

**IMAGINE ARTS FESTIVAL
CHILD PROTECTION
POLICY 2023**

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Mission Statement

Our Mission is to continue to develop the scale and ambition of our Festival, growing our confidence, the understanding of our impact and our reputation while achieving the following:

- To identify and present contemporary, imaginative and provocative new work made by Irish and international artists with a focus on platforming Waterford artists.
- To create a multidisciplinary festival that evokes curiosity and creates memorable encounters that enthrall and embolden audiences.
- To offer a framework for artistic risk, offering year-round support to artists across disciplines to challenge and invigorate their practice, and to extend the possibilities of what art can be.

Glossary

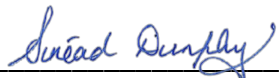
Artistic Director:	In 2023 Imagine employed festival director to look after the interests of the Company.
Adult Volunteer:	For the purposes of this code, an adult volunteer is any volunteer who is not a child (under 18 years). Volunteers are unpaid workers in Imagine Arts Festival.
Child/Member:	Any young person taking part in any activity within Imagine Arts Festival who is under 18 years of age.
Designated Person (Child Protection Officer):	The Designated Person (DP) is the person within Imagine Arts Festival responsible for child protection. This year the DP is Sinéad Dunphy (Imagine Arts Festival) and the deputy DP is John Fitzpatrick (Theatre Royal Front of House Manager)
Leader:	Any adult employed or volunteer who is in charge of a group of young people for an activity.
Staff:	Any paid employees or contractors of Imagine Arts Festival

Imagine Arts Festival Child Protection Policy Statement

We at Imagine Arts Festival are committed to a child-centred approach to our work with children and young people. We undertake to provide a safe environment and experience, where the welfare of the child/young person is paramount. We will adhere to the 'Children First: National Guidelines for the Protection and Welfare of Children', published by the Department of Health and Children. We have implemented procedures covering:

- Code of conduct for all staff
- Reporting of suspected or disclosed abuse (see Appendix IV for Definitions of Abuse – page 23)
- Confidentiality
- Recruitment and selecting staff
- Managing and supervising staff
- Involvement of primary carers
- Allegations of misconduct or abuse by staff
- Complaints and comments
- Incidents and accidents

This policy will be reviewed on 31st January 2024

[Signed by Designated Person] 

Date: 31/08/2023

Note: The Child Care Act 1991 defines a child as a 'person under the age of 18 years other than a person who is or has been married' (S.2.1).

Imagine Arts Festival Confidentiality Statement

We in Imagine Arts Festival are committed to ensuring peoples' rights to confidentiality. However, in relation to child protection and welfare we undertake that:

- Information will only be passed on, on a 'need to know' basis in order to safeguard the child/young person
- Giving such information to others for the protection of a child or young person is not a breach, of confidentiality
- We cannot guarantee total confidentiality where the best interests of the child or young person are at risk
- Parents/carers/responsible adults, children and young people have a right to know if personal information is being shared and/or a report is being made to the Health Service Executive, unless doing so could put the child/young person at further risk
- Images of a child/young person will not be used for any reason without the consent of the primary carer (however, we cannot guarantee that cameras/videos will not be used at public performances).
- Procedures will be put in place around the use of images of children/young people
- Procedures will be put in place for the recording and storing of information in line with our confidentiality policy

Parental/Carer/Responsible Adult (Primary Carer) Involvement and Sharing of Information

IMAGINE ARTS FESTIVAL intends to involve parents/carers/responsible adults and share information. This will be outlined along the following lines:

Policy on primary carer involvement and sharing information

We are committed to being open with parents/carers/responsible adults and all primary carers.

- As we are a child centred organisation we are committed to putting the interest of the child/young person first. To that end we will: Contact local Health Service Executive / Gardai where there is a child protection welfare concern
- Encourage parents/carers/responsible adults to work in partnership with us under the guidelines set out by our organisation to ensure the safety of their children
- Have a designated contact person who is available for consultations

We undertake to:

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

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

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

Children being picked-up by parents / Guardians from workshops and events

- All tutors / volunteers should have an emergency parent / guardian number and they can ring this when child is not picked up on time and vice versa they should have tutors number in case of emergency and they can't get there for some genuine reason.
- Children should be checked re. getting picked-up by after workshop / event and don't just presume that once they go out of workshop space that that is the end of our responsibility – someone should supervise pick-ups. Especially important when workshops are back-to-back.

Complaints and Comments

IMAGINE ARTS FESTIVAL has a procedure for complaints and comments and primary carers, children/young people and staff should be made aware of these procedures.

The complaints and comments procedure includes the following:

- Complaints/comments will be responded to within one month
- The Administrator has responsibility for directing complaints/comments to the appropriate person.
- Verbal complaints will be logged and responded to within one month

Accidents

IMAGINE ARTS FESTIVAL has a Health and Safety Statement which includes a risk assessment of each area of operation.

An accidents procedure has been formulated. This includes information along the following lines:

- The organisation should be informed if any of the contact details in relation to the child/young person changes
- Children/young people's details are be cross-referenced between the incident book and file
- Outside organisations must provide proof that they have public liability insurance
- First aid boxes are available, and regularly restocked. IMAGINE ARTS FESTIVAL will take cognisance of responsibility for first-aid on off-site trips
- Accident and incident books are looked after by administrative staff – all accidents and incidents should where possible be reported to them within 24 hours of event.
- Advise children and young people of risks of dangerous material
- Record details of risky equipment used and steps taken to minimise risk

CHILD SAFEGUARDING PROCEDURES

In an effort to provide a safe environment and experience, where the welfare of the child/young person is paramount Imagine Arts Festival has devised the following procedures:

1. Code of Conduct
2. Procedure for Reporting Child Safeguarding Issues
3. Procedure for the Safe Recruitment and Selection of Workers and Volunteers to Work With Children
4. Procedure for the Management of Allegations of Abuse or Misconduct Against Workers/Volunteers of a Child Availing of our Service
5. Procedures for Technology, Social Media and Photography

1. CODE OF CONDUCT

The Code of Conduct can be categorised under the following headings:

- A. Child Centred Approach
- B. Good Practice
- C. Inappropriate Behaviour
- D. Physical Contact
- E. Health and Safety

A. Child Centred Approach

All adults working with Imagine Arts Festival will:

- Treat all children members equally
- Listen to and respect children and young people
- Involve children/young people in decision making as appropriate
- Provide encouragement, support and praise (regardless of ability)
- Use appropriate language (physical and verbal)
- Have fun and encourage a positive atmosphere
- Offer constructive criticism when needed and develop the member's ability to do likewise
- Treat all children and young people as individuals
- Respect a child's/young person's personal space
- Discuss boundaries on behaviour and related sanctions, as appropriate with children and young people and their primary carers
- Have discussed and agree basic rules of Imagine Arts Festival and if necessary introduce contracts/agreements with group to ensure a safe working group
- Encourage feedback from group
- Use age-appropriate teaching aids/materials
- Lead by example
- Be aware of a child/young person's time limitations e.g. school/exams when scheduling rehearsals / activities

- Be cognisant of a child's or young person's limitations, due to a medical condition for example
- Create an atmosphere of trust
- Respect differences of ability, culture, religion, race and sexual orientation

B. Good Practice

- All members of Imagine Arts Festival who work with children are registered (see page 30)
- All parents / carers / responsible adults, children/young people, visitors and facilitators will be made aware of Imagine Arts Festival's Child Protection Policy
- Be inclusive of children and young people with special needs
- Report any concerns to designated person (Sinéad Dunphy) and follow reporting procedures
- Evaluate work practices on a regular basis
- Provide appropriate training for staff and volunteers
- Report/record any incidents and accidents (see Appendices I & II)
- Update/review policies and procedures regularly
- Keep primary carers informed of any issues that concern their children
- Ensure proper supervision including adequate ratios depending on age, abilities and activities involved and appropriate gender balance for residential
- All partnership agreements with any outside organisation must have signed contracts in place before work commences.
- Don't be passive in relation to concerns i.e. 'don't do nothing'
- Don't let a problem get out of control
- Avoid taking a session on your own. If this is not possible then it should be in an open environment with the full knowledge and consent of primary carers
- Avoid if at all possible giving a lift to a child/young person and in the event that you do then make sure that parents/carers/responsible adults are informed
- Maintain awareness around language and comments made, if you think that something you said may have caused offence or upset, then try to address it in a sensitive manner

C. Inappropriate behaviour

- Avoid spending excessive amounts of time alone with children/young people
- Don't use/allow offensive or sexually suggestive physical and/or verbal language
- Don't single out a particular child/young person (for unfair favouritism, criticism, ridicule, or unwelcome focus or attention)
- Don't allow/engage in inappropriate touching of any form
- Don't hit or physically chastise children/young people
- Don't socialise inappropriately with children/young people e.g. outside of structured organisational activities

D. Physical Contact

- Seek consent of child/young person in relation to physical contact (except in an emergency or a dangerous situation)

- Avoid horseplay/inappropriate touching

E. Health and Safety

- Don't leave children unattended/unsupervised
- Manage any dangerous materials
- Provide a safe environment
- Be aware of accident procedure and follow accordingly

2. PROCEDURE FOR REPORTING CHILD SAFEGUARDING ISSUES

Designated Person

Within Imagine Arts Festival the designated person (DP) is Sinéad Dunphy (Festival Director of Imagine Arts Festival) to deal with issues related to child protection and welfare in the organisation and to respond to any concerns that may be identified. A deputy, John Fitzpatrick (Imagine Arts Festival Management Committee) has also been appointed to cover this role when the designated person is unavailable or if the DP is directly involved in an incident or suspicion or accusation.

It will be made very clear to all staff, parents/carers/responsible adults and children/young people who the designated person and the deputy are and how to contact them.

Role and responsibility of designated person

The designated person is the main point of contact where there is an issue or concern about any aspect of a child's or young person's safety and welfare. It is the responsibility of this person to advise staff about policy and procedures in relation to child protection and to ensure that procedures are followed. The designated person will support and advise staff in the event of a concern regarding child protection and welfare. It is also the responsibility of the designated person to liaise with the Health Service Executive or Gardai where appropriate.

The designated person is Sinéad Dunphy and can be contacted at 0087-7713442. The deputy-designated person is John Fitzpatrick and he can be contacted at 087 6932682.

The following would constitute reasonable grounds for concern

- specific indication from the child or young person that s/he has been abused
- an account by a person who saw the child/young person being abused
- evidence, such as an injury or behaviour, which is consistent with abuse and unlikely to be caused another way
- an injury or behaviour which 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, : dysfunctional behaviour
- consistent indication, over a period of time, that a child is suffering from emotional or physical neglect

Recording Procedures

A recording system/mechanism is in place within Imagine Arts Festival for recording concerns about the protection of children and young people. This Child Protection Log is kept locked by the DP.

This Child Protection Log will record any

- suspicions
- concerns
- worrying observations
- behavioural changes

Dealing with a disclosure

- Stay calm and listen to the child/young person, allow them enough time to say what he/she needs to say
- Don't use leading questions or prompt details
- Reassure the child/young person but do not promise to keep anything secret
- Don't make the child/young person repeat the details unnecessarily
- Explain to the child/young person what will happen next (explanation should be age appropriate)

If any staff or adults involved or members of their families have any concern about the safety and welfare of members within IMAGINE ARTS FESTIVAL they are encouraged to discuss with the DP.

- The reporting procedure would follow normal practices within the Health Board recommendations and would follow the following line – after speaking to the DP – he in turn would discuss with Duty Social Worker if it is of a serious and worrying level and take whatever advice they recommend.
- The person who expresses the concern should be involved and kept informed
- Actions and outcomes should be recorded
- Record the details, including the date, time and people involved in the concern/disclosure and the facts. Information recorded should be factual. Any opinions recorded should be supported by facts.
- Inform the designated person or if unavailable the deputy. They in turn discuss with Health Board.
- The most appropriate person should discuss the concern/consult with parents/carers/responsible adults. Parents/carers/responsible adults should be told of a report to the Health Service Executive unless it is likely to put the child/young person at further risk
- The Designated Person may contact the Health Service Executive Social Work Department for an informal consultation prior to making a report
- Information will be shared on a strictly 'need to know' basis (see Confidentiality Statement – next section)
- If there are reasonable grounds for concern as outlined above, the designated person will contact the duty social worker in the Health Service Executive area using the standard reporting form. Reports to the duty social worker can be made verbally

initially and then followed by the standard reporting form. Reports should be made to the Health Service Executive without delay.

- If the designated person/deputy is not available then contact the local Social Worker of the Health Service Executive directly
- In emergencies which are out of Health Service Executive Social Work hours then contact the Gardai. There may be situations which threaten the immediate safety of a child/young person where it may be necessary to contact the Gardai

3. PROCEDURE FOR THE SAFE RECRUITMENT AND SELECTION OF WORKERS AND VOLUNTEERS TO WORK WITH CHILDREN

Safe recruitment is central to the safeguarding of children and young people. All organisations which employ staff or volunteers to work with children and young people have a duty to safeguard and promote their welfare. This includes ensuring that the organisation adopts safe recruitment and selection procedures which prevent unsuitable persons from gaining access to children.

All workers employed, contracted to work, or volunteering to work with children through Imagine Arts Festival will be required to have An Garda Síochána vetting.

Safe Management of Staff

All staff will agree their training needs at the start of each year and IMAGINE ARTS FESTIVAL will endeavour to have these needs met providing adequate resources and practical considerations allow.

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

To protect both staff/volunteers and children/young people new staff will:

- be given a mandatory induction training session
- be made aware of the organisation's code of conduct, designated person and their role and the child protection procedures
- be expected to have read and signed the Child Protection Policy
- to do the online Tusla Child Protection training
- Undergo a probation/trial period

And all staff will:

- be provided with an adequate level of supervision, support and review of work practice
- be provided with child protection training (volunteers not available for training or awaiting such course to start will be required to read an information pack on the organisation's child protection policies and procedures)

4. PROCEDURE FOR THE MANAGEMENT OF ALLEGATIONS OF ABUSE OR MISCONDUCT AGAINST WORKERS/VOLUNTEERS OF A CHILD AVAILING OF OUR SERVICE

In the event of allegations being made against a staff member the protection of the child/young person is the first and paramount consideration.

- The organisation has a dual responsibility in respect of both the child/young person and the worker. The same person will not have the responsibility for dealing with both the reporting issues and the employment issues. An allegation against an employee should be assessed promptly and carefully.
- If reasonable grounds for concern exist a formal report to the Health Service Executive should be made. Reporting procedures as outlined in Section 3 of these guidelines should be followed. Employers should maintain a close liaison with the Health Service Executive/Gardai. Employers should ensure actions taken by them do not undermine or frustrate any assessment/investigation by Health Service Executive/Gardai.
- Agreed procedures, applicable employment contract and the rules of natural justice should be followed. The employer should take protective measures that are appropriate to the level of risk and not unreasonably penalise the worker unless necessary to protect the child/young person i.e. increased supervision, assigned different duties, suspension.
- IMAGINE ARTS FESTIVAL may want to seek legal advice on procedures/protocol when dealing with any allegation against staff.

In the event of an allegation against staff (or volunteers) :

Two separate procedures must be followed:

- 1) In respect of the child/young person the Designated Person will deal with issues related to the child/young person
- 2) The procedure for dealing with the worker will be carried out by the Chairperson of Management Committee and should that person not be available, the Deputy Designated person (who is a member of the Mgmt Committee) will deal with issues related to the worker. They can in turn ask the Administrator to deputise on their behalf and communicate any decisions made.

- The first priority is to ensure that no child or young person is exposed to unnecessary risk
- If allegations are made against the Designated Person then contact the Chairperson or Deputy Designated Person if chair is not available.
- The reporting procedures such as outlined under Section 3 of these guidelines should be followed. Both the Primary carers and child/young person (age appropriate) should be informed of actions planned and taken.
- The staff member will be informed as soon as possible
 - (i) the nature of the allegation
 - (ii) the staff member should be given the opportunity to respond
- Any action following an allegation of abuse against an employee should be taken in consultation with Health Service Executive and Gardai

- After consultation, chairperson/head of organisation will advise person accused and agreed procedures will be followed.

5. PROCEDURES FOR TECHNOLOGY, SOCIAL MEDIA AND PHOTOGRAPHY

Technology

Continuing advances in technology e.g. mobile phones, email and internet have broadened the means and speed by which people can communicate and share information. These technologies have also brought the need to ensure that they are used for their positive benefits and to minimise the potential negative or harmful uses for which they can be used.

Mobile Phones

A mobile phone can be a great communication method and a potentially safety tool for everyone, including children. However if communicating by mobile phone with youth members, particularly by text messaging, Leaders should be aware of the younger age of the recipient and hence the possible room for misinterpretations.

Mobile phones can be a safety tool particularly in medical emergencies.

If a leader gives their phone number as the contact number to parents then the leader must ensure that the phone is charged and in credit at all times.

Camera Phones

Camera Phones should be used safely and responsibly. At all times Leaders and Young people must respect others and at no times should camera phones be used to distribute pictures of other people if it could invade their privacy. Leaders and young people should not send pictures that are obscene, indecent or menacing and should be sensitive about other people's gender, colour, religion, or personal background.

Social Media

Social Media is content created by people using highly accessible publishing technologies. Social media is distinct from traditional media such as newspapers, television, and film. Social media comprises relatively inexpensive and accessible tools that enable anyone (even private individuals) to publish or access information.

Social media may include (although not limited to):

- social networking sites (e.g. Facebook, Myspace, LinkedIn, Bebo, Yammer)
- video and photo sharing websites (e.g. Flickr, Instagram, YouTube)
- blogs, including corporate blogs and personal blogs
- blogs hosted by media outlets (e.g. comments or your say feature)
- micro-blogging (e.g. Twitter)
- wikis and online collaborations (e.g. Wikipedia)
- forums, discussion boards and groups (e.g. Google groups, Whirlpool)
- vod and podcasting
- online multiplayer gaming platforms (e.g. World of Warcraft, Second life)
- instant messaging (including SMS)

- geo-spatial tagging (Foursquare)

Social media also includes all other emerging electronic/digital communication applications.

Becoming authorised to comment on behalf of Imagine Arts Festival

Before engaging in social media as a representative of Imagine Arts Festival, you must become authorised to comment. You may not comment as a representative of Imagine Arts Festival unless you are authorised to do so. To become authorised to comment in an official capacity, you must gain approval from the Chairperson of the Management Committee.

Imagine Arts Festival staff, volunteers, artists and users of services are encouraged to contribute to Imagine Arts Festival social media platforms provided they do so in a way which promotes and enhances the festival and its reputation.

Rules of engagement

Once authorised to comment, you must:

- Disclose and comment only on information classified as public domain information.
- Ensure that all content published is accurate and not misleading and complies with all relevant Imagine Arts Festival policies.
- Ensure comments are respectful of the community in which you are interacting online.
- Adhere to the Terms of Use of the relevant social media platform/website, as well as copyright, privacy, defamation, contempt of court, discrimination, harassment and other applicable laws.

If you are authorised to comment as an Imagine Arts Festival representative, you must not:

- Post or respond to material that is offensive, obscene, defamatory, threatening, harassing, bullying, discriminatory, hateful, racist, sexist, infringes copyright, constitutes a contempt of court, breaches a Court suppression order or is otherwise unlawful.
- Use or disclose any confidential or secure information.
- Make any comment or post any material that might otherwise cause damage to Imagine Art Festival's reputation or bring it into disrepute.

Photography

These guidelines relate to any photographs or images of young people in IMAGINE ARTS FESTIVAL taking part in activities. IMAGINE ARTS FESTIVAL at present use photos and images for publicity and archival purposes but in general the rule is never to store the name of the child with the image in the picture.

All photographers and Video recordings are planned with the young people and they are aware of when they are being filmed. No photographer or Video operators will be allowed unsupervised access to young people or one-to-one photo sessions.

Parental Permission

All parents are given the following text to read when their child is joining IMAGINE ARTS FESTIVAL for any workshop:

“I hereby grant permission to Imagine Arts Festival to:

- a. record, photograph and tape (audio, video and still) my child
- b. publicly exhibit or display works by my child
- c. reproduce any of my child’s work for non-profit making / educational purposes. I understand the productions / works may be shown in theatres, workshops and in other Imagine Arts Festival related sites, in displays in the community, on the internet or included in educational / promotional materials.

For my child [state name], I give permission, as initialled above, for the display of work or the use of still, audio or video recording of my child for the stated purposes, until I rescind my permission in writing and receipt of this letter is acknowledged by Imagine Arts Festival. All said stills, videos and audiotapes remain the property of Imagine Arts Festival”.

APPENDIX I
IMAGINE ARTS FESTIVAL ACCIDENT/INCIDENT INVESTIGATION FORM

INTERNAL ACCIDENT/INCIDENT INVESTIGATION FORM				
PART A – DETAILS OF INJURED PERSON				
NAME			PHONE	
ADDRESS			EMAIL	
			PPS NUMBER	
			DATE OF BIRTH	
			AGE	
			POSITION	
EMPLOYMENT TYPE			FULL TIME	PART TIME OTHER
OCCUPATION	EMPLOYEE	CONTRACTOR	MEMBER OF THE PUBLIC	OTHER
OUTCOME	INJURY	NEAR MISS	FATALITY	OTHER
PART B – DETAILS OF INJURY AND TREATMENT				
TYPE OF INJURY (E.G. BURN, CUT, SPRAIN)				
CAUSE OF INJURY (E.G. FALL, MACHINE)				
PART OF BODY INJURED				
AGENT (E.G. POOR LIGHT)				
FIRST AID	YES	NO	FIRST AIDER	
TREATED BY DOCTOR?	DOCTOR'S NAME		ADDRESS	
HOSPITALISED?	HOSPITAL NAME		ADDRESS	
TREATMENT RECEIVED?				
PART C – DETAILS OF ACCIDENT OR INCIDENT				
DATE			TIME	
LOCATION				
DESCRIPTION OF ACCIDENT/INCIDENT				
OTHER INFORMATION AVAILABLE?	WITNESS	CCTV	PHOTO/VIDEO	OTHER

PART D – WITNESS DETAILS (WHO WITNESSED THE ACCIDENT/INCIDENT?)					
NAME		PHONE			
ADDRESS	EMAIL				
	PPS NUMBER				
	DATE OF BIRTH				
	AGE				
	POSITION				
SAFE PASS NUMBER AND EXPIRY DATE		CSCS DETAILS			
WITNESS STATEMENT TAKEN?			YES	NO	
PART E – KEY FINDINGS OF INVESTIGATION					
LIST					
PART F – ACTIONS TO PREVENT REOCCURRENCE					
ACTION		BY WHOM	DATE		
PART G - ITEMS ATTACHED					
SKETCHES		CERTIFICATION OF PLANT ETC.	PHOTOGRAPHS/VIDEO	RISK ASSESSMENTS	TRAINING RECORDS
YES	NO	YES	NO	YES	NO
DETAIL OTHER ITEMS/USEFUL INFORMATION					
PART H – OTHER INFORMATION					
ACCIDENT INVESTIGATED BY		POSITION			
PHONE		EMAIL			
SIGNED		DATE			

APPENDIX II

Definitions of Abuse

WHAT IS CHILD ABUSE?

Child abuse can be categorised into four different types:

Neglect, emotional abuse, physical abuse and sexual abuse. A young person may be subjected to more than one form of abuse at any given time.

Neglect

"Neglect can be defined in terms of an omission, where the young person suffers significant harm or impairment of development by being deprived of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, attachment to and affection from adults, medical care. "

"Harm can be defined as the ill-treatment or the impairment of the health or development of young person Whether it is significant is determined by his/her health and development as compared to that which could reasonably be expected of a young person of similar age. "

Neglect to the extent it is harmful happens over a period of time and there are generally a number of indicators. One-off omissions are unlikely to cause significant harm in a teenager. Significant harm is reached when the young person's needs are neglected to the extent that his/her well-being and/or development is severely affected.

Signs and Symptoms of Neglect

A distinction can be made between wilful neglect and circumstantial neglect. Wilful neglect is where parents or carers deliberately deprive a young person of their basic needs, whereas circumstantial neglect is where are unable to cope and this reflects on how they care for their children. This inability to cope can be because of poor coping skills, learning disabilities, psychiatric or psychological problems, ill health or addiction.

Neglect should be considered in cases where a young person has been:

- Abandoned or deserted or thrown out of home.
- Left without adequate care and supervision
- Cold
- Malnourished
- Without adequate clothing
- Lack of protection and exposure to danger including moral danger
- Persistent failure to attend school
- Failure to provide adequate care for a child's medical problems
- Exploited or overworked

EMOTIONAL ABUSE

"Emotional abuse is normally to be found in the relationship between care-giver and the young person rather than in a specific event or pattern of events. It occurs when a young persons need for affection, approval, consistency and security are not met.

Unless other forms of abuse are present, it is rarely manifested in terms of physical signs or symptoms. "

- The imposition of negative attributes on young people, expressed by persistent criticism, sarcasm, hostility or blaming.
- Conditional parenting in which the level of care shown to a young person is made contingent on his or her behaviours or action.
- Emotional unavailability of the young person's parent/carer
- Unresponsiveness, inconsistent or inappropriate expectations of a young person.
- Premature imposition of responsibility on a child
- Unrealistic or inappropriate expectations of a young person's capacity to understand something or to behave and control himself in a certain way
- Under or over protection of a young person
- Failure to show interest in, or provide age appropriate opportunities for the young person's cognitive and emotional development.
- Use of unreasonable or over harsh disciplinary measures
- Exposure to domestic violence

"Emotional abuse can be manifested in terms of the young person's behavioural, cognitive, affective or physical functioning. Examples of these include unhappiness, low self esteem, educational and developmental under achievement and oppositional behaviour. The threshold of significant harm is reached when abusive interactions become a dominate and become typical of the relationship between the young person and the parent/care-giver. "

Signs and Symptoms of Emotional Abuse

Emotional abuse is difficult to recognise.

"Emotional abuse refers to the habitual verbal harassment of a young person by disparagement, criticism, threat and ridicule and the inversion of love; whereby verbal and non verbal means of rejection and withdrawal are substituted. "

Emotional abuse could be considered if the following are present:

- Rejection
- Lack of praise and encouragement
- Lack of comfort and love
- Lack of attachment
- Lack of proper stimulation
- Lack of continuity of care

- Serious over protectiveness
- Inappropriate non physical punishment
- Family conflicts and/or violence
- Every young person who is neglected, physically or sexually abused is also emotionally abused
- Inappropriate expectations of a young person's behaviour - relative to his/her age and stage of development

PHYSICAL ABUSE

Physical abuse is any form of non-accidental injury or injury, which results from wilful or neglectful failure to protect a young person.

- Shaking
- Use of excessive force in handling
- Deliberate poisoning
- Suffocation
- Munchausen's Syndrome by Proxy
- Allowing or creating a substantial risk of significant harm to a young person

Signs and Symptoms

There are many different forms of physical abuse but skin, mouth and bone injuries are the most common.

- Bruises. All young people can have bruising where bone is fairly close to the skin i.e. chin, nose, forehead, elbow, knees and shins. Bruises to soft tissues like cheek, buttocks, lower back, back or thighs and calves, neck and mouth are more suspicious as they are not generally caused by falls or bumping into things. Bruising on the neck is always suspicious as it is unlikely to be accidentally acquired. Black eyes cannot be caused by falls on a flat surface and two black eyes are caused by two injuries. Distinctive patterns of bruising are caused by straps, belts, hands and sticks, although punches can be less definite.
- Fractures
- Swollen Joints
- Burns/Scalds
- Abrasions/Lacerations
- Haemorrhages (retinal/subdural)
- Damage to body organs
- Poisonings - repeated (prescribed drugs, alcohol)

SEXUAL ABUSE

Sexual abuse occurs when a young person (under 18 years) is used by another person for his or her gratification or sexual arousal or for that of others.

A young person for the purposes of this section is anyone aged under the age of 17 years, the legal age of consent in this country. A person under the age of 17 years is not deemed to be old enough to give consent.

- Exposure of the sexual organs or any sexual act intentionally performed in the presence of a young person

- Intentional touching or molesting of the body of a young person whether by a person or object for the purpose of sexual arousal or gratification
- Masturbation in the presence of the young person or the involvement of the young person in an act of masturbation
- Sexual intercourse with a young person whether oral, vaginal or anal.
- Sexual exploitation of a young person includes, inciting, encouraging, propositioning, requiring or permitting a young person to solicit for, or to engage in prostitution or other sexual acts. Sexual exploitation also occurs when a young person is involved in 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 young people, which is often a feature of the grooming process.
- Consensual sexual activity involving an adult and an under age person (under 17 years). Sexual intercourse between 16 year old girl and her 17 year old boyfriend is illegal, although it might be regarded as constituting child sexual abuse.
- Offensive sexual remarks
- Obscene phone calls

How do signs and symptoms come to light?

- disclosure by the young person or their siblings/friends
- the suspicion of an adult
- due to physical symptoms

Sexual Exploitation

- Child pornography
- Child prostitution
- Sexual abuse in combination with other abuse for example physical abuse, giving the young person drugs or alcohol.

Signs and Symptoms

- Mood changes
- Running away
- Drug, alcohol, solvent abuse
- Self-mutilation
- Suicide attempts
- Delinquency
- Truancy
- Eating disorders
- Isolation

POINTS TO REMEMBER

The severity of a sign does not necessarily equate with the severity of the abuse.

- Neglect is as potentially fatal as physical abuse
- Child abuse is not restricted to any socio-economic group, gender or culture

- Challenging behaviour by a child or young person should not render them liable to abuse.
- Priority must be given to the welfare of the young person
- Society has a duty care towards young people

APPENDIX III

Health Board and An Garda Síochána Child Protection Policies

Introduction

A joint protocol has been agreed between the health boards and An Garda Síochána, whereby each organisation will notify each other of all reports of suspected child abuse which are made to them, and both are obliged to conduct a preliminary assessment/investigation in consultation with each other. Reports that are made anonymously will be followed up, but reporters will be informed that anonymity may greatly restrict the ability of professionals to intervene to protect a child.

It is important to note that the ability of the health board and An Garda Síochána to respond to reports of suspected child abuse will depend on the quality and extent of information reported to them.

Emergency action to protect a child

If it appears, on receipt of a report of suspected child abuse, that a child has been harmed or is at immediate risk of harm, emergency action will be taken by the health board or An Garda Síochána. This may involve having the child medically examined, and/or moving the child to a safe environment such as a foster home, or to the home of relatives. This intervention may be made voluntarily with the parents/carers' consent, or may involve an Emergency Care Order under the Child Care Act 1991.

Assessment and investigation

Where the perceived harm or risk to the child does not appear to warrant emergency action, the assessment/investigation will be carried out as quickly as possible in a co-ordinated manner, in consultation with any other professionals who are involved with the child and parents/carers. This will involve interviews with the child and parents/carers, and possible referral to medical or specialist services for more detailed assessment. An Garda Síochána will prepare a file for the Director of Public Prosecutions if appropriate.

Notification to the child care manager/designate

The Child Protection Notification System is a health board record of every child about whom, following a preliminary assessment, there is a child protection concern. Notifications are first made to the Child Care Manager by the health board staff member who carries out the initial assessment of a child protection concern. The Child Care Manager will ensure that all notified reports are reviewed initially and at six monthly intervals until a final outcome of assessment is known and an agreed intervention has been put in place.

Child protection meetings

Three types of child protection meeting may be organised by the health board during the management of a case

(i) A strategy meeting may be held at the outset of a child protection assessment when it appears that a child is at serious risk and in need of immediate protection or at any point in an assessment when it deemed appropriate. This meeting will normally involve health board staff and members of An Garda Síochána, but may involve any or all other professionals

involved. Its main aims are to share information and plan a strategy for early intervention and further assessment.

(ii) A child protection conference may take place when initial enquiries and any necessary emergency actions have taken place. Its participants include all professionals involved in the case. The child (where appropriate) and the child's parents/carers should be invited unless a specific reason for their exclusion is identified. Its aims are to pool all available information, outline a child protection plan, and identify the tasks to be carried out by different professionals. All professionals who are invited to child protection conferences should attend, and produce written reports in advance for the Chairperson, who will normally be the Child Care Manager/designate. The child protection conference will be followed by completion of a comprehensive assessment, and finalisation of the child protection plan.

(iii) Child protection reviews are held at six monthly intervals where a child's name is in the Child Protection Notification System, where (s)he is still residing with his or her parents/carers and where (s)he is still considered to be at risk. Child protection reviews should be attended by the core group of professionals involved with the case, and each should submit a written report in advance. The child (where appropriate) and the child's parents/carers should be invited unless a specific reason for their exclusion is identified. The aims of a child protection review are to consider the child's current situation, co-ordinate the views of participants, and amend the child protection plan.

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