



**Irish  
Heritage  
Trust**



# Child Protection Policy

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## INTRODUCTION

Consistent with the principles of Children First: National Guidance for the Protection and Welfare of Children (Department of Children and Youth Affairs 2017), every organisation, both public and private, that is providing services for children, or that is in regular direct contact with children should develop guidance and procedures for staff who have reasonable grounds for concern about the safety and welfare of children involved with the organisation.

The Irish Heritage Trust has adopted this Child Protection Policy to underpin its commitment to the safety and welfare of children and young people who engage with The Irish Heritage Trust and its services.

This Child Protection Policy applies to all Irish Heritage Trust staff. Unless otherwise stated reference to staff includes the following:

- Staff employed directly by The Irish Heritage Trust on permanent, fixed term and seasonal contracts
- Staff employed by contractors or through a contract or agency arrangement who provide a service to The Irish Heritage Trust
- Self-employed contractors
- Volunteers
- Community Scheme Participants
- Work experience students

Contractors who provide services to The Irish Heritage Trust, such as security and catering providers, will be advised of The Irish Heritage Trust's child protection policy and will be required to meet the policy requirements as part of their contract terms and conditions.

The Irish Heritage Trust's Child Protection Policy is a live document that is also referenced in the Employee Handbook and the Volunteer Handbook. The Irish Heritage Trust will evaluate the Child Protection Policy every two years, taking into account such items as feedback received and/or any changing legislation over that period and amend accordingly.

In line with the Children First: National Guidance for the Protection and Welfare of Children and for the purposes of this policy the definition of 'a child' means a person under the age of 18 years, excluding a person who is or has been married.

## CHILD PROTECTION POLICY STATEMENT

The Irish Heritage Trust is committed to a child-centred approach in its work with children and young people. While ultimately, the primary responsibility for a child or young person's welfare rests with the primary carer (1), The Irish Heritage Trust will ensure, insofar as is reasonably practicable, that children who interact with The Irish Heritage Trust are safe and protected from harm, and that the welfare of the child is paramount.

The Irish Heritage Trust will adhere to the recommendations, as laid down in this policy, of Children First: National Guidance for the Protection and Welfare of Children and the accompanying Child Protection and Welfare Practice Handbook published by the Department of Children and Youth Affairs in September 2017.

The Irish Heritage Trust will refer any child protection and welfare issue to the appropriate agencies. In particular, if The Irish Heritage Trust encounters or has concerns or suspects abuse of a child or young person it will report these concerns to TUSLA and/or An Garda Síochána, as outlined in Section 4.2 of this policy.

Valuing children means valuing staff as well; insisting on safe practices, eliminating the necessity for staff to take risks and providing them with support will make for a safer organisation. The Irish Heritage Trust wishes to support and protect its staff, and the guidelines in this policy will ensure that there is no doubt about responsibilities, obligations and standards.

The Irish Heritage Trust's Child Protection Policy and Procedures will be made accessible to all users of Irish Heritage Trust sites and services through its website [www.irishheritagetrust.ie](http://www.irishheritagetrust.ie)

This Policy will be reviewed every two years from the date below.

**Clare McGrath**  
**Irish Heritage Trust Chairman**  
**March 2021**

*(1) 'Primary Carer' refers to parent(s), legal guardian(s), carer(s), teacher(s) and group leader(s), or responsible adult(s) as appropriate*

## SECTION 1: PRIMARY CARERS AND INVOLVEMENT OF CHILDREN

The primary responsibility for the welfare of children visiting The Irish Heritage Trust rests with the parents, guardians, carers, group leaders or teachers.

The Irish Heritage Trust requires Primary Carers to ensure that they, and all children and young people in their care, meet standards of good conduct and behaviour and are courteous and cooperative with Irish Heritage Trust staff.

Primary carers of children and young people are required to remain with their child/children/group while on site unless advised otherwise (see Section 2).

The Irish Heritage Trust is committed to being open with primary carers and undertakes to:

- Make our Child Protection Policy and Procedures available to primary carers
- Prominently display our Child Protection Statement at all our properties
- Make primary carers and schools aware of the type of activities, if any, that young people can participate in at Irish Heritage Trust sites
- Comply fully with Health and Safety legislation
- Advise primary carers of their responsibilities regarding supervision of children in their care (Appendix 1)

## SECTION 2: WHEN A PRIMARY CARER IS NOT PRESENT

### 2.1 Young People Working with The Irish Heritage Trust

The Irish Heritage Trust employs young people who may be under the age of 18, but no younger than 16, in various capacities across the organisation. For example, part-time or seasonal staff working in shops or restaurants at our properties or working on specific events. The standard procedure for staff interacting with young people under the age of 18 years (including young people working in The Irish Heritage Trust) is to avoid situations where they are alone with them by ensuring that another staff member is present.

However, it is recognised in some cases given the nature of the work involved and/or staffing resources in Irish Heritage Trust locations around the country that it is not always practical or possible for staff to avoid being alone with a young person working in The Irish Heritage Trust.

Therefore, it is necessary prior to taking up employment that staff members under 18 years are aware of their responsibilities, what will be expected from them and who they will be working with directly. Young people working in The Irish Heritage Trust will be provided with a copy of the Child Protection Policy to ensure they are aware of their rights as children and their obligations as staff members.

In addition, the Protection of Young Persons (Employment) Act 1996 sets out controls governing the employment of children and young persons. The Act is designed to protect the health of young workers and ensure that work carried out during school years does not put young people's education at risk. The Act sets minimum age limits for employment, rest intervals and maximum working hours and prohibits the employment of anyone under 18 on late-night work. The Act also requires employers to keep specified records for workers under 18. In the Act, a "young person" is defined as those aged 16 and 17 and a "child" is defined as being aged under 16.

Where a young person aged 16 or 17 is employed, s/he may only be required to work a maximum of 8 hours per day, subject to a maximum of 40 hours per week. S/he must not be required to work before 6am or after 10pm. If the young person has no school the next morning s/he can work until 11pm. However, following this s/he cannot work until after 7am the following morning.

Minimum rest of at least 30 minutes must be provided in respect of each period of 4.5 hours consecutive work completed in the working day. Young persons are entitled to a minimum daily rest period of 12 hours from the beginning of one working day to the commencement of the next, and a minimum of two days of consecutive rest in each 7 day period.

In addition to the normal statutory records that The Irish Heritage Trust is obliged to keep the following records must be kept for any young person hired by The Irish Heritage Trust:

- Full name
- Date of Birth
- Start and end time of work each day; and a record of breaks each day
- Rate of pay per hour & total amount of salary paid

In line with the Terms of Employment (Information) Acts, 1994-2014, The Irish Heritage Trust will provide all workers under the age of 18 years with a copy of the official summary of the Protection of

Young Persons (Employment) Act, together with the other details of their terms of employment within one month of taking up a position.

The Irish Heritage Trust shall ensure that the risk assessments required under the Safety, Health and Welfare at Work Act, 2005 take account of the particular needs of young persons in employment, with particular regard to the Safety, Health and Welfare at Work (Children and Young Persons) Regulations, 2007.

## 2.2 Work Experience/Research Students

Each year The Irish Heritage Trust provides work experience for students who may be under 18 years of age. In addition students under 18 years of age may visit Irish Heritage Trust sites for research purposes. These students are not employed by The Irish Heritage Trust and are therefore not staff members. In order to protect these students and staff in The Irish Heritage Trust alike, staff should avoid being alone with a student who is under 18 years of age. As outlined previously, this may not always be practical or possible due to limited resources or the nature of the work experience. Therefore students, prior to commencing work experience, should be advised of exactly what will be expected from them, who they will be working directly with and whether off site work will be included in their duties. A copy of the Child Protection Policy should also be provided to students under 18 years of age to ensure that they are aware of their rights.

## 2.3 Workshops

Some workshops aimed at children carried out at our properties are logistically easier to manage when primary carers do not stay during the event. Where it is deemed impractical for the primary carer to stay during a workshop, Irish Heritage Trust staff will advise the primary carer accordingly on arrival or at booking stage whichever is the earlier.

Where the primary carer is not required to stay, it is procedure for a minimum of two Irish Heritage Trust staff members to be present at all times with the group during the event.

Drop-off and pick-up times will be clearly advised to the primary carer. The primary carer will be asked to accompany the child/young person in their care to the toilet facilities before the workshop/event begins.

If there is only one staff member available to carry out the workshop then the primary carer will be required to stay for the duration of the event.



## SECTION 3: CODE OF BEHAVIOUR IN RELATION TO CHILD PROTECTION

The Irish Heritage Trust Child Protection Policy aims to create an environment in which

- primary carers are aware of their responsibilities
- children are listened to and kept safe
- staff who are involved with children and young people are supported and protected

In order to meet these aims, The Irish Heritage Trust will follow a framework for good practice and code of behaviour as set out in this section.

### 3.1 Good Practice Guidelines for The Irish Heritage Trust

#### General:

- Update and review the Child Protection Policy every 2 years
- Make primary carers, children/young people, and visitors aware of the Child Protection Policy and procedures
- Request primary carers to supervise the children in their care at all times, except as in Section 2.3
- Ensure that a ratio of at least 2 primary carers for every group of 20-24 school-age children visiting The Irish Heritage Trust is strictly adhered to
- Be inclusive of children and young people with special needs

#### Staff:

- Require all staff of The Irish Heritage Trust to be made aware of, and accept, The Irish Heritage Trust Child Protection Policy
- Ensure that relevant staff receive Garda clearance in line with the requirements of the National Vetting Bureau
- Ensure that staff are informed about Child Abuse and made aware of the possible signs of abuse (Appendix 2)
- Staff should report any concerns to The Irish Heritage Trust Designated Officer ensuring reporting procedures are followed appropriately (Section 4)
- Provide appropriate guidelines and training for staff
- If images of children are to be displayed, parents/guardians must be informed and give their consent beforehand (Appendix 3)
- Follow procedures for dealing with lost/found children (Appendix 4)
- Inform primary carers of any issues that concern their children and respond promptly to any concerns raised
- Maintain awareness of child protection issues when engaging with children and young people in particular, around language and comments made

### 3.2 How Staff can Protect and Promote Children's Rights

- Treating all children and young people with dignity, sensitivity and respect
- Making sure that primary carers and the children in their care know The Irish Heritage Trust's rules about behaviour (Appendix 1)
- Helping children to be safe, happy and to have as much fun as possible
- Never favouring one child or children over others
- Providing written information about The Irish Heritage Trust Child Protection Policy to children, where appropriate, and their primary carers

- Knowing about the principles and practices of child protection including their legal duties
- Never engaging in sexually provocative games or making suggestive comments, even in fun
- Respecting children's privacy in bathrooms or changing rooms
- Always responding immediately to complaints or allegations
- Being sensitive to the fact that some children are more vulnerable and have special needs

### 3.3 Inappropriate Behaviour – Checklist for Staff

- Never hit or physically punish a child or young person
- Avoid time alone with a child/young person
- Never single out a child for favouritism, unfair criticism, ridicule, or unwelcome focus/attention
- Never make physical contact with a child/young person (except in an emergency or dangerous situation)
- Never reveal personal information about a child in any way, subject to child protection concerns

### 3.4 Health and Safety – Checklist for Staff

- Do not leave children unattended or unsupervised
- Provide a safe environment
- Be aware of accident/health and safety procedures and follow accordingly

### 3.5 What to do if a Child Speaks Directly about Abuse or Neglect

- Stay calm and listen – give the child time to say what he or she wants
- Do not ask leading questions or details, or make suggestions
- Explain that you cannot promise not to speak to others about the information they have shared
- Do NOT ask the child to repeat unnecessarily, his or her account of events
- Make an accurate record of the information you have been given. Take care to record the timing, setting and people present, the child's demeanour as well as what they said. Keep this information safe as it may be needed later as evidence
- Use the child's own words where possible
- This information must be given immediately to the Property General Manager or Designated Officer and kept as a confidential report and stored securely

## SECTION 4: REPORTING PROCEDURE

The guiding principles in regard to reporting child abuse may be summarised as follows:

- The safety and well-being of the child must take priority
- Reports should be made without delay to TUSLA
- The principle of natural justice should apply, which means that a person is innocent until proven otherwise
- The principle of confidentiality should apply, whereby only those that need to know should be told of a suspicion/allegation/disclosure of abuse and the number that need to be kept informed should be kept to a minimum

### 4.1 Role of the Designated Officer

Children First: National Guidance for the Protection and Welfare of Children 2017 recommends that all organisations providing services to children should have a designated person to act as a liaison with outside organisations.

The Designated Officer will:

- Act as a source of advice on child protection matters
- Co-ordinate action within The Irish Heritage Trust and any other Designated Officers
- Liaise with TUSLA and An Garda Síochána and other agencies about suspected or actual cases of child abuse
- Be accessible to all staff

The Designated Officer shall ensure that s/he is knowledgeable about child protection and that s/he undertakes any training considered necessary to keep updated on legislation.

If the Designated Officer is not available then the Deputy Designated Officer should be contacted. The Deputy Designated Officer will take over the responsibilities of the Designated Officer if s/he is unavailable. The Irish Heritage Trust Designated Officers and Deputy Designated Officers are listed in Appendix 5.

The Role of the Designated Officer is to:

- Be familiar with the Department of Children and Youth Affairs guidelines, Children First: National Guidance for the Protection and Welfare of Children 2017 and to have responsibility for the implementation and monitoring of The Irish Heritage Trust Child Protection Policy
- Receive reports of alleged/suspected child abuse and to act on these in accordance with the guidelines and The Irish Heritage Trust Child Protection Policy
- Provide information and advice on child protection within The Irish Heritage Trust
- Ensure that The Irish Heritage Trust's Child Protection Policy and procedures are followed and to inform appropriate sources of relevant concerns about individual children
- Ensure that appropriate information is available at the time of referral and that the referral is confirmed in writing under confidential cover using the TUSLA Standard Reporting form (Appendix 6)
- Liaise with TUSLA/An Garda Síochána and other agencies as appropriate

- Keep relevant people within the organisation, particularly the CEO and the Chairman, informed of relevant issues, whilst maintaining confidentiality
- Ensure that an individual case record is maintained of the concern/allegation/disclosure, the action taken, the liaison with other agencies and the outcome
- Ensure individual case records are confidential and stored securely in line with Data Protection legislation and GDPR regulations
- Advise the Board of The Irish Heritage Trust of Child Protection training needs

## 4.2 Steps to be taken by any Staff Member who knows or suspects child abuse

The following procedure should be followed where reasonable grounds exist for the reporting of suspected or actual child abuse. Issues that would constitute 'reasonable grounds' are explained in Appendix 6 of this policy document.

A staff member who has a child protection concern will bring the concern to the attention of the relevant Designated Officer at the earliest opportunity. Staff will also facilitate direct access to the Designated Officer if requested by a primary carer or by a child or young person.

A staff member who knows or suspects that a young person has been or is at risk of being harmed has a duty to convey this concern to the Designated Officer who will report the information to TUSLA. TUSLA will, in turn, notify An Garda Síochána. In an emergency, a report must be made directly to An Garda Síochána.

If the suspected abuser is another staff member, the matter should be brought to the attention of the Designated Officer and Human Resources Manager. When the Designated Officer and Human Resources Manager have been notified, the matter should then be referred as soon as possible to TUSLA, who will notify An Garda Síochána. In this regard The Irish Heritage Trust should be sensitive to the fact that those with a need to know should be restricted to a minimum.

**It is important that all staff are aware that the person who first encounters a case of alleged or suspected abuse is not responsible for deciding whether or not abuse has occurred.** That is a task for TUSLA and An Garda Síochána. Under no circumstances should any staff member attempt to deal with the problem of abuse alone.

The staff member who initially expresses concern will be required to complete a file report, in consultation with the relevant Designated Officer, outlining the situation, including the date, time and people involved. The report should be factual; any opinions should be stated as such and supported by factual information. A Standard Report Form, should be used when reporting child welfare and protection concerns to TUSLA. The link to the standard form is in Appendix 6.

A concern about a potential risk to children posed by a specific person, even if the children are unidentifiable, should be communicated to TUSLA by the Designated Officer.

Any reasonable suspicion must elicit a response. Ignoring signals or failing to intervene may result in ongoing or further harm to the child. TUSLA has a statutory obligation to identify children who are not receiving adequate care and protection, to provide family support services and, where necessary, to take children into the care of TUSLA.

Staff who report concerns to TUSLA are assured that they will not automatically trigger inappropriate child protection investigations. It is also important to note that staff who report concerns “reasonably and in good faith” are protected from civil liability under the Protection of Persons Reporting Child Abuse Act 1998 (Appendix 6).

Under no circumstances should a child be left in a situation that exposes him or her to harm or to risk of harm pending TUSLA intervention. In the event of an emergency where it is thought that a child is in immediate danger and TUSLA cannot be contacted, then contact should be made directly with the Gardaí. This may be done through any Garda station.

#### 4.3 Steps to be taken by the Designated Officer

When the relevant Designated Officer receives a report about suspected or actual child abuse, they should consider whether there are reasonable grounds for reporting it to TUSLA. It may be helpful to discuss the matter with a professional, such as a social worker, who can assist in deciding whether or not to formally report concerns to the TUSLA. This may involve:

- Clarifying or getting more information about the matter. Recording and treating the information as confidential;
- Where there is any doubt or uncertainty, consulting informally initially with a Health Professional or directly with TUSLA to hear its view of the situation (Appendix 9 Contacts for TUSLA);
- Making a formal referral to TUSLA or An Garda Síochána;
- Informing parents about making the referral unless this would endanger the child.

A suspicion, which is not supported by any objective indication of abuse or neglect, would not constitute a reasonable suspicion or reasonable grounds for concern. However, these suspicions should be recorded or noted internally as future suspicions may lead to the decision to make a report and, in those circumstances, earlier suspicions may provide important information.

It is important to note that the ability of TUSLA and An Garda Síochána to assess and investigate suspicions or allegations of child abuse or neglect will depend on the quality and extent of the information reported to them.

#### 4.4 Cases not reported to TUSLA or An Garda Síochána

In cases where The Irish Heritage Trust decides not to report concerns to TUSLA or An Garda Síochána, the individual staff member who raised the concern will be given a clear written statement of the reason why no action was taken. This statement will be written by the Designated Officer.

## SECTION 5: AN ALLEGATION OF ABUSE AGAINST A STAFF MEMBER

When an allegation of abuse against a staff member is received, it should be assessed promptly and carefully by The Irish Heritage Trust. Action taken in reporting an allegation of child abuse against a staff member should be based on an opinion formed 'reasonably and in good faith'. It will be necessary to decide whether a formal report should be made to TUSLA. This decision should be based on reasonable grounds for concern, as outlined in Appendix 7 of this policy document.

The first priority is to ensure that no child is exposed to unnecessary risk. The Irish Heritage Trust should as a matter of urgency take any necessary protective measures (Appendix 10). The measures should be proportionate to the level of risk and should not unreasonably penalise the staff member, financially or otherwise, unless necessary to protect children. Where protective measures penalise the staff member, it is important that early consideration be given to the case.

The General Manager at the relevant IHT property, IHT's Human Resources Manager and the CEO should be informed about the allegation as soon as possible.

When The Irish Heritage Trust becomes aware of an allegation of abuse of a child or children by a staff member during the execution of that staff member's duties, The Irish Heritage Trust should privately inform the staff member of, (a) the fact that an allegation has been made against him or her and (b) the nature of the allegation.

The staff member should be afforded the opportunity to respond. The Irish Heritage Trust should note the response and pass on this information if making a formal report to TUSLA.

The following procedure should be undertaken by the General Manager;

1. The Irish Heritage Trust should take care to ensure that action taken by it does not undermine or frustrate the investigations/assessments conducted by TUSLA or An Garda Síochána. The Irish Heritage Trust will endeavour to maintain a close liaison with the statutory authorities to achieve this.
2. The Irish Heritage Trust CEO and Chairman should be notified of the outcome of an investigation and/or assessment. This will facilitate a decision being reached about the action to be taken in the longer term concerning the staff member.

Malicious Claims: If it is found that a malicious claim has been made by a member of the public, the case will be referred to the necessary authorities or if such a claim is made by a staff member The Irish Heritage Trust's disciplinary process will be invoked.

## SECTION 6: RECRUITMENT, GARDA CLEARANCE AND TRAINING

### 6.1 Recruitment

To protect both children and staff, The Irish Heritage Trust will ensure that the following procedures are followed:

#### 6.1.1 Permanent and Fixed Term Contract Employees of The Irish Heritage Trust

For permanent and fixed term contract employees of The Irish Heritage Trust, the Hiring Policy and Practice of the Trust will apply. This includes the staff member meeting the condition of two satisfactory reference checks (not provided by family members). For any employees whose position will bring them into direct contact with children, Garda clearance will be sought by The Irish Heritage Trust.

All employees will be given a copy of this Irish Heritage Trust Child Protection Policy and will be required to sign a declaration (Appendix 11) certifying that they have read the policy, agree to abide by its contents and that there is no reason why they would be considered unsuitable for working with children/young people.

#### 6.1.2 Volunteers

All Volunteers will be given a copy of The Irish Heritage Trust Child Protection Policy and will be required to sign a declaration (Appendix 11) certifying that they have read the policy, agree to abide by its contents and that there is no reason why they would be considered unsuitable for working with children. On occasion there may be a volunteer role that comes into direct contact with children in which case Garda clearance will be sought by The Irish Heritage Trust.

#### 6.1.3 Staff from another Agency/Organisation or Self-employed Contractors

Staff from another agency/ organisation who have direct contact with children during the course of their work in The Irish Heritage Trust, will require Garda Clearance. If staff have already obtained Garda Clearance through their own organisation, in the previous 18 months, a letter from their organisation confirming this fact should be forwarded to The Irish Heritage Trust, prior to such person(s) having direct contact with children at any IHT property.

Staff from another agency/ organisation facilitating an event for The Irish Heritage Trust involving children will be given The Irish Heritage Trust Child Protection Policy and asked to sign the declaration (Appendix 11) certifying that they have read the policy, agree to abide by its contents and that there is no reason why they would be considered unsuitable for working with children.

### 6.2 Garda Vetting

Irish Heritage Trust Garda Vetting Procedures are attached at Appendix 12.

### 6.3 Training

Designated Officers will be required to familiarise themselves with the standards of behaviour and procedures outlined in this Policy and if necessary undertake training in the area of Child Protection.

Induction Training for new staff will include training on The Irish Heritage Trust Child Protection Policy.

Staff/volunteers whose duties bring them into direct contact with children will receive the appropriate level of training and/or guidance in the area of Child Protection as consistent with their role in The Irish Heritage Trust.



## APPENDICES

### Appendix 1: Primary Carer Responsibilities

The primary responsibility for a child or young person's welfare rests with the primary carer (1), however, The Irish Heritage Trust will ensure, insofar as it is reasonably practical, that children who interact with The Irish Heritage Trust are safe and protected from harm, and that the welfare of the child is paramount.

*(1) 'Primary Carer' refers to parent(s), teachers(s) and group leaders, legal guardians, carer(s) or responsible adult(s) as appropriate.*

#### **Guidelines:**

Primary Carers must advise children/ young persons in their care of the expected behaviours during their visit.

- Primary carers must observe the indoor and outdoor signage at each property and advise children in their care in line with these instructions.
- Primary carers must advise the children in their care of the need to listen to and adhere to the guidance and instructions of the IHT staff members to ensure their safety and enjoyment of the visit.
- Primary carers must advise the children in their care to be respectful of the property and IHT staff members at all times.
- While we have many open outdoor spaces and children are encouraged to move freely and enjoy the experience of visiting our properties, the museums have many irreplaceable, delicate and in some cases sharp objects and to protect these, it is vital that children do not climb or touch anything unless invited to do so. Visitors not observing this rule will be asked to leave.

Workshops: In the event that a primary carer is not required to stay at a workshop, drop off and pick up times will be clearly advised to the primary carer. The primary carer will be asked to bring the children/ young person in their care to the toilet facilities before the workshop/ event begins.

#### **Group Reservations (e.g. Schools, Scouts, Clubs, etc.):**

Bookings: Booking should be made in advance and a deposit is required to secure a booking. Numbers must be confirmed within 48 hours of the booking so IHT staffing numbers can be planned accordingly.

Arrival: A schedule is agreed with the primary carer in advance of the visit which ensures that the group has the best experience. Please notify the Visitor Services Team if you are running more than ten minutes late.

Supervision: The primary carer will need to remain with their students/ group at all times. Our supervision policy is as follows:

Primary school: 1 to 10 - teacher/adult to child ratio

Secondary school: 1 to 14 - teacher/adult to child ratio

## Appendix 2: Raising Awareness about Child Abuse

### A2.1 What is Child Abuse

Child abuse occurs when the behaviour of someone in a position of greater power than a child causes the child harm. Because children can be abused in a number of ways, sometimes at the same time, it is not always easy to categorise it, but four broad definitions can be considered and may be briefly summarised as neglect, emotional abuse, physical abuse and sexual abuse.

How to Recognise Abuse:

The ability to recognise child abuse can depend as much on a person's willingness to accept the possibility of its existence as it does on their knowledge and information. There are commonly three stages in the identification of child abuse:

- Considering the possibility
- Looking out for signs of abuse
- Recording of information

*Considering the possibility:* The possibility of child abuse should be considered if a child appears to have suffered a suspicious injury for which no reasonable explanation can be offered. It should also be considered if the child seems distressed without obvious reason or displays persistent or new behavioural problems. The possibility of child abuse should also be considered if the child displays unusual or fearful responses to parents/carers.

*Looking out for signs of abuse:* Signs of abuse can be physical, behavioural or developmental. They can exist in the relationship between children and parents/carers or between children and other family members/other persons. A cluster or pattern of signs is likely to be more indicative of abuse. Children who are being abused may hint that they are being harmed and sometimes make direct disclosures. Disclosures should always be believed.

Most signs of abuse are non-specific and must be considered in the child's social and family context. It is important to always be open to alternative explanations for physical or behavioural signs of abuse. Sometimes a specialist assessment may be required to clarify if particular concerns constitute abuse.

*Recording of Information:* If abuse is suspected, it is important to establish the grounds for concern by obtaining as much detailed information as possible. Observations should be accurately recorded and should include dates, times, names, locations, context and any other information that may be relevant.

### A2.2 Main Categories 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.

Neglect can be defined in terms of an omission, 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, and/or medical care.

Harm can be defined as the ill-treatment or the impairment of the health or development of a child. Whether it is significant is determined by the child's health and development as compared to that which could reasonably be expected of a child of similar age.

Neglect generally becomes apparent in different ways over a period of time rather than at one specific point. For example a child who suffers a series of minor injuries may not be having his or her needs met in terms of necessary supervision and safety. A child whose ongoing failure to thrive or whose height is significantly below average may be being deprived of adequate nutrition. A child who consistently misses school may be being deprived of intellectual stimulation. The threshold of significant harm is reached when the child's needs are neglected to the extent that his or her wellbeing and /or development are severely affected.

Emotional abuse is normally to be found in the relationship between a parent/carer and a child rather than in a specific event or pattern of events. It occurs when a child's need for affection, approval, consistency and security are not met. Unless other forms of abuse are not present, it is rarely manifested in terms of physical signs or symptoms.

Examples of emotional abuse of children include:

- the imposition of negative attributes on children, expressed by persistent criticism, sarcasm, hostility or blaming
- conditional parenting in which the level of care shown to a child is made contingent on his or her behaviour or actions
- emotional unavailability of the child's parent/ carer
- unresponsiveness of the parent/carer and/or inconsistent or inappropriate expectations of the child
- unrealistic or inappropriate expectations of the child's capacity to understand something or to behave and control himself or herself in a certain way
- under or over protection of the child
- failure of unreasonable or over harsh disciplinary measures
- exposure to domestic violence
- exposure to inappropriate or abusive material through new technology

Emotional abuse can be manifested in terms of the child's behavioural, cognitive, affective or physical functioning. Examples of these include insecure attachment, non-organic failure to thrive, unhappiness, low self-esteem, educational and developmental underachievement, and oppositional behaviour. The threshold of significant harm is reached when abusive interactions dominate and become typical of the relationship between the child and the parent/carer.

Physical abuse of a child is that which results in actual or potential physical harm from an interaction, or lack of interaction, which is reasonably within the control of a parent or person in a position of responsibility, power or trust. There may be single or repeated incidents:

Examples of behaviours that cause physical injury include;

- Shaking
- Use of excessive force or handling
- Deliberate poisoning
- Suffocation

- Fabricated/induced illness
- Allowing or creating a substantial risk of significant harm to a child. Possible indicators of this type of abuse include bruises, fractures, burns/scalds, abrasions

Sexual abuse occurs when a child is used by another person for his or her gratification or sexual arousal, or for that of others.

Examples of child sexual abuse include:

- exposure of the sexual organs or any sexual act intentionally performed in the presence of the 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 the involvement of the child in an act of masturbation
- sexual intercourse with the child whether oral, vaginal or anal
- sexual exploitation of a child, which includes inciting, encouraging, propositioning, requiring or permitting a child to solicit for, or to engage in, prostitution or other sexual acts. Sexual exploitation also occurs when a child is involved on the exhibition, modelling or posing for the purpose of sexual arousal, gratification or sexual act, including its recording (on film, video tape or other media) or the manipulation, for those purposes, of the image by computer or other means. It 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 underage person. In relation to child sexual abuse, it should be noted that, for the purposes of criminal law, the age of consent to sexual intercourse is 17 years for both boys and girls. An Garda Síochána will deal with the criminal aspects of the case under the relevant legislation.

Possible indicators of this type of abuse:

- age inappropriate understanding of sexual behaviour
- inappropriate seductive behaviour
- hints about sexual activity
- unusual reluctance to join in normal activities which involve undressing e.g. games/swimming

It should be noted that the definition of child sexual abuse presented in this section is not a legal definition and it is not intended to be a description of the of criminal offence of sexual assault.

### **CHILD PHOTOGRAPHIC/FILMING CONSENT FORM**

Dear Parent/ Carer

Photographers acting on behalf of the Irish Heritage Trust may wish to take photographs and/ or film activities of your child or the child in your care/ guardianship to use in its publicity or promotional material.

These images may be sent out to print and broadcast media with a press release, as well as used on our social media platforms and for publications on our websites.

We would like your permission before we take photos.

- Photos will be stored in a secure location and only authorised staff will have access to them. They will be kept for a one year period after which time they will be destroyed.
- Addresses will not be disclosed in detail, but we may state, for example, 'John Smith from Cobh'.
- We will not use the images taken, or any other information you provide, for any other purposes. Details such as telephone number will not be disclosed.
- You can ask to see images of your child held by the Irish Heritage Trust.
- You may withdraw your consent at any time.

All negatives, positives, video or audiotapes, electronic files, together with any prints shall constitute the property of Irish Heritage Trust, solely and completely.

Thank-you for your support. Please complete the below form.

I have read and understand the information above. I hereby do/ do not give my permission to the Irish Heritage Trust to photograph/ film my child/ children and for the photographs/ film footage to be used in any promotional material such as press releases, newsletters and the Trust's website/ social media platforms, without restriction and without compensation.

**Name of Child/Children:**

**Name of Parent/Carer:**

**Signature:**

**Email:**

**Telephone Number:**

**Date:**

## Appendix 4: Procedures for Dealing with Lost/ Missing Children

### A4.1 Where a Child is Lost/Left unattended

If it is determined that a child is lost or left unattended at any Irish Heritage Trust property, the following procedure will be adhered to by staff members:

Reassure the child and endeavour to obtain as much information about the child as possible:

- Name of child
- Age of child
- Address/ Name of School
- Physical description of the child (height, colour of hair, clothing etc.)
- Where the child was found

If anyone else is with the child, ask them to remain with you until the primary carer has been located. If you are on your own with the child ensure that you are in a public area where you can be seen or heard and enlist the assistance of at least one other staff member immediately.

Make every effort to locate the primary carer by asking for assistance from other people in the area.

If the child is not claimed, contact the Designated Officer who will then be responsible for initiating contact with An Garda Síochána.\*

Record in writing who found the lost child and give this record and full details to the Designated Officer for retention.

### A4.2 Where a Child is Reported Missing

If someone reports that a child is missing, the following information will be obtained by the staff member who receives the report:

- Name of child
- Age of child
- Address/ Name of School
- Physical description of the child (height, colour of hair, clothing etc.)
- Where the child was last seen
- The time the child was last seen

All staff on site will be informed and a thorough check of all areas on site including bathrooms, offices, grounds and exits will be made. Once a sufficient check is made, if the child is not found, the Designated Officer will be informed immediately and will be responsible for initiating contact with An Garda Síochána.\*

A written statement of events will be recorded by the staff member who initially received the report of the missing child. This statement will be retained by the Designated Officer.

*\* The welfare and protection of children is of paramount importance. If a child is left unattended or is missing on site and contact with the Designated Officer or the Deputy Designated Officer cannot be made, then contact with An Garda Síochána can be made directly by the staff member concerned.*

Appendix 5: List of Designated Officers and Deputy Designated Officers

PROPERTY & CONTACT DETAILS	DESIGNATED OFFICER	DEPUTY DESIGNATED OFFICER
<p><b>Fota House, Arboretum &amp; Gardens, Fota Island, Carrigtwohill, Co. Cork</b></p> <p><b>Tel: +353 (0) 21 481 5543</b></p> <p><b>Email: info@fotahouse.com</b></p>	<p>Bryan Murphy, General Manager</p>	<p>Catherine Murphy, Operations Manager</p>
<p><b>Johnstown Castle Estate, Museum &amp; Gardens, Co. Wexford</b></p> <p><b>Tel: +353 (0) 53 918 4671</b></p> <p><b>Email: info@johnstowncastle.ie</b></p>	<p>Matt Wheeler, General Manager</p>	<p>Caoimhe Connick, Events Coordinator</p>
<p><b>Strokestown Park House, Strokestown, Co. Roscommon</b></p> <p><b>Tel: +353 (0) 71 963 3013</b></p> <p><b>Email: info@strokestownpark.ie</b></p>	<p>John O’Driscoll, General Manager</p>	<p>Aidan McBride, Visitor Services Co-ordinator</p>

## Appendix 6: Standard Report Form

The Tusla form for reporting child protection and welfare concerns is the Child Protection and Welfare Report Form (CPWRF). The Child Protection and Welfare Report Form is to be completed and submitted to Tusla for concerns about children under the age of 18. A [web portal](#) has been developed to allow for the secure submission of CPWRFs to Tusla. The CPWRF can be downloaded [here](#). If using a hardcopy CPWRF or RARF, the completed form should be sent to the [Duty Social Work team](#) in the area where the child resides.



## Appendix 7: Reasonable Grounds for Concern

TUSLA should always be informed when a person has reasonable grounds for concern that a child may have been abused, or is being abused, or is at risk of abuse. The following examples would constitute reasonable grounds for concern:

- a specific indication from the child that he or she was abused;
- an account by a person who saw the child being abused;
- evidence, such as an injury or behaviour, that is consistent with abuse and unlikely to be caused in another way;
- an injury or behaviour that is consistent both with abuse and with an innocent explanation, but where there are corroborative indicators supporting the concern that it may be a case of abuse. An example of this would be a pattern of injuries, an implausible explanation, other indications of abuse and/or dysfunctional behaviour;
- consistent indication, over a period of time, that a child is suffering from emotional or physical neglect.

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. However, these suspicions should be recorded or noted internally by The Irish Heritage Trust as future suspicions may lead to the decision to make a report and earlier suspicions may provide important information for TUSLA.

## Appendix 8: Protection for Persons Reporting Child Abuse

### A8.1 Protection for Persons Reporting Child Abuse Act 1998

The Protection for Persons Reporting Child Abuse Act 1998 provides immunity from civil liability to persons who report child abuse “reasonably and in good faith” to TUSLA or An Garda Síochána. This means that even if a reported suspicion of child abuse proves unfounded a plaintiff who took action would have to prove that the reporter had not acted reasonably and in good faith in making the report.

This protection applies to organisations and to individuals. It is considered therefore that organisations should assume full responsibility for reporting suspected child abuse to the appropriate authorities. Reports to TUSLA and to the Garda Síochána should be made as per The Irish Heritage Trust's policy and guidelines.

Section 3 (1) of the Act states:

“3. (1) A person who apart from this section, would be so liable shall not be liable in damages in respect of the communication, whether in writing or otherwise, by him or her to an appropriate person of his or her opinion that -

a child has been or is being assaulted, ill-treated, neglected or sexually abused, or

a child's health development or welfare has been or is being avoidably impaired or neglected, unless it is proven that he or she has not acted reasonably and in good faith in forming that opinion and communicating it to the appropriate person”.

Under Section 4 of the same Act no employee will be penalised for making a report of child abuse in good faith to TUSLA or to the Garda Síochána.

### A8.2 The Defence of Qualified Privilege

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

The Common Law provides a defence, in particular circumstances, to individuals who make verbal or written statements of a kind, which could expose their author to a claim of defamation if such statements were made in different circumstances. The defence exists in recognition of the fact that there are circumstances in which individuals have to be able to speak freely without fear of adverse legal consequences.

In general, the privilege covers situations where the maker of the statement has a duty to speak or is obliged to protect some interest. The duty in question does not have to be a strictly legal one: a moral or social duty to make a statement or report is sufficient. The recipient of the statement must have a corresponding duty to receive the statement. The defence only applies where the individual who makes the statement is not motivated by malice in making this statement.

In circumstances where an individual has a duty to speak and does so without malice, he can be assured that the defence of the qualified privilege will protect him from any defamation claim to which his statement could possibly give rise. The defence will apply, for example, when an employee reports to his line manager (or some specially designated person), his bona fide suspicion that a fellow employee may have committed an act of abuse in the course of the latter's employment.

## Appendix 9: Contacts for TUSLA

Listed on the TUSLA website <https://www.tusla.ie/children-first/mandated-persons/contact-a-social-worker-mandated-persons/>. These contact numbers may be updated from time to time. Please check TUSLA website for latest information.

## Appendix 10: Allegation against Staff Member: Protective Measures

Pending the outcome of the investigation, The Irish Heritage Trust will take whatever protective measures necessary to ensure that children are not exposed to unacceptable risk. These protective measures are not disciplinary measures, and may include:

- Providing an appropriate level of supervision
- Re-assigning duties where the accused will not have contact with children/ young people
- Putting the staff member off duty with pay

Putting the staff member off duty pending the outcome of the investigation will be reserved for exceptional circumstances. It will be explained to the staff member concerned that the decision to put him/her off duty is a precautionary measure and not a disciplinary sanction.

The views of the staff member concerned will be taken into consideration when determining the appropriate protective measures to take, however, the final decision will rest with the CEO.

## Appendix 11: Garda Vetting Procedures

In accordance with Section 12(1)(A) of the National Vetting Bureau (Children and Vulnerable Persons) Act 2012 ('Vetting Act'), The Irish Heritage Trust is required to ensure that vetting disclosures have been acquired for anybody it employs, contracts or permits to provide relevant activities to children.

### **Who in The Irish Heritage Trust can be Garda Vetted?**

All staff who provide relevant activities as defined in the National Vetting Bureau (Children and Vulnerable Persons) Act 201, in accordance with the Vetting Act and the Children First Act 2015.

### **How often will Relevant Staff be re-vetted for child protection purposes?**

Re-vetting will be done at intervals to be prescribed by the Minister under Section 20 of the National Vetting Bureau (Children and Vulnerable Persons) Act 2012.

### **Who administers the Garda Vetting for The Irish Heritage Trust?**

A liaison person is designated under the Act and registered and trained by the National Vetting Bureau. The role is currently held by Lisa McAlister, HR Manager, Email: l.mcalister@irishheritagetrust.ie

### **How does the process work?**

Vetting forms will be issued to each relevant staff member, and re-issued at prescribed intervals for repeat vetting. For e-vetting, there is a verification process and an electronic invitation issued to all staff members being vetted.

A confidential log is kept by the liaison person to track the administration of Garda Vetting. The log contains the names of staff who have been requested to complete Garda Vetting Forms, as well as the stages of the process completed.

Since 2016 the vetting disclosures obtained from the National Vetting Bureau are electronic and made viewable to the liaison person for 30 days before they are removed from view. In the event of material information being disclosed that would affect employment or deployment decisions of the Relevant Person that disclosure report would be retained with the employee's personnel record.

### **What is staff members or job applicants refuse or fail to cooperate with Garda Vetting?**

Relevant staff who do not consent to be Garda vetted should be precluded from providing relevant activities and may be subject to the application of The Irish Heritage Trust disciplinary procedure. The employment of a person for the provision of relevant activities is subject to Garda vetting.

### **What does the Garda Vetting report show?**

All court convictions, with the exception of "spent convictions" as provided for in the Criminal Justice (Spent Convictions and Certain Disclosures) Act 2016

In respect of Garda Vetting specifically for child protection purposes, the report will also show "specified information", i.e. information other than a court determined criminal conviction, for example, conclusions from investigations conducted by TUSLA or the HSE, where such investigations lead to a bona fide concern that a person poses a threat to children.

### **What use can The Irish Heritage Trust make of information that comes to them from a Garda vetting report?**

The Irish Heritage Trust is highly restricted in how it can use disclosures about convictions. For example, if the staff member is being Garda vetted for child protection purposes, The Irish Heritage Trust can only use the information disclosed to determine whether or not the staff member should be deployed to provide relevant activities to children, and for no other purpose.

**Who sees Vetting reports?**

1. The Irish Heritage Trust designated liaison person (currently Lisa McAlister, HR Manager)
2. The Irish Heritage Trust CEO, Anne O'Donoghue

**Who decides if an individual is deemed not suitable for employment or for providing relevant activities?**

The designated liaison person in consultation with the relevant Designated Officer and CEO.

**Where are vetting reports kept in The Irish Heritage Trust?**

In the event of a material disclosure that influences the decision on whether the person can be employed on relevant activities, the report will be kept on the staff member's personnel file. Otherwise reports are not retained.

**How long are vetting reports retained by The Irish Heritage Trust?**

In the case of material disclosure, the reports will be kept for the same duration as the staff member's personnel records.

**How are vetting reports disposed of?**

Reports are just allowed to lapse off the National Vetting Bureau's electronic record after 30 days. Information on the liaison person's database of vetting activity is retained for the duration of the data subject's employment.



**Declaration from all Staff and Volunteers Working in The Irish Heritage Trust**

Please sign this document to :

- confirm that you have read the Irish Heritage Trust’s Child Protection Policy and agree to abide by its contents.
- declare that there is no reason why you would be considered unsuitable to work with children or young people.

This document can be signed digitally, or alternatively you can return a hard copy of the signed declaration below to:

Lisa McAlister, Human Resources, Irish Heritage Trust, 11 Parnell Square, D01 ND60

For queries: Tel: 01 8748030; Email; [l.mcalister@irishheritagetrust.ie](mailto:l.mcalister@irishheritagetrust.ie)

**Declaration**

Name (Block Capitals):

Address:

Telephone Number:

<p><b>I have read The Irish Heritage Trust’s Child Protection Policy and agree to abide by its contents.</b></p> <p>Signature:</p> <p>Date:</p>
<p><b>I declare that there is no reason why I would be considered unsuitable to work with children or young people.</b></p> <p>Signature:</p> <p>Date:</p>