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## Child Protection Policy

### 1. Policy Overview

This policy has been adopted by the College to promote best practice in child protection within the College and to inform staff and students of their obligations to recognise child protection and welfare concerns and to respond appropriately.

### 2. Policy Statement

Children in the College and the context of this policy includes any student who has not yet reached age 18 at the time they first produce evidence of age (i.e., birth certificate, passport, and other documents showing actual proof of age) to any member of staff. Consequently, the children referred to in this document will primarily be the minority of college students who are under 18 at the time of enrolment. The policy does include, however, children who may come into the College for staff and student activities. However, it is also noted that staff and students may also encounter children through activities related to their employment or learning with the College and this policy is also intended to guide those situations, insofar as is appropriate.

This policy is intended to ensure compliance with the Children First Act 2015 (the Act) and is based on Children First: National Guidance for the Protection and Welfare of Children 2017. The Act places several statutory obligations on specific groups of professionals and particular organisations providing services to children. Through the provisions of the Act, it is intended to:

- Raise awareness of child abuse and neglect.
- Provide for mandatory reporting by key professionals.
- Improve child safeguarding arrangements in organisations providing services to children.
- Provide for cooperation and information-sharing between agencies when Tusla – Child and Family Agency (Tusla), is undertaking child protection.

The legislation also contains a provision that removes the defence of reasonable chastisement concerning corporal punishment as part of court proceedings. The policy intent is that the legislation



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will operate side-by-side with the existing non-statutory obligations provided for in Children First: National Guidance for the Protection and Welfare of Children (2017). The Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act, 2012 and the National Vetting Bureau (Children and Vulnerable Persons) Acts, 2012 - 2016 are additional key pieces of complementary legislation designed to improve child safety and protection.

This policy also includes the area of guardian nominee where the College agrees for an external guardian nominee provider to provide students who have not yet turned 18 years of age with an out hours and emergency contact service that will be triggered should students need any kind of personal, visa, and/or medical/health care outside of normal college operating hours.

### 3. Roles and Responsibilities

A child is a person under the age of 18, excluding a person who is or has been married. This policy applies to all students who have yet to turn 18 years of age who study with us in Ireland and any children who may visit our college for college-related activities. It is the responsibility of all staff at all levels, full-time, or part-time, and our students to read and comply with the contents of this policy and to implement this policy in full. This policy will be circulated to all staff and students. Those joining the organisation will receive it as part of their induction.

It is UniHaven's responsibility to implement this policy, appoint a Designated Safeguarding Lead (DSL) and generally ensure the promotion of the protection of children within the company and the college. Garda vetting is part of our recruitment process as per UPOLO12 UniHaven Garda Vetting Policy. The DSL will be required to attend specialised training in the area and to keep up to date.

Certain activities carried out by the College staff may involve contact with children who are second-level students. These activities include staff potentially visiting schools, attending education fairs or inviting second-level students to College events. When staff attend a second-level school, s/he should ensure that the schoolteacher remains present in the classroom. When events take place within the College, these events should be clearly public in nature and there should not be private or one-to-one



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mentoring sessions away from the public areas. If a second-level student under the age of 18 wishes to meet any staff member, this should not be done on a one-to-one basis except in a public space.

The Academic Director is responsible for ensuring that policies are developed and maintained, that they remain fit for purpose, that they remain in compliance with QQI guidelines, that they are updated as per agreed schedules, and that they are being implemented as intended. In the latter context, the Academic Director will inspect a sample of policies each year to check for the correct implementation and bring the findings to AC as part of the annual QA/QQI review and reporting process.

### **Role of the DSL**

The DSL is essentially UniHaven's Child Protection Officer and will have responsibility for the promotion and implementation of this policy. This role is described in this section and shall be the Designated Liaison Person for UniHaven as per the Children First Act 2015. The role of the DSL is to liaise with outside agencies and to be a resource person for any staff member or student who has child protection concerns. The DSL is responsible for ensuring that reporting procedures within the College are followed so that child welfare concerns are referred promptly to Tusla. The DSL will be appointed by the Executive Management Team (EMT). The DSL will be accessible to all staff and students in the college.

### **Responsibilities**

The responsibilities of the DSL/Child Protection Officer are:

- To undertake relevant training and keep up to date on child protection policy and practice.
- To provide support and information to staff and students who are dealing with/have dealt with a child protection concern or disclosure.
- To receive reports of alleged or suspected or actual child abuse, process these without delay and decide on the appropriate action, in line with the guidance in previous sections.
- To report suspected child abuse to Tusla in appropriate cases.



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- To build a working relationship with Tusla, An Garda Síochána and other agencies, as appropriate.
  - To assist Tusla in assessing a concern, where requested.
  - To ensure that supports are put in place for the child, staff member, or student in case of allegations being made.
  - To liaise with EMT members as appropriate.
  - To liaise with the Designated Liaison Persons in other organisations where students or College staff may be temporarily located for College activities, e.g., an HEI providing College students and staff with library facilities, laboratory facilities etc.
  - To ensure that systems are in place for recording and retaining all relevant documentation about child protection issues.
  - To ensure the circulation of this policy among all College staff and students, existing and new, and ensure further training of staff and students where appropriate.
  - To be consulted if any new services or activities involving children are developed and to ensure relevant training and procedures are in place.
  - To review the College policy and procedure on child protection in conjunction with the Academic Director every three years to ensure their continued relevance and appropriateness.

## **Confidentiality**

### No guarantee of secrecy

In matters of child abuse, a staff member or student should never promise to keep secret any information that is divulged. It should be explained to the child that this information cannot be kept secret but that only those who need to know to safeguard the child will be told.



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## Confidentiality of information and data protection

It is essential in the reporting of any case of alleged or suspected abuse that the principle of confidentiality applies. The information should only be shared with persons who need to know to safeguard a child and the number of people that need to be informed should be kept to a minimum. It must be noted that the provision of information to the statutory agencies for the protection of a child is not a breach of confidentiality or data protection. All data concerning child protection records must comply with UPOL020 UniHaven Data Protection Policy, UPOL023 UniHaven Data Retention Policy and UPOL024 UniHaven Data Security Policy.

## Photographs and images

Where staff and students wish to take or use photographs, film or video of children, the consent of the children and their parents/guardians/carers must be obtained, and all such media must be stored securely.

## **Role of Tusla and An Garda Síochána**

### Tusla – Child and Family Agency

On 1 January 2014, Tusla - Child and Family Agency, became an independent legal entity. It merged portions of three former statutory bodies: The Health Service Executive's Children and Family Services, the Family Support Agency, and the National Educational Welfare Board. Tusla has responsibility for child welfare and protection services, family support, educational welfare and a range of other services, including those relating to domestic, sexual and gender-based violence.

The key functions of Tusla, as set out in the Child and Family Agency Act 2013, are to:

- Support and promote the development, welfare and protection of children, and the effective functioning of families.
- Offer care and protection for children in circumstances where their parents have not been able to, or are unlikely to, provide the care that a child needs. To fulfil these responsibilities, Tusla is required to maintain and develop the services needed to deliver these supports to



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children and families and provide certain services for the psychological welfare of children and their families.

- Be responsible for ensuring that every child in the State attends school or otherwise receives education and provide education welfare services to support and monitor children's attendance, participation, and retention in education.
- Ensure that the best interests of the child guide all decisions affecting individual children.
- Consult children and families to help shape Tusla's policies and services.
- Strengthen interagency cooperation to ensure seamless services that respond to needs.
- Undertake research relating to its functions and provide information and advice to the Minister for Children and Youth Affairs about those functions.
- Commission child and family services.

The specific role of Tusla is to promote the welfare of children who are at risk of not receiving adequate care and protection. Under the Child Care Act 1991, Tusla is obliged to coordinate information from all relevant sources about a child who may not be receiving adequate care and protection. If it is found that a child is not receiving adequate care and protection, Tusla must take appropriate action to promote the welfare of the child. This may include supporting families or carers in need of assistance in providing care and protection to their children.

Tusla operates through duty teams of social workers that receive child protection reports, assess, and prioritise referrals and provide protective interventions to children and their families. Each team deals with the concerns that arise in its specific geographical area by reference to the home address of the child. Tusla has the statutory responsibility to assess all reports of child welfare and protection concerns. Assessments are carried out by Tusla social workers. If concerns are found after the initial checks, further evaluation involving a detailed examination of the child and family's circumstances will follow. If concerns about a child's welfare are found but do not involve a child protection issue, then the family may be referred to community or family support services. If no concerns are found, then the information gathered is recorded and kept on a confidential file where it will be examined if further concerns or more information comes to light.

An Garda Síochána



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The involvement of An Garda Síochána in cases of alleged child abuse and neglect stems from its primary responsibility to protect the community and to bring offenders to justice. Where it is suspected that a crime has been committed, An Garda Síochána has overall responsibility for the direction of any criminal investigation. It is the function of An Garda Síochána to interview and take any statements that will form part of the criminal investigation file. The role of An Garda Síochána is to investigate alleged crimes and it is the responsibility of the Irish Director of Public Prosecutions (DPP) to decide on and carry out prosecutions.

The National Vetting Bureau of An Garda Síochána issues vetting disclosures to organisations employing people who work on a full-time, part-time, voluntary or student placement basis with children and/or vulnerable adults. The National Vetting Bureau does not decide on the suitability of any person to work with children and vulnerable adults. Rather, in response to a written request for vetting, the National Vetting Bureau releases criminal history and other specified information on the person to be vetted to the prospective recruiting organisation. Decisions on suitability for recruitment rest always with the recruiting organisation, and the results of vetting should form only one part of the recruitment decision.

#### 4. Policy

##### **College Obligations**

The Children First Act 2015 places specific obligations on organisations which provide services to children and young people, including the requirement to<sup>1</sup>:

- Keep children safe from harm while they are using the service.
- Carry out a risk assessment to identify whether a child or young person could be harmed while availing of the service.
- Develop a Child Safeguarding Statement that outlines the policies and procedures which are in place to manage the risks that have been identified.
- Appoint a relevant person to be the first point of contact in respect of the organisation's Child Safeguarding Statement.

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## **Types of Abuse and Identification of Abuse**

These descriptions of the different types of abuse and how to identify them are taken from Children First: National Guidance for the Protection and Welfare of Children 2017. 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 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, it should be considered a child welfare and protection issue for both children, and child protection procedures should be followed 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 adult.

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

### Neglect

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

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



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

A reasonable concern for the child's welfare would exist when neglect becomes typical of the relationship between the child and the parent or carer. This may become apparent where you see the child over a period of time, or the effects of neglect may be obvious based on having seen the child once.

The following are features of child neglect:

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

### Emotional abuse

Emotional abuse is the systematic emotional or psychological ill-treatment of a child as part of the overall relationship between a caregiver and a child. Once-off and occasional difficulties between a parent/carer and child are not considered emotional abuse. Abuse occurs when a child's basic need for attention, affection, approval, consistency and security are not met, due to incapacity or indifference from their parent or caregiver. Emotional abuse can also occur when adults responsible



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for taking care of children are unaware of and unable (for a range of reasons) to meet their children's emotional and developmental needs. Emotional abuse is not easy to recognise because the effects are not easily seen. A reasonable concern for the child's welfare would exist when the behaviour becomes typical of the relationship between the child and the parent or carer.

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

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

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

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



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## Physical abuse

Physical abuse is when someone deliberately hurts a child physically or puts them at risk of being physically hurt. It may occur as a single incident or as a pattern of incidents. A reasonable concern exists where the child's health and/ or development is, may be, or has been damaged as a result of suspected physical abuse.

Physical abuse can include the following:

- Physical punishment
- Beating, slapping, hitting or kicking
- Pushing, shaking or throwing
- Pinching, biting, choking or hair-pulling
- Use of excessive force in handling
- Deliberate poisoning
- Suffocation
- Fabricated/induced illness
- Female genital mutilation

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

## Sexual abuse

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



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

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

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

Examples of child sexual abuse include the following:

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

An Garda Síochána will deal with any criminal aspects of a sexual abuse case under the relevant criminal justice legislation. The prosecution of a sexual offence against a child will be considered within



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the wider objective of child welfare and protection. The safety of the child is paramount and at no stage should a child's safety be compromised because of concern for the integrity of a criminal investigation.

In relation to child sexual abuse, it should be noted that in criminal law the age of consent to sexual intercourse is 17 years for both boys and girls. Any sexual relationship where one or both parties are under the age of 17 is illegal. However, it may not necessarily be regarded as child sexual abuse. Details on exemptions for mandated reporting of certain cases of underage consensual sexual activity can be found in Chapter 3 of Children First: National Guidance for the Protection and Welfare of Children.

### **Circumstances where children may be more vulnerable to harm**

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

### **Bullying**

It is recognised that bullying affects the lives of an increasing number of children and can be the cause of genuine concerns about a child's welfare. Bullying can be defined as repeated aggression - whether it is verbal psychological or physical - that is conducted by an individual or group against others. While bullying can happen to any child, some may be more vulnerable.

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

### **Overview**

As a general guide, the College commits to the following child-centred approach to child protection:

- The protection of children must always come first.



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- Children should be protected, treated with respect, listened to, and have their own views taken into consideration.
  - Our staff and students must raise concerns about the behaviour of others which may be harmful to children.
  - Tusla should be informed without delay when there are reasonable grounds for concern that a child may have been, is being or is at risk of being abused or neglected.
  - Best practices should be adopted to minimise the possibility of harm or accidents happening to children.
  - This policy complements and supports other College staff and student policies.
  - While due regard will be paid to the above guidelines and this policy generally, interactions with UniHaven students who have not yet turned 18 years of age will generally be based on the normal rules applying to all students.

Good College practice when in contact with children includes:

- Being visible when working with children whenever possible. Concerning students who are under 18, it is recognised that a one-to-one situation might be necessary to protect the student's right to privacy and confidentiality. Staff should use their professional judgement when in such a situation and should try, where reasonably possible to avoid being alone with a child and, if it is necessary, leave the door to the room ajar unless it breaches trust and confidentiality.
- Treat all children equally and with respect and dignity.
- Listen to what children say and involve them in decision making where appropriate.
- Provide encouragement, support, and praise.
- Adopt the safest possible practices to minimise the possibility of harm or accidents happening to children.
- Demonstrate exemplary behaviour in the presence of children.
- Never use physical punishment.
- Never make unnecessary physical contact with a child.
- Never exchange personal details with a child such as phone numbers, e-mail, Facebook, Twitter, or other social media accounts and follow UPOL028 UniHaven Email, Social Media and Marketing Policy.



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- Always refer child abuse, welfare, and safety issues to the DSL. If an employee or student is inhibited for any reason in reporting the incident internally to the DSL or where they are dissatisfied with the response, they should contact Tusla or An Garda Síochána.

## 5. Procedures and Forms

This procedure details how child protection concerns are raised and dealt with at the College remembering that a 'child' under Irish legislation is any person aged under 18 years of age and that children in the context of College activities could be students, children of staff, children of visitors etc. as described in this Child Protection Policy. While the DSL is responsible for the policy and procedures attaching to child welfare responsibilities, all staff are expected to be familiar enough with this policy and procedure to ensure that all children are fully protected in their engagement with the College, its staff, its students and its stakeholders under the legal requirements in this area.

### Reporting

The Tusla portal is to be used when reporting a concern to Tusla. Its link can be found here:

<https://www.tusla.ie/children-first/web-portal/>

### Duty to Report

Staff and students must be alert to the possibility that children with whom they are in contact could be victims of abuse and should report their concerns to the DSL in the first instance. A report should be made to Tusla when there are reasonable grounds for concern that a child may have been, is being or is at risk of being abused or neglected. 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 the child being abused.



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All staff and students are encouraged to discuss any concerns with the DSL. If the DSL is not available, staff and students should report reasonable concerns directly to Tusla, or if the child is in immediate danger, to An Garda Síochána.

### Making a Report to the DSL

Any staff member or student who suspects child abuse should report this to the DSL. Such a report should contain:

- Details of the child and the suspected abuse.
- Enough information to establish the basis of the concerns.
- An accurate record of their observations and/or the conversation with the child or other person (if any).

The DSL will receive and assess all such reports. The role of the DSL is not to investigate or interview relevant parties, but to assess whether the information available demonstrates a reasonable concern of abuse or neglect. Once the DSL is satisfied that a report meets the required threshold, he or she will report it to Tusla without delay. In those cases where the DSL decides not to report concerns to Tusla or An Garda Síochána, the staff member or student who raised the concerns should be given a clear written statement of the reasons why the DSL is not taking such action. The staff member or student should 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 Síochána. The DSL should record the full details of all concerns or allegations of child abuse brought to his or her attention and the actions taken concerning a concern or allegation of child abuse.

### Making a Report to Tusla

The DSL must report to Tusla as soon as possible if s/he knows, believes, or has reasonable grounds to suspect, based on information s/he has received, acquired, or become aware of during his or her work that a child has been, is being or is likely to be harmed. A report must also be made where a child has disclosed to the DSL that the child believes that he/she has been, is being or is likely to be harmed. Harm is defined in this context as follows:



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- 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

- Sexual abuse of the child.

A DSL should also report to Tusla if s/he has a reasonable concern that a child may have been, is being or is at risk of being abused or neglected. Where the DSL remains uncertain, he or she should contact Tusla for informal advice relating to the allegation, concern, or disclosure. All reports made by the DSL to Tusla should be on the Child Protection and Welfare Form and contain all necessary information unless the risk is immediately requiring the report to be made without delay. In making a report on suspected actual child abuse, the DSL must ensure that the priority is always for the safety and welfare of the child and that no child is ever left in a situation that could place the child/young person in immediate danger. If there is a serious and imminent risk to the child and it is not possible to make contact with Tusla, the DSL should report it to An Garda Síochána.

When reporting suspicions or allegations of child abuse to Tusla, the DSL should also report to the People Officer in the case of an allegation against a staff member, and the Academic Director in the case of an allegation against a student. Where the DSL is making a report to Tusla, he or she should, where appropriate, also inform the child's family regarding the concern and the report. This is not appropriate if in doing so it would place the child at further risk, where the family's knowledge could impair Tusla's ability to carry out a risk assessment or if it is reasonably believed that this might put the person making the report at risk of harm from the family. It is not the role of the DSL to investigate whether the allegations or complaints are valid. This investigation is the responsibility of Tusla and An Garda Síochána.

#### Allegations of Child Abuse against any Staff Member or Student

When an allegation of child abuse arises concerning a staff member or student, the College has a dual responsibility in its duty of care regarding



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- Safeguarding children:
    - This must always take priority. The College will ensure that all appropriate procedures are followed concerning reporting suspected child abuse to the civil and (as necessary) criminal authorities and do what is within its power to ensure that no child continues to be exposed to the risk of being abused.
  - Dealing with the person accused:
    - The college must ensure that proper procedures are followed concerning the person against whom the complaint has been made, in line with fair procedures, natural justice and a presumption of innocence until the contrary is proven.

In case of any allegation of child abuse made against a staff member or student, the reporting framework procedures outlined above must first be followed and the DSL informed immediately. Any necessary protective measure should be taken. In addition to that, in cases where an allegation of child abuse is made against a staff member, the issue will be also dealt with under the procedures outlined in UDOC007 UniHaven Employee Handbook.

In cases where an allegation of child abuse is made against a student, the issue will also be dealt with under UPRO010 UniHaven Student Complaints and Disciplinary Procedure.

#### Retrospective Disclosure of Child Abuse by an Adult

If an adult makes a disclosure to a College staff member or student of abuse suffered during their childhood, and it is believed there may be a current risk to any child who may be in contact with the alleged abuser, the DSL should be informed. If a risk is deemed to exist, then the DSL must inform Tusla and/or An Garda Síochána. In addition to the reporting requirement, if a staff member or student discloses abuse suffered during their childhood, the DSL should ensure s/he is provided with the contact information for relevant support service. Staff will be supported by the College as best as it can within the resources available to it at the time. Students should be referred to the Student Support Officer for onward referral to appropriate professional counselling support.



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## Disclosure of Child Abuse to Staff Member or Student

### *Disclosure by a Child*

A child may disclose abuse to a staff member or student. The best practice for dealing with these disclosures is to:

- React calmly.
- Listen carefully and attentively.
- Take the child seriously.
- Reassure the child that they have taken the right action in talking to you.
- Do not promise to keep anything secret.
- Ask questions for clarification only. Do not ask leading questions.
- Check back with the child that what you have heard is correct and understood.
- Do not express any opinions about the alleged abuser.
- Ensure that the child understands the procedures that will follow.
- Make a written record of the conversation as soon as possible, in as much detail as possible.
- Treat the information confidentially, subject to the requirements of this Guidance and legislation.

When disclosure of abuse or neglect from a child is received, a report must be made to the DSL as soon as possible.

### *Disclosure from Another Person*

If a complaint is made to any staff member or student to the effect that there is reasonable suspicion that abuse is alleged to have taken place against a child, the staff member or student should:

- Request the complainant to make a written statement.
- If the complainant is unknown to the employee or student, ask the person making the allegation for their name and contact number or address.
- Tell the complainant that there is a procedure in place for dealing with such allegations and that the person responsible will be in contact with them as soon as possible.



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- Ensure the information is reported as soon as possible to the DSL. Once the information is provided to the DSL, he or she is then responsible for ensuring that the suspicions or allegations are managed under the reporting framework.

### *Persons Reporting Possible Child Abuse*

The provisions of the Protections for Persons Reporting Child Abuse Act 1998 provide immunity from civil liability to persons who make reports reasonably and in good faith to the HSE or An Garda Síochána. It is a criminal offence to withhold information about a serious offence against a person under 18 years or a vulnerable person under the Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012.

### **Useful Contacts**

Details for all Social Work Teams can be found here: <https://www.tusla.ie/services/child-protection-welfare/contact-a-social-worker/kildare-duty-social-work-teams/>

Gardai/Emergency: 999/112



**Quality Assurance Manual (QAM) Chapters 5 and 8**

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<b>Date Policy Becomes Active</b>	8/4/24
<b>Revision Cycle</b>	Annually
<b>Revision History/Amalgamation History</b>	Revised to include updates as per changed legislative requirements
<b>Additional Information</b>	N/A
<b>References/ Supporting Documentation</b>	<p>UDOC000 UniHaven Quality Assurance Manual  Statutory Quality Assurance Guidelines developed by QQI for use by all Providers (2016)  Statutory Quality Assurance Guidelines developed by QQI for Independent/Private Providers coming to QQI on a Voluntary Basis (2016)  Code of Practice for Provision of Programmes of Education and Training to International Students (2015)  Children First Act 2015  Children First: National Guidance for the Protection and Welfare of Children 2017.  The Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act, 2012  The National Vetting Bureau (Children and Vulnerable Persons) Acts, 2012 - 2016  UPOL012 UniHaven Garda Vetting Policy  UPOL020 UniHaven Data Protection Policy  UPOL023 UniHaven Data Retention Policy  UPOL024 UniHaven Data Security Policy  UPRO010 UniHaven Student Complaints and Disciplinary Procedure  UDOC002 UniHaven Student Handbook</p>