given time. Abuse and neglect can occur within the family, in the community or in an institutional setting. The abuser may be someone known to the child or a stranger, and can be an adult, or another child

The important factor in deciding whether the behaviour is abuse or neglect is the impact of that behaviour on the child.

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

3.1.1 Neglect

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

Neglect occurs when a child does not receive adequate care or supervision to the extent that the child is harmed physically or developmentally. It is generally defined in terms of an omission of care, where a child's health, development or welfare is impaired by being deprived of food, clothing, warmth, hygiene, medical care, intellectual stimulation or supervision and safety. Emotional neglect may also lead to the child having attachment difficulties. The extent of the damage to the child's health, development or welfare is influenced by a range of factors. These factors include the extent, if any, of positive influence in the child's life as well as the age of the child and the frequency and consistency of neglect.

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

A reasonable concern for the child's welfare would exist when neglect becomes typical of the relationship between the child and the parent or carer. This may become apparent where you see

the child over a period of time, or the effects of neglect may be obvious based on having seen the child once.

The following are features of child neglect:

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

3.1.2 Emotional Abuse

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

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

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

- Rejection
- Lack of comfort and love
- Lack of attachment
- Lack of proper stimulation (e.g. fun and play)
- Lack of continuity of care (e.g. frequent moves, particularly unplanned)
- Continuous lack of praise and encouragement
- Persistent criticism, sarcasm, hostility or blaming of the child
- Bullying
- Conditional parenting in which care or affection of a child depends on his or her behaviours or actions
- Extreme overprotectiveness
- Inappropriate non-physical punishment (e.g. locking child in bedroom)
- Ongoing family conflicts and family violence
- Seriously inappropriate expectations of a child relative to his/her age and stage of development

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

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

3.1.3 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
- Female genital mutilation

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

3.1.4 Sexual Abuse

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

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

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

Examples of child sexual abuse include the following:

- Any sexual act intentionally performed in the presence of a child
- An invitation to sexual touching or intentional touching or molesting of a child's body whether by a person or object for the purpose of sexual arousal or gratification

- Masturbation in the presence of a child or the involvement of a child in an act of masturbation
- Sexual intercourse with a child, whether oral, vaginal or anal
- Sexual exploitation of a child, which includes:
- Inviting, inducing or coercing a child to engage in acts of child sexual abuse which are used to generate financial gain or the production of material which depicts child sexual abuse [for example, exhibition, modelling or posing for the purpose of sexual arousal, gratification or sexual act, including its recording (on film, videotape or other media) or the manipulation, for those purposes, of an image by computer or other means]
- prostitution or the production of child pornography [for example, exhibition, modelling or posing for the purpose of sexual arousal, gratification or sexual act, including its recording (on film, videotape or other media) or the manipulation, for those purposes, of an image by computer or other means]
- Inviting, coercing or inducing a child to participate in, or to observe, any sexual, indecent or obscene act
- Showing sexually explicit material to children, which is often a feature of the ‘grooming’ process by perpetrators of abuse
- Exposing a child to inappropriate or abusive material through information and communication technology
- Consensual sexual activity involving an adult and an underage person

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

In relation to child sexual abuse, it should be noted that **in 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. Details on exemptions for mandated reporting of certain cases of underage consensual sexual activity can be found in Chapter 3 of [Children First National Guidance 2017.pdf \(tusla.ie\)](#)

3.2 Retrospective Disclosures

Adults may disclose abuse which took place during their childhood. A disclosure by an adult of abuse which took place during their childhood must be noted or recorded. In these cases, it is essential that consideration is given to the current risk to any child who may be in contact with the alleged abuser. If any risk is deemed to exist to any child who may be in contact with the alleged abuser, a report of the allegation will be made to Tusla without delay.

It is essential to establish whether there is any current risk to any child who may be in contact with the alleged abuser revealed in such disclosures. If any risk is deemed to exist to a child who may be in contact with an alleged abuser, the Child Protection Officer or delegated staff member will report the allegation to Tusla without delay.

3.3 Recognising Child Abuse

Recognising abuse is not always easy, even for professionals working in this field. It can be difficult to recognise the signs and symptoms indicating that a child has suffered neglect or abuse.

The Children First Guidance have compiled a non-exhaustive list of indicators of abuse. The following factors may act as reasonable grounds for concern.

- Disclosure of abuse and neglect by a child or a young person;
- Age-inappropriate or abnormal sexual play or knowledge;
- Specific injuries or patterns of injuries;
- Absconding from home or a care situation;
- Attempted suicide;
- Under-age pregnancy or sexually transmitted diseases;
- Signs in one or more categories at the same time. For example, signs of developmental delay, physical injury and behavioural signs may together indicate a pattern of abuse;
- Observation by a staff member that give rise to concerns that there may be an abusive situation prevailing (for example, observing physical or emotional abuse by a parent, carer or other person with contact with the child).

It is important to stress that no one indicator should be seen as conclusive in itself of abuse; it may indeed indicate conditions other than child abuse.

3.4 Reasonable grounds for concern

A report should be made to Tusla, the Child and Family Agency (Tusla) where there are **reasonable grounds for concern** that a child has been or is at risk of being abused or neglected. **It is not a requirement to prove that abuse has occurred to report a concern.**

Reasonable grounds for concern include:

- evidence that is consistent with abuse and is unlikely to have been caused in another way;
- a concern about possible sexual abuse;
- signs that a child is suffering from emotional or physical neglect;
- a child saying or indicating 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 someone who saw the child being abused.

4 Reporting

Nasc staff members have a responsibility to ensure that all allegations and suspicions of child abuse are treated seriously and with the utmost professional integrity. They must therefore be familiar with, and adhere to, the Child Protection Policy.

This section offers information on what a staff member should do if it is suspected or disclosed that a child or young person is being abused by a staff member or a person outside of the organisation, and the procedures to be followed by the Child Protection Officer once the complaint has been made.

It is not the responsibility of a staff member to decide whether a child is being abused or to prove that abuse has occurred in order to report a complaint. Any legitimate concerns or suspicions should be acted upon. A staff member who has concerns about the possibility of abuse should make detailed notes of what has been observed and identify the nature of the engagement between Nasc and the child or the child's family and bring the matter to the immediate attention of the Child Protection Officer. Some of the information that the staff member should note where possible are:

- The name and contact details of the person reporting, the name of the child(ren) (if provided);

- The relationship of the reporting person to the child;
- The names and addresses of the parent(s)/carer(s);
- A detailed account of the reason for the report and any other relevant information.

4.1. Guidance for staff members on dealing with a disclosure of abuse

A disclosure may be defined as any information either directly or indirectly received, which leads you to believe that a child is being abused. Any staff member making a disclosure is protected under Irish legislation by the Protection for Persons Reporting Child Abuse Act 1998.

- 1 Remain calm;
- 2 Listen to the child with sensitivity and openness;
- 3 Take all disclosures seriously;
- 4 Do not ask leading questions or make suggestions to the child;
- 5 Inform the complainant (this could be the young person themselves or somebody else) that you cannot guarantee confidentiality regarding the information disclosed. Do stress however that it was right to tell;
- 6 Offer reassurance but do not make promises;
- 7 Do not stop a child recalling significant events;
- 8 Do not overreact;
- 9 Explain that further help may have to be sought;
- 10 Record the discussion accurately and retain the record of dates, times, names, locations, context and factual details of conversation.

4.2 Guidance for Nasc staff members in reporting a concern

The following procedures apply to all Nasc staff who engage in work involving contact with children or to whom allegations or suspicions of child abuse are made. These procedures are also appropriate in the case of anonymous reports, or reports from adults who experienced childhood abuse. The same procedures also apply in relation to reporting allegations of abuse made against a Nasc employee.

The following steps must be adhered to by the Nasc staff member reporting an allegation or disclosure of abuse. These steps apply to a disclosure made in person, in writing (post or email) or by telephone.

Steps to be followed by Nasc staff in reporting a concern:

Step 1: Recognise a concern (see section 3.3 for more information on reasonable grounds for concern). If a Nasc member of staff has identified reasonable grounds for concern, then it is important to obtain and record information about the concern. Observations should be accurately recorded, including the following, where applicable: dates; times; names, location and context.

Step 2: Respond to any immediate safety needs of the child where there is an immediate danger to the safety or wellbeing of a child. Where there is an immediate or serious risk, contact should be made by phone with a Tusla Duty Social Worker without delay. Where Tusla is not available, contact should be made with An Garda Síochána.

Step 3: Consult with the Child Protection Officer or delegated staff member. Any allegation, concern, suspicion or disclosure of abuse or neglect should be forwarded to the Designated Officer or delegated staff member within Nasc without delay.

The Designated Officer or delegated staff member will determine whether it is appropriate or not to make a formal report. In such a case, the Designated Officer or delegated staff member may discuss their concerns with the Child and Family agency (Tusla) in advance of making a formal report (See Appendix B for contact details). Where a staff member and line manager have discussed a concern, there should be agreement regarding whether the concern should be reported to Tusla or not. Where there is disagreement, either party can seek further consultation with Tusla. Each local Tusla office has a social worker on duty for a certain number of hours each day.

Step 4: Wherever possible, parents or guardians should be informed of any child protection or welfare concern, and where a report is being made to Tusla or An Garda Síochána, and the reasons for that decision. Sharing information with a parent in relation to a concern can promote open and honest relationships and can support the parent to effect positive change. Where a parent objects to this disclosure of information, their refusal should be clearly recorded and they should be informed that the information must be shared for the protection of the child. All cases of disclosure to a third party should be clearly documented.

The exceptions to informing a parent regarding a report include where doing so may:

- Place the child at further risk of harm, or
- Place you or others at risk of harm, or
- Impair Tusla's ability to carry out a risk assessment, or
- Impair the prevention, detection or prosecution of a serious crime by An Garda Síochána.

Where any concerns as to the above arise, the staff member should consult the CPO, and where necessary, the CPO may consult with Tusla and/or An Garda Síochána in making this decision. The reasons for not informing the service users/parents or guardians should be recorded.

Step 5: Report to Tusla, without delay, where any staff member has reasonable grounds for concern, or where there is a legal requirement to report as a mandated person. If it is determined by the Child Protection Officer/Dedicated Liaison Person that a complaint requires further action, then a report should be made to Tusla - the Child and Family Agency, in person, by phone or in writing using the Child Protection and Welfare Report Form (CPWRF) (Form attached as Appendix A) or via the Tusla reporting portal. Any in person or phone notification is to be followed up by completion of the CPWRF.

Note: The contact details of the Designated Officer may be given to the person alleging or disclosing abuse if they request it.

Step 6: Record all relevant information in relation to the child protection or welfare concern. Include any contact with the child, parents or guardians, as well as any consultations, decisions and reports. The information recorded should include the names, dates, times and locations of events and the conversation. All notes and email correspondence relating to the report should be kept in electronic form by the Designated Officer or the delegated staff member. No other persons and staff members are permitted to access this information.

High quality, accurate record-keeping is essential to safeguard children and promote their welfare.

4.3 Guidance for Mandated Persons

A mandated person is required to report to Tusla without delay, any knowledge, belief or reasonable suspicion that a child has been harmed, is being harmed, or is at risk of being harmed. This includes where a child discloses their belief to a mandated person that they have been, are being or are likely to be harmed. Harm is defined in the Act as 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 any concern regarding sexual abuse.

Note: If a mandated person has any concern regarding the protection or welfare of a child, which does not meet the threshold for making a mandated report the HSE Child Protection and Welfare Reporting Procedure must be followed, and the concern reported to Tusla where there is Reasonable Grounds for Concern.

4.3.1 Guidance for Mandated Persons in making a report

- 1 The statutory obligation of a mandated person to report under the Children First Act 2015 must be discharged by the mandated person and cannot be discharged by the CPO (or any other person) on their behalf. Where a number of mandated persons have the same concern or information, each has a legal obligation to ensure a report is submitted.
- 2 To ensure that reports are submitted appropriately but to avoid multiple reports being made to Tusla regarding the same concern, only one mandated reporter is required to make a report. Mandated persons should be able to satisfy themselves that a report of the same concern or information has already been submitted to Tusla and as such, they do not need to submit another one.
- 3 Mandated persons are not required to report the same concern or information more than once, however, if, having made a report to Tusla's social work service, concerns remain about the safety or welfare of a child, the mandated reporter can contact the social work team in the area where the child resides.
- 4 It may be necessary to make subsequent reports where there is new information/concern or ongoing concerns.
- 5 A mandated person is not required to make a report where the sole basis for their knowledge, belief or suspicion of harm is as a result of becoming aware that another mandated person has made a report to Tusla about the child.

4.4 Reporting alleged abuse by a Nasc staff member

Where the complaint is made against a Nasc staff member, the reporting procedures outlined in section 4.2 will be followed. The following steps will also be taken:

- 1 The Designated Officer (on receiving the complaint) will immediately ensure that no child is or continues to be exposed to unnecessary risk.
- 2 The Designated Officer will then seek advice and will liaise with a member of the Board of Trustees HR sub-committee.
- 3 The CPO will meet with the staff member against whom the allegation of abuse has been received, and explain the circumstances of the allegation and the overriding duty of the organisation to child protection. The CPO will also:
 - a. tell the staff member whether or not a report has been made to the Child and Family agency (Tusla) services;
 - b. perform a risk assessment to identify whether or not suspension of the individual is appropriate;

- c. give the employee copies of any written records relating to the allegation;
 - d. offer the employee an opportunity to respond to the allegation within a specific time frame; and
 - e. forward the employee's response to the Child and Family agency (Tusla) (if appropriate).
- 4 The staff member will be advised that either:
- a. The staff person will continue working but will undertake not to be in a situation where they have contact with children pending clearance to do so from the CPO, or
 - b. The staff member will immediately be suspended from duty on full pay for a period specified by the CPO in the particular circumstances.

Any investigation to be undertaken as a result of a complaint made against a member of staff will be investigated in accordance with the procedures for dealing with disciplinary matters, set out in the Nasc Employee Handbook. The staff member will be advised by the CPO of confidentiality and that the staff member has a right to separate representation at any stage of the investigative process.

The staff member will be kept informed at every stage of the process and will have the right of reply.

Where the concern relates to the Child Protection Officer/Dedicated Liaison Person, reports should be made to the deputy designated liaison person who will inform the Chair of the Board. The Chair of the Board, or a person nominated by him/her will carry out the above steps.

If, as a result of further action, it is determined that a serious breach of the Nasc's Child Protection Policy has occurred, which amounts to gross misconduct on the part of a staff member, a ground for fair dismissal will ordinarily be made out.

5 Code of Behaviour for Nasc Staff Members, Interns, Volunteers and Board Members in relation to working with Children

Nasc ensures that staff, volunteers and interns and Board members exercise vigilance in their relationship with children, ensuring that the appropriate balance between the needs of the child and the discharge of professional responsibility is reached

Physical contact with children is often a valid way to offer comfort and reassurance to children. In particular, children who have suffered significant trauma in their lives may seek out such contact. It is important that individuals representing Nasc can offer appropriate support in such circumstances but should take care that any physical contact is appropriate and only takes place with the consent of all the parties concerned. The following procedures apply to all Nasc staff, volunteers and interns and Board members.

Nasc will:

- ensure all children are treated equally as defined under the Equal Status Act 2000 to 2004.
- Respect a child's dignity and their right to privacy.
- Ensure that staff, volunteers and interns and Board members are vigilant to the signs of abuse as defined in the Nasc child protection policy and report such concerns as well as any concerns regarding a colleague's behaviour with regard to a child(ren).
- If necessary, discuss boundaries on behaviour with children and young people, particularly when a representative of Nasc is working one-to-one with a child.

- Ensure appropriate intimate care supports are provided by suitably qualified third-parties to child(ren) with special needs attending Nasc events.
- Endeavor to ensure that staff members are accompanied when they are engaging with children. However, this may not always be feasible, particularly where the child, young person or family is engaging with Nasc's Connect or New Beginnings projects. On all occasions, an appropriate balance is maintained between meeting the needs of the child, and the discharging of our professional responsibilities.
- Ensure that at Nasc sponsored events and activities involving children, the appropriate staff supervision ratio of one adult to five children is maintained.
- Ensure that at Nasc sponsored events and activities involving children, a parental/guardian consent form has been completed for all participating children (Appendix F).
- Ensure that at events, being organised by Nasc member organisations or other agencies, in which Nasc is participating, that those organisations have in place adequate child protection procedures to which Nasc representatives can adhere and that representatives of Nasc are made aware of their obligations to report any child protection concerns using the procedures of that organisation.

No staff member, volunteer, intern, student on placement or board member of Nasc will:

- Develop sexual, or inappropriately intimate, relationships with children. spend excessive time alone with a child.
- Socialise with children outside of structured Nasc or interagency activities.
- Favour one child or children over others.
- Engage in sexually provocative activities, jokes or make suggestive comments. shame, humiliate or single-out a child in a degrading way.
- Hit, physically chastise or verbally abuse children.

6 Recruitment of Staff

As part of the Child Protection Policy, Nasc, the Migrant and Refugee Rights Centre will thoroughly check the background and suitability of all staff, volunteers, interns and board members. The procedure will involve a number of checks and safeguards, and no provisional offer of employment will be confirmed, nor employment commenced until all checks have been satisfied.

6.1 Recruitment Process

The following procedures are observed by Nasc when engaging paid staff:

1. Prospective positions within Nasc are advertised widely.
2. Advertised positions include a job/role description and person specification, detailing attributes identified as being associated with the position.
3. Ideally, interviews are undertaken by at least two representatives of the organisation who are suitably qualified and/or have proven experience to undertake such interviews.
4. At least two confirmed references are required.
5. Successful applicants are required to consent to undergo Garda vetting on commencing employment, where the role is eligible for same.
6. Employment contracts are written so as to include an employment probationary period.
7. Newly employed staff members are required to agree to the terms and conditions of employment, as well as all codes and policies, as outlined in the Employee Handbook.

The following procedures are observed by Nasc when engaging volunteers, interns or students on placement:

1. Advertised positions include a job/role description and person specification, detailing attributes identified as being associated with the position.
2. Successful applicants are required to consent to undergo Garda vetting on commencing employment, where the role is eligible for same.
3. Volunteers, interns and students are required to agree to all codes and policies, as outlined in the Volunteer Code of Conduct.

6.2 Safe Management and Supervision of Staff

No matter how good the recruitment and selection procedures can be, Nasc realises that it is necessary to ensure that safe management and supervision of staff also takes place. It is also necessary to provide the opportunity to staff who may wish to raise concerns in relation to issues of child protection to do so if they so wish. The Child Protection Officer (CEO) is available for staff to privately approach them with any concerns they may have.

Appendix A: Child Protection and Welfare Form

[Child Protection and Welfare Report Form FINAL.pdf \(tusla.ie\)](#)

Appendix B: Useful contact details

A full list of duty social work teams by [county is available here on the Tusla website](#).

Cork	Tusla Child & Family Agency, Unit 4A, Floor 3, North Point House, North Point Business Park, Cork, T23 AT2P.
	021 2373774
Kerry	Child and Family Agency, Unit 7/8, Block 1, Reeks Gateway, Cleeneey Roundabout, Killarney, Co Kerry. V93 CTX9
	(064) 6636030
Carlow/Kilkenny/South Tipperary	Child and Family Agency, Yellow House, Wester Road, Clonmel, Co Tipperary. E91 PR83
	052 6177302
Waterford/Wexford	Child and Family Agency , Ely House, Ferrybank, Co Wexford
	053 9198201
HSE Information Line	1850 241 850
Garda Siochana Emergency Line	999 or 112

Appendix C: Child Protection Officer and other relevant persons

Child Protection Officer/Designated Liaison Officer

Fiona Hurley

CEO

34 Paul Street

Cork City

Email: fionahurley@nascireland.org

Phone: 021 427 3594

Deputy Designated Liaison Officer

Brian Collins

Advocacy Service Manager

34 Paul Street,

Cork City

Email: brian@nascireland.org

Mandated Persons

Eilis Ni Laoi: eilis@nascireland.org

Claire Mackey: claire@nascireland.org

Appendix D: Risk Assessment for Suspension

Suspension should only be considered if one or more of the following apply:

- A child or children *are at* risk of significant harm
- The allegation warrants investigation by the police
- The allegation is so serious that a gross misconduct dismissal is possible

A plan to manage risk may be a suitable alternative; the views of social work and An Garda Síochána should be taken into account where involved.

CONTENT OF ALLEGED INCIDENT:	Consideration
Degree and nature of alleged harm	
Duration and frequency of alleged abuse	
Degree of threat or coercion	
Extent of premeditation	
INFORMATION RE ACCUSED ADULT	
Previous allegations	
Previous concerns	
Attitude to allegation	
Contact with child	

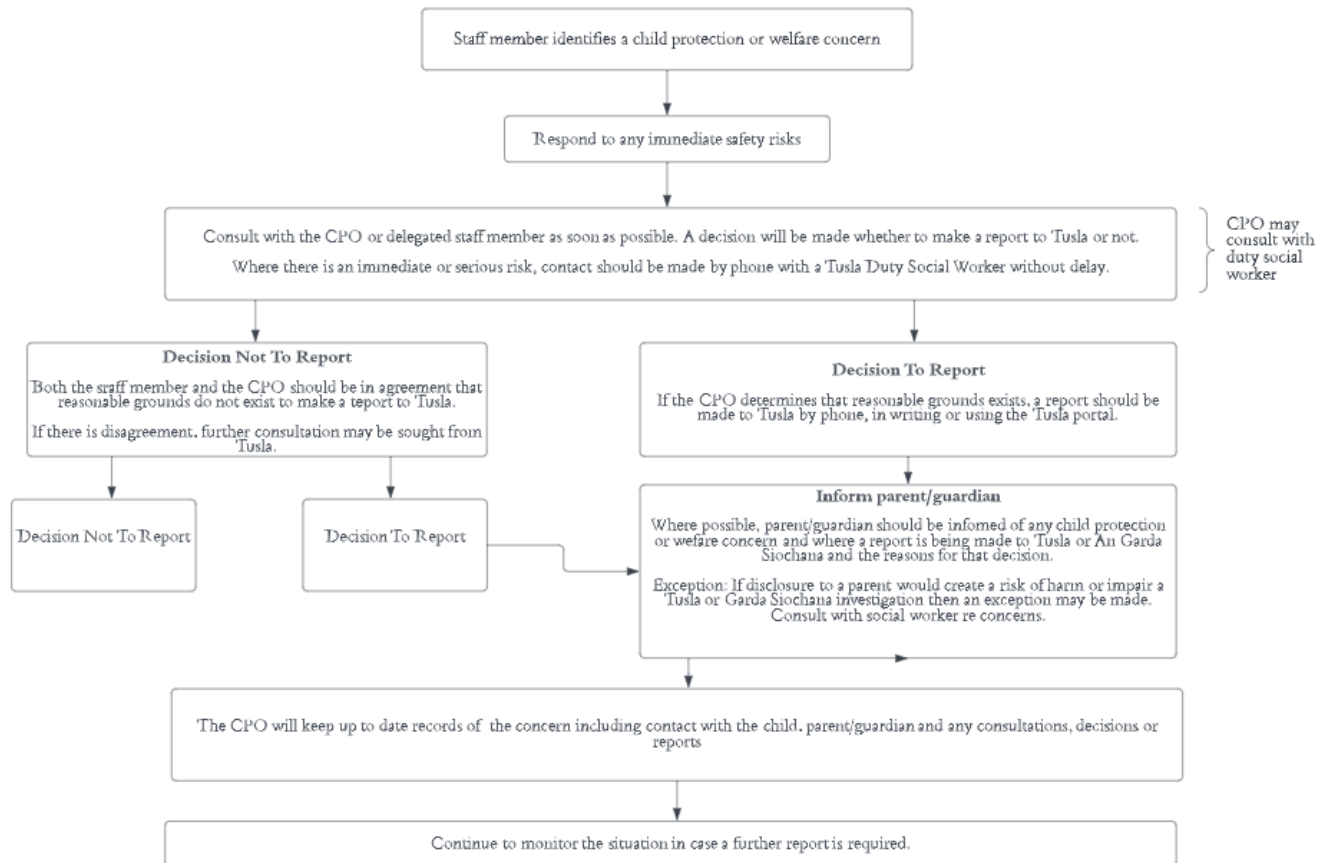
INFORMATION RE CHILD	
Age and level of understanding	
Any developmental needs or vulnerabilities	
Impact on health and development	
Any previous allegations	
INFORMATION RE PARENT/CARER	
Attitude to allegation	
Expectation	
Any previous allegations	
COMPLIANCE	
Degree of compliance with child protection policy	
Staff member training	
Risk identified and action plan:	

Decision to suspend: YES/NO

Date of decision

Name and signature of responsible manager:

Appendix D: Nasc Child Protection Concern Reporting Procedure



Appendix E: Parental Consent Form

Activity details (to be completed by staff member)	Location and nature of activity.	
	Date	
Name of child/young person		
Address		
Date of birth		
Gender	Male <input type="checkbox"/>	
	Female <input type="checkbox"/>	
	Non binary <input type="checkbox"/>	
Any relevant information including medical conditions, allergies, dietary requirements or additional needs.		
Parent/Guardian details	Name	
	Contact details	
I understand that there will be suitable supervision for the event and that those attending will not be allowed to leave the premises during the event.	Yes <input type="checkbox"/>	
	No <input type="checkbox"/>	
I understand that the proceedings may be photographed and that this may be used for promotional purposes.	Yes <input type="checkbox"/>	
	No <input type="checkbox"/>	
Consent: I give permission for the child/young person named above to attend this event.	Print Name:	
	Signature	
	Date	

