

# MoLI Child Protection & Welfare Policy 2022

## Including, MoLI's Child Protection and Safeguarding Guidelines for Online Events.

This document sets out the requirements for working with children at MoLI in accordance with the Children First Act 2015, the Children First National Guidance for the Protection and Welfare of Children.

It is distributed as part of the information pack for all volunteers, interns and staff.

This document will also be made available to teachers, parents/guardians and other responsible adults working with children on MoLI's projects and programmes. It is hoped that this policy will prove a practical and useful addition to best practice in working with children and young people and to help the staff, volunteers, interns, writers and artists who work with MoLI.

It will also be available on our website.

1. **Original policy: 28th June, 2019** (Created by Jennie Ryan, Learning Manager with input from Mark O'Neill - Head of Operations, Rachel Ennis - Visitor Experience Manager and Simon O'Connor - Director)
2. **MoLI's Child Protection and Safeguarding Guidelines for Online Events: June 2020** (Created by Jennie Ryan, head of Learning & Culture)
3. **Review of Policy, to include Online Events : 27th June 2022** (Jennie Ryan, Head of Learning & Culture with input from Mark O'Neill - Head of Operations and Simon O'Connor - Director)



## Contents

Section 1	Child Protection Policy Statement
Section 2	Relevant Person - DLP, Deputy DLP
Section 3	Code of Behaviour
Section 4	Responding to and Reporting Child Protection or Welfare Concerns
Section 5	Working safely with children
Section 6	Recruitment of staff and volunteers
Section 7	Confidentiality
Section 8	Complaints and comments procedure
Section 9	Accidents Procedure
Section 10	Involvement of Primary carers
Section 11	Policy Review
Appendix 1	Definitions of Abuse
Appendix 2	MoLI Anti-Bullying Statement
Appendix 3	Contact details for TUSLA Social Work Department's/Gardai Info
Appendix 4	TUSLA child protection and welfare report form
Appendix 5	MoLI Learning Department Incident Form
Appendix 6	Guidelines for Safeguarding Vulnerable Persons
Appendix 7	MoLI Positive Behaviour Policy & Guidelines for Online Events
Appendix 8	Declaration of understanding

# Section 1: Child Protection Policy Statement

MOLI'S COMMITMENT TO SAFEGUARDING, GUIDING PRINCIPLES, KEY ROLES IN SAFEGUARDING.

## Introduction

Our vision is to create the world's most significant literary museum, bring visitors on an inspiring journey through Irish writing, and encouraging them to explore their own creative potential.

Our mission is to exhibit materials which relate to the literary culture of Ireland from its earliest forms to the present, with a special focus on the work of James Joyce, both within the museum's buildings and online; to collect, preserve, and interpret these materials and encourage an exploration of creativity, reading and writing through educational and artistic interventions for visitors and guests; to provide space and a collaborative resource for the research and development of projects fostering connections to Joyce and writing in Ireland up to and including the present day.

## MoLI's interaction with children

We at MoLI are committed to safeguarding the well-being of children who are participating in workshops and events run at our museum and at off-site locations.

Every year, thousands of young people will enjoy the learning opportunities provided by MoLI, visiting with family and friends, or as part of an organised group. We provide different services to young people throughout our museum and online, exhibition spaces, learning room and gardens; as visitors to the museum, as participants at family events, and creative participants in group workshops and residencies with hybrid blended learning options.

## Policy Statement

MoLI's child protection policy stems from the following principles:

- The welfare of the child is paramount. This is the guiding principle underpinning all our work with children.
- The safety and welfare of children is everyone's responsibility.
- Per the Child Care Act 1991, a child is defined as a person under the age of 18 years, excluding a person who is or has been married. This definition includes the term young people.
- All children, regardless of age, any disability they may have, gender, race, family status, marital status, religious belief, sexual orientation, membership of the Traveller community, geographical location, or socio-economic status have a right to protection from abuse.
- The need to comply with current statutory requirements and guidance on the protection of children.

### Basis of the policy:

The primary function of this policy is the promotion of a safe environment for children, the prevention of abuse and the protection of staff and volunteers through the application of a Code of Behaviour.

- Safe and protected environment: The safety and welfare of children is paramount. The most important function of this policy is to create a safe and protected environment for children and to enjoy expressing themselves through creativity.
- Prevention and education: This policy also aims to prevent abuse from occurring and to educate staff and volunteers on the subject.

### Who is this policy for:

This policy is applicable to all staff employed by MoLI and also applies to all volunteers, including visiting writers and artists, as well as at staff at both site-based programmes and external MoLI-sponsored events and activities.

It is the responsibility of the Head of Learning & Culture/ Head of Operations to ensure that every new staff member and volunteer:

1. Receives a copy of the Child Protection Policy
2. Understands and signs the Code of Behaviour
3. Receives training on the subject matter

All staff members and volunteers will:

1. Be provided with an adequate level of supervision, support and review of work practice
2. Be provided with child protection training at induction. All staff will complete [Tusla Online Child Protection E-Learning](#) and send their completed cert to Head of Learning.
3. Writers, artists and volunteers doing one-off or sessional work will be issued with an information pack and required to sign a copy of the child protection policy
4. All volunteers, including visiting writers and artists, will agree to abide by the MoLI child Protection Policy.

## Section 2: Designated Liaison Person(S)

Relevant Service and Relevant Person

The Children First Act 2015 defines a ‘provider’ as “a person—

(a) who provides a relevant service, and

(b) who, in respect of the provision of such relevant service—

(i) employs (whether under contract of employment or otherwise) one or more than one other person to undertake any work or activity that constitutes a relevant service

(ii) enters into a contract for services with one or more than one other person for the provision by the person of a relevant service, or

(iii) permits one or more than one other person (whether or not for commercial or other consideration and whether or not as part of a course of education or training, including an internship scheme) to undertake any work or activity, on behalf of the person, that constitutes a relevant service.”

Under the Children First Act 2015, MoLI is a relevant service providing creative learning programmes to children. As such, we will ensure, as far as is practicable, that all children are safe from harm while availing of our services.

Per the Children First Act 2015, MoLI has:

- Performed assessment of any potential for harm to a child while availing of our services
- Prepared a written Child Safeguarding Statement specifying the service being provided and the principles and procedures to be observed to ensure as far as practicable, that a child, while availing of the service, is safe from harm for use at all MoLI locations
- Appointed a Relevant Person
- Displays the child safeguarding statement in a prominent place where the relevant service concerned relates or is provided, or both, as may be appropriate.

Relevant Person:

The 'Relevant Person' is a person who is appointed by MoLI to be the first point of contact in respect of MoLI's Child Safeguarding Statement. Their name and contact details are included in the statement.

The Designated Liaison Person:

The Designated Liaison Person(DLP) will be available on call. In the absence of the DLP, due to illness or holiday, the Deputy (Deputy DLP) will be on-call on the same basis. In cases where it is inappropriate for the Designated Person to investigate issues, i.e. an allegation against the Designated Person, the deputy, supported by the Chairperson of MoLI will take on the role of Designated Person.

Responsibility for the Policy: The Designated Liaison Person. MoLI's Designated Liaison Person is, Jennie Ryan, Head of Learning & Culture.

The primary responsibilities of the Designated Liaison Person are:

- Ensuring that the standard reporting procedure is followed so that suspected cases of child neglect and abuse and neglect and abuse are referred promptly to the designated person in the Tusla, the Child And Family Agency or, in the event of an emergency and the unavailability of the Tusla, the Child and Family Agency, to An Garda Síochána.

- Ensuring that they are knowledgeable about child protection and undertake any training considered necessary to keep themselves updated on new developments.

#### Roles and responsibilities of DLP/Deputy DLP:

1. Be fully familiar with MoLI's duties in relation to the safeguarding of children.
2. To be the first internal point of contact in the case of a report about the Code of Practice being breached. The Designated Liaison Person then has an obligation to report breaches to the Director.
3. Have good knowledge of MoLI's guiding principles and child safeguarding procedures.
4. Ensure that the organisation's reporting procedure is followed, so that child protection and welfare concerns are referred promptly to Tusla.
5. Receive child protection and welfare concerns from staff members and volunteers, and consider if reasonable grounds for reporting to Tusla exist.
6. Consult informally with a Tusla Duty Social Worker if necessary.
7. Where appropriate, make a formal report of a child protection or welfare concern to Tusla on behalf of MoLI, using the Child Protection and Welfare Report Form.
8. Inform the child's parents/guardians that a report is to be submitted to Tusla or An Garda Síochána, unless:
  - Informing the parents/guardians is likely to endanger the child or young person;
  - Informing the parents/guardians may place you as the reporter at risk of harm from the family;
  - The family's knowledge of the report could impair Tusla's ability to carry out an assessment.
9. Record all concerns or allegations of child abuse brought to their attention as well as any action/inaction taken in response to these concerns.
10. Provide feedback to the referrer, as appropriate.
11. Ensure that a secure system is in place to manage confidential records.
12. Act as a liaison with Tusla and An Garda Síochána, as appropriate.
13. Where requested, jointly report with a mandated person.
14. Advise on good practice - Organise and/or facilitate training and workshops on guidelines in child protection.
15. Keep up-to-date on current developments regarding provision, practice, support services, legal obligations/requirements and policy.



The Relevant Person is: **Jennie Ryan, Head of Learning & Culture**

MoLI, UCD Naughton Joyce Centre, 86 St Stephen's Green, Saint Kevin's, Dublin, D02 XY43

The Deputy Liaison Person is: **Mark O'Neill, Head of Operations.**

MoLI, UCD Naughton Joyce Centre, 86 St Stephen's Green, Saint Kevin's, Dublin, D02 XY43

## Section 3: Code Of Behaviour

### STANDARDS OF BEHAVIOUR

By setting out appropriate and inappropriate behaviour, this code will not only help to protect children, but also staff, interns and volunteers at MoLI. At MoLI, this is supported by our Positive Behavior Policy (see Appendix 7.)

Our two guiding principles when working with children are Creativity and Goodwill, which are derived from MoLI's 7 core values.

**Creativity** - The raw energy of creativity is transformative: we believe that all members of our society should be empowered to harness their creative potential.

**Goodwill** - We endeavour to treat our staff, visitors and partners with unfailing good humour, honesty and goodwill.

We expect everyone working with children in a paid or voluntary capacity for MoLI to take every possible precaution to avoid situations that could be misinterpreted and/or a breach of the either the Child Protection Policy or Health and Safety Policy.

<b>Do</b>	Treat all children equally.
<b>Do</b>	Listen and hear – and give time to the child to say what s/he wants to say.

<b>Do</b>	Be friendly and approachable. Promote an atmosphere of creativity, openness, acceptance and fun in the centre.
<b>Do</b>	Respect a child or right to personal privacy and personal space.
<b>Do</b>	Be aware of situations that present risks and manage these risks appropriately. Always ask a member of staff if you are unsure.
<b>Do</b>	Safeguard the best interests and welfare of the child where it is recognised that they are unable to make their own decisions and/or protect themselves, their assets or their bodily integrity and ensure appropriate and accountable protection for them.
<b>Do</b>	Use only appropriate language in working with children – no cursing or swearing.
<b>Do</b>	<p>Ensure that an appropriate ratio of adults to children is in place. For school workshops, the ratio should be not more than 8:1.</p> <ul style="list-style-type: none"> <li>• The minimum adult/young person ratio in any group should ideally be one adult per group of eight young people, plus one other adult, and allowing an additional adult for each group of eight thereafter.</li> <li>• Safety, ability/disability of young people and the nature and/or location of the activities being undertaken may require that the 8:1 ratio be lowered considerably.</li> </ul>
<b>Do</b>	Always treat children with respect - don't embarrass them. Do not ridicule, insult or make little of anyone during an activity.
<b>Do</b>	Recognise that caution is required, particularly sensitive moments such as dealing with a child or vulnerable adult who becomes upset. Always seek support from another team member, staff or a teacher/ carer if required.

<b>Do</b>	Ensure, in so far as possible, that the building and/or facilities used for activities with children and are safe and secure for the people in it. All occupied parts of the building should be monitored and parts not in use should be isolated or secured, e.g. the door to the office should be shut.
<b>Do</b>	Plan for a minimum of two adults to be present at all times. Plan activities so that they involve more than one person being present or at least in sight or hearing of others.
<b>Do</b>	Carry identification when attending a school or other location on behalf of MoLI.
<b>Do</b>	Make sure that a responsible adult, e.g. a teacher, is always present for group programmes, both at MoLI, and when visiting a school or conducting programmes in outside venues on behalf of MoLI

<b>Avoid</b>	Doing things of a personal nature that children can do for themselves. Staff members and volunteers are not responsible for the personal hygiene needs of children. Notify the Designated Liaison Person if a child or vulnerable adult needs assistance.
<b>Avoid</b>	Allowing yourself to be drawn into inappropriate attention-seeking behaviours. Do your best to always remain calm.

<b>Do not</b>	During workshops, allowing unsupervised access to the MoLI wireless internet (wifi) connection and/or computer network
---------------	------------------------------------------------------------------------------------------------------------------------

<b>Do not</b>	Physically punish or be in any way verbally abusive to a child.
---------------	-----------------------------------------------------------------

<b>Do not</b>	Give a child your personal contact details, e.g. telephone number, social media contact information or email address.
<b>Do not</b>	Use alcohol, tobacco or drugs in the company of children. Staff and volunteers must not attend any MoLI programmes under the influence of alcohol or drugs.
<b>Do not</b>	Arrange external meetings or contact children outside the group or project. Do not offer lifts to children in your car.
<b>Do not</b>	Do not take photographs of children unless you have prior school, carer or parental consent to do so.
<b>Do not</b>	Permit abusive peer activities such as bullying. Bullying behaviour can be defined as repeated aggression, be it verbal, psychological or physical, which is conducted by an individual or group against others.

<b>Do</b>	Report any incidents or suspected incidents of bullying behaviour to the Designated Liaison Person immediately. Bullying will be addressed in accordance with MoLI Anti-bullying policy, found in Appendix 2.
<b>Do not</b>	Allow or engage in suggestive remarks, gestures or touching of a kind which could be misunderstood. If you have to touch a child or vulnerable adult, ask their permission where possible. In some cases, you may not have time to ask permission, for example, preventing fingers from being caught in a door. In these cases, always explain your actions after the event. See the “Physical Contact” section below for more information.
<b>Do not</b>	Allow any physically rough or sexually provocative games, or inappropriate talking or touching, by anyone in any group for which you have responsibility.

<b>Do not</b>	Allow conversations with children that encourage personal comments or show favouritism.
<b>Do not</b>	Talk about the children in front of the children. If you have a question about how best to work with a particular child, excuse yourself away from the child and ask a member of staff.
<b>Do not</b>	Allow children to use dangerous equipment without supervision, e.g. scissors. Do not share your personal items.
<b>Do not</b>	Allow use of mobile phones during workshops unless absolutely necessary.
<b>Do not</b>	Under any circumstances attempt to deal with any problems or challenging behaviour alone. If an activity – the event itself or peer activities between children – is getting out of hand or unsafe, notify the group leader or a member of staff immediately.

#### Physical Contact:

Physical touch should only occur when it is appropriate to the age/development of the child and in response to particular needs of the child. There will be instances when physical contact is unavoidable and in fact necessary.

<b>Appropriate</b>	<b>Inappropriate</b>
<ul style="list-style-type: none"> <li>Context-dependent touch within a controlled and supervised environment (e.g. demonstration of dance, positioning, supporting a lift, demonstrating a breathing technique)</li> </ul>	<ul style="list-style-type: none"> <li>Touch which is unnecessary, unexplained, out of context, without consent</li> </ul>

<ul style="list-style-type: none"> <li>Context-dependent touch within a controlled and supervised environment (e.g. demonstration of dance, positioning, supporting a lift, demonstrating a breathing technique)</li> </ul>	<ul style="list-style-type: none"> <li>Any touch to breast, groin or buttocks areas</li> </ul>
<ul style="list-style-type: none"> <li>Context-dependent touch within a controlled and supervised environment (e.g. demonstration of dance, positioning, supporting a lift, demonstrating a breathing technique)</li> </ul>	<ul style="list-style-type: none"> <li>Kissing or hugging</li> </ul>
<ul style="list-style-type: none"> <li>Preventing injury (e.g. catching a falling child, appropriate restraint)</li> </ul>	<ul style="list-style-type: none"> <li>Slapping/hitting (even in jest)</li> </ul>
<ul style="list-style-type: none"> <li>Handshake and “high fives”</li> </ul>	<ul style="list-style-type: none"> <li>Holding hands</li> </ul>

<ul style="list-style-type: none"> <li>Fitting safety equipment (e.g. harness, safety restraint)</li> </ul>	<ul style="list-style-type: none"> <li>Sitting in lap</li> </ul>
-------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------

Young children particularly will often demonstrate affection. Staff and volunteer training and induction will include best practices and methods of how to best respond when a child tries to hug, wants to hold hands, etc.

Breaches of the Code of Behaviour by Staff and Volunteers:

Any breaches of the Code of Practice will be raised with the individual concerned. In the case of staff, serious breaches of the code or policy will be dealt with under the disciplinary procedure and could result in disciplinary action up to and including dismissal.

In the case of volunteers, serious breaches of the code or policy will be dealt with under the Complaints Against Volunteers procedure in the Volunteer Policy and could result in disciplinary action up to and including a termination of the volunteering relationship.

If you have a concern or complaint that is related to Code of Behaviour you can speak to the DLP, Jennie Ryan. The Designated Liaison Person will liaise with the Deputy DLP, Mark O'Neill and the Director, Simon O'Connor and assess the situation and conduct an investigation if necessary.

Any allegation will be investigated confidentially in order to safeguard the rights of the person against whom allegations have been made.

## Section 4: Responding to and Reporting Child Protection or Welfare Concerns

WHAT TO DO IF YOU THINK A CHILD MAY BE BEING ABUSED - DOING NOTHING IS NOT AN OPTION!

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

Staff Responsibilities at MoLI:

Children First: National Guidance for the Protection and Welfare of Children refers to the role of the Designated Liaison Person (DLP) and Deputy DLP. Best practice in child safeguarding indicates that organisations working with children/young people or their families should appoint a DLP to be the resource person to any staff member or volunteer who has child protection concerns and to liaise with outside agencies. The role of the DLP is to receive child protection and welfare concerns from staff members/volunteers and to report concerns which meet the threshold of 'reasonable grounds for concern' to Tusla.

If a concern relates to the DLP, reports should be made directly and in confidence to the Director of MoLI.

If a concern relates to the Director, reports should be made directly and in confidence to the Designated Liaison Person.

At MoLI, the Designated Liaison Person is Jennie Ryan, Head of Learning & Culture. Mark O'Neill, the Head of Operations is The Deputy Designated Liaison Person.

Under the Children First Act 2015, mandated persons have a statutory obligation to report concerns which reach or exceed a legally defined threshold (see section 14 of the Children First Act 2015) and to cooperate with Tusla in the assessment of mandated reports, where requested to do so.

Jennie Ryan, Head of Learning & Culture, is a mandated person under the Children First Act 2015.

The term ‘harm’ is used as defined in the Children First Act 2015: ‘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”.

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

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

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

he or she shall, as soon as practicable, report that knowledge, belief or suspicion, as the case may be, to [Tusla].”

Also, Section 14(2) of the Children First Act 2015 places obligations on mandated persons to report any disclosures made by a child:

“Where a child believes that he or she—

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

and discloses this belief to a mandated person in the course of a mandated person’s employment or profession as such a person, the mandated person shall, ... as soon as practicable, report that disclosure to [Tusla].”



## Types of Child Abuse and How They May Be Recognised:

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 should consider it a child welfare and protection issues for both children and you should 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.

A child/young person will sometimes confide in a staff member or volunteer that they have been abused or someone may witness incidents which suggest that a child/young person is being harmed. Often it is a case of a staff member/volunteer feeling worried and concerned about certain signs they are picking up on, such as poor hygiene; a child/young person always appearing hungry, listless and tired; a lack of suitable clothing; or unexplained physical injuries. Other indicators may be related to the child/young person's behaviour, such as being aggressive, impulsive or withdrawn. A cluster or pattern of signs is more likely to be indicative of neglect or abuse.

Definitions of the four types of abuse are found in Appendix 1.

## Identifying Reasonable Grounds for Concern:

Tusla should always been informed when a staff member or volunteer has reasonable grounds for concern that a child may have been, is being, or is at risk of being abused or neglected.

If you ignore what may be symptoms of abuse, it could result in ongoing harm to the child. It is not necessary for you to prove that abuse has occurred to report a concern to Tusla. All that is required is that you have reasonable grounds for concern.

It is Tusla's role to assess concerns that are reported to it. If you report a concern, you can be assured that your information will be carefully considered with any other information available and a child protection assessment will be carried out where sufficient risk is identified.

Reasonable grounds for a child protection or welfare concern include:

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

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

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

Protection for Making Reports in Good Faith:

The Protections for Persons Reporting Child Abuse Act 1998 protects you if you make a report of suspected child abuse to designated officers of Tusla, the Health Service Executive (HSE) or to members of the Gardaí as long as the report is made in good faith and is not malicious. Designated officers also include persons authorised by the Chief Executive Officer of Tusla to receive and acknowledge reports of mandated concerns about a child from mandated persons under the Children First Act 2015.

Questions That May Help When Staff or Volunteers are Concerned About A Child's Welfare

- Is the child behaving normally for his or her age and stage of development?
- Is what the child has written/drawn appropriate to his or her age?
- Has something happened that could explain the child's behaviour?
- Is the child showing signs of distress? If so, describe (e.g. behavioural, emotional, physical signs).
- Is the child suffering?
- Does the behaviour restrict the child socially?
- What effect, if any, does it have on others (e.g. other children)?
- What are the child's parent(s)' views, if known?

If a child tells you they are being abused:

(BASED ON TUSLA, CHILD SAFEGUARDING: A GUIDE FOR POLICY, PROCEDURE AND PRACTICE, P34)

- A child or young person may disclose to a staff member 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 staff member or volunteer that he or she is being harmed by someone, be it a parent/carer, another adult or by another child/young person (peer abuse), it should be treated in a sensitive way.
- Remember, a child 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.
- Remember, the child may initially be testing your reactions and may only fully open up over a period of time.
- Listen to what the child has to say. Give them time and opportunity to tell as much as they are able and wish to tell.
- Do not pressurise the child. Allow him or her to disclose at their own pace and in their own language.
- Conceal any signs of disgust, anger or disbelief.
- 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 therefore important to avoid expressing any judgement on, or anger towards, the alleged perpetrator while talking to the child/young person.

This legal protection means that even if you report a case of suspected child abuse and it proves unfounded, a plaintiff who took an action would have to prove that you had not acted reasonably and in good faith in making the report. If you make a report in good faith and in the child's best interests, you may also be protected under common law by the defence of qualified privilege. See [www.tusla.ie/children-first](http://www.tusla.ie/children-first) for full details.

It may be necessary to reassure the child that your feelings toward him or her have not been affected in a negative way as a result of what they have disclosed.

### When Asking Questions:

- Questions should be supportive and for the purposes of clarification only.
- Avoid asking 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 or suggestions could complicate the official investigation.

### Confidentiality. Do not Promise to Keep Secrets:

- 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 with the relevant statutory authorities and with parents/guardians.
- No undertakings regarding secrecy can be given. Those working with children/young people and families and in adult services should make this clear to parents/guardians and the child/young person.
- The proportionate provision of information to the statutory agencies necessary for the protection of a child is not a breach of confidentiality or data protection.
- Parents/guardians and children/young people 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.

### Confidentiality in Practice: At the earliest opportunity, tell the child 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 should 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 ongoing hurt. By refusing to make a commitment to secrecy to the child, you do run the risk that they may not tell you everything (or indeed, anything) there and then. It is better, however, to do this than to tell a lie and ruin the child's confidence in yet another adult. By being honest, it is more likely that the child will return to you at another time.

### Reporting procedures: At the earliest possible opportunity:

- Record in writing, in a factual manner, what the child has said, including as far as possible the exact words used by the child.

- Inform the DLP immediately and agree measures to protect the child, i.e. report the matter directly to the Tusla, the Child and Family Agency.

Think Before You Promise Anything – do not make promises that you cannot keep.

Responding To A Disclosure:

Things To Say	Things Not To Say
I want to listen to what you have to say	Wait until I get my manager so you can tell him/her too
I am going to do my best to help you	I can't do anything I'm afraid
You did the right thing by telling me, this is what I am going to do next	I can't believe it, I'm in shock
You are not to blame	This is all your fault
Is there anything else you want to share?	Stop, don't tell me anymore

Ongoing Support:

Following a disclosure by a child, it is important that the staff member or volunteer continues in a supportive relationship with the child. Disclosure is a huge step for a child.

Staff members or volunteers should continue to offer support, particularly through:

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

Responding to adults who disclose childhood abuse:

There are an increasing number of adults disclosing abuse that took place during their childhood. They also sometimes arise in adult services and services which work with parents/guardians and families.

Where such a disclosure is made it is essential to establish whether there may be current risk to any child or young person who may be in contact with the alleged abuser revealed in the disclosure. This is important even where the children/young people about whom there may be a concern are still to be identified.

If any risk is deemed to exist to a child/young person who may be in contact with an alleged abuser, follow MoLI's child protection and welfare reporting procedure; any mandated person/DLP should report the allegation to Tusla without delay (see Children First: National Guidance for the Protection and Welfare of Children and the Child Protection and Welfare Practice Handbook for further information).

Certain professionals who work with adults are mandated persons and have a statutory obligation to report concerns of harm which meet or exceed the threshold for 'harm' as defined in the Children First Act 2015 (see Children First: National Guidance for the Protection and Welfare of Children for further information).

Bullying:

(CHILDREN FIRST: NATIONAL GUIDANCE FOR THE PROTECTION AND WELFARE OF CHILDREN, PG12)

- 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 orientation, 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 (LGBTQI+) children and those perceived to be LGBTQI+; 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. In cases of serious instances of bullying where the behaviour is regarded as possibly abusive, MoLI may need to make a referral to Tusla and/or An Garda Síochána. (Refer to Appendix 2 for MoLI's Anti - Bullying Statement and Positive Behaviour Policy and Guidelines for Online Events - Appendix 7 )

If in doubt, check it out!

If you really are uncertain whether your concerns are well founded, or what to do for the best, you can get advice from a Tusla, the Child and Family Agency duty social worker.

Procedure for Making A Formal Referral to the Tusla, the Child and Family Agency:

If you identify a child as being at risk of harm – you must act. Paragraph 3.7.3 of: National Guidance (2017) states that “it is the responsibility of all agencies working with children and for the public to recognise child protection concerns and share those with the agencies responsible for assessing or investigating them, not to determine whether the child protection concerns are evidenced or not.”

In the first instance, if possible, make telephone contact with the Duty Social Worker, or if out-of-hours or in an emergency, with the Gardaí.

The [Tusla Duty Social Work Team](#) for the area can be contacted on Tel 01 6486555 , Monday to Friday, 9am to 5pm.

UNDER NO CIRCUMSTANCES SHOULD A CHILD BE LEFT IN A SITUATION THAT EXPOSES HER OR HIM TO HARM.

In out-of-hours or emergency cases, if you think a child is in immediate danger and you cannot reach a [Tusla Duty Social Worker](#), you should contact the Gardaí on 999/112. Or, [Kevin St Garda Station](#), 41 Kevin Street Upper, Wood Quay, Dublin Phone: (01) 666 9400

The following procedures should be followed:

The Designated Liaison Person should make a referral to the Tusla, the Child and Family Agency by using the Standard Report Form (Appendix 4)

- The Standard Report Form can be accessed directly from the Tusla, the Child and Family Agency at <http://www.tusla.ie/children-first/publications-and-forms>
- If you believe the concern is urgent and that there is imminent risk to a child, make the report by telephone and then follow it up with the completed form. The quality of the information you provide will influence the ability of the Tusla, the Child and Family Agency to respond.
- The completed Standard Reporting Form must contain as much of the following as possible:

Accurate identifying information – including all known full names and surnames, addresses, date of birth, age, the name of the child’s school, disability if applicable, ethnicity, first language (need for interpreter, if known) of the child(ren) and all the known members of his or her family and other adults living in the household. In cases of suspected abuse and neglect, family members should not be used as interpreters.

The report should also include:

- Names and addresses of the parents/carers of the child
- The relationship to the child of the person making the report
- The name, address and details of the person allegedly causing concern in relation to the child or children
- The names and addresses of other personnel or agencies involved with the child or children, e.g. GP, social worker, public health nurse, Gardaí, etc.



Details of the concern, allegation or incident – outline the exact nature of the concern: include dates, times and names of persons present. It is important to describe any observed injuries or behaviours that may be linked to the incident. In cases where neglect or abuse is indicated over time, the reporter should be encouraged to provide a chronology of the evidence or symptoms in the child that gave rise to the concern. The report should include the name and contact details of the person reporting the concerns and whether that person is a professional, a person working with children or a member of the public.

- Views of the parent/carer and views of the child (where age appropriate) – the reporter must provide any accounts of the parents’ or child’s views about the concern that are known to them.
- Any other relevant information
- A copy will be kept for MoLI’s records and the original sent to the Tusla, the Child and Family Agency.

Cases Not Reported to Tusla or An Garda Síochana:

- In those cases where MoLI decides not report concerns to Tusla or An Garda Síochana, the individual staff member or volunteer who raised the concern will be given a clear written statement of the reasons why the organisation is not taking such action. The staff member or volunteer will be advised that if they remain concerned about the situation, they are free as individuals to consult with, or report to, Tusla or An Garda Síochana. The provisions of the Protections for Persons Reporting Child Abuse Act 1998 apply once they communicate “reasonably and in good faith.”

Allegations against a staff member or volunteer of MoLI: An allegation of abuse may relate to a person who works with children who has:

- Behaved in a way that has or may have harmed a child/young person;
- Possibly committed a criminal offence in relation to a child/young person;
- Behaved towards a child/young person or children/young people in a way that indicates they may pose a risk of harm to a child/young person;
- Behaved in a way that is contrary to the organisation’s code of behaviour for staff members and volunteers;
- Behaved in a way that is contrary to professional practice guidelines

Reporting allegations of abuse made against staff/volunteers to Tusla. The agreed reporting procedure should always be followed by mandated persons and/or the DLP. In addition:

1. Management must be alerted to the allegation by the reporter, whether mandated person or DLP;
2. The first priority is for the safety of the child/young person; management must make sure that no child or young person is exposed to unnecessary risk;
3. Parents/guardians should be informed of any action planned while having regard to the confidentiality rights of others, such as the person against whom the allegation has been made.
4. Tusla's National Policy and Procedure for Responding to Allegations of Abuse and Neglect will be applied by Tusla when assessing allegations of abuse made against staff members or volunteers.

If an allegation is made against a staff member or volunteer, there are two procedures that MoLI will put in place:

1. The reporting procedure to Tusla in respect of the child/young person and the alleged abuser.
2. The internal procedure for dealing with the staff member/volunteer.

These procedures, according to Children First: National Guidelines for the Protection and Welfare of Children should be followed in the event of suspicion or disclosure of abuse against a staff member or volunteer. In this situation, MoLI must have due regard for the rights and interest of the child on one hand and those of the person against whom the allegation is made on the other hand.

The Director of MoLI (Simon O'Connor) will deal with the staff member/volunteer in question, while the Designated Liaison Person (Jennie Ryan)/Deputy DLP (Mark O'Neill) will have the responsibility of dealing with reporting the issue and supporting the child.

Staff members and volunteers may be subjected to erroneous or malicious allegations, therefore any allegation of abuse should be dealt with sensitively and support provided for staff as well as the child, including counselling where necessary. The primary goal, however, is to protect the child while taking care to treat the staff member/volunteer fairly.

MoLI internal personnel procedures for dealing with staff/volunteer allegations:

In the context of an allegation of abuse against a staff member/volunteer, the organisation's disciplinary procedures should ensure that fair procedure is followed and take account of the employment contract as well as the rules of natural justice. The following points should be incorporated into the procedure:

1. In making an immediate decision about the staff member's/volunteer's presence in the organisation, the Director should, as a matter of urgency, take any measures necessary to protect the child/young person. These should be proportionate to the level of risk to the child/young person; 'protective measures' do not presume guilt.
2. The Director should privately inform the staff member/volunteer that an allegation has been made against him or her and the nature of the allegation.
3. The staff member/volunteer should be afforded an opportunity to respond. The Director should note the response and pass on this information if making a formal report to Tusla. The staff member/volunteer should be offered the option to have representation at this stage and should be informed that any response may be shared with Tusla.
4. While Tusla will not provide advice on employment matters, advice and consultation with regard to risk to children/young people can be sought from the local Tusla social work office
5. The Director should ensure that actions taken by the organisation do not frustrate or undermine any investigations or assessments undertaken by Tusla or An Garda Síochána. The organisation should liaise closely with the investigating bodies to ensure this.
6. The requirements of fair procedure and natural justice mean that Tusla usually will not share the details of any assessment regarding allegations of abuse against a staff member/volunteer until the staff member/volunteer has had an opportunity to fully respond to the allegations and any findings and decisions of Tusla.
7. Disciplinary procedures should be developed by the organisation (see also Best Practice Theme 4.8 – Disciplinary Procedures).

When the Director of MoLI becomes aware of an allegation of abuse of a child or children by a staff member or volunteer, he will inform that person of the following:

- The fact that an allegation has been made against him/her
- The nature of the allegation

The staff member/volunteer will be afforded the opportunity to respond. The Director will note the response and pass on the information if and when a formal report is made to Tusla, the Child and Family Agency.

It is important to note that The Protection for Persons Reporting Child Abuse Act, 1998 applies equally to organisations provided they report the matter “reasonably and in good faith.”

MoLI accepts the possibility that a number of factors may have a bearing on the organisation and will need to be considered:

- Possible reactions of other members of staff/volunteers, including anger, disbelief, doubt, fear, shock, guilt, anxiety and confusion.
- The effects on the alleged abuser of the internal disciplinary proceedings, the child protection investigation and the criminal investigation.
- The reactions of other staff/volunteers and other children/young people towards the child/young person who has been abused or whose allegation is being investigated.
- The reaction of parents/carers and other family members of the child/young person.

NOTE: Should an allegation be made against the Director of MoLI, the Chair of the Board, Geoffrey Keating, will deal with all aspects of the situation.

If an allegation is made against a member of staff or volunteer, the following practical steps will be taken:

1. The Director of MoLI will deal with all aspects of the case relating to the staff/volunteers. It may be necessary for the Director to seek legal advice for any action following an allegation against a staff member/volunteer. A meeting will need to be arranged with Tusla or the Gardai to discuss the allegation.
2. The allegation will be assessed by the DLP to establish if there are reasonable grounds for concern and whether a formal report will be made to statutory authorities at this point. The DLP may wish to contact Tusla for advice on this.

3. The safety of the child/young person is the first priority of MoLI and all necessary measures will be taken to ensure that the child/young person is safe. The measures taken will be proportionate to the level of risk.
4. MoLI will ensure that no other children/young people are at risk during this period and will inform other relevant agencies or parents/carers as appropriate.
5. Pending the outcome of the investigation by the Tusla, the Child and Family Agency and/or the Gardaí, the measures which can be taken to ensure the safety of children and young people can include the following: suspension of duties of the person accused (with pay in the case of a staff member), reassignment of duties where the accused will not have contact with children/young people, working under increased supervision during the period of the investigation or other measures as deemed appropriate.
6. MoLI will notify the staff member/volunteer that an allegation has been made and what the nature of the allegation is. The staff member/volunteer has a right to respond to this and the response should be documented and retained.
7. MoLI will ensure that the principle of 'natural justice' will apply whereby a person is considered innocent until proven otherwise.
8. MoLI will work in co-operation with An Garda Síochána and Tusla, the Child and Family Agency, and any decisions taken on action in regard to the staff member/volunteer will be taken in consultation with these agencies.
9. The person against whom the allegation is made will need support during this period and MoLI will provide advice on how to access the relevant support services.
10. Parents/guardians of the child will be informed of the allegation, concern or disclosure unless doing so is likely to endanger the child.

And lastly, If you would like to discuss any of the issues raised in this child protection policy and procedures document or obtain further information, please contact Jennie Ryan ([learning@moli.ie](mailto:learning@moli.ie)) or Mark O'Neill ([mark@moli.ie](mailto:mark@moli.ie)), or refer to the list of useful contacts contained in Appendix 3.

## Section 5: Working Safely With Children

### Visits to Outside Organisations

MoLI's activities take place at the premises of MoLI, as well as online and with partners from different organisations.

There are times when MoLI staff and volunteers go out to schools, cultural institutions and other education centres/venues. In situations where MoLI staff are interacting with children offsite, there will be a discussion and exchange of child protection and welfare policies and if necessary training between our organization and the host venue and/or our programme partners.

Outside organisations may also be required to provide proof of public liability insurance.

### Events and Programming: Both at MoLI and External Venues

Staff and volunteers organising events that include children and young people must abide by this policy to ensure the safe participation of children and young people in MoLI activities.

Event organisers for one-off events should contact the Designated Liaison Person when planning events and consider whether it is necessary to have a disclaimer saying MoLI expects parents/primary carers, guardians, teachers and/or carers to keep responsibility for their children while taking part in MoLI activities.

The parents of children and young people attending MoLI events/activities/camps and other ongoing programmes will be issued with the Positive Behaviour Policy, which sets out the standards of behaviour expected of participants.

Staff and volunteers will keep relevant records in certain circumstances at events and workshops involving children and young people

- Any allegations a child makes against you or other staff/volunteers, e.g. “you’re always picking on me,” “don’t touch me,” etc. Take a note of the date and time and report to the Designated Liaison Person.
- If a child touches you or talks to you in an inappropriate way, record what happened and tell another adult. Ignoring this or allowing it to go on may place you in a very difficult position.

- In the case of a child speaking to you or behaving inappropriately, that you advised the child in question directly that s/he was speaking or behaving inappropriately.
- In the event of an injury, ensure that it is recorded in the MoLI Incident Report Form and that the record is witnessed by another adult. (Appendix 5)

## Guidelines for Young People in Photography and Film

It is important when we use children and young people in photo shoots and/or take pictures of them in MoLI activities that we consider how the images are used.

When selecting a range of images for use in MoLI promotional material (either print-based or web-based) for each photograph consider the following:

- Is the image clear? Does the image convey a message that can be clearly understood by the child? Is the photograph of sufficient quality and clarity?
- Is the image dignified? Are the subjects of the image presented in a manner in which they would wish themselves to be portrayed? Are vulnerable people presented sensitively?
- Is the image authentic? Is the photograph authentic or do you think it has been cropped or edited in a way that distorts the actual facts?
- Is the image balanced? Do the images used present a balance of ethnicities and role models, as appropriate to the setting? Do the images show the diverse realities of everyday life and challenge prevailing expectations?

## Parental and School Consent

- Parental/primary carer and/or school consent for the use of images of children/young people in group shots will be required before photographs are used for promotional material and/or the website.
- Parental/primary carer consent will be required for the use of an image of an individual child or young person in which the child/young person is named.

## General Guidelines

- Under-18s should be asked if they mind before pictures are taken or filming takes place and consent from their adult is required. This is good practice for safeguarding vulnerable adults as well. (Appendix 6 - Safeguarding Vulnerable Persons at Risk of Abuse: National Policy and Procedures)
- A letter will be made available from the Digital Curator/Head of Learning & Culture to parents/teachers/other responsible adults advising what will happen to the pictures/film and what they/it will be used for during and after an event.

- If pictures are taken or filming takes place informally at a MoLI or other event, this must be covered in the general parental/primary carer permission letter issued (as above).



## Section 6: Recruitment of Staff and Volunteers

MoLI will seek to check very thoroughly the background and suitability of all staff and volunteers. The procedure will involve a number of checks and safeguards, and no provisional offer of employment will be confirmed, nor employment or volunteering will commence, until all checks have been satisfied. No candidate who is deemed to be a risk to children or vulnerable adults will be employed or confirmed as a volunteer following the completion of the recruitment procedures.

It is important therefore to ensure that this recruitment process is thorough and no stage is omitted without agreement of the Head of Operations and/or Director.

Recruitment Processes for Paid Staff and Volunteers:

MoLI will take all reasonable steps to ensure that only suitable people are recruited to work with children and families, by adopting and consistently applying a safe and clearly defined method of recruiting staff and volunteers.

Applicants will be informed, via the details sent out and/or advertised as part of the recruitment process (e.g. on the application form), that MoLI will require personal disclosure that nothing in an applicant's background may preclude her or him from working with children or vulnerable adults so that applicants can make an informed choice as to whether to apply for the post. The details will also cover what checks will take place if they choose to apply. These checks will include:

Application Process:

Applicants for paid positions may be asked to give a full account of their employment history alongside any voluntary experience, giving details of posts, names, addresses and contact numbers and reasons for leaving. Applicants for voluntary positions will be asked to give an account of relevant experience. Such accounts must be marked and dated confirming that the information is true, that the candidate gives permission for MoLI to approach previous employers, and that there is nothing in the applicant's personal or professional background that would preclude her or him from working with children or vulnerable adults. While electronic applications are accepted by the organisation, candidates must be able to produce signed copies at interview.

### Disclosure of Criminal Convictions/Prosecutions:

Applicants will be asked to declare all convictions/prosecutions whether spent or otherwise in the application form. Any disclosures should be treated in strict confidence. The information disclosed will not necessarily disqualify the application. The Head of Operations will make a decision as to whether the information disclosed is relevant to the post.

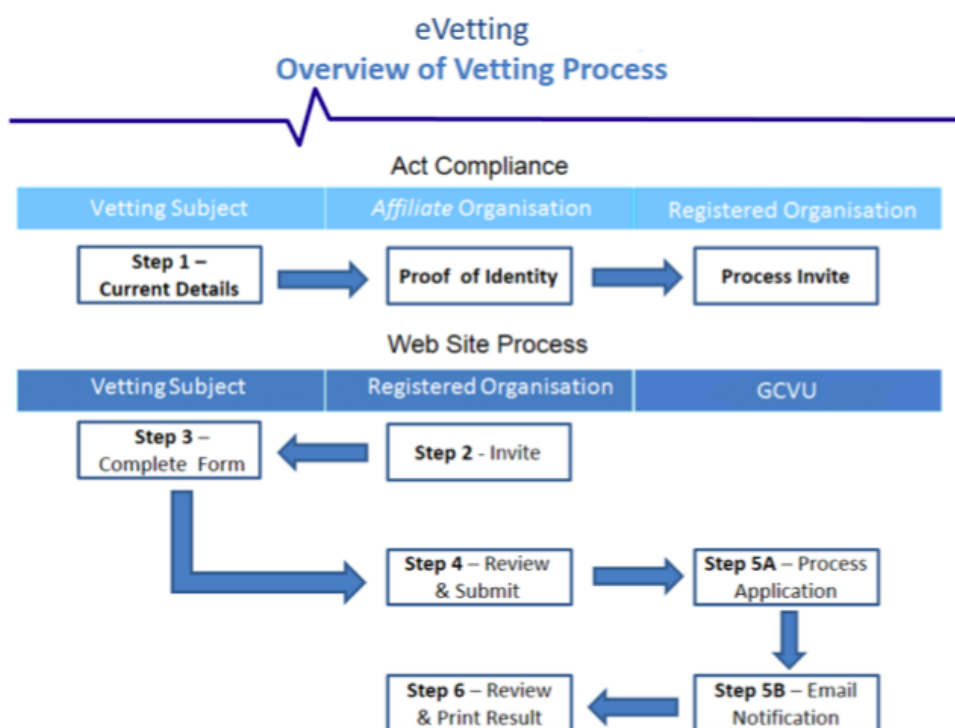
Applicants will have the opportunity to speak to the Director, in confidence, about this aspect of the recruitment process should they wish to do so.

### Interview:

Selected candidates for paid roles will be interviewed by a panel in accordance with the usual recruitment procedures. Selected candidates for voluntary roles will be interviewed by appropriately trained and designated staff. Applicants will be asked to account for any gaps on their application forms and to give details of what they were doing if not in employment or volunteering.

### Garda Vetting:

Newly appointed Learning staff may be subject to Garda vetting with the [National Vetting Bureau](#) in line with MoLI's probation policy. Staff should consult the Staff Handbook and their contract for full details of their probation period.



All volunteers at MoLI who are in roles where they may be working with children are subject to Garda vetting. The volunteer must complete the requisite form for processing by the Garda Vetting Unit (Form NVB1) and supply two forms of identification, one confirming proof of address, to be held on file at MoLI. MoLI does not engage volunteers under the age of 18.

Once the volunteer/staff member's information has been submitted to the Garda Vetting Unit, s/he will receive an email with the online vetting form, which should be completed within 30 days of receipt.

At time of writing, the processing time for vetting forms once the vetting subject has returned the form is approximately 5-10 working days.

A processed Garda Vetting Form application will indicate one or more of the following:

- No previous convictions against the applicant
- Convictions against the applicant
- Prosecutions pending involving the applicant

Every applicant will be treated with care, respect and ultimately confidentiality in line with the MoLI Data Protection Policy. MoLI may accept and/or employ applicants who return convictions or prosecutions that are not considered to be related to child protection or violence and abuse of adults, vulnerable or otherwise. Each disclosure shall be dealt with on its own merit(s).

#### Verification of Identity:

Successful applicants must be able to provide on request two documents that can confirm his/her full name, date of birth, proof of address and signature. These documents are also required for Garda vetting. Candidates for paid roles also need to be able to produce a document that confirms their right to work in Ireland as part of our normal recruitment checks.

#### References

When a provisional offer of employment or a volunteer role is made, references will be taken up, at least one of which must be the applicant's present or last employer.

MoLI ensures there is sufficient supervision and support available to all.

NB: Recruitment of volunteers

Volunteers will go through all the same background checking procedures as paid staff.

Volunteers will be told when interviewed that the volunteer position being recruited for will involve working with children and the checks in MoLI's Child Protection Policy will be followed.

Referees for volunteers may be colleagues, past employers, family friends – anyone who is not a relative, and can confirm the volunteer's good character.

#### Managing and Supervising staff:

The management of staff involves having procedures in place to cover training, induction, supervision and the review of work practices.

New staff will receive induction training and be made aware of policies and procedures, supported by a staff handbook.

Freelance staff will agree to abide by the organisation's Child Protection Policy Statement. In the event that a freelancer has his or her own policy, the organisation must ensure that it is consistent with its own policy.

To protect both staff (paid and voluntary) and children/young people, we undertake that:

#### New staff will:

- Take part in a mandatory induction training session;
- Be made aware of the organisation's code of behaviour, child protection procedures, and the identity and role of who has been designated to deal with issues of concern;
- Undergo a probationary or trial period.

#### All staff will:

- Receive an adequate level of supervision and review of their work practices;
- Be expected to have read and signed the Child Protection Policy Statement and completed the Tusla Children First E-Learning programme.

## Provision of Support:

If an alleged incident of abuse takes place in connection with MoLI activities, the organisation undertakes to provide support for the alleged victims and the person against whom the allegation has been made while any investigation, either by the statutory authorities or internally, MoLI will seek to ensure that any continuing support needed after a situation has been resolved is made available.

## Training and Support:

- MoLI will in the first instance ensure that all staff are aware of the CPP and have signed off on the code of behaviour.
- MoLI requires all staff to practice the code of behaviour at all times.
- All managers have a responsibility to ensure that their staff are aware of, have access to, and have signed off on the code of behaviour.
- All staff have a responsibility that the events they have organised will include provision of the need of consideration of child/vulnerable adult protection issues.
- Training will be provided for those in designated jobs on how to maintain the highest standards in safeguarding children.

## Section 7: Confidentiality

- No staff member can give any undertakings to secrecy. This should be made explicitly clear to all staff members and other parties who may share information with them .
- Sharing information with statutory agencies for the protection of a child does not constitute a breach of confidentiality, or data protection.
- Information gathered for one purpose, will not be used for another purpose without gaining consent.
- MoLI recognises that parents and children have a right to know if personal information is being shared, unless doing so will put the child at further risk.
- Images will not be used without consent however, we cannot guarantee that cameras/videos will not be used in public sessions.
- Procedures are in place for the safe and confidential storage of personal information and records, in line with our confidentiality policy and Data Protection Act obligations.
- Personal records for staff and volunteers are stored in a locked filing cabinet/ Encrypted Online System protected database. Mark O'Neill, Head of

Operations has access to staff records. Mark O'Neill, Jennie Ryan have access to Volunteer Records.

- MoLI is committed to attending and sharing information, as required, at formal child protection and welfare meetings as organised by Tusla.

## Section 8: Complaints and Comments Procedure

At MoLI, we have a complaints and comments procedure.

Who can make a complaint?

- Parent/guardian;
- Child or young person ;
- An external agency or organisation involved in interagency working;
- Member of the public or others who may have a legitimate concern.

If a member of staff, a parent or child has any complaints with how the MoLI's Child Protection Policy is being implemented, or if it is perceived that the Code of Behaviour has been breached by a member of staff - a complaint can be made, preferably in writing, to one of the MoLI's designated liaison persons - and Jennie Ryan [Learning@moli.ie](mailto:Learning@moli.ie), Mark O'Neill [mark@moli.ie](mailto:mark@moli.ie)

In the case of a complaint by a child, this can be done orally to any member of staff, who will then contact the designated liaison person in writing regarding the particulars of the complaint.

The complaint will be handled by the designated liaison person who will consult with HR and/or the Tusla as necessary.

The complaint will be dealt with promptly and sensitively and complainants will be kept informed at all stages of the process. We aim to answer a complaint in 3 weeks.

Appropriate training will be provided for all MoLI personnel in the correct handling of complaints.

## Section 9: Accidents Procedure

IN MoLI we have a Health and Safety Statement that includes a risk assessment of each area of operation.

- First Aid Boxes are placed throughout the building.
- Incident forms are available as hard copies in the Learning Room, as well as online forms and all incidents are recorded, and then given to Mark O Neill - Head of Operations, Jennie Ryan - Head of Learning & Culture, Simon O'Connor - Director of MoLI.
- MoLI have trained Occupational First Aid Staff.
- MoLI has public liability insurance in place to cover accidents on the premises.
- Children will be advised on using dangerous materials.
- Outside organisations will have to offer proof of public liability insurance.



## Section 10: Involvement of Primary Carers

We are committed to being open with all primary carers.

We undertake to:

- Advise primary carers of our child protection policy
- Inform primary carers and schools of all activities and potential activities
- Issue contact/consent forms where relevant
- Comply with health and safety practices
- Operate child-centred policies in accordance with best practice
- Adhere to our recruitment guidelines
- Ensure as far as possible that the activities are age-appropriate
- Encourage and facilitate the involvement of parent(s), carer(s) or responsible adult(s), where appropriate.

If we have concerns about the welfare of the child/young person, we will:

- Respond to the needs of the child or young person
- Inform the primary carers on an on-going basis unless this action puts the child or young person at further risk
- Where there are child protection and welfare concerns we are obliged to pass these on to the Duty Social staff member and, in an emergency, the Gardaí
- In the event of a complaint against a member of staff, we will immediately ensure the safety of the child/young person and inform primary carers as appropriate.

As a child-centred organisation, we are committed to putting the interest of the child/young person first. To that end we will:

- Have our Child Safeguarding Statement on Display
- Contact Tusla and Gardaí where there is a child protection or welfare concern
- Encourage primary carers to work in partnership with us under the guidelines set out by our organisation to ensure the safety of their children;
- Have a designated contact person available for consultation with primary carers in the case of any concern over a child or young person's welfare.

## Section 11: Policy Review

This policy was reviewed in June 2022 by Jennie Ryan, Head of Learning and will be reviewed in June 2024, or as necessary.

# Appendices

## APPENDIX 1: DEFINITIONS OF ABUSE

There are four main categories of abuse as outlined in Children First: National Guidelines for the Protection and Welfare of Children. The following is a synopsis of the information contained in that document. For the full definitions please refer to Children First: National Guidelines for the Protection and Welfare of Children 1993 (pp.32-34).

### Neglect

“Neglect can be defined as being where the child suffers significant harm or impairment of development by being deprived of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, attachment to and affection from adults, medical care....The threshold of significant harm is reached when the child’s needs are neglected to the extent that his or her well-being and/or development are severely affected.” (Children First p.31)

### Emotional abuse

Emotional abuse usually happens where there is a relationship between a carer and a child rather than as a specific incident or incidents.

“Unless other forms of abuse are present, it is rarely manifested in terms of physical signs or symptoms.” (Children First p.31)

Rather, it can manifest in the child’s behaviour or physical functioning. Examples of these include ‘anxious’ attachment, unhappiness, low self-esteem, educational and developmental underachievement and uncooperative or hostile behaviour.

“The threshold of significant harm is reached when interaction is predominantly abusive and become typical of the relationship between the child and the parent/ carer.” (Children First p.32)

Examples of emotional abuse in children include:

- Imposition of negative attributes on children, expressed by persistent criticism, sarcasm, hostility or blaming;
- Emotional unavailability by the child’s parent/carer;
- Unresponsiveness, inconsistent or inappropriate expectations of the child;
- Premature imposition of responsibility on the child;

- Unrealistic or inappropriate expectations of the child's capacity to understand something or to behave and control him/herself in a certain way;
- Under or over-protection of the child;
- Use of unreasonably harsh discipline;
- Exposure to domestic violence.

## Physical abuse

Physical abuse is any form of non-accidental injury or injury which results from wilful or neglectful failure to protect a child. Examples of physical injury include the following:

- Shaking;
- Use of excessive force in handling;
- Deliberate poisoning;
- Suffocation;
- Allowing or creating a substantial risk of significant physical harm to a child.

## Sexual abuse

Sexual abuse involves the use of a child for gratification or sexual arousal by a person for themselves or others.

Examples of sexual abuse include:

- Exposure of the sexual organs or any sexual act intentionally performed in the presence of a child;
- Intentional touching or molesting of the body of a child whether by a person or object for the purpose of sexual arousal or gratification;
- Masturbation in the presence of the child or involvement of the child in an act of masturbation;
- Sexual intercourse with a child whether oral, vaginal or anal;
- Sexual exploitation of a child... may also include showing sexually explicit material to children which is often a feature of the 'grooming' process by perpetrators of abuse;
- Consensual sexual activity involving an adult and an under-age person.

Further information on each of these stages can be found in the Children's First Guidelines.

It is not your responsibility to identify abuse, but it is your responsibility to report your concerns.

## APPENDIX 2 : MoLI ANTI BULLYING STATEMENT

### MoLI Anti - Bullying Statement

All staff and volunteers at MoLI are committed to ensuring a safe and protected environment for children and young people. Bullying in any form at MoLI is completely unacceptable.

#### What is Bullying?

The Health and Safety Authority's definition is that it is:

"repeated inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment, which could reasonably be regarded as undermining the individual's right to dignity..."

An isolated incident of the behaviour described in this definition may be an affront, but as a once off incident, is not considered to be bullying. Bullying is defined as repeated aggression, be it verbal, psychological, or physical, which is conducted by an individual or group against others.

#### Types of Bullying

(Taken from Bullying at School: Key Facts, Trinity College Dublin Anti-Bullying Centre, 2001)

Bullying can take many forms. Both boys and girls indulge in all types of bullying.

Some types are listed below:

- Verbal Bullying: Verbal attacks can be of a highly personal and sexual nature. They can be directed at the child's or young person's family, culture, race or religion. Malicious rumours are a particularly insidious form of verbal bullying.
- Physical Bullying: often dismissed as "horseplay," "pretending" or "just a game" when challenged. While children can and do play roughly, in the case of bullying, be aware that these "games" can be a precursor to physical assaults.
- Gesture Bullying: there are many different forms of non-verbal threatening gestures which can convey intimidating and frightening messages, eg. gesturing a gun to the head.
- Exclusion Bullying: this form of bullying isolates the child or young person from his/her peer group.

- Extortion Bullying: younger children are particularly vulnerable to extortion and bullying. Demands for money, possessions, equipment, etc. may be made, often accompanied by threats.
- Online Bullying: this type of bullying uses social media websites, email and text messages to abuse, intimidate and attack others, either directly or indirectly (e.g. rumour-mongering)

#### Dealing with Bullying in MoLI.

- All reports of bullying will be recorded, investigated and dealt with by the Learning Manager or other staff member as appropriate.
- The Learning Manager (or other staff member/educator as appropriate) will talk to all involved in a calm manner and will seek answers to what, where, when, who and why.
- For less serious incidents of bullying (e.g. name calling, gestures, etc), the child or young person will be asked to apologise to the victim and asked not to engage in any further bullying behaviour. Staff will then closely monitor the behaviour of the child or young person.
- For serious incidents of bullying (e.g. assaults or threats of assault, exclusion, racist or homophobic remarks), the perpetrator will be suspended or excluded from the programme/activity in line with the Positive Behaviour Policy. All serious incidents of bullying should be reported to the Designated Liaison Person.

#### Staff will

- Deal with the matter in consultation with the Learning Manager, educator/ group leaders of the group.
- Praise the young person for showing courage in coming forward to report the bullying incident or behaviour.
- Reassure the child that they are not to blame. Being bullied is the responsibility of bullies.
- Reassure the child of the support of staff and volunteers at MoLI in ensuring the bullying does not happen again.
- If the Learning Manager (or other staff member) dealing with the complaint concludes that bullying has taken place, then the bully the incident will be approached in line with the MoLI Positive Behaviour Policy.
- Be sensitive to the needs of the child who may not wish it to be made known that they reported an incident of bullying.

- Parents will be informed of the incident of bullying and the outcome of any investigation.

### APPENDIX 3:

#### TUSLA SOCIAL WORK DEPARTMENT CONTACT/ LOCAL GARDA DETAILS

##### Dublin South City District

Child and Family Agency,  
Dublin South Central,  
Carnegie Centre,  
21 - 25 Lord Edward Street,  
Dublin 2.  
Tel 01 6486555  
[am.dscdw@tusla.ie](mailto:am.dscdw@tusla.ie)

##### KEVIN STREET GARDA STATION

##### Kevin Street Garda Station

41 Upper Kevin Street,

Dublin 8


D08 PW26

PHONE: 01-6669400 HSE Information Line - 1850 24 1850 or [hse.ie](http://hse.ie)

## APPENDIX 4 : TUSLA CHILD PROTECTION AND WELFARE REPORT FORM AND PUBLICATIONS.

All forms are available from [Tusla](https://www.tusla.ie), the Child and Family Agency.

[https://www.tusla.ie/uploads/content/Child\\_Protection\\_and\\_Welfare\\_Report\\_Form\\_FINAL.pdf](https://www.tusla.ie/uploads/content/Child_Protection_and_Welfare_Report_Form_FINAL.pdf)

 <small>An Ghnóimhadhreachaí agus Leasúal agas an Tréighealach Child and Family Agency</small>			
<b>Child Protection and Welfare Report Form</b>			
<i>MANDATED PERSONS AND NON MANDATED PERSONS (Children First Act 2015 &amp; Children First National Guidance)</i>			
Use block letters when filling out this form. Fields marked with an * are mandatory.			
1. Tusla Area (this is where the child resides)*			
2. Date of Report*			
3. Details of Child			
First Name*		Surname*	
Male*	<input type="checkbox"/>	Female*	<input type="checkbox"/>
Address*		Date of Birth*	
		Estimated Age*	
		School Name	
		School Address	
Eircode			
4. Details of Concerns*			
Please complete the following section with as much detail about the specific child protection or welfare concern or allegation as possible. Include dates, times, incident details and names of anyone who observed any incident. Please include the parents and child's view, if known. Please attach additional sheets, if necessary			
Please see 'Tusla Children First – A Guide for the Reporting of Child Protection and Welfare Concerns' for additional assistance on the steps to consider in making a report to Tusla			
5. Type of Concern			
Child Welfare Concern	<input type="checkbox"/>		
Emotional Abuse	<input type="checkbox"/>	Physical Abuse	<input type="checkbox"/>
Neglect	<input type="checkbox"/>	Sexual Abuse	<input type="checkbox"/>
6. Details of Reporter			
First Name		Surname	
Address if reporting in a professional capacity, please use your professional address		Organisation	
		Position Held	
		Mobile No.	
		Telephone No.	
Eircode		Email Address	



## APPENDIX 5: MOLI LEARNING DEPARTMENT INCIDENT REPORT

### MoLI Learning Dep't Incident Report Form

Date:	Place:
Time:	Staff/Volunteer:

Type of Incident (eg; theft, accident etc..)

--

Persons involved in the incident

--

Description of Incident (include time, people involved, written in a clear and factual way)

--

Name and addresses of other relevant people (bystanders/witnesses)

1.
2.

Action Taken

--

Prepared by:	Signature:
--------------	------------

## APPENDIX 6: GUIDELINES FOR SAFEGUARDING VULNERABLE PERSONS

MoLI have policy and procedure on responding to and reporting vulnerable adult protection concerns in line with the Health Service Executive's Safeguarding Vulnerable Persons at Risk of Abuse: National Policy and Procedures. As per the HSE policy, a vulnerable person is defined as

“an adult who is restricted in capacity to guard himself/herself against harm or exploitation or to report such harm or exploitation. This may arise as a result of physical or intellectual impairment and risk of abuse may be influenced by both context and individual circumstances.”

Abuse of can constitute the physical, psychological, emotional, financial or sexual maltreatment or neglect of a vulnerable adult by another person. The abuse may be a single act or repeated over a period of time and it may take one form or a multiple of forms. The lack of appropriate action can also be a form of abuse.

<https://www.hse.ie/eng/about/who/socialcare/safeguardingvulnerableadults/safeguardingvulnerablepersonsflowchart.pdf>

## APPENDIX 7: MOLI POSITIVE BEHAVIOUR POLICY

Attending a MoLI event, tour, workshop or programme, onsite or online, indicates that you agree to MoLI's Positive Behaviour Policy.

It is the primary aim of MoLI that every person in the museum and online; including participants (both children and adults), volunteers, staff, teachers and parents - are respected and treated fairly and well.

In preparing this policy, we are informed by four of MoLI's core values; Equality, Goodwill, Creativity and Courage to Experiment. The MoLI Positive Behaviour Policy is therefore designed to support these values.

**EQUALITY** - We believe in the power of literature to divine the very heart of diverse human experiences. We are ambitious for a similar equality of outcome in all aspects of our work.

- At MoLI, we aim to ensure that every participant is accommodated. All participants that take part in an event, tour or workshop are encouraged to embrace an atmosphere of respect - we can show this in how we talk to, listen

and interact with others - which will in turn create a supportive, fun and disruption free environment for everyone.

GOODWILL - We endeavour to treat our staff, visitors and partners with unfailing good humour, honesty and goodwill.

- Every effort will be made by all members of staff to adopt a positive, strength based approach to the question of behaviour in the museum. Humour, motivation and encouragement are used by the staff and volunteers of MoLI to foster active participation by encouraging everyone to contribute in a safe, non judgemental environment. We encourage teachers and parents to use this approach with young people too!
- In situations of serious behavioral issues, see Appendix 1.

CREATIVITY - The raw energy of creativity is transformative: we believe that all members of our society should be empowered to harness their creative potential.

- We are committed to youth creativity. All our school programmes are young-person-centred and have been developed through practice-led research in consultation with our Learning Partner Schools; Trinity Comprehensive in Dublin 11, St Patrick's Choirschool in Dublin 8, St Brigid's GNS in Dublin 11 and Virgin Mary GNS in Dublin 9.
- MoLI requests that management is advised of the special needs requirements of any participant attending a MoLI programme prior to arrival, preferably on the booking form.
- If, due to unforeseen circumstances, you cannot make your session/workshop/event, please let us know by email to [Learning@moli.ie](mailto:Learning@moli.ie) at your earliest possible convenience.
- Mobile phones are not conducive to creating a positive group dynamic in the Learning Room, please use sparingly and do not use content taken in the room/museum/online without people's consent. See MoLI's Online Safeguarding Policy that covers child protection and code of behaviour for online engagement below.

COURAGE TO EXPERIMENT - Irish writing has continuously provoked, challenged and questioned artistic and social orthodoxy. We encourage courageous experimentation in all areas of our work, and believe firmly in trying, failing, learning and trying again.

- We love feedback and we value participants/educators' experiences. With this in mind, we request your commitment to providing us with a short

feedback at the end of your workshop session. This will help us stretch, grow and innovate.

- We do encourage voluntary participation - meaning everyone has the right to contribute at their level of comfort. During activities the group will be encouraged to express opinions and concerns as part of the contract drawn up at the beginning of each session. If needed, there is an option of a student stepping out of the workshop, once they can be supervised by a staff member from their own group.

A copy of this code will be available to all participants, volunteer writing tutors, parents and schools.

The code will be reviewed at agreed intervals to ensure that it continues to meet the needs of everyone involved with MoLI.

#### Dealing with Negative Behaviour:

- The following strategies may be used to show disapproval of serious misbehaviour;
  - a) Reasoning with the participant and
  - b) Exclusion from the museum. In the case of participants under the age of 18 years, before resorting to serious sanctions the normal channels of communication between the staff, school (if applicable) and parents will be used.
- Staff members will keep a written record of all instances of serious misbehaviour, which is defined, but not limited to; consistent unhelpful disruption to the session, showing deliberate disrespect to others and/or repeated failure to adhere to agreed methods of working that requires the intervention of a staff member and/or other in a position of responsibility. The MoLI Learning Dep't Incident Report Form will be available in the Learning Room and should be filled in after the session, during the debrief and describe:
  - (a) The programme running at the time (b) What happened (c) Who was involved (d) Where and when it happened (e) What was said, if significant (f) Any injury to person or property (g) How the situation was resolved
- For those over the age of 18, staff members will speak privately with the individual concerned to stop the disruptive behaviour and ensure the continuation of the atmosphere of creativity, encouragement and respect.
- For gross misbehaviour, or repeated instances of serious misbehaviour, regardless of age, a participant will be excluded from MoLI. For the purposes of this policy, gross misbehaviour is defined as, but not limited to, aggressive and threatening behaviour – not only actual physical violence against others but also threatened physical violence, verbal abuse of others, and the

deliberate destruction of the MoLI premises, including equipment and furniture.

MoLI's Child Protection and Safeguarding Guidelines for Online Events.  
This is also available on MoLI Learning Page of website.

At MoLI we have a commitment to safeguard children and have created the following audience interaction guide for online engagement.

#### Etiquette:

- We won't tolerate any kind of hate-speech.
- Dress and manner should be reasonable and appropriate for a shared space.
- Be polite and act with consideration for other online users and participants of all ages and backgrounds.
- Stay on topic, don't hijack the performance to discuss your own personal agenda or promote your own event.
- Digital Consent: Do not record or post pics/vid's of people and upload them/share them without their consent.

#### Moderation:

By following the etiquette guidelines we aim not to moderate your participation in the workshop/event. But we will remove you or your comments if you break our community standards. For example:

- Personal attacks, abuse and trolling will not be tolerated
- Offensive content will be removed
- We will not tolerate racism, sexism, homophobia, transphobia, ableism or other forms of hate-speech, or contributions that can be interpreted as such
- Use an offensive screen name (e.g. explicit language) or avatar (e.g. containing nudity)
- Act in a deceptive manner or impersonate any person or organisation
- Harass or stalk any person
- Harm or exploit minors
- Distribute "spam" in any form or use misleading metadata
- Attempt to collect personal information about others
- Engage in any unlawful activity, cause or encourage others to do any of the above.

#### CHILD PROTECTION AND SAFEGUARDING POLICIES

Participants under the age of 16 must always be supervised by a parent or guardian. By granting your child permission to use the service, you understand and agree that

you are responsible for monitoring and supervising your child during their participation in online activity.

## APPENDIX 8: STAFF/VOLUNTEER DECLARATION OF READING AND UNDERSTANDING THE MOLI CHILD PROTECTION POLICY

### MOLI CHILD PROTECTION POLICY

I, \_\_\_\_\_, hereby declare and warrant that there is no reason known to me and there are no convictions, claims or complaints past or pending against me relating to children and that would deem me to be unsuitable to work with children and and carry out my role within the organisation.

I understand that my making false declaration would be grounds for dismissal, or for the termination of my contract on any project on which I was engaged.

I have read and understood MoLI's Child Protection Policy contained herein.

I give my permission to contact An Garda Siochana for vetting purposes.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_