

Protection of Children and Vulnerable Adults (including Garda Vetting Disclosures)

HR Policy Document Record	
Reference Number	HRP002
Policy Owner	Human Resources
Approval Body	Governing Body
Creation Date	January 2019
Revision Date(s)	February 2019 March 2019 May 2019 June 2019 January 2020 6 February 2019 14 February 2020 17 February 2020 2 March 2020 16 October 2020
Notes	February 2019: Amendment to 7.10 March 2019: Updates to Appendices 4 & 11 May 2019: Update to 8.1, 8.3.3, 27.2 & Appendix 4 June 2019: Updates to Appendix 4 and re-organisation to sequence of appendices 6 to 16 as noted at 9.3 February 2020: Amendment to 19.3 (a) re: EAP login details for TU Dublin February 2020: Updates to Index, Appendix 4, 10 & addition of Appendix 19 February 2020: Update to Appendix 4 re: DLPS March 2020: Update to Appendices 4, 9 & 19 October 2020: Update to Appendix 4 Feb 2021: Update to Appendix 4

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Glossary

Child or Young Person - a person under the age of 18 years, who is not or has not been married.

Child Protection and Welfare Report Form – form for use in reporting suspected or alleged abuse or welfare concerns to Tusla (available at www.tusla.ie).

Child Protection Support Team – a team of staff appointed by TU Dublin to lead the development of guiding principles and child/vulnerable person safeguarding procedures and for ensuring that policies and procedures are consistent with best practice.

Children First: National Guidance for the Protection and Welfare of Children – national, overarching guidance for the protection and welfare of children, published by the Department of Children and Youth Affairs. The current version was published in 2017.

Designated Liaison Person (DLP) – TU Dublin appointed staff member who is a resource to any staff member or volunteer who has a child or vulnerable person protection concern. DLPs are responsible for ensuring that reporting procedures are being followed correctly and promptly and act as a liaison person with other agencies.

Mandated Person – as defined in the Children First Act 2015, mandated persons have a statutory obligation to report concerns which meet or exceed a particular threshold to Tusla and to cooperate with Tusla in the assessment of mandated reports, where requested to do so. Attached is Schedule 2 of the Children First Act, 2015 specifying classes of Mandated Persons. TU Dublin holds a register of Mandated Persons (Appendix 19).

Retrospective Abuse Report Form (RARF) – form for use in reporting to Tusla suspected or alleged retrospective abuse or welfare concerns, on adults who allege childhood abuse (available at www.tusla.ie).

Tusla – Tusla is Ireland’s Child and Family Agency, the lead, statutory organisation for safeguarding children in Ireland.

Vulnerable Person - an adult who may be restricted in capacity to guard themselves against harm or exploitation or to report such harm or exploitation. The restriction of capacity may arise a result of physical or intellectual impairment vulnerability to abuse is influenced by both context (e.g. social or personal circumstances) and individual circumstances.

PART A: PRINCIPLES

1.0 Introduction and Scope

1.1. Technological University Dublin (hereafter referred to as “TU Dublin” and/or “the University”) believes that the best interest of children, young people and vulnerable persons attending our services are paramount and is committed to ensuring the highest possible standards to meet its responsibility to protect and safeguard such persons for whom it has responsibility.

1.2. The guiding principles of this policy are underpinned by *Children First: National Guidance for the Protection and Welfare of Children, Tusla’s Child Safeguarding; A Guide for Policy, Procedure and Practice*, the United Nations Convention on the Rights of the Children and current legislation such as the Children First Act 2015, Child Care Act 1991, Protections for Persons Reporting Child Abuse Act 1998, the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012-2016 and Article 42A of the Irish Constitution recognising the natural and imprescriptible rights of children and the paramountcy of a child’s welfare.

1.3. This policy applies to all staff, volunteers and other persons who encounter children, young people and vulnerable persons in the context of classes in TU Dublin or on other premises, tuition, service or events.

1.4. TU Dublin is committed to periodically reviewing its policy and safeguarding procedures if necessary due to service issues or changes in legislation or national policy.

2.0. Principles Governing this Policy

2.1. This policy is based on the following principles:

- (a) The protection of children, young people and vulnerable persons must always come first;
- (b) Children, young people and vulnerable persons must be protected, treated with respect, listened to and have their own views taken into consideration;
- (c) The safest possible practices must be adopted to minimise the possibility of harm or accidents happening to children, young people and vulnerable persons. Risk assessments are carried out to provide for the adoption of the safest possible practices;
- (d) Staff of TU Dublin have a duty to raise concerns about the behaviour of others, which may be harmful to children, young people and vulnerable persons with whom TU Dublin interacts;
- (e) Staff of TU Dublin who work with children, young people and vulnerable persons must maintain a policy of openness with parents/carers/children’s school teachers (subject to paragraph 26 which deals with confidentiality);
- (f) On behalf of TU Dublin, the Designated Liaison Persons (DLP) will liaise with statutory agencies responsible for child protection and welfare and will be the resource person to any worker or volunteer who has child protection concerns. The DLP must report child protection concerns to the Child and Family Agency if they believe the threshold for harm has been met.

3.0. Aims and Objectives

3.1. The aims and objectives of this policy are to promote good practice by:

(a) Providing children, young people and vulnerable persons with the appropriate safety and protection while visiting or involved with TU Dublin.

(b) Advising staff of the protection measures which are in place in TU Dublin to ensure that reasonable care is exercised in dealing with children, young persons and vulnerable persons.

(c) Assisting staff to make informed decisions and confident responses to specific child protection issues.

(d) Giving direction and guidance to TU Dublin management and staff in dealing with allegations or suspicions of abuse (physical, emotional, sexual and neglect), with protection and wellbeing of the child and vulnerable person being the most important consideration.

4.0. What is a Child, Young Person or Vulnerable Person?

4.1. A child or young person is defined by the Child Care Act, 1991 as someone under 18 years of age, excluding a person who is or has been married.

4.2. This policy covers two separate groups of young persons under the age of 18:

(a) Young persons under the age of 18 who are TU Dublin students which include those studying on third level programmes, completing apprenticeships, studying on Access and Civic Engagement related programmes, junior and continuing education music students, together with primary or secondary school students who enrol for music tuition.

And

(b) Children and young people who are involved with TU Dublin activities for a variety of other reasons, including areas and programmes referred to in **Appendices 6-16**.

4.3. This policy also covers vulnerable persons who may be restricted in capacity to guard themselves against harm or exploitation or to report such harm or exploitation. The restriction of capacity may arise as a result of physical or intellectual impairment, vulnerability to abuse is influenced by both context (e.g. social or personal circumstances) and individual circumstances.

5.0. What is Child Abuse?

5.1. Child abuse can be categorised into four different types: neglect, emotional abuse, physical abuse and sexual abuse.

5.2. A child may be subject to one or more forms of abuse at any given time. A single isolated incident can amount to child abuse. Refer to **Appendix 1** for comprehensive descriptions of the various forms of abuse and examples thereof.

PART B: RESPONSIBILITIES

6.0. Responsibility of TU Dublin

6.1. All workers and volunteers (including students on placement or work experience) have a responsibility to safeguard children, young people and vulnerable persons and to report any concerns they may have for the protection and welfare of a child, young person or vulnerable person.

6.2. It is the responsibility of each Manager to ensure that the Policy is followed in their respective Function.

Additionally, if a staff member or volunteer falls within a class of Mandated Person under the Children First Act, 2015 then they must report concerns to the Child and Family Agency if they believe the threshold for harm has been met. This can be done in conjunction with TU Dublin's DLP or by the Mandated Person directly. The DLP should be kept informed of any report made by a Mandated Person, who is a staff member or volunteer, to the Child and Family Agency.

7.0. Garda Vetting

7.1. The National Vetting Bureau (Children and Vulnerable Persons) Act 2012-2016 (the 2012-2016 Acts) apply to TU Dublin which as per the Act is a “relevant organisation” i.e. it is a body that employs persons to undertake “relevant work or activities” relating to children or vulnerable persons. Therefore TU Dublin staff, volunteers and others working within TU Dublin who undertake “relevant work or activities” relating to children or vulnerable persons are subject to mandatory Garda Vetting. TU Dublin is legally obliged to comply with the retrospective vetting provisions in Section 21 of the Act and must therefore make applications for retrospective disclosures in respect of all persons employed to undertake relevant work of activities. TU Dublin cannot lawfully employ persons to carry out relevant work or activities if they have not been vetted.

7.2. Offers of employment and/or continued employment/engagement by TU Dublin are strictly conditional on the appropriate clearance being obtained.

7.3. The Garda Vetting process will be highlighted in the Conditions of Appointment for any job and should also again be noted during the selection process (e.g. at interview).

7.4. The Garda Vetting process will be carried out by the Human Resources Department and the Senior HR Manager within the relevant Campus is the TU Dublin Authorised Signatory for Garda Vetting of potential and existing staff members.

7.5. The candidate will be sent a Garda Vetting Invitation Form, and instructions for completion of the form. This document will highlight for applicants the importance of full disclosure. They must complete, sign and return the form to the Human Resources Department within their relevant Campus.

7.6. The Garda Vetting form once returned to the relevant Authorised Signatory for the University will be forwarded to the National Vetting Bureau. Garda Vetting may take up to 10 weeks after which time, depending on the outcome the recruitment process can be finalised.

7.7 No offer of employment will be made until such time as clearance for the applicant in question is received.

7.8. If the NVB discloses that a candidate or staff member has a conviction or a pending prosecution, the review process in **Appendix 17** will apply.

7.9 Third-Party Contract staff and other non-staff persons who have regular unsupervised access to children or vulnerable persons while visiting TU Dublin may need to be vetted by their Employer. Employers of contract staff will be required to provide a written assurance that all such persons have been vetted before they are deployed to a TU Dublin work location. TU Dublin cannot vet staff for another employer.

7.10. Garda Vetting of existing staff will be conducted on a **four** year cyclical basis from date of completion of the initial garda vetting.

8.0. Training

8.1. This Policy will be brought to the attention of all staff through the Welcome Reception including those who do not work directly with children. This is to ensure that all staff are familiar with the Policy and understand the requirements for compliance with it.

8.2. Focused training will be provided to all TU Dublin staff or volunteers who work with or deal with children. Staff transferred into such roles will also receive the appropriate training. The objectives of the training will be to ensure that staff have the necessary skills and knowledge to make informed decisions and provide confident responses to child protection issues.

8.3. Child Protection Presentation

8.3.1. A Child Protection Presentation will be delivered to managers and staff in designated areas. Managers and staff in these areas must attend the presentation.

8.3.2. The Child Protection Presentation will also be delivered to all staff and will incorporate management responsibilities including:

- (i) Procedures that managers must put in place (e.g. all staff reading the Policy and signing the relevant form)
- (ii) Appointment of Nominated Personal Tutors
- (iii) Carrying out Risk Assessments

8.3.3. The Child Protection Presentation will also be given at all Staff Welcome Receptions. New staff in designated areas must attend the Welcome Receptions as well as the Child Protection Workshop.

8.4. Child Protection Workshop

The Designated Liaison Person, Deputy Designated Liaison Persons and the Child Protection Support Team as well as all staff in designated areas and the maintenance area are required to participate in a Child Protection Workshop. This workshop will focus on:

- Signs and symptoms of child abuse
- Good practice in child protection
- How to respond to a disclosure (current and retrospective)
- Reporting procedures
- Individual responsibilities and roles

9.0. TU Dublin Staff

9.1. All TU Dublin staff must read and comply with the contents of this policy.

9.2. All new TU Dublin staff must sign an acceptance form and return to the Human Resources department prior to commencement. **(Appendix 5).**

9.3. All TU Dublin staff are referred to additional guidelines which apply to the following areas/programmes:

(a) Access Service for Secondary School Students: Fetac Students, Primary Schools and Community Groups **(Appendix 6);**

(b) Admissions **(Appendix 7);**

(c) Ballymun Music Programme **(Appendix 8);**

(d) Chaplaincy Service **(Appendix 9);**

(e) TU Dublin Conservatoire: Junior music students and primary or secondary school students who enrol for music tuition **(Appendix 10);**

(f) Disability Support Services **(Appendix 11);**

(g) Engagement Outreach: **(Appendix 12);**

(h) National Optometry Centre: Patients under 18 years of age **(Appendix 13);**

(i) Sports Facilities and Activities: Children who avail of sports facilities and/or sports training in TU Dublin or other course-related work/programmes with children run by TU Dublin **(Appendix 14);**

(j) Student Counselling Service **(Appendix 15);**

(k) Students Learning with Communities Projects: Pre-school, primary and secondary school students and members of the community **(Appendix 16).**

9.4. It is the responsibility of each staff member involved in any of these areas to obtain a copy of the above guidelines from the relevant Designated Liaison Person or a member of the Child Protection Support Team and to be familiar with the Scope and content of those guidelines.

10.0. TU Dublin Designated Liaison Persons

10.1. TU Dublin has appointed staff members as a Designated Liaison Person (DLP) and Deputy Designated Liaison Persons (DDLPs) **(refer to Appendix 4 for contact details)** who are a resource person to any staff member or volunteer who has child or vulnerable person protection concerns and who will liaise with outside agencies. The DLP is mandated to report concerns to the Child and Family Agency if they believe the threshold of harm has been met.

10.2. The role of the DLP is to receive child protection and welfare concerns from workers/volunteers and to report concerns which meet the threshold of 'reasonable grounds for concern' to Tusla. (Refer to paragraph 16).

11.0. TU Dublin Mandated Persons - Senior Manager

11.1. TU Dublin may have staff members who are classified as Mandated Persons. Mandated Persons have a statutory obligation to report concerns to Tusla or directly to An Garda Síochána which reach or exceed a legally defined threshold as per Section 14 of the Children First Act 2015.

11.2. Mandated persons are people who have ongoing contact with children and/or families and who because of their qualifications, training and experience are in a key position to protect children from harm. Schedule 2 of the Children First Act, 2015 specifies the class of person who is a Mandated Person.

11.3. Mandated persons must report past, present or likely harm to a child. ('Harm' in relation to a child is defined below in paragraph 13.2). A Mandated Person may also be requested to assist the Child and Family Agency with their assessment.

TU Dublin must maintain a register of staff who are Mandated Persons.

12.0. Child Protection Support Team

12.1. The Child Protection Support Team (**Appendix 4**) is a team of staff appointed by TU Dublin to lead the development of guiding principles and child safeguarding procedures and for ensuring that policies and procedures are consistent with best practice.

12.2. All staff and volunteers are encouraged to discuss child protection and welfare concerns with a member of the Child Protection Support team in the first instance and with the DLP thereafter.

13.0. Risk Assessments

13.1. Under the Children First Act 2015, organisations which provide services to children and young people must carry out risk assessments to identify whether a child or young person could be harmed while receiving its services. The Risk Assessment and Child Safeguarding Policy will be reviewed by TU Dublin every 24 months.

13.2. The Children First Act 2015 defines harm as follows:

'harm' means, in relation to a child –

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

(b) sexual abuse of the child, whether caused by a single act, omission or circumstance or a series or combination of acts, omissions or circumstances or otherwise.

13.3. TU Dublin staff have a duty to understand the requirements relating to Health and Safety in advance of commencement of any program or activity involving children.

13.4. The staff member through their Manager to arrange risk assessments where appropriate.

13.5. All risk assessments must be properly completed, recorded (necessary for safety reasons), discussed with the relevant people affected and made available. The Health & Safety Office is available to facilitate risk assessments.

14.0. TU Dublin Activities Involving Children – Best Practice

14.1. TU Dublin staff who work with children and young people must familiarise themselves with this Policy and sign “Acceptance of the TU Dublin Protection of Children and Vulnerable Adults Policy form” (**Appendix 5**). The TU Dublin staff member must return the form to their manager / HR.

14.2. Students who work/learn/volunteer with children and young persons must be made aware of this Policy by the relevant staff member and the student must sign “Acceptance of the TU Dublin Protection of Children and Vulnerable Adults Policy form” (**Appendix 5**). The students must return the completed form to the relevant staff member who will provide it to HR for noting on file.

14.3. Staff members of TU Dublin must ensure that they work in an open environment (i.e. avoiding private or unobserved situations).

(a) Avoid being alone with a child.

If this is not avoidable, take steps to minimise risk e.g. ask another staff member to join, leave the door open or move to a public place; advise another staff member that you are meeting with the child.

14.4. In relation to TU Dublin students who are under 18, it is recognised that it may not be possible in certain situations to avoid a one-to-one situation e.g. in medical consultations, counselling, one to-one careers advice, financial assistance interviews or other situations. Staff members must use their professional judgement when in such a situation and must try, where reasonably possible, to avoid being alone with a child.

(b) Treat all children equally and with respect and dignity.

(c) Adopt the safest possible practices to minimise the possibility of harm or accidents happening to children.

(d) Provide a safe, appropriately monitored environment for any children visiting the campus.

(e) Demonstrate exemplary behaviour in the presence of children.

(f) Give enthusiastic and constructive feedback instead of negative criticism.

(g) Never use physical punishment.

(h) Never make unnecessary physical contact with a child. However, it is acknowledged that there are occasions when physical contact of a comforting and reassuring nature is a valid way of expressing concern and care for children. In such cases, physical contact must only take place with the consent of the child.

(i) Never exchange personal details with a child e.g. phone numbers and/or personal social media accounts.

(j) Never have a child alone in a car unless absolutely necessary (e.g. in the case of an emergency) in which case, every effort must be made to notify the parent/guardian/carer before having the child alone in a car. The staff member must also ensure that the child sits in the back seat with a seatbelt on at all times.

(k) Always refer child abuse, welfare and safety issues to a member of the Child Protection Support Team in the first instance and thereafter to the DLP if necessary. If a staff member of TU Dublin is inhibited for any reason in reporting the incident internally to the DLP or where they are dissatisfied with the response, they must contact Tusla and/or An Garda Síochána and they must notify the DLP that they are doing so. They

must keep a written note of any communication made and any advice received. Confidentiality must be maintained other than communicating with Tusla and/or An Garda Síochána.

15.0. Photography and Use of Images

15.1. It is important that measures are taken to safeguard children and young people from misuse of their personal data and that their personal information (e.g. identity or location) are not made publicly available without their knowledge and informed consent.

15.2 Photographs or images are defined as data and therefore come within the scope of the Data Protection Acts 1998 and 2003. This means that a person's consent must be sought before such personal data can be used.

15.3 Children and their parents/carers must be informed in advance if and when images will be taken and the purpose(s) the image will be used for, including whether it will be provided to a third party, uploaded to the internet etc. The child and the parents/carers must then provide informed written consent to the use of the image. The image must not be used in any way which exceeds the consent provided.

15.4 Permission to take and use images of children and young people can be requested as part of their registration process for an activity, programme or event. Refusal of consent must not limit a child's participation in activities.

Part C: REPORTING AND RECORDING PROCEDURES

16.0. Identifying Reasonable Grounds for Concern

16.1. There are many reasons why a worker/volunteer may be concerned about the welfare or protection of a child, young person or vulnerable person.

16.2. *Children First: National Guidance for the Protection and Welfare of Children*, 2017 lists the following as reasonable grounds for concern:

- Evidence, for example an injury or behaviour that is consistent with abuse and its 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 they have 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.

***Refer to Appendix 1 for further information regarding the Definitions of the types of Child Abuse and how they might be recognised.**

16.3. Regardless of how a concern comes to a worker/volunteer's attention, it must be reported to the Designated Liaison Person (DLP).

16.4. The DLP in conjunction with the person who raised the concern will decide if reasonable grounds for concern exist as per 13.2 above.

16.5. If the DLP decides not to make a report, the worker/volunteer is still entitled to make a report to Tusla under *Children First: National Guidance for the Protection and Welfare of children*, should they wish to do so. The Individual worker has protections under the Protection for Persons Reporting Child Abuse act 1998, should they report independently.

16.6. Mandated Persons can either report concerns that meet or exceeds the threshold for reporting under the legislation independently or through a joint mandated report with their DLP or another person.

16.7. If reporting independently of TU Dublin, mandated persons must inform the DLP that a report under the Children First Act 2015 has been made.

17.0. Responding to a Disclosure from a Child

17.1. A child or young person may disclose to a staff member or volunteer that they have been or are being harmed or abused.

17.2. For guidelines on responding to a disclosure from a child, including appropriate responses and questions to ask, refer to **Appendix 2**.

17.3. The staff member must make an accurate record of the disclosure and comply with the reporting procedure at paragraph 18 below.

17.4. On-going support

Following a disclosure by a child, young person or vulnerable person, it is important that the staff member/volunteer continues in a supportive relationship with the child/young person/vulnerable person. Disclosure is a huge step for a child, young person or vulnerable person. Workers/volunteers must continue to offer support, particularly by:

- Maintaining a positive relationship with the child/young person/vulnerable person;
- Keeping lines of communication open by listening carefully to the child/young person/vulnerable person;
- Continuing to include the child/young person/vulnerable person in the usual activities. Any further disclosure must be treated as a first disclosure and responded to as indicated above. Where necessary, immediate action must be taken to ensure the child/young person/vulnerable person's safety.

18.0. Disclosure from another Person

18.1. If a complaint is made to a staff member of TU Dublin whether from another staff member of TU Dublin or a third party to the effect that there is reasonable suspicion that abuse is alleged to have taken place against a child, young person or vulnerable person, the staff member of TU Dublin must:

(a) Request the complainant to make a written statement which they will provide to a member of the Child Protection Support Team in the first instance;

(b) If the complainant is unknown to the staff member of TU Dublin, ask the person making the allegation for their name and contact number or address;

(c) Tell the complainant that there is a procedure in place for dealing with such allegations and that the person responsible will be in contact with them as soon as possible; and

(d) This information must then be reported by the member of the Child Protection Support Team to the DLP.

18.2. All records of any allegations in relation to child protection which are made to a staff member must be regarded as highly confidential and must be stored by the DLP in a secure location.

19.0. Retrospective Disclosure by Adult

19.1. There are an increasing number of adults disclosing abuse that took place during their childhood. Often such disclosures come to light when people attend counselling. They also sometimes arise in adult services and services which work with parents/guardians and families.

19.2. If an adult makes a disclosure to a TU Dublin staff member of abuse suffered during their childhood, and it is believed there may be a current risk to any child who may be in contact with the alleged abuser, the DLP must be informed. If a risk is deemed to exist then the DLP must inform Tusla by using the **Retrospective Abuse Report Form (RARF)** available at www.tusla.ie and/or An Garda Síochána.

19.3. If a TU Dublin staff member or student makes a disclosure to a TU Dublin staff member of abuse suffered during their childhood, the staff member to whom they has made the disclosure must provide them with the following contact information for relevant TU Dublin support services:

(a) The University's Employee Assistance Programme (EAP) is a free 24 hour counselling and information service run by *VHI* for TU Dublin staff, you do not need to be a Vhi Member to avail of this service. This service is confidential and available to all University staff and their families. Contact information for this service is:

TU Dublin, Grangegorman

Freephone: 1800 995 955

Email: eap@vhics.ie

Online Tool: <https://www.wellbeing-4life.com/public/welcome.asp> (USERNAME: vhitudublin)

(b) Student Counselling Service:

TU Dublin, Blanchardstown

<https://www.itb.ie/CampusStudentLife/counselling.html>

TU Dublin, Grangegorman

<http://www.dit.ie/counselling/>

TU Dublin, Tallaght

https://www.it-tallaght.ie/student_counselling

20.0. Reporting Procedure

20.1. All TU Dublin Staff and volunteers who have any concerns regarding the welfare must;

(ii) Gather as much information as possible to support their concerns and keep an accurate record of their findings

(iii) Liaise with a member of the Child Protection Support Team (contact details at **Appendix 4**) in the first instance and with the DLP thereafter if necessary.

21.0. Reporting Suspicions or Allegations of Child Abuse

21.1. The DLP shall report any reasonable suspicion or allegation of child abuse to:

(a) Tusla - In person, by telephone or in writing to the local social work duty service in the area where the child lives. Contact details for local social work teams are available at [link](#) and/or (in the case of an immediate risk to a child) An Garda Síochána;

(b) the <SENIOR MANAGER> (in the case of an allegation by or against a student);

(c) the <SENIOR MANAGER> (in the case of an allegation against a TU Dublin employee or an individual, even if working on a voluntary/unpaid basis on behalf of the University.

21.2. The DLP must inform Tusla where there are reasonable grounds for concern that a child may have been abused, is being abused or is at risk of abuse. This report must be made without delay to Tusla. All reports made by the DLP to Tusla must include as much as possible of the information sought in the **Child Protection and Welfare Report Form** available at www.tusla.ie.

21.3. In the case of an emergency where it is believed that a child is at serious and imminent risk, and it is not possible to make contact with Tusla, the DLP must contact An Garda Síochána.

The DLP may also contact Tusla in an emergency situation to provide information as to serious and imminent risk, and this must be followed up by providing the report in written format within 3 days of first contact.

21.4. The DLP must ensure that any response made by a staff member of TU Dublin against whom an allegation has been made shall be passed to Tusla and/or An Garda Síochána when submitting the formal notification report.

21.5. The DLP must not investigate whether the allegations or complaints are valid. Such an investigation is the responsibility of Tusla and/or An Garda Síochána.

21.6. Where the DLP, DDLP or a staff member of TU Dublin reports suspicions of child abuse reasonably and in good faith to designated officers of Tusla or any members of An Garda Síochána, the Protection of Persons Reporting Child Abuse Act, 1998 protects them from civil or criminal liability for doing so. The law does not require proof that the abuse in fact happened, only that there are reasonable grounds for concern that the abuse has occurred.

22.0. Making or Not Making a Report to Tusla

22.1. If the DLP is not sure whether or not to report the matter to Tusla the DLP must seek advice from Tusla without giving identifying details. The DLP must make it clear that they are not making a report but simply seeking advice.

22.2. If Tusla advises that a report must be made to Tusla the DLP must act on that advice:

- (a) The DLP must keep a record in writing of that fact together with a record of any advice given by Tusla.
- (b) The DLP must take particular advice from Tusla on whether the child's parent/guardian/carer must be notified. If the DLP decides not to inform the parent/guardian/carer, this decision and the reasons for it must be recorded by the DLP. If, for any reason it is not possible to inform the child's parent/guardian, the DLP must inform Tusla of that fact and the reason why.
- (c) The DLP must tell Tusla if the child's parent/guardian has not been informed so that it can take the necessary appropriate steps.
- (d) The DLP must inform the person who made the report in writing that a report will be made to Tusla.

If Tusla advises that no action is required:

- (a) The DLP must keep a record in writing of that fact together with a record of any advice given by the Tusla.
- (b) If the DLP remains concerned about a child's welfare, a report in writing may be made to Tusla.
- (c) The DLP shall inform the person who made the report in writing that a report will not be made to Tusla while advising that person that if they remain concerned about a child's welfare, they are free to contact Tusla. A suspicion that is not supported by any objective indication of abuse or neglect would not constitute a reasonable suspicion or reasonable grounds for concern.

23.0. Role of the HR Department

23.1. In the event that an allegation is made against a staff member of TU Dublin under this Policy, Human Resources will ensure that an appropriate investigation is carried out in respect of that allegation. This will normally involve an investigation in accordance with the terms of TU Dublin's Disciplinary Procedure which may be adapted having regard to the gravity/sensitivity of the issue e.g. the services of an external expert such as a Child Psychologist may be required. The Senior Manager within the relevant Campus will have overall responsibility for such matters but may delegate the tasks required to a suitable member of staff.

23.2. The first priority will be to ensure that no child is exposed to unnecessary risk. The Senior Manager within the relevant Campus or their nominee in consultation with the DLP will as a matter of urgency take any necessary protective measures. These measures must be proportionate to the level of risk.

23.3. The Senior Manager within the relevant Campus or their nominee will ensure that an individual case record is maintained of the detail of the case and any action taken and resolution of the matter.

23.4. Information of any nature will only be divulged on a need-to-know basis.

23.5. An employee against whom an allegation is made may be placed on administrative leave pending the processing or outcome of an investigation. This is a protection for all involved and not a disciplinary sanction.

This decision will be taken by taken by the Senior Manager within the relevant Campus or their nominee in consultation with the DLP.

24.0. Dealing with Child Abuse Allegations against a TU Dublin Staff Member

24.1. If an allegation is made against a staff member of TU Dublin, the most important consideration to be taken into account by the DLP and Tusla is the protection, safety and well-being of children. However, because of the involvement of a staff member of TU Dublin, Tusla and the DLP have a duty of care to that staff member too. As a result, all action will be guided by the rules of natural justice, and the procedural and contractual arrangements in force at that time.

24.2. Staff members of TU Dublin may be subject to erroneous or malicious allegations. Therefore any allegation of abuse must be dealt with sensitively and the staff member of TU Dublin fairly treated. This includes the right not to be judged in advance of a full and fair investigation.

24.3. The Senior Manager within the relevant Campus or their nominee shall, unless to do so would put a child at increased risk of harm, take every reasonable effort to advise the person against whom an allegation of child abuse has been made of the following:

- (a) The fact that an allegation has been made against them; and
- (b) Available details of the nature of the allegations. The Senior Manager within the relevant Campus or their nominee shall liaise with the DLP in relation to the appropriateness of such a notification.

24.5. The staff member of TU Dublin shall be afforded an opportunity to respond. The staff member of TU Dublin shall be told that their response may also have to be passed to Tusla /or An Garda Síochána if there are reasonable grounds for suspicion of abuse.

24.6. A follow-up of allegations of abuse against a staff member of TU Dublin shall be made in consultation with Tusla and/or An Garda Síochána. An immediate meeting shall be arranged with one or both of these agencies for that purpose.

24.7. It is important to note that if an allegation is made against a staff member of TU Dublin that there are two (2) procedures to be followed:

- (a) Reporting procedure in respect of the allegation; and
- (b) An appropriate investigation and potential subsequent action under the TU Disciplinary Procedures.

24.8. In general the same person must not have responsibility for dealing with both procedures. The DLP is responsible for reporting the matter to Tusla and/or An Garda Síochána while the Senior Manager within the relevant Campus or their nominee is responsible for addressing the relevant procedural issues applicable in respect of (b) above.

24.9. The initiation of an investigation and/or the TU Dublin Disciplinary Procedures does not affect the presumption of innocence and is not a finding of guilt or wrongdoing. Findings (if any) shall not be made until an appropriate investigation has been undertaken.

25.0. Information Sharing and Record-keeping

25.1. It is important that information about concerns for the welfare or protection of a child/young vulnerable person is gathered early and shared with the DLP or deputy DLPs as soon as possible.

25.2. Records must be factual and include details of contacts, consultations and any actions taken.

25.3. All records regarding child protection concerns, allegations and disclosures will be kept securely with the DLP. Records may include:

(a) The written report from the staff member who received the information or who has concerns;

(b) The date and time of disclosure, allegation or actual abuse incident;

(c) An indication of the parties involved (including third parties) including names and addresses;

(d) Any suspicions consequent on the information and the factual grounds for such suspicions;

(e) The response of the parents/guardians to the information (if any);

(f) The decision not to inform the parents/guardian together with the reason for same;

(g) Details (dates, times, people, place) of any subsequent meetings and communications of interested parties;

(h) Decisions re referral (or not) to Tusla, or An Garda Síochána including how, why, when and by whom the decision was taken;

(i) Details of any advice received from Tusla, including when and from whom;

(j) Details of any updates given to the staff member who made the initial report in writing;

(k) Details of what action TU Dublin has taken;

25.4. Records will only be shared on a need to know basis in the best interests of the child/young person/vulnerable person.

25.5. TU Dublin will cooperate with Tulsa in the sharing of records where a child protection or welfare issue arises.

26.0. Confidentiality

27.1. Where child protection and welfare concerns arise, information must be shared on a 'need to know' basis in the best interest of the child/young person/vulnerable person with the relevant statutory authorities and with parents/guardians.

26.2. No undertakings regarding secrecy can be given. Those working with children/young people/vulnerable persons and families and in adult services must make this clear to the parents/ guardians and to the child/young person/vulnerable persons.

26.3. The proportionate provision of information to the statutory agencies necessary for the protection of a child (i.e. where the DLP or Mandated Person has deemed the threshold of harm to have been met) is not a breach of confidentiality or data protection.

26.4. Parents/guardians and children/young people/vulnerable persons have a right to know if personal information is being shared, unless doing so could put the child/young person at further risk or may put the reporter at risk.

27.0. Communication of Protection of Children and Vulnerable Adults Policy

27.1. TU Dublin is committed to taking positive measures to educate all staff in awareness of Child Protection. Our commitment is to bring this Policy to the attention of management, staff, students, customers, clients and other business contacts.

27.2. This will be achieved in respect of staff members by the following:

- Welcome Reception for new staff members;
- Circulation of copies of the Policy to all staff members by e-mail and internet;
- Focused training for staff engaged with children and young people.

27.3. Communication of the Policy can also be achieved in respect of non-staff members by reference to the Policy Charter which will be displayed throughout the University and a copy of this will be provided to all appropriate business contacts. This Policy and Guidelines will be subject to operational review.

TU Dublin's Child Safeguarding statement will also be displayed prominently in all TU Dublin buildings. A copy of the statement will be provided to parents/guardians and members of the public on request.

28.0 QUERIES

TU Dublin, Blanchardstown

E-Mail: hr.blanchardstown@tudublin.ie
Contact: Human Resources Manager
Tel: 01 885 1018

TU Dublin, Grangegorman

E-Mail: hr.grangegorman@tudublin.ie
Contact: Head of Workplace Relations
Tel: 01 220 5155

TU Dublin, Tallaght

E-Mail: hr.tallaght@tudublin.ie
Contact: Human Resources Manager
Tel: 01 404 2120

Appendix 1

DEFINITIONS OF CHILD ABUSE AND HOW THEY MIGHT BE RECOGNISED

Below is a reproduction of information provided for in the *Children First: National Guidance for the Protection and Welfare of Children, 2017*.

1. Types of Child Abuse

Child abuse can be categorised into four different types: neglect, emotional abuse, physical abuse and sexual abuse. A child may be subjected to one or more forms of abuse at any given time. 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. In a situation where abuse is alleged to have been carried out by another child, you must consider it a child welfare and protection issue for both children and you must follow child protection procedures for both the victim and the alleged abuser.

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

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

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

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 their behaviour 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 their 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 must 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
- 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.

However, this does not apply retrospectively to an alleged incident of "reasonable chastisement" which occurred prior to the enactment of Section 28 of the Children First Act, 2015 on 11 December 2015.

Sexual Abuse

Sexual abuse occurs when a child is used by another person for their 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 their siblings/friends, from the suspicions of an adult, and/or by physical symptoms.

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

Examples of child sexual abuse include the following:

- Any sexual act intentionally performed in the presence of a child
- An invitation to sexual touching or intentional touching or molesting of a child's body whether by a person or object for the purpose of sexual arousal or gratification
- Masturbation in the presence of a child or the involvement of a child in an act of masturbation
- Sexual intercourse with a child, whether oral, vaginal or anal

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

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 must a child’s safety be compromised because of concern for the integrity of a criminal investigation.

In relation to child sexual abuse, it must 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 the Children First Guidelines, 2017. The Children First Act, 2015 states that the obligation to report does not arise in cases of suspected consensual sexual activity involving young persons aged between 15-17, where the other party to the sexual activity is not more than two years older and there is no material difference in maturity, no intimidation/exploitation and the young person does not wish for it to be disclosed.

Circumstances which may make children more vulnerable to harm

If you are dealing with children, you need to be alert to the possibility that a welfare or protection concern may arise in relation to children you come in contact with. A child needs to have someone they can trust in order to feel able to disclose abuse they may be experiencing. They need to know that they will be believed and will get the help they need. Without these things, they may be vulnerable to continuing abuse.

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

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

Parent or Carer factors:

- Drug and alcohol misuse
- Addiction, including gambling
- Mental health issues

- Parental disability issues, including learning or intellectual disability
- Conflictual relationships
- Domestic violence
- Adolescent parents

Child Factors:

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

Community Factors:

- Cultural, ethnic, religious or faith-based norms in the family or community which may not meet the standards of child welfare or protection required in this jurisdiction
- Culture-specific practices, including:
 - Female genital mutilation
 - Forced marriage
 - Honour-based violence
 - Radicalisation

Environmental Factors:

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

Poor motivation or willingness of parents/guardians to engage:

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

You must consider these factors as part of being alert to the possibility that a child may be at risk of suffering abuse and in bringing reasonable concerns to the attention of TU Dublin.

BULLYING

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

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

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

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

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 must have a code of behaviour and an anti-bullying policy in place. If you are a staff member of a school, you must also be aware of your school's anti-bullying policy and of the relevant guidelines on how it is handled.

In cases of serious instances of bullying where the behaviour is regarded as possibly abusive, you may need to make a referral to Tusla and/or An Garda Síochána.

Appendix 2

DISCLOSURE FROM A CHILD

Child Safeguarding: A Guide for Policy, Procedure and Practice, Tusla, 2017

A child or young person may disclose to a worker or volunteer that they have been or are being harmed or abused. Children/young people will often have different ways of communicating that they are being abused. If a child or young person hints at or tells a worker or volunteer that they are being harmed by someone, be it a parent/carer, another adult or by another child/young person (peer abuse), it must be treated in a sensitive way. Remember, a child/young person may disclose abuse to you as a trusted adult at any time during your work with them. It is important that you are aware and prepared for this.

- Be as calm and natural as possible.
- Remember that you have been approached because you are trusted and possibly liked. Do not panic.
- Be aware that disclosures can be very difficult for the child/young person.
- Remember, the child or young person may initially be testing your reactions and may only fully open up over a period of time.
- Listen to what the child/young person has to say. Give them the time and opportunity to tell as much as they are able and wish to.
- Do not pressurise the child/young person. Allow them to disclose at their own pace and in their own language.
- Conceal any signs of disgust, anger or disbelief.
- Accept what the child or young person has to say – false disclosures are very rare.
- It is important to differentiate between the person who carried out the abuse and the act of abuse itself. The child/young person quite possibly may love or strongly like the alleged abuser while also disliking what was done to them. It is important therefore to avoid expressing any judgement on, or anger towards the alleged perpetrator while talking with the child/young person
- It may be necessary to reassure the child/young person that your feelings towards them have not been affected in a negative way as a result of what they have disclosed.
- Reassure the child/young person that they have taken the right action in talking to you.

When asking questions:

- Questions must be supportive and for the purpose of clarification only.
- Avoid leading questions, such as asking whether a specific person carried out the abuse.
- Also, avoid asking about intimate details or suggesting that something else may have happened other than what you have been told. Such questions and suggestions could complicate the official investigation.

Confidentiality – Do not promise to keep secrets

At the earliest opportunity, tell the child/young person that:

- You acknowledge that they have come to you because they trust you.
- You will be sharing this information only with people who understand this area and who can help. There are secrets which are not helpful and must not be kept because they make matters worse. Such secrets hide things that need to be known if people are to be helped and protected from further on-going hurt. By refusing to make a commitment to secrecy to the child/young person, you do run the risk that they may not tell you everything (or, indeed, anything) there and then. However, it is better to do this than to tell a lie and ruin the child/young person's confidence in yet another adult. By being honest, it is more likely that the child/young person will return to you at another time.

CHILD SAFEGUARDING – RELEVANT LEGISLATION

The following legislation relates to the safeguarding of children as listed in the *Children First: National Guidance for the Protection and Welfare of Children, 2017*. This list is not comprehensive but gives a sense of the breadth and wide array of relevant legislation.

- **Child and Family Agency Act 2013**
<http://www.oireachtas.ie/documents/bills28/acts/2013/a4013.pdf>
- **Child Care Act 1991**
<http://www.irishstatutebook.ie/eli/1991/act/17/enacted/en/print.htm>
- **Children Act 2001**
<http://www.irishstatutebook.ie/eli/2001/act/24/enacted/en/pdf>
- **Children First Act 2015**
<http://www.irishstatutebook.ie/eli/2015/act/36/enacted/en/pdf>
- **Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012**
<http://www.irishstatutebook.ie/eli/2012/act/24/enacted/en/pdf>
- **Criminal Justice Act 2006, Section 176: Reckless Endangerment of Children**
<http://www.irishstatutebook.ie/eli/2006/act/26/enacted/en/pdf>
- **Data Protection Acts 1988 and 2003**
<http://www.irishstatutebook.ie/eli/1988/act/25/enacted/en/html>
<http://www.irishstatutebook.ie/eli/2003/act/6/enacted/en/pdf>
- **Domestic Violence Act 1996**
<http://www.irishstatutebook.ie/eli/1996/act/1/enacted/en/pdf>
- **Education (Welfare) Act 2000**
<https://www.oireachtas.ie/documents/bills28/acts/2000/a2200.pdf>
- **Education Act 1998**
<http://www.irishstatutebook.ie/eli/1998/act/51/enacted/en/pdf>
- **Freedom of Information Act 2014**
<http://www.irishstatutebook.ie/eli/2014/act/30/enacted/en/pdf>
- **National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016**
<http://www.irishstatutebook.ie/eli/2012/act/47/enacted/en/pdf>
- **Non-Fatal Offences against the Person Act 1997**
<http://www.irishstatutebook.ie/eli/1997/act/26/enacted/en/pdf>
- **Protected Disclosures Act 2014**
<http://www.irishstatutebook.ie/eli/2014/act/14/enacted/en/pdf>
- **Protections for Persons Reporting Child Abuse Act 1998**
<http://www.irishstatutebook.ie/eli/1998/act/49/enacted/en/pdf>
- **The Irish Constitution, Bunreacht Na hÉireann – Article 42A**
<http://www.irishstatutebook.ie/eli/cons/en#article42A>

APPENDIX 4 - DESIGNATED LIAISON PERSONS, DEPUTY DESIGNATED LIAISON PERSONS AND CHILD PROTECTION SUPPORT TEAM - TU DUBLIN

DESIGNATED LIAISON PERSONS		
<p align="center">Dr. Noel O'Connor Director of Student Development TU Dublin, Grangegorman Ph: 402 7140 / 087 995 6263 Email: Noel.OConnor@TUDublin.ie</p>	<p align="center">Mairead Cluskey Assistant Lecturer School of Humanities TU Dublin, Blanchardstown Ph: 01 885 1314 Email: Mairead.Cluskey@TUDublin.ie</p>	<p align="center">Gloria Farrelly Social Care Placement Officer TU Dublin, Tallaght Email: Gloria.Farrelly@TUDublin.ie</p>
DEPUTY DESIGNATED LIAISON PERSONS		
<p align="center">Jennifer Farrell Head of Campus Life TU Dublin, Grangegorman Ph: 087 279 9618 Email: Jennifer.Farrell@TUDublin.ie</p>	<p align="center">Pat O'Connor Head of School of Humanities TU Dublin, Blanchardstown Ph: 01 885 1068 Email: Pat.OConnor@TUDublin.ie</p>	<p align="center">Julie Barnard Manager of Access & Civic Engagement (ACE) TU Dublin, Grangegorman Ph: 01 402 7601/087 892 1192 Email: Julie.Barnard@TUDublin.ie</p>
CHILD PROTECTION SUPPORT TEAM		
<p align="center"><u>Access Service</u> Grainne Burke Access Officer TU Dublin, Grangegorman Ph: 01 402 7606 Email: Grainne.Burke@TUDublin.ie</p>	<p align="center"><u>Admissions</u> Frank Costello Head of Admissions TU Dublin, Grangegorman Ph: 01 402 5352 Email: Frank.Costello@TUDublin.ie</p>	<p align="center"><u>Ballymun Music Programme</u> Ron Cooney Programme Manager TU Dublin, Grangegorman Ph: 087 980 9040 Email: Ron.Cooney@TUDublin.ie</p>
<p align="center"><u>Chaplaincy Service</u> Rev. Alan Hilliard Co-ordinator of Pastoral Care & Chaplaincy Service TU Dublin, Grangegorman Ph: 01 402 3639/087 747 7110 Email: Alan.Hilliard@TUDublin.ie</p>	<p align="center"><u>TU Dublin Conservatoire</u> Dr Orla McDonagh Head of Conservatoire TU Dublin, Grangegorman Ph: 01 220 5165 Email: Orla.McDonagh@TUDublin.ie</p>	<p align="center"><u>Disability Support Services</u> Deirdre Staunton Head of Disability Support Services TU Dublin, Grangegorman Ph: 01 220 5101/086 010 2241 Email: Deirdre.Staunton@TUDublin.ie</p>
<p align="center"><u>Engagement Outreach</u> Riona Fitzgerald Engagement Outreach Manager TU Dublin, Grangegorman Ph: 01 402 7614/087 689 7059 Email: Riona.Fitzgerald@TUDublin.ie</p>	<p align="center"><u>National Optometry Centre</u> Oona O'Carroll National Optometry Centre Manager TU Dublin, Grangegorman Ph: 01 402 4900 Email: Oona.OCarroll@TUDublin.ie</p>	<p align="center"><u>Sports Facilities and Activities</u> Christy O'Shea Head of Sports TU Dublin, Grangegorman Ph: 01 402 3441 Email: Christy.OShea@TUDublin.ie</p>

<p><u>Student Counselling Service</u> Head of Student Counselling c/o Director of Student Development TU Dublin, Grangegorman Ph: 402 7140 / 087 995 6263 Email: Noel.OConnor@TUDublin.ie</p>	<p><u>Students Learning with Communities</u> Dr Catherine Bates Project Co-ordinator of Students Learning with Communities TU Dublin, Grangegorman Ph: 01 402 7616/087 126 2848 Email: Catherine.Bates@TUDublin.ie</p>	<p><u>Academic Administration, Exams & Student Services</u> Sinead Dunne Student Services Officer TU Dublin, Blanchardstown Ph: 01 885 1014 Email: Sinead.Dunne@tudublin.ie</p>
<p><u>Academic Administration, Exams & Student Services</u> Clodagh Ni Ghallachoir Student Counsellor TU Dublin, Blanchardstown Ph: 01 885 1321 Email: Clodagh.NiGhallachoir@TUDublin.ie</p>	<p><u>Academic Administration, Exams & Student Services</u> Bob O'Mhurcu Academic Administration & Student Affairs Manager TU Dublin, Blanchardstown Ph: 01 885 1022 Email: Bob.OMhurcu@TUDublin.ie</p>	<p><u>School of Humanities</u> Garreth Smith Assistant Lecturer TU Dublin, Blanchardstown Ph: 01 885 1581 Email: Gareth.Smith@TUDublin.ie</p>
<p><u>Academic Administration, Exams & Student Services</u> Deirdre Corcoran Manager of Academic Administration & Student Affairs TU Dublin, Tallaght Ph: 01 404 2344 Email: Deirdre.Corcoran@TUDublin.ie</p>	<p><u>Access Service</u> Nicola Moses Access Officer TU Dublin, Tallaght Ph: 01 404 2173 Email: Nicola.Moses@TUDublin.ie</p>	<p><u>Disability Support Services</u> Garry Toner Disability Officer TU Dublin, Tallaght Ph: 01 404 2606 Email: Garry.Toner@TUDublin.ie</p>
<p><u>Schools & Community Engagement</u> Cherry Jordan Assistant Lecturer School of Humanities TU Dublin Tallaght Email: Cherry.Jordan@TUDublin.ie</p>	<p><u>Sports & Recreation</u> Tim O'Connor Sports & Recreation Officer TU Dublin, Tallaght Ph: 01 404 2550 / 086 6056750 Email: Tim.OConnor@TUDublin.ie</p>	<p><u>Schools & Community Engagement</u> Darvree Downey Lecturer School of Science TU Dublin Tallaght Ph: 01-404 2116 Email: darvree.downey@TUDublin.ie</p>
<p><u>Schools & Community Engagement</u> Elaine McGeough Senior Technical Officer Mechanical Engineering TU Dublin Tallaght Ph: 01- 404 2512 Email: Elaine.McGeough@TUDublin.ie</p>	<p><u>Student Recruitment</u> Katherine Walsh School Liaison Officer TU Dublin, Tallaght Ph: 01 404 2522 Email: Katherine.Walsh@TUDublin.ie</p>	

APPENDIX 5 – ACCEPTANCE FORM

ACCEPTANCE OF THE TU DUBLIN PROTECTION OF CHILDREN AND VULNERABLE ADULTS POLICY

I have read the above Policy and agree to abide by its contents. There is no reason why I should be considered unsuitable to work with children, young people or vulnerable persons.

I understand it is my responsibility to ensure that this Policy is brought to the attention of other staff members or students involved in my activity.

Signature:

Date:

Print Name:

Business Area Function. This form must be retained by HR (for new staff) and the DLP or their nominee (for existing staff)

APPENDIX 6 - ACCESS SERVICE

1. The aim of the Access Service is to increase familiarity with third level education in disadvantaged further education and community training/groups second level and primary schools via school and community initiatives and TU Dublin initiatives. This will require TU Dublin staff to interact with children on a regular basis. Activities are delivered by the Access Service staff, student volunteers and academic staff throughout TU Dublin.
2. Access Service staff who are coordinating/initiating/supporting TU Dublin academic staff in collaborative projects with schools/communities involving children will ensure that this Policy is brought to the attention of key academic staff for each project/module and participating students.
3. Access Service staff will also ensure that all academic contacts are aware that they (and colleagues or students) will need to obtain and read the Child Protection Policy of the school or community group, if some of the work will take place on school or community property.
4. Before starting any Access Service activity in TU Dublin, all students and their parent/guardian/carer will be required to complete a Participation Form.
5. Where events involving TU Dublin staff take place in schools/communities, the child's school/community organisation is responsible for the safety and well-being of the child at all times. School rules apply at all times. Any staff member going to another school needs to obtain in advance and be familiar with the school/community's child protection policy.
6. Where events take place within TU Dublin premises, TU Dublin is responsible for a child for the duration of the initiative/visit. Where events are in TU Dublin, the organising staff member is responsible for general health and safety regarding the environment and activities in which the children will be involved. This includes the need to complete a risk assessment in advance of the visit. There will be at least one TU Dublin staff member (or TU Dublin student leader) present for each ten children. A school teacher or leader must be present with the staff member/student leader. Where small numbers of children are in TU Dublin premises and are not supervised by a school teacher e.g. on shadowing days, the TU Dublin staff members or TU Dublin student leader must ensure that the child is always in public areas e.g. classroom, halls, canteen.
7. Where one-to-one mentoring/counselling takes place, in TU Dublin or in a school/community organisation, the TU Dublin staff member or volunteer must ensure that this is done within suitable surroundings, whilst ensuring the confidentiality of the counselling session. If possible, it must be a public area or in a room where there are glass windows or where the door can be left ajar. Another staff member should be made aware of the meeting before it takes place.
8. Inappropriate behaviour by a child may be reported by the organising staff member to the Manager of Access & Civic Engagement Service and the principal of the school and appropriate action may be taken such as informing the child's parent/guardian/carer.
9. The Child Protection Support Team member for the Access Service is the Access Officer.

APPENDIX 7 - ADMISSIONS

1. The Admissions Office has a high profile engagement with second-level schools and interacts on a regular basis with the staff and students in these schools throughout the country. As part of the Admissions Office remit, members of staff visit schools to provide information to recruit applicants to TU Dublin's undergraduate programmes.
2. There is a designated Schools Liaison Officer who visits schools on a daily basis throughout the academic year while other members of staff would do so periodically.
3. Admissions staff also attend at education fairs or invite students to specifically organised TU Dublin events such as Open Days, where they would come into contact with children or potential students under the age of 18. On occasion an individual second level student would seek information and call at the Admissions Office for advice on programmes.
4. When visits or events involving TU Dublin Admissions staff take place in the schools, the school teacher must remain present in the classroom. The school is responsible for the safety and well-being of the child at all times. School rules apply at all times.
5. When events take place within TU Dublin premises, TU Dublin is responsible for the child for the duration of the visit. Staff must conduct their business with these students in the presence of other staff and adults.
6. Open days and specific information events are public in nature. There must be no private or one to one mentoring sessions away from the public arenas, such as foyers, halls, canteens, lecture halls and classrooms.
7. When a student under the age of 18 attends at the Admissions offices, there is a public meeting area available for Admissions staff to meet with them. No member of the Admissions staff will mentor or meet on a one-to-one basis with an underage student save for in the designated public area. Another staff member should be advised that the meeting is taking place if possible and in advance.
8. The Child Protection Support Team member for Admissions is the Head of Admissions.

APPENDIX 8 - BALLYMUN MUSIC PROGRAMME

1. The Ballymun Music Programme operates in the primary and secondary schools in the Ballymun Flats complex. It involves the teaching of music and performance to the children of the relevant schools.
2. As the tuition and activities take place in a variety of locations, most of which are not on TU Dublin's premises, the TU Dublin staff member must take extra factors into consideration in ensuring the safety and well-being of the child.
3. Where the lessons take place in the child's school, the school is responsible for the safety and well-being of the child at all times. If possible, music lessons must be a public area or in a room where there are glass windows or the door can be left ajar.
4. Where music lessons take place in the Ballymun Music Room during school hours, the child protection policy of St. Joseph's S.N.S. will apply and the responsibility for the safety of the children is with the school.
5. Where music lessons take place in the Ballymun Music Room outside of school hours, this Policy will apply and the responsibility for the safety of the children is with the TU Dublin staff member.
6. When children travel to and from venues for concerts with TU Dublin and school staff, school staff are responsible for the safety and well-being of the children during this time.
7. When children travel to and from venues for concerts outside of school hours and without school supervision, TU Dublin Ballymun Music Programme is responsible for the safety and well-being of the children during this time. At least one TU Dublin staff member and one designated person (teacher/parent/guardian/carer) will be present at all times with the band members – from the outset, during travel time, the concert, up until the last child has been collected by their parent/guardian/carer. It is the responsibility of the parent/guardian/carer to ensure that appropriate measures are put in place to collect children following trips/concerts.
8. A list of current contact details for all children will be held by TU Dublin staff – to be used in the event of emergency and should not be disclosed to third parties.
9. Inappropriate behaviour by a child may be reported by the organising staff member to the Manager of Access and Civic Engagement Service and the principal of the school and appropriate action may be taken, such as informing the child's parent/guardian/carer. Repeated occurrences of inappropriate behaviour may result in the child's tuition being terminated.
10. A parent/guardian/carer must notify the Ballymun Music Programme Manager in writing in the case of a medical condition or any other information relevant to the well-being of the child.
11. The Child Protection Support Team member for the Ballymun Music Programme is the Programme Manager.

APPENDIX 9 - CHAPLAINCY SERVICE

1. The Chaplaincy Service extends a broad range of Pastoral Care services to the staff and students of TU Dublin.
2. The Pastoral Care and Chaplaincy Service at TU Dublin (PCCS) is recruited via the Public Procurement Process. The Roman Catholic Archdiocese of Dublin is the present provider having successfully completed the procurement process in January 2020. They are the lead body and they sub-contract a degree of their service to the Church of Ireland Diocese of Dublin and Glendalough, The Dublin City Interfaith Forum (DCIF) and The Sanctuary Mindfulness and Meditation Centre.
3. Chaplains are nominated by their respective churches with whom TU Dublin contracts the Chaplaincy Service. However in relation to Child Protection Policies (and all other policies) the chaplains are obliged to implement the policies and procedures of TU Dublin. Furthermore, chaplains are Mandated Persons under the Children First Act, 2015 and must report incidents of harm to the Child and Family Agency.
4. Chaplaincy events, for the large part, take place in TU Dublin locations. Where children are involved best practice and procedures will be followed in line with TU Dublin policy. When events take place in locations other than TU Dublin premises but are organised by the Chaplaincy the policies and procedures of TU Dublin are observed.
5. When the Chaplaincy works with a third party e.g. local schools, the school teacher must remain present in the classroom. The child's school is responsible for the safety and well-being of the child at all times. School rules on Child Protection Policy and Procedures apply at all times and the copy of the Child Protection Policy can be obtained from each of the schools involved.
6. When the Chaplaincy Service is solely responsible or is taking lead responsibility for an activity involving children the chaplaincy is to ensure that the volunteers are made aware of the code of behaviour for engagement with children. The Chaplaincy Service shall ensure that any volunteers involved in any activities organised and run by the Chaplaincy Service are made aware of, sign and date the current TU Dublin Code of Behaviour. Furthermore, those volunteers should be aware that they may be Mandated Persons under the Children First Act, 2015.
7. Where one-to-one mentoring/counselling takes place with a person under 18 years of age, the member of TU Dublin Chaplaincy must ensure that this is done within suitable surroundings, whilst ensuring the confidentiality of the counselling session. If possible, it must be a public area or in a room where there are glass windows or where the door can be left ajar. Another staff member should be advised of the meeting in advance.
8. Inappropriate behaviour by a child whilst in TU Dublin must be reported to the appropriate Designated Liaison Person whereupon the appropriate action will be taken.
9. Members of the Chaplaincy must not meet with young people under 18 outside organised activities, unless it is with the knowledge and written consent of parents/carers/guardian and another member of the Chaplaincy team and in line with the safeguards at Paragraph 7 above.
10. The Child Protection Support Team member for the Chaplaincy Service is the Chaplaincy Co-ordinator.

APPENDIX 10 – TU DUBLIN CONSERVATOIRE

1. The Junior TU Dublin Conservatoire is an integral part of the TU Dublin Conservatoire (“the Conservatoire”). The Junior Conservatoire provides instrumental and vocal tuition to junior students (i.e. students under the age of 18 not on award-bearing programmes) and to Continuing Education students (i.e. students over the age of 18).
2. Junior students are the responsibility of the lecturer for the duration of their class only. Prior to class and once the class is terminated, all junior students become the responsibility of their parents/guardians/carers. The Conservatoire takes no responsibility for junior students before or after their classes. Door window panels are in place in all music teaching classrooms for the protection of students and staff.
3. Parents/guardians/carers of junior students are advised to wait in the foyer for the total duration of the class.
4. A designated area will be provided in the main Foyers at TU Dublin Chatham Row for parents/guardians/carers waiting for junior students to return from lessons.
5. All junior students must be supervised at all times by a parent/guardian/carer excluding the time spent in class. Junior students are expected to engage in quiet activities (e.g. homework or reading) when not in class. Parents/guardians/carers are respectfully requested not to allow their children to run around or play in corridors.
6. Inappropriate behaviour by a junior student may be reported to the relevant Senior Manager of the Conservatoire and appropriate action may be taken, such as informing the student’s parent/guardian/carer. Repeated occurrences of inappropriate behaviour may result in suspension or termination of the student’s tuition.
7. Junior students are expected to be able to go to the toilet or classrooms by themselves, otherwise this is the responsibility of the parents/guardian/carer.
8. Photo, video and audio equipment, including mobile phones, may not be used to record junior students at TU Dublin events. Staff may only photograph or video junior students under the terms of Paragraph 15 of this Policy.
9. A parent/guardian/carer must notify the relevant Senior Manager of the TU Dublin Conservatoire in writing in the case of a medical condition or any other information relevant to the well-being of the junior student.
10. The Child Protection Support Team member for the Junior TU Dublin Conservatoire is the Head of the Conservatoire.

APPENDIX 11 - DISABILITY SUPPORT SERVICES

1. TU Dublin is committed to ensuring that students with disabilities are able to access and participate fully in college life. In order to support this commitment, TU Dublin will try to provide the necessary support/facilities that students may require as a result of their disability and heighten disability awareness amongst staff and students. This may require TU Dublin staff to interact with children on a very limited basis e.g. at Open Days or School Visits.
2. Where events involving TU Dublin staff take place in the local schools, the school teacher must remain present in the classroom. The child's school is responsible for the safety and well-being of the child at all times. School rules apply at all times. Any staff member going to another school needs to obtain in advance and be familiar with the school's child protection policy.
3. Where events take place within TU Dublin premises, e.g. Open Day or Information Days, TU Dublin is responsible for the child for the duration of the initiative/visit. A school teacher or parent must be present with the children. Where small numbers of children are in TU Dublin premises e.g. on shadowing days, the TU Dublin staff members or TU Dublin student leader must ensure that the child is always in public areas e.g. classroom, halls, canteen.
4. Inappropriate behaviour by a child whilst in TU Dublin, may be reported to the Head of Disability Support Services and appropriate action may be taken, such as informing the child's teacher/parent/guardian/carer.
5. Disability Support Services works with a number of TU Dublin students who are under 18. If an under 18 TU Dublin student reports child protection concerns, the matter must be dealt with as set out above in this Policy.
6. The Child Protection Support Team member for the Disability Service is the Head of Disability Support Services.

APPENDIX 12 – ENGAGEMENT OUTREACH

1. Our role is to develop, co-ordinate and deliver Engagement Outreach Programmes. These include Preparation for Higher Education, return to education and Lifelong Learning programmes. We work with primary schools, secondary schools, early year's settings, community, adult education groups and other under-served communities.
2. The child's school is responsible for the safety and well-being of the child at all times. School rules apply at all times. All work done in schools is group work.
3. Inappropriate behaviour by a child may be reported by the organising/supervising staff member to Centre Managers/Co-ordinators responsible for supervision of children and the Head of Access & Civic Engagement and appropriate action may be taken, such as informing the child's teacher/parent/guardian/carer. Repeated occurrences of inappropriate behaviour may result in the child's participation being terminated.
4. Where events take place within TU Dublin premises, the organising staff member is responsible for general health and safety regarding the environment and activities in which the children will be involved for the duration of the initiative/visit. This includes the need to complete a risk assessment in advance of the visit. The individual behaviour and safety of the children is the responsibility of the school teacher/community leader. Where events are in TU Dublin, there will be at least one TU Dublin staff member present for each group of children, as well as an appropriate number (usually two or more) of school/community leaders. The school/community leader must always remain present with the children.
5. Children are expected to be able to go to the toilet by themselves; otherwise this is the responsibility of the school teacher/leader.
6. If in the event of an emergency a child cannot be supervised by the school/community leader, TU Dublin staff will ensure that they and/or their students remain in public areas at all times with the child.
7. If the event takes place in an external venue the above principles apply except the host venue is responsible for general health and safety of the environment and activities in which the children will be involved in for the duration of the initiative/visit.
8. The **CLiC News website** was set up in conjunction with the TU Dublin, Grangegorman School of Media and TU Dublin, Grangegorman Students Learning with Communities (SLWC) programme to provide a resource for primary school children. News items are written by Journalism students from the School of Media at a level which reflects the age range of primary school children and is presented in a way which precludes using graphical images and language which are unsuitable for young children. The site effectively operates as a closed community and content other than the Home page can only be accessed with a Username and Password. These can only be obtained by registering through a designated online form. Children are permitted to register on the site and leave comments relating the news stories and participate in competitions. Children can only register through a class e-mail address and a class or community centre unique Invitation code. User names are fictitious. Only the Engagement Outreach Coordinator has access to a child's first name. This is required for tracking purposes should the pupil leave inappropriate comments on the site or comments that may indicate that a child is being bullied or abused.

9. A record of the comment(s) will be made and the Engagement Outreach Manager and the class teacher/community centre manager will be informed about the comment. No one involved in the production, editing or moderation of the site may attempt to communicate privately with a child. Public comments of encouragement and clarification are permitted. Administrators and moderators may reply off line to a pupil's comment to explain why it has not been approved or to clarify acceptable use. Such responses will not be made in public but will be available to teacher/community centre managers to download. Repeated inappropriate comments will result in the child's account being suspended or deleted.

10. The Child Protection Support Team member for Engagement Outreach work is the Engagement Outreach Manager.

APPENDIX 13 - NATIONAL OPTOMETRY CENTRE

1. The National Optometry Centre (NOC) is the clinical training facility for the undergraduate students in TU Dublin's Optometry Degree programme. The NOC operates as a real-life primary care practice providing eye examinations, contact lens fitting and aftercare, specialist investigative tests and spectacle dispensing to the general public both through student teaching clinics and professional clinics. The NOC opened in 2006 and is located at the corner of Kevin Street and New Bride Street. It has a core staff of 5 people and provides training to approximately 50 students (3rd and 4th year Optometry) with the help of a team of supervising qualified optometrists who are employed by the TU's Dublin School of Physics.

2. When a child presents for eye examination, they must be accompanied by a parent/guardian/carer.

However, a minor over the age of 16 can consent to their own "surgical, medical or dental treatment" as per Section 23 of the Non-Fatal Offences Against the Person Act, 1997.

3. The parent/guardian/carer's name and relationship to the child must be established and recorded on the child's record card.

4. Patients under age 18 are the responsibility of the staff member for the duration of their examination only. Prior to this and once the examination is terminated, all such patients become the responsibility of their parent/guardian/carer. The National Optometry Centre does not take any responsibility for such patients before or after their examination. Parents/guardians/carers of young patients are advised to wait with such patients for the total duration of the examination.

5. The parent/guardian/carer is strongly advised and encouraged to sit-in and observe the eye examination. If they choose not to do so, they can wait outside but they must give written consent to have the eye examination conducted while the child is unaccompanied (i.e. sign pro-forma consent form). The practitioner must obtain the child's initial ocular and family history, reason for visit, symptoms and signs from the parent/guardian/carer. The child can be asked for their opinion subsequently.

6. If during the course of the eye examination the child is not co-operative and the practitioner judges that the child may be more co-operative if the parent/guardian/carer were to leave the room then the practitioner may ask the parent/guardian/carer if they would be willing to wait outside and written consent to this must be obtained (pro-forma consent form can be used).

7. If the parent/guardian/carer is not present in the examination room, where possible the door must be left ajar for the duration of the eye examination. The parent's/guardian's/carer's written consent must be obtained if such a situation arises (pro-forma consent form can be used).

8. Prior to the administration of diagnostic drugs (e.g. cyclopentolate or tropicamide) the parent/guardian/carer must be informed of possible side-effects. Written notes on the possible side-effects must be given to the parent/guardian/carer. Consent from the parent/guardian/carer must be obtained prior to administration of any eye-drops. (Pro-forma consent form can be used).

9. The Child Protection Support Team member for the National Optometry Centre is the Clinic Manager.

APPENDIX 14 - SPORTS FACILITIES & ACTIVITIES

1. The TU Dublin Sports & Recreation service provides opportunities for people of all ages to participate in a wide variety of sporting and physical activities at a level that they are comfortable with. These activities can be competitive or recreational in nature, and take place in TU Dublin Fit 2 Go Club facilities at TU Dublin Kevin Street (facilities include a swimming pool, sports hall and fitness gym), at TU Dublin Bolton Street (fitness gym and sports hall), at TU Dublin Sports facilities licensed in Grangegorman (playing fields and dressing room facilities), and at a large number of other venues, throughout Dublin City.
2. The TU Dublin Sports & Recreation facilities are multipurpose, and are accessible to students, staff and the wider community. They are shared facilities, therefore adult members may be using the sports hall while a children's group are in the pool, meaning that adults and juveniles may be in the changing and circulation areas at the same time.
3. The professional services and highly trained leisure staff provided in TU Dublin Sports & Recreation Facilities support TU Dublin Sports Scholars (many of whom are international athletes), TU Dublin Sports Clubs and teams, and recreational individual users and school/community-based groups. A high quality service is provided to all regardless of age, ability, previous achievements, or ambition.
4. Sports facilities in TU Dublin are available to groups of children, only through activities organised by schools, external groups or through summer camps. Facilities and tuition are not offered on an individual basis except in the case of swimming lessons where children are enrolled by their parent/guardian/carer.
5. All children using the sports facilities must be supervised at all times by the teacher/leader/parent/guardian/carer accompanying the children.
6. It is the responsibility of a teacher/leader/parent/guardian/carer to ensure that appropriate arrangements are put in place to collect children following use of facilities or a swimming session.
7. Changing facilities will be provided by TU Dublin during which time children must be supervised by their teacher/leader/parent/guardian/carer. Changing facilities/areas are separate for girls and boys and gender appropriate supervision is provided. However Fit 2 Go Club members and school/community children's members may share changing facilities.
8. It is the responsibility of the teacher/leader/parent/guardian/carer to arrange the appropriate number of supervisors at any given time in a changing area.
9. During an activity, children are expected to be able to go to the toilet or changing rooms by themselves, otherwise it is the responsibility of the teacher/leader/parent/guardian/carer to accompany and supervise the child.
10. It is the responsibility of the teacher/leader/parent/guardian/carer to ensure that an appropriate number of supervisors are available at any given time.
11. Inappropriate behaviour by a child may be reported to the Sports Officer responsible for facilities and appropriate action may be taken, such as informing the child's teacher/leader/parent/guardian/carer. Repeated occurrences of inappropriate behaviour may result in the child's participation in activities or usage of the facilities being terminated.

12. A teacher/leader/parent/guardian/carer must notify the TU Dublin's Sports Instructor/Leader of Group and/or Sports Officer responsible for facilities in writing in the case of any medical condition or any other information relevant to the well-being of any child participating in activities or using the facilities.

13. Where Sports and Recreation activities/events involving TU Dublin staff take place in local schools or local community-based facilities, the school teacher/local community group leader must remain present in the classroom/work area at all times. The child's school/local community group is responsible for the safety and well-being of the child at all times. School/local community group rules apply at all times. All activities undertaken in schools/local communities are group work. Any Sports & Recreation staff member going to another school must obtain in advance and become familiar with the school/local community group's child protection policy

14. All Sports and Recreation staff must ensure that they are familiar with this Policy.

15. The Child Protection Support Team member for Sports Facilities and Activities is the Head of Sport.

APPENDIX 15 - STUDENT COUNSELLING SERVICE

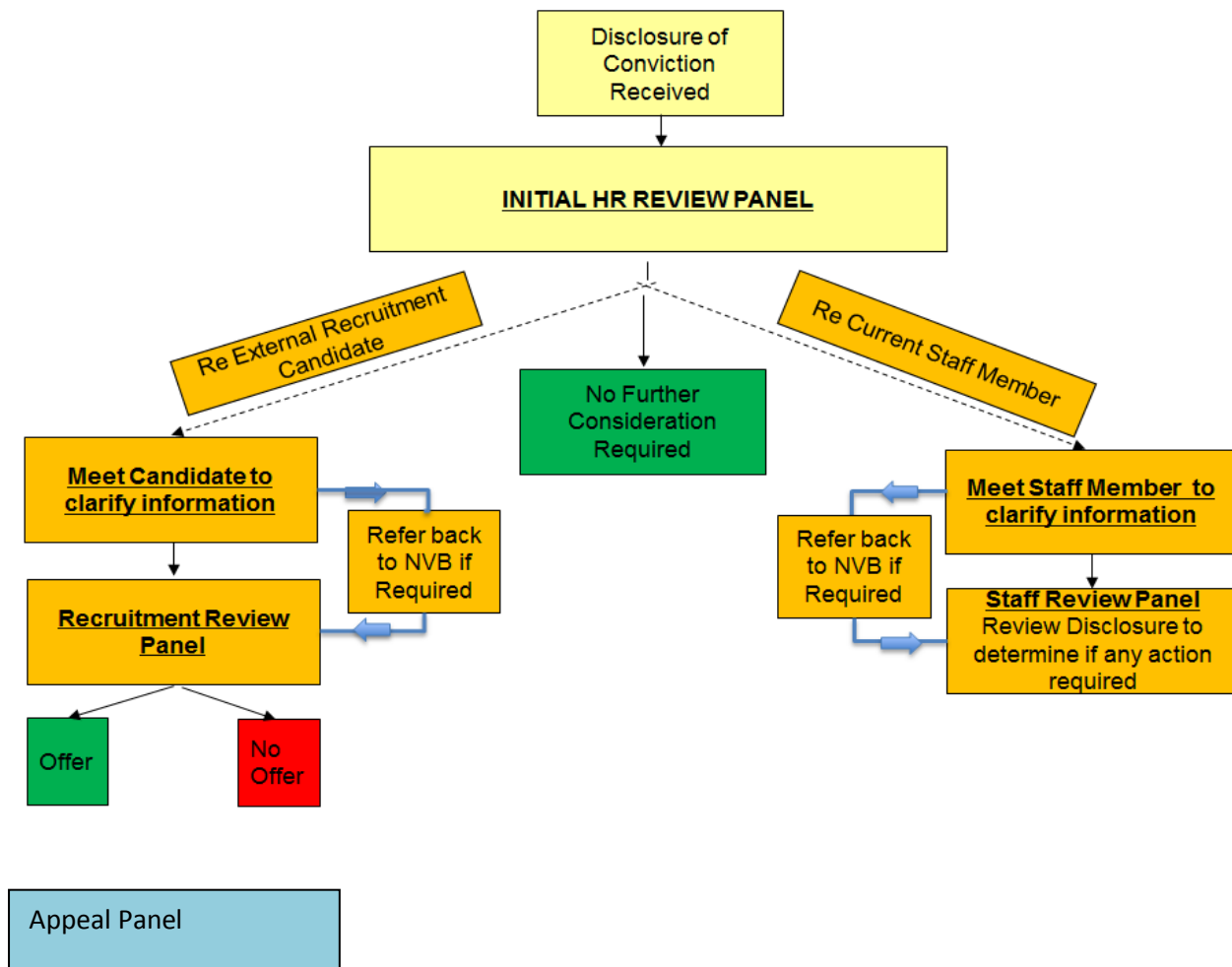
1. The TU Dublin Student Counselling Service provides a confidential service to all registered students. The aim of the service is to support all TU Dublin students with their academic and personal development throughout their time in TU Dublin.
2. The Student Counselling Service offers individual/group counselling, psychometric and psychological assessments, risk assessment and intervention and interventions and training to staff dealing with students. The Student Counselling Service also offers online support programmes for students and preventative programmes.
3. Counselling Services are always carried out in TU Dublin locations in designated counselling rooms by the Student Counselling Service Team, Trainees, Interns or Sessional Contractors.
4. Where TU Dublin students under 18yrs of age request counselling services, a consent form must be signed by the parents/guardians/carers or other suitable nominated adult (e.g. older sister brother, aunt/uncle) giving permission for the minor to attend counselling.
5. The Student Counselling Service respects the interests, integrity and welfare of all students with whom they work. Counselling sessions are private and confidential with all team members, trainees, interns and sessional contractors adhering to policies governing child protection and reporting.
6. Where any event involving the counselling service takes place outside of TU Dublin, the policies and procedures of the TU Dublin are observed.
7. Any inappropriate behaviour by a child may be reported by the staff member to the Senior Manager of Service and/or Designated Liaison Person whereupon appropriate action will be taken.
8. The Child Protection Support Team member for the Student Counselling is the Head of the Student Counselling Service. All members of the Student Counselling Service are Mandated Persons under the Children First Act, 2015.

APPENDIX 16 - STUDENTS LEARNING WITH COMMUNITIES (SLWC)

1. The aim of the Programme for Students Learning with Communities (SLWC) is to link TU Dublin staff and students with communities (NGOs, local communities etc.) to work on collaboratively agreed, credit-bearing, course based projects for mutual benefit. As part of this process, academic staff may supervise TU Dublin students working with children, either in a school or other community organisation, or in TU Dublin e.g. as part of a shadowing day, or the academic staff may organise with a school or community organisation for their students to work with the children there without the supervision of the lecturer. All these activities are part of the students' module requirements.
2. SLWC staff who are coordinating/initiating/supporting TU Dublin academic staff in collaborative projects/modules with schools/communities involving children will ensure that this Policy is brought to the attention of key contact academic staff and participating students.
3. SLWC staff will also ensure that all academic contacts are aware that they (and colleagues or students) will need to obtain and read the Child Protection Policy of the school or community group, if some of the work will take place on school or community property.
4. Any staff member going to another school, or sending their students to a school, whether supervised or unsupervised, (or community organisation involving children) needs to obtain in advance and be familiar with the school/community's child protection policy. If students are being sent to a school (or community organisation involving children) the TU Dublin staff member must ensure that this Policy has been brought to their attention and those of the school/community. The school's child protection policy will supersede this Policy while events are taking place on school premises.
5. Where events involving TU Dublin staff/students take place in schools or communities, the school/community leader must always remain present in the classroom/room. The child's school (or community organisation) is responsible for the safety and well-being of the child at all times. School/community rules apply at all times.
6. Where events take place within TU Dublin's premises, the organising staff member (usually the lecturer) in TU Dublin is responsible for general health and safety of the environment and activities in which the children will be involved for the duration of the initiative/visit. This includes the need to complete a risk assessment in advance of the visit. The individual behaviour and safety of the children is the responsibility of the school teacher/community leader. Where events are in TU Dublin, there will be at least one TU Dublin staff member present for each group of children, as well as an appropriate number (usually two or more) of school/community leaders. The school/community leader must always remain present with the children.
7. Children are expected to be able to go to the toilet by themselves, otherwise this is the responsibility of the school teacher/leader.
8. If in the event of an emergency a child cannot be supervised by the school/community leader, TU Dublin staff will ensure that they and/or their students remain in public areas at all times with the child.
9. Inappropriate behaviour by a child may be reported by the TU Dublin staff member to the school/community leader and/or the Manager of Access and Civic Engagement, and appropriate action may be taken, such as informing the child's teacher/parent/guardian/carer.

10. The Child Protection Support Team member for Students Learning with Communities is the Students Learning with Communities Manager.

APPENDIX 17 - TU DUBLIN GARDA VETTING DISCLOSURE PROCEDURE



Panel Membership & Purpose

Initial HR Review Panel

Membership: Two members, Senior Manager and Senior Manager, one will Chair. If one member is unavailable the most Senior Manager will appoint a temporary replacement.

Purpose: Screening, the panel will review the Disclosure and will decide whether any further consideration is required by either the Recruitment Review Panel (for a candidate in recruitment) or by the Staff Review panel (for an existing staff member). No further action will be required for any minor convictions which would be considered to pose no risk to TU Dublin.

Recruitment Review Panel

Membership: Five members, with attendance of any three constituting a quorum. If a quorum is not possible the Chair will appoint a temporary replacement:

- More Senior Manager (Chair)
- Senior Manager
- Senior Manager
- Senior Manager

- Senior Manager

Purpose: The panel will decide whether the disclosure is sufficiently serious to prevent an offer of employment.

Staff Review Panel

Membership: Three members, with attendance of all three required to constitute a quorum. If a member cannot attend the Most Senior TU Manager may appoint a replacement:

- Senior Manager (Chair)
- Senior Manager
- Senior Manager

Purpose: The panel will decide whether the conviction(s) disclosed is sufficiently serious to cause concern regarding the risk the staff member poses to children and vulnerable persons and whether in that context continued employment by TU Dublin is tenable. Before confirming a decision that continued employment in TU Dublin is untenable due to the risks it poses to Children and Vulnerable Persons, consideration must be given as to whether there is reasonable accommodation available to reduce the risk to an acceptable level.

Appeal Panel

Membership: Three members, with attendance of all three required to constitute a quorum. If a member cannot attend, or there is a gender balance issue, the Most Senior TU Manager may appoint a replacement(s):

- Senior Manager (Chair) not previously involved
- Senior Manager not previously involved
- A Senior Manager not previously involved

Purpose: The Panel will focus on consideration of the basis for the Recruitment Review Panel decision that the appointment should not proceed. The Recruitment Appeal Panel decision shall be issued in writing to the staff member. It is final and concludes TU Dublin’s consideration of the matter.

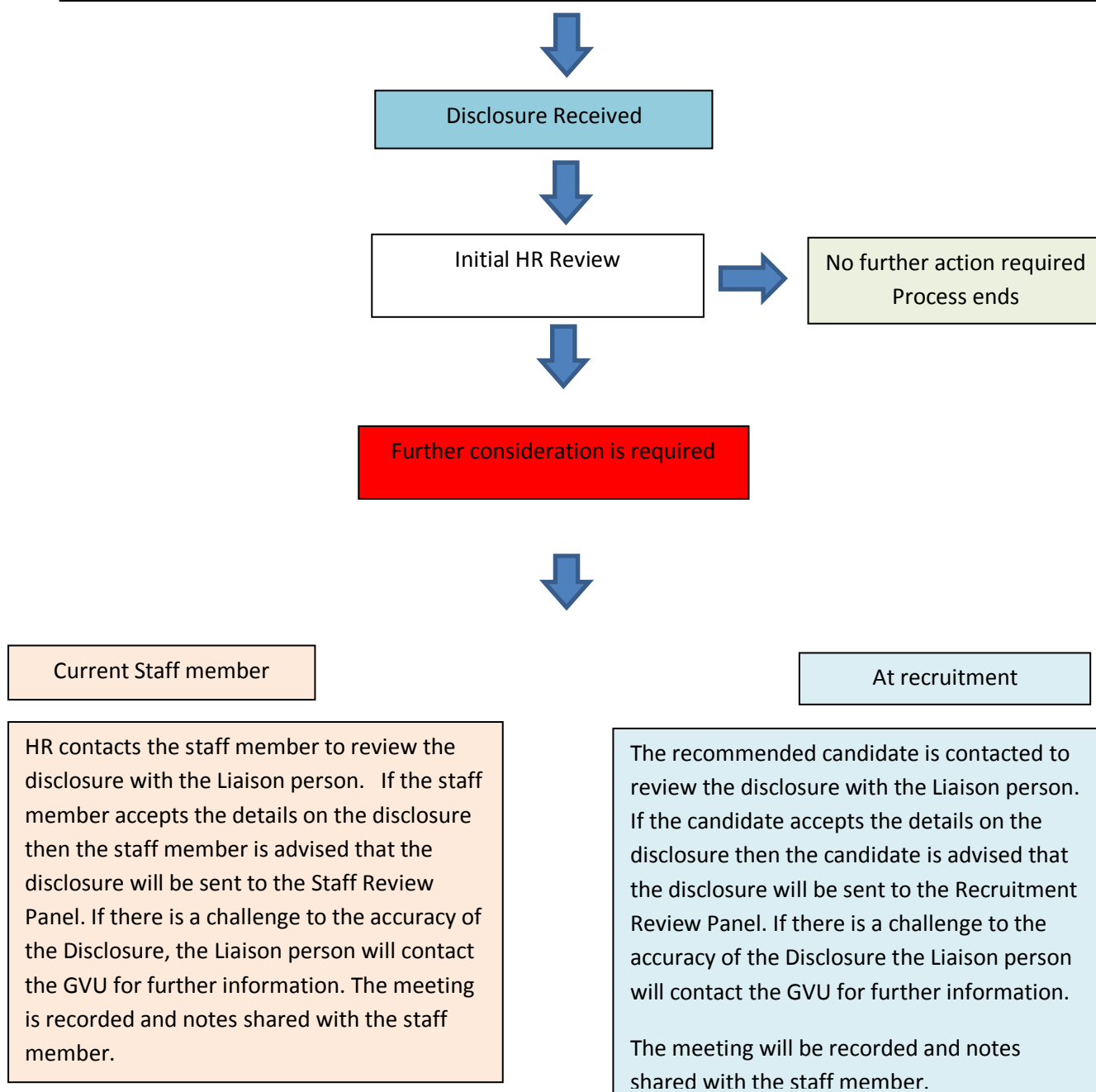
General principles

1. Confidentiality is paramount to all stages of the process. Any data received from the National Vetting Bureau of the Garda Síochána, in respect of any individual is for the sole use of the Liaison person and dedicated HR staff. All data disclosed will be managed and protected within the statutory provision of the Data Protection Acts 1998 and 2003, and any other legislation that may be enacted in respect of data protection. As recommended by the Office of the Data Protection Commissioner, vetting disclosures will be routinely deleted one year after they are received except in exceptional circumstances. Only the reference number and date of disclosure will be kept on file in case of future queries or issues in relation to a vetting disclosure.
2. At all stages in the process the principles of Natural Justice applies
3. All panels must have gender balance.

4. All panels must take account of the following Disclosure Guidance: There are no rigid guidelines to determine what constitutes is an acceptable disclosure and what is not and therefore any decisions made should be based on a reasonable belief of risk towards a child/vulnerable adult in TU Dublin.

When dealing with disclosures, decisions should be based on the following factors:

- The nature of the offence and its possible relevance to the post;
- The age of the offence (offences many years in the past may be less relevant than more recent offences) and the age of the candidate at the time of the offence;
- The frequency of the offence (a series of offences will give more cause for concern than an isolated minor conviction).
- There are many convictions that might deem an individual unsuitable for appointment, panel members will be guided in relation to such offences.



On receipt of further information from the GUV, the Liaison person will contact the staff member and update them. If there is no change to the disclosure, the staff member will be advised that the disclosure will be sent to the Staff Review panel for decision.

On receipt of further information from the GUV, the Liaison person will contact the candidate and update them. If there is no change to the disclosure, the candidate will be advised that the disclosure will be sent to the Recruitment Review Panel for decision.

Staff Review Panel will make a decision based on all the evidence provided.

Recruitment Review Panel will make a decision based on all of the evidence provided.



The Staff Review Panel may recommend:

1. No action to be taken
2. An accommodation to mitigate risk and allow continued employment.
3. Make an immediate referral to the relevant Senior Manager under the Disciplinary Procedures, indicating the appropriate sanction.

The staff member will be advised in writing.

Recruitment Review Panel may recommend that

- 1) The application should proceed to offer stage
- 2) The application should not proceed to offer stage.

The candidate can appeal to the Appeal Panel and the decision of the Appeal Panel is final.

SCHEDULE 2

Section 2

MANDATED PERSONS

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

1. Registered medical practitioner within the meaning of section 2 of the Medical Practitioners Act 2007.
2. Registered nurse or registered midwife within the meaning of section 2(1) of the Nurses and Midwives Act 2011.
3. Physiotherapist registered in the register of members of that profession.
4. Speech and language therapist registered in the register of members of that profession.
5. Occupational therapist registered in the register of members of that profession.
6. Registered dentist within the meaning of section 2 of the Dentists Act 1985.
7. Psychologist who practises as such and who is eligible for registration in the register (if any) of members of that profession.
8. Social care worker who practises as such and who is eligible for registration in accordance with Part 4 of the Health and Social Care Professionals Act 2005 in the register of that profession.
9. Social worker who practises as such and who is eligible for registration in accordance with Part 4 of the Health and Social Care Professionals Act 2005 in the register (if any) of that profession.
10. Emergency medical technician, paramedic and advanced paramedic registered with the Pre-Hospital Emergency Care Council under the Pre-Hospital Emergency Care Council (Establishment) Order 2000 (S.I. No. 109 of 2000).
11. Probation officer within the meaning of section I of the Criminal Justice (Community Service) Act 1983.
12. Teacher registered with the Teaching Council.
13. Member of An Garda Síochána.
14. Guardian *ad litem* appointed in accordance with section 26 of the Child Care Act 1991.
15. Person employed in any of the following capacities:
 - (a) manager of domestic violence shelter;
 - (b) manager of homeless provision or emergency accommodation facility;
 - (c) manager of asylum seeker accommodation (direct provision) centre;
 - (d) addiction counsellor employed by a body funded, wholly or partly, out of moneys provided by the Oireachtas;
 - (e) psychotherapist or a person providing counselling who is registered with one

of the voluntary professional bodies;

- (f) manager of a language school or other recreational school where children reside away from home;
- (g) member of the clergy (howsoever described) or pastoral care worker (howsoever described) of a church or other religious community;
- (h) director of any institution where a child is detained by an order of a court;
- (i) safeguarding officer, child protection officer or other person (howsoever described) who is employed for the purpose of performing the child welfare and protection function of religious, sporting, recreational, cultural, educational and other bodies and organisations offering services to children;
- (j) child care staff member employed in a pre-school service within the meaning of Part VII A of the Child Care Act 1991;
- (k) person responsible for the care or management of a youth work service within the meaning of section 2 of the Youth Work Act 2001.

16. Youth worker who-

- (a) holds a professional qualification that is recognised by the National Qualifications Authority in youth work within the meaning of section 3 of the Youth Work Act 2001 or a related discipline, and
- (b) is employed in a youth work service within the meaning of section 2 of the Youth Work Act 2001.

17. Foster carer registered with the Agency.

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

APPENDIX 19 – MANDATED PERSONS IN TU DUBLIN

SCHEDULE 2 OF CHILDREN FIRST ACT 2015

1.	<p><u>Doctors</u> Dr Amanda Cotter <i>Health Centre, TU Dublin, Blanchardstown</i></p>
2.	<p><u>Practice Nurses</u> Elaine Peden Jennie Scott <i>Health Centre TU Dublin, Aungier Street</i></p> <p>Helen Byrne <i>Health Centre TU Dublin, Linenhall</i></p> <p><u>College Nurses</u> Aisling Moore <i>TU Dublin, Blanchardstown</i></p> <p>Orlagh Fleming Michelle Cresswell <i>Health Centre TU Dublin, Tallaght</i></p>
15 (g)	<p><u>Co-ordinator of Pastoral Care & Chaplaincy Service, TU Dublin, Grangegorman</u> Rev. Alan Hilliard <i>TU Dublin, Bolton Street</i></p>
15 (g)	<p><u>Chaplains</u> Andrew Somerville <i>TU Dublin, Aungier Street</i></p> <p>Sarah Marshall <i>TU Dublin, Aungier Street</i></p> <p>Finbarr O’Leary <i>TU Dublin, Cathal Brugha Street</i></p> <p>Fionnuala Walsh <i>TU Dublin, Kevin Street</i></p> <p>Sr. Bernadette Purcell <i>TU Dublin, Tallaght</i></p>
15 (e)	<p><u>Student Counsellors</u> Éamonn Ó Dochartaigh <i>TU Dublin, Aungier Street</i></p> <p>Scott Ahern <i>TU Dublin, Cathal Brugha Street</i></p>

Joseph Donohue
TU Dublin, Bolton Street (Linenhall)

Jennifer Hughes
TU Dublin, Grangegorman

Clodagh Ni Ghallachoir
TU Dublin, Blanchardstown

Aisling O'Brien
TU Dublin, Tallaght