



Code	QA127
Title	Child Safeguarding Statement
Date	10 th January, 2023
Approved By	University Management Team

Contents

Definitions	3
1 Nature of Service	5
2 Statement of Intent and Guiding Principles	5
3 Aims and Objectives	6
4 Legal Framework	7
5 Roles and Responsibilities	8
5.1 Implementation and Management Responsibility	8
5.2 General Responsibility	8
5.3 Specific Roles	9
Designated Liaison Person (DLP)	9
Deputy Designated Liaison Person (DLP)	10
Relevant and Named Person	10
Child Safeguarding Co-ordinator	11
Mandated Persons (MPs)	11
5.4 University Subsidiary Companies and Campus facility Providers	11
6 Risk Assessment	12
7 Procedure for Reporting Child Protection or Welfare Concerns	12
7.1 Principles and General Guidance	12
7.2 Non-Mandated Reporting	12
7.3 Mandated Reporting	13
7.4 Cases Requiring Immediate Emergency Action	15
7.5 Failing to make a mandated report	15
7.6 Other criminal liability	15
7.7 Informing a child's parent/guardian that a report is being made	16
8 Dealing with disclosure from children	16

9 Retrospective disclosure of child abuse by an adult	18
10 Procedure for the management of allegations of abuse or misconduct against any member of the University.	19
11 Procedure for safe recruitment and selection	20
12 Procedure for the provision of and access to child safeguarding training and information	21
13 Procedure for maintaining a list of mandated persons	22
14 University Activities Involving Children – Best Practice Code of Behaviour	22
15 Research activity Involving Children	23
16 Confidentiality, Information Sharing	24
17 Record Keeping	24
18 Review	25
19 Key Contacts List	25
APPENDIX 1 SEXUAL OFFENCES AS SET OUT IN THE CHILDREN FIRST ACT 2015 [AS AMENDED BY SECTION 55 OF THE CRIMINAL LAW (SEXUAL OFFENCES) ACT 2017]	27
APPENDIX 2 SCHEDULE OF RELEVANT SERVICES UNDER THE 2015 ACT	29
APPENDIX 3 LEGAL FRAMEWORK AND KEY PUBLICATIONS	31
APPENDIX 4 THE UNIVERSITY’S RISK ASSESSMENT	33
APPENDIX 5 MANDATED PERSONS SPECIFIED IN THE 2015 ACT	46
APPENDIX 6 SIGNS AND SYMPTOMS OF CHILD ABUSE	48
APPENDIX 7 GUIDANCE FOR MANDATED PERSONS and THRESHOLD OF HARM FOR MANDATED REPORTING	54
APPENDIX 8 SCHEDULE OF OFFENCES AS SET OUT IN THE CRIMINAL JUSTICE (WITHOLDING OF INFORMATION ON OFFENCES AGAINST CHILDREN AND VULNERABLE PERSONS ACT 2012	58

Definitions

Age of Consent:	In Ireland the age of consent to sexual intercourse is 17 years for both males and females. It is a criminal offence to engage or attempt to engage in a sexual act with a child under 17 years of age.
Assault	In relation to a child means when someone deliberately hurts a child physically or puts him/her at risk of being physically hurt.
Associated Organisations /External Parties	All University contractors, associated organisations, visitors or external parties who are granted access to the University's resources or facilities, but who are not under the direct management of the University.
Child:	The Child Care Act (1991) defines a child as any person under the age of 18 years, excluding a person who is or who has been married.
Child Safeguarding	Ensuring safe practice and appropriate responses by all University members to concerns about the safety or welfare of children, with the aim of protecting children from harm, promoting their welfare, and creating an environment that allows them to grow, develop and achieve their full potential.
Child Abuse	This is categorised into four types: neglect, emotional abuse, physical abuse and sexual abuse
Designated Liaison Person (DLP)	The person appointed by the University to act as a resource to any University member who has a child protection concern. The person responsible for ensuring that reporting procedures are followed correctly and promptly and to act as the liaison person for the University to deal with the Child and Family Agency, TÚSLA and /or An Garda Síochána and any other agencies in connection with child protection concerns.
Employee	In the context of these procedures the word 'employee' includes all full-time and part-time employees of the University and volunteers.
Harm	means in relation to a child, (a) assault, ill-treatment or neglect of the child, in a manner that seriously affects or is likely to seriously affect the child's health, development or welfare, or (b) sexual abuse of a child.
Ill-treatment	means, in relation to a child, to abandon or cruelly treat the child, or to cause or procure or allow the child to be abandoned or cruelly treated.
Mandated Person	As defined in Schedule 2 of The Children First Act (2015) a Mandated Person is someone who has contact with children and/or families and who, because of their qualifications, training and/or employment role, is in a key position to help protect children from harm. The Act places a legal obligation on mandated persons to report child protection concerns.

Mandated Report	A report made by a Mandated Person in accordance with sections 14(1) and 14(2) of The Children First Act (2015).
Named Person	The person appointed by the University to lead on the continued development of guiding principles and child safeguarding procedures, and on ensuring that policies and procedures are consistent with all relevant legislation and best practice guidance.
Neglect	means, in relation to a child, to deprive the child of adequate food, warmth, clothing, hygiene, supervision, safety or medical care.
Parent / Guardian:	includes biological parent, adoptive parent, legal guardian, foster parent or any other person acting in <i>loco parentis</i> who has a child in his or her care subject to any statutory power or order of a court.
Physical abuse	means when someone deliberately hurts a child physically or puts them at risk of being physically hurt.
Relevant Person	means the person appointed by the University in accordance with section 8 of The Children First Act (2015) and who will be the first point of contact in respect of this Child Safeguarding Statement.
Sexual Abuse	means in relation to a child, the offences specified in Schedule 3 of The Children First Act (2015), which schedule is contained at <i>Appendix 1</i> of this Child Safeguarding Statement
Student	means any student of the University, to include any full-time, part-time, occasional, and visiting students of the University.
The 2015 Act	refers to the Children First Act (2015), as amended
The 2017 Guidance	refers to the Children First National Guidance for the Protection and Welfare of Children, as published by the Department of Children and Youth Affairs.
Túsla	is the Child and Family Agency, the lead statutory organisation for safeguarding children in Ireland
The University	means The University of Galway/Ollscoil na Gaillimhe
University members	means any person who is involved in the operation of the University, including all employees, contracted sessional workers and visiting lecturers, interns, students, and all volunteers acting on behalf of the University.
Welfare	in relation to a child, refers to the moral, intellectual, physical, emotional and social welfare of the child.

1.0 Nature of Service

The University is primarily the provider of third and fourth level education.

The University falls within the definition of an organisation that provides relevant services to children as outlined in Schedule 1 of The Children First Act (2015), set out at *Appendix 2*.

Children may be present on the University premises or under the supervision or direction of University Members in a wide number of circumstances including, inter alia, for example:

- University students under the age of 18
- Attending crèches
- Attending summer schools or holiday camps run by the University
- Using sports facilities
- Work experience placements or temporary employees
- Brought on site by parents during school holidays
- Living in student accommodation over the holiday period (e.g. as part of a school party)
- Attending open days as potential student applicants
- Attending interviews for admission to the University
- As subjects of academic research
- Participating in school/youth group visits to the University
- Campus Tours
- Attending public events on Campus such as science festivals, theatre representations, University organised competition awards ceremonies etc.
- As visitors for any other reason
- Where students are actively involved in volunteering activities involving children through or in association programmes such as the ALIVE programme
- Where staff or students are visiting schools or other organisations delivering Educational or Public Engagement activities involving children, for example, through or in association with programmes such as, SFI discover programme, Youth Academy, or Maths, Space, Science or engineering weeks.

Children may be accompanied by a responsible adult e.g. a teacher or parent, but in other circumstances they may be unaccompanied.

2.0 Statement of Intent and Guiding Principles

The University recognises its responsibility to promote and safeguard the welfare of children, young people and vulnerable persons.

The University believes and subscribes to the view that:

1. It is unacceptable for a child / young person / vulnerable person to experience any form of harm or abuse.
2. The welfare and protection of the child is paramount
3. That children should be protected, treated with respect, listened to, and have their views taken into consideration.
4. All children should be valued and treated in an equitable and fair manner regardless of ability, gender, social or ethnic background, family status, sexual orientation, religion, political persuasion.

The University is committed to adopting and upholding the highest possible standards in child safeguarding and protection and shall take all reasonable steps in relation to the protection and welfare of children, young people and vulnerable persons who may be present within its facilities or

on university related placements, avail of its services, or participate in research conducted by or on behalf of the university.

The University is committed to complying with all current and future legislation and guidance policy regarding Child Safeguarding. This Child Safeguarding Statement was developed following extensive consultation, and in accordance with the Children First Act (2015), Children First: National Guidance for the Protection and Welfare of Children (2017), Túsła's Child Safeguarding: a Guide for Policy, Procedure and Practice 2nd ed (2019), the United Nations Convention on the Rights of The Child, the Child Care Act (1991), Protections for Persons Reporting Child Abuse Act (1998) and the National Vetting Bureau Acts (2012-2016).

The procedures contained within this Child Safeguarding Statement are intended to compliment all other University procedures and guidelines which play an important role in promoting and safeguarding the welfare of children.

We will review our guiding principles and child safeguarding procedures every two years or sooner if necessary due to service issues or changes in legislation or national policy.

The University Child Protection Procedures apply to **all members of the University** i.e.

- i. All employees and personnel (paid and voluntary) of The University of Galway/ Ollscoil na Gaillimhe
- ii. All students
- iii. All students, who may have contact with children or vulnerable adults on or off campus in the course of their duties or in fulfilment of the requirements of their programmes of study.

External Parties: Subsidiary companies, organisations, agencies and groups:

In addition all other external parties, subsidiary companies, organisations, agencies and groups (e.g. Crèche facilities, Sport and Leisure facilities, Summer residency programmes / activities, Campus Dining and Shops), considered as a 'relevant service' under the Children First Act (2015) operating both within the University campus and on behalf of the University, will be required to have a Child Safeguarding Statement, in line with the requirements of Children First Act (2015), before entering into a contractual relationship with the University. *Appendix 1* outlines the schedule of relevant services under the Children First Act (2015).

All third party organisations who provide voluntary activities on the University Grounds that involve children are required to confirm to Building Services that they are compliant with the 2015 Act and 2017 Guidance.

3.0 Aims and Objectives

The purpose of the procedures is to ensure compliance with the University's statutory obligations and associated guidance as well as promoting best practice in child protection and safeguarding by :-

- I. ensuring, as far as practicable, that children are safe from harm while attending the University or participating in University activities;
- II. giving clear direction, training and guidance to all members of the University in relation to meeting their statutory obligations under the Children First Act, (2015) and in the continued implementation of the best practice guidance set out in Children First National Guidance (2017);
- III. providing for the appointment of personnel in key safeguarding roles, in particular
(a) a Relevant/Named Person, designated with lead responsibility for the development, review and implementation of the guiding principles and child safeguarding

procedures and as the first point of contact in respect of the University's Child Safeguarding Statement,

- (b) a Designated Liaison Person (DLP) and a Deputy Designated Liaison Person, to ensure reporting procedures are followed correctly, and
 - (c) Child safeguarding Co-ordinators for each College and Administrative Unit, to assist with achieving these aims and objectives within the same.
- IV. raising awareness of child abuse and neglect amongst all members of the University;
 - V. providing sufficient information to assist all members of the University in identifying and, dealing effectively with child abuse and neglect concerns;
 - VI. ensuring procedures are in place for reporting child protection or welfare concerns and those reporting procedures are understood and followed by all University members;
 - VII. providing guidance on responding to children who disclose abuse;
 - VIII. ensuring clear procedures are in place for responding to adult disclosures of childhood abuse;
 - IX. ensuring procedures are in place for responding to allegations of abuse made against workers or volunteers;
 - X. ensuring a procedure is in place to identify all Mandated Persons within the University and provide them with adequate information and training in order that they can make appropriate responses to child protection concerns;
 - XI. providing information on the procedure in place for safe recruitment and selection of any members working with children or vulnerable adults;
 - XII. ensuring clear policy on confidentiality is in place;
 - XIII. setting out clear procedures for information sharing and recording all child protection or welfare concerns.

4.0 Legal Framework

A list of key publications is more fully set out in *Appendix 3*.

In summary, The Children First Act (2015) requires providers of relevant services, which the University is (as set out in Schedule 1 of The 2015 Act – Appendix 2 of this document) to put in place a number of key child protection measures, as follows:

- to keep children safe from harm and to produce a Child Safeguarding Statement which sets out the policies and procedures which are in place to mitigate the risks identified;
- to undertake a risk assessment to identify the potential for harm to a child who is availing of their service (The University Risk Assessment is set out at *Appendix 4*);

The Act also places obligations on defined categories of persons (Mandated Persons), these are :

- a requirement to report child protection concerns over a defined threshold to Túsła, The Child and Family Agency;
- a requirement to assist Túsła, the Child and Family Agency in the assessment of a child protection risk, if requested to do so by the Agency;

Mandated Persons (Schedule 2 of the 2015 Act – *Appendix 5*) are those who, by virtue of their training, responsibilities and experience, should have an awareness of issues relating to child protection. These professionals either work with children or young people or they are in service

sectors that encounter adults or families and children where there is risk of abuse and neglect. Mandated reporters are required to report child abuse above a defined threshold, which comes to their attention in the course of their professional or employment duties. They are also required to report any direct disclosures of abuse from a child.

Under the legislation, mandated reporters are required to cooperate with Túsla, if requested, in relation to assessment by the Agency of child welfare and protection concerns arising from a mandated report.

Relevant Services, such as the University, have an obligation to identify and maintain a list of Mandated Persons within their organisation.

Children First: National Guidelines for the Protection and Welfare of Children is a primary reference for anyone as to reporting a welfare concern in respect of a child. It also provides essential guidance and best practise procedures for organisations and professionals with legal obligations as to child safeguarding.

The procedures contained in this document are based on the relevant statutory requirements and guidance.

5.0 Roles and Responsibilities

5.1 Implementation and Management Responsibility

The ultimate responsibility for the adoption and implementation of these procedures rests with the University President together with the University's Governing Authority and the University Management Team.

The management of each College, School and Unit will ensure full implementation of these procedures always taking account of the guiding principle that the protection and welfare of the child is of paramount importance, regardless of all other considerations.

It is the responsibility of all managers to ensure that each University member is made aware of their duties and complies with this Child Safeguarding Statement, insofar as it applies to them. They should ensure staff and volunteers undertake any required training and keep a record of the same. When recruiting any staff or volunteers, managers should ensure all appropriate recruitment and vetting procedures are undertaken in accordance with recruitment procedures and the requirements of the National Vetting Bureau (Children and Vulnerable Persons) Act (2012-16);

5.2 General Responsibility

The Child Safeguarding Statement applies to **all** University members and it is the duty of each member to comply with it and to uphold the key principle that the welfare of the child is paramount.

It is the duty of all members to be alert to the possibility of child abuse and to report any child protection or welfare concerns, or any allegations or disclosures of child abuse or neglect to the Designated Liaison Person (DLP). In the event that the Designated Liaison Person (DLP) is not available it should be reported to the Deputy Designated Liaison Person (DDLDP).

Appendix 6 of these procedures outlines the types of child abuse and how they may be recognised. All members of the University shall familiarise themselves with these signs and

symptoms of child abuse in order to enable them to meet their reporting obligations under these procedures. All members should liaise with the Designated Liaison Person (DLP) when they have **reasonable grounds for concern** that a child may have been, is being, or is at risk of being abused or neglected.

All members should undertake any training in respect of child safeguarding as requested by their manager or Child Safeguarding Co-ordinator.

All members of the University must ensure they are aware of and comply with the Best Practice procedures set out in this document when working with children and families.

All employees (staff and volunteer members) of the University must sign and return an "Acceptance of the University Safeguarding Statement" to the Child Safeguarding Co-ordinator of their College or Unit.

All students who work with children and young people must sign and return an "Acceptance of the University Safeguarding Statement" to the Child Safeguarding Co-ordinator of their College or the Lead Organiser of their Volunteer Programme (as appropriate). Students on placements involving children and families must also be aware of and follow the Child safeguarding procedures of their host organisation.

(A standard template is provided for this purpose)

5.3 Specific Roles

Designated Liaison Person (DLP)

The University will appoint a Designated Liaison Person (DLP) who will be a resource to any staff member who has a child protection or welfare concern and be responsible for ensuring that the University reporting procedures are followed correctly and promptly, so that child welfare and protection concerns are referred promptly to the relevant statutory agencies, and act as a liaison person with those agencies.

It will be the duty of the Designated Liaison Person (DLP) to:

- be fully familiar with the University's responsibilities in relation to the safeguarding of children and have a good knowledge of the University's guiding principles and child safeguarding procedures;
- maintain a good working knowledge of child safeguarding requirements and undertake any training required to keep up to date with new developments;
- act as a resource to any University member who has a child protection query or concern;
- receive child protection and welfare concerns from workers and volunteers and consider if reasonable grounds for reporting to Túsła exist;
- ensure that the University's reporting procedure is followed, so that child protection and welfare concerns are referred promptly to Túsła and/or to An Garda Síochána;
- consult informally with a Túsła Duty Social Worker through the Dedicated Contact Point, if necessary;
- where appropriate, make a formal report of a child protection or welfare concern to Túsła on behalf of the University, using the Túsła Web Portal or the Túsła Child Protection and Welfare Report Form;

- ensure compliance by Mandated Persons with joint reporting procedures;
- where appropriate, jointly report with a Mandated Person;
- in instances where they are of the view that a report does not need to be made, to inform the Mandated Person that it is open to them to seek their own advice from Túsla and advise the Mandated Person they can still make a mandated report or report their concern directly if they consider it to be warranted;
- when a Mandated Person makes a direct report, ensure they, the DLP, receive a copy of the same and notify the Registrar;
- ensure that the child's parents/guardians are informed that a report is to be submitted to Túsla or An Garda Síochána, unless:
 - Informing the parents/guardians is likely to endanger the child or young person,
 - Informing the parents/guardians may place the reporter(s) at risk of harm from the family,
 - The family's knowledge of the report could impair Túsla's ability to carry out an assessment;
- record all child protection or welfare concerns, or allegations of child abuse, brought to their attention as well as any action taken in response to these concerns, including recording the reasons where a decision is made not to make a report to Túsla;
- provide feedback to the referrer, as appropriate, whilst always maintaining appropriate confidentiality;
- ensure that a secure system is in place to manage and store confidential records;
- act as a liaison with Túsla and An Garda Síochána, as appropriate, including seeking informal advice from Túsla where there is any doubt as to whether a matter should be reported, or whether a mandated report should be made;
- liaise with the President, Director of Human resources, the Registrar and the University's legal department as appropriate regarding specific cases.

Deputy Designated Liaison Person (DDLDP)

The University will appoint a Deputy Designated Liaison Person (DDLDP) to assume the responsibilities of the Designated Liaison Person (DLP) if the DLP is unavailable or unable to act for any reason.

Relevant /Named Person

The University will appoint a Relevant Person who will also be the Named Person who will:

- oversee the implementation and development of this Child Safeguarding Statement and procedures contained therein;
- consult with associated service providers on the University campus who provide services to children to ensure that they adopt a Child Safeguarding Statement;
- promote awareness of this Child Safeguarding Statement and ensure that staff and students of the University have ready access to and contact details of the Designated Liaison Person (DLP);
- ensure appropriate child safeguarding training is available for all members of the University, and support line managers in delivering or making available such training;
- Liaise regularly with Child Safeguarding Co-ordinators as to development and updating of this Child Safeguarding Statement, including the risk assessment and procedures contained therein, and in respect of training requirements and how they should be fulfilled;
- ensure that new employees and students of the University are made aware of this Child Safeguarding Statement during staff induction training and student orientation events;

- be fully familiar with the University’s responsibilities in relation to the safeguarding of children and have a good knowledge of the University’s guiding principles and child safeguarding procedures;
- maintain a good working knowledge of child safeguarding requirements and undertake any training required to keep up to date with new developments.

The same person can be appointed as the Relevant/Named Person and the Designated Liaison Person (DLP).

Child Safeguarding Co-ordinator

Each College and Administrative Unit of the University will appoint a Child Safeguarding Co-ordinator, whose role will be to:

- ensure a copy of the University Child Safeguarding Statement is made available to all members within their College/Unit;
- identify all Mandated Persons within the College/Unit, maintain a list of the same and provide a copy of such list to the Designated Liaison Person (DLP);
- develop a culture of awareness and knowledge of these procedures;
- ensure appropriate training is undertaken by personnel;
- maintain records of training;
- liaise with Relevant/Named Person on a regular basis as to development and updating of this Child Safeguarding Statement, including the risk assessment and procedures contained therein, and in respect of training requirements and how they should be fulfilled.

Mandated Persons (MPs)

Mandated persons should be aware that their statutory obligation to report concerns in accordance with the 2015 Act rests with the Mandated Person and not with the Designated Liaison Person. However, in accordance with this Child Safeguarding Statement a Mandated Person shall, when making a mandated report, make it jointly with the Designated Liaison Person.

Mandated Persons are required:

- to inform the Designated Liaison Person of any allegations, or disclosures of child abuse or neglect and any child protection or welfare concerns;
- when making a mandated report, to make it jointly with the Designated Liaison Person;
- when informed by the Designated Liaison Person that they are of the view a report does not need to be made, be aware that they can seek their own advice from Túsla and should make a direct report of their own if they consider it appropriate to do so;
- when making a direct report, to ensure they inform the Designated Liaison Person that they have done so and provide a copy of the same to the Designated Liaison Person;
- co-operate with Túsla in the assessment of mandated reports, where requested to do so.

5.4 University Subsidiary Companies and Campus Facility Provider

The University requires **relevant** subsidiary companies and campus facility providers to put in place a comprehensive Child Safeguarding Statement in accordance with the 2015 Act, the 2017 Guidance and this Child Safeguarding Statement.

6.0 Risk Assessment

The University has undertaken a risk assessment which is contained in Appendix 4.

7.0 Procedure for Reporting Child Protection or Welfare Concerns

7.1 Principles and General Guidance

The responsibility to report child protection or welfare concerns about a child applies to all members of the University.

The guiding principle when a child protection or welfare concern arises is that the safety and wellbeing of the child takes priority over all other considerations.

In accordance with the Children First National Guidance (2017) guidelines, Túsla must always be informed where there are **reasonable grounds for concern** that a child may have been, is being, or is at risk of being abused or neglected.

Child abuse can be categorised into four different types: neglect, emotional abuse, physical abuse and sexual abuse. A child may be subjected to one or more forms of abuse at any given time. Abuse and neglect can occur within the family, in the community or in an institutional setting. The abuser may be someone known to the child or a stranger, and can be an adult or another child. In a situation where abuse is alleged to have been carried out by another child, you should consider it a child welfare and protection issue for both children and you should follow child protection procedures for both the victim and the alleged abuser. The important factor in deciding whether the behaviour is abuse or neglect is the impact of that behaviour on the child rather than the intention of the alleged abuser.

It is not necessary for any member of the University to prove that abuse has occurred - all that is required is that the person has reasonable grounds for concern. It is Túsla's role to assess concerns that are reported to it and act accordingly.

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.

Please refer to *Appendix 6* of this Child Safeguarding Statement for further information on recognising the signs and symptoms of child abuse or neglect.

7.2 Non-Mandated Reporting

Where any member of the University knows, believes or has reasonable grounds for concern that a child may have been, is being, or is at risk of being abused or neglected they must without delay report this to the University Designated Liaison Person (DLP).

The Designated Liaison Person (DLP), in consultation with the person who raised the concern, will decide if reasonable grounds for concern exist.

If reasonable grounds for concern exist, the Designated Liaison Person (DLP) will report to Túsła through either the Túsła Web Portal or relevant Dedicated Contact Point. Where the Designated Liaison Person (DLP) is unsure whether or not the matter should be reported to Túsła they may seek advice from Túsła. The Designated Liaison Person (DLP) shall make a written record of the consultation, including a note of the date, the name of the Túsła officer and the advice given.

If the Designated Liaison Person (DLP) decides not to report a concern to Túsła, the following steps should be taken by the Designated Liaison Person (DLP):

The reason for not reporting should be recorded;

If any actions are taken as a result of the concern, these should be recorded;

The person who raised the concern will be given a clear written explanation of the reason why the concern is not being reported to Túsła;

The person who raised the concern will be advised that if they remain concerned about the situation, they are free to seek informal advice from Túsła and to make a report to Túsła or An Garda Síochána;

The person who raised the concern will be advised that if they do choose to make a report they are covered by the Protection for Persons Reporting Child Abuse Act (1998).

If the person who raised the concern does choose to make a direct report to Túsła or An Garda Síochána they must provide a copy of the report to the Designated Liaison Person.

7.3 Mandated Reporting

Statutory duty of mandated persons

Section 14(1) of the 2015 Act states that where a mandated person knows, believes or has reasonable grounds to suspect on the basis of information that he or she received, acquired or become aware of in the course of his or her employment or profession as such a mandated person, that a child-

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

he or she shall, as soon as practicable, report that knowledge, belief or suspicion, as the case may be, to Túsła.

In addition Section 14(2) of the 2015 act places an obligation on a mandated person to report any disclosures made by a child, where a child believes that he or she:

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

Harm means, in relation to a child:

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

whether caused by a single act, omission or circumstance or a series or combination of acts, omissions or circumstances, or otherwise.

Please refer to *Appendix 7* of this Child Safeguarding Statement for further guidance to Mandated Persons and information on the thresholds of harm for each category of abuse at which mandated persons have a legal obligation to make mandated reports.

It is important to note that the statutory obligation of mandated persons must be discharged by the mandated person. It cannot be discharged by the Designated Liaison Person (DLP) on their behalf. However, mandated persons can make joint mandated reports to Túsła, and the University considers it preferable that all mandated reports are made jointly by the mandated person and the Designated Liaison Person (DLP).

Hence, where a mandated person has any such knowledge, belief or suspicion of harm or risk of harm or receives a disclosure from a child of harm as set out above (a mandated concern) he or she shall, without delay, report this to the Designated Liaison Person (DLP).

It should be noted that Mandated Persons, like all other University members, are also obliged to report to the University Designated Liaison Person (DLP) when they have reasonable grounds for concern that a child may have been, is being, or is at risk of being abused or neglected.

When the Designated Liaison Person (DLP) receives a report from a Mandated Person, the Designated Liaison Person and the Mandated Person must jointly consider whether the concern reaches the defined threshold of harm requiring a mandated report be submitted to Túsła. If they consider it does then a joint mandated report should be submitted to Túsła without undue delay.

Where the Designated Liaison Person (DLP) and Mandated Person are unsure whether the concern reaches the threshold for a mandated report, the Designated Liaison Person (DLP) shall seek advice from Túsła. The Designated Liaison Person (DLP) shall inform the Mandated Person that such advice is being sought, and inform the Mandated Person of the advice provided, once received. The Designated Liaison Person (DLP) shall make a written record of the consultation, including a note of the date, the name of the Túsła officer and the advice given.

Whenever Túsła advises that a mandated report should be made, the Designated Liaison Person (DLP) and Mandated Person shall act on such advice and submit a joint mandated report to Túsła as soon as practicable.

Where it is considered a concern requires urgent intervention to make the child safe Túsła can be alerted of the concern in advance of submitting a written report. A mandated report must then be submitted jointly by the Designated Liaison Person (DLP) and Mandated Person within 3 days.

Where the Designated Liaison Person (DLP) does not consider that a mandated report should be made the following steps should be taken by the Designated Liaison Person (DLP):

The reason for not submitting a mandated report should be recorded;

If any actions are taken as a result of the concern, these should be recorded;

The Mandated Person will be given a clear written explanation of the reason why a joint mandated report is not being submitted to Túsła;

The Mandated Person will be advised that if they remain concerned about the situation, they are free to seek direct advice from Túsła and to make their own report (mandated or otherwise) to Túsła or An Garda Síochána;

The Mandated Person will be advised that if they do choose to make a report they are covered by the Protection for Persons Reporting Child Abuse Act (1998).

If the Mandated Person does choose to make a direct report to Túsła or An Garda Síochána they must provide a copy of the report to the Designated Liaison Person.

7.4 Cases Requiring Immediate Emergency Action

Mandated Persons can access Túsła's emergency out-of-hours telephone service between 6pm and 6 am every night and between 9 am and 5 pm on Saturdays, Sundays and bank holidays, and should do so if they consider a child to be in immediate danger.

Under no circumstances should a child be left in a situation that exposes him or her to harm or risk of harm pending intervention by Túsła. If any member of the University thinks that a child is in immediate danger and they cannot contact Túsła, they should contact An Garda Síochána.

If an emergency referral is made to Túsła or An Garda Síochána by any member of the University, they should contact the Designated Liaison Person (DLP) as soon as possible thereafter.

7.5 Failing to make a Mandated Report

Mandated Persons should be aware of the administrative actions that Túsła can take if, after investigation, it emerges that a Mandated Person failed to make a mandated report, and a child was subsequently left at risk or harmed.

Túsła may:

- Make a complaint to the Fitness to Practise Committee of a regulatory body of which the Mandated Person is a member;

- Pass information about their failure to make a report to the National Vetting Bureau of An Garda Síochána. This information could therefore be disclosed to a Mandated Person's current or future employers when you are next vetted.

The University will treat such a failure to make a mandated report in relevant circumstances as a disciplinary matter, which will be dealt with under the relevant disciplinary procedure.

7.6 Other Criminal Liability

The Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act (2012) requires that any person who has information about a serious offence against a child (as specified in *Appendix 8*), which may result in charges or prosecution, must report this to An Garda Síochána. Failure to report under the Act is a criminal offence under that legislation. This obligation is in addition to any obligations under the Children First Act (2015) and The 2017 Guidance.

7.7 Informing a Child's Parent/Guardian that a report is being made

The 2017 Guidance states that it is good practice to inform a parent/guardian that a report concerning their child is being made. It is not necessary to inform a parent/guardian:-

- if by doing so, the child will be placed at further risk, or
- in cases where the family’s knowledge of the report could impair Túsła’s ability to carry out a risk assessment, or
- if the reporter is of the reasonable opinion that by doing so it may place him/her at risk of harm from the family.

The Designated Liaison Person (DLP) shall be responsible for ensuring that the parent/guardian of a child is informed when a report is being made and the reasons for the decision to report except where any of the conditions set out above apply.

A record shall be made of the information communicated by the Designated Liaison Person (DLP) to the parent/guardian.

Any decision by the Designated Liaison Person (DLP) not to inform a parent/guardian shall be recorded together with the reason for not doing so.

Where the Designated Liaison Person (DLP) has any doubt as to whether to inform a parent/guardian that a report is being made, they shall seek the advice of Túsła.

8.0 Guidance on dealing with Children

A child or young person may disclose abuse to any member of the University. Often this will be to someone whom they feel they can trust. The child is likely to be under severe emotional stress and that person may be the only adult whom they are prepared to trust. Great care should be taken not to damage that trust and deal with their disclosures in a sensitive and professional manner.

It is not the role of any individual member of the University to judge the truth of the claims or the credibility of the child. It is the function of Túsła to investigate all concerns and disclosures.

While the involvement of Túsła may not be desired by either the child or their family, Túsła must be advised of all disclosures by children as **the removal of a risk to one child does not necessarily mean that there are no other children at risk.** The information contained in a disclosure may be critical to Túsła’s assessment of risk to another child either now or in the future.

It is important to deal with any allegation of abuse or neglect in a sensitive and competent way through listening to and facilitating the child to tell about the problem, rather than interviewing the child about details of what happened. **It is not the role of the University member to investigate.**

The following approach is suggested as best practice for dealing with these disclosures.

DO	DO NOT
----	--------

<p>React calmly – Do not rush into taking rash or inappropriate actions.</p>	<p>Don't panic – or allow your feelings to be evident. Remember you have been approached because you are trusted.</p>
<p>Reassure the child that they have taken the right action in talking to you. Confirm that they are not to blame. Confirm that you know how difficult it must be to confide in someone. Tell them that they have done the right thing in informing or disclosing what has occurred. Reassure them that information will only be shared on a 'need to know' basis.</p> <p>Reassure them that your feelings towards them have not been affected in a negative way as a result of what they have disclosed.</p>	<p>Do not promises to keep anything secret (even if they ask you to) – explain that you will need to tell other people e.g. University Designated Liaison Person.</p> <p>By refusing to commit to secrecy, you may run the risk of the child not telling you everything. However, it is better to do this than ruin their confidence in another adult.</p>
<p>Listen Carefully and attentively – To what the child says and show that you take them seriously.</p>	<p>Don't make the child tell/repeat the story unnecessarily.</p> <p>Do not make any judgemental statements about the person against whom the allegation is made.</p> <p>Don't speculate or make assumptions.</p>
<p>Be compassionate – Understand that the child has decided to tell something that is very important to them and that the child is taking a risk by disclosing to you what has happened.</p> <p>Allow the child to disclose at their own pace and in their own language.</p>	<p>Don't probe for more information than is offered.</p>
<p>Ask questions for clarification only – The child should not be questioned unless the nature of what he/she is saying is unclear. Open, non-specific questions should be used such as "Can you explain to me what you mean by that?".</p>	<p>Do not ask leading questions.</p>
<p>Check back with the child that what you have heard is correct.</p>	<p>Do not express any opinion about the alleged abuser.</p>

Ensure that the child understands the procedures that will follow.	
Report the disclosure to ; a) the University Designated Liaison Person (DLP), or b) the Designated Liaison Person (DLP) in the place of work/school if the matter relates to a concern or allegation that arises during a work placement / teaching practice etc.	Do not take sole responsibility.
Make a written record of the conversation as soon as possible, in as much detail as possible, using the actual words that the child used. The record should be signed and given to the University Designated Liaison Person (DLP).	Do not make copies of the record. The only copy should be the one supplied to the University Designated Liaison Person.
Treat the information confidentially, subject to the requirements of this Child Safeguarding Statement, legislation and the 2017 Guidance.	

9.0 Retrospective disclosure of child abuse by an adult

Adults may sometimes disclose abuse that took place during their childhood. Such disclosures can arise in a variety of settings, such as counselling or other adult services.

Where such disclosure is made it is essential to realise there may still be a current risk to any child or young person who may be in contact with the person subject to an abuse allegation. It is important to consider this risk even if it is not possible yet to identify any specific child at risk.

Túsla will take the responsibility of establishing whether there is any current or continuing risk to any child or young person. It will assist them to know if the person subject to the abuse allegation is still alive and whether the person making the disclosure is willing to provide the name and/or any other details of the person subject to the abuse allegation.

Where such disclosure is made and there is any possible continuing risk, then this should be reported in accordance with the University reporting procedure as set out in this document, and Mandated Persons have a statutory responsibility to report such matters if it leads to them having knowledge or belief that a child has been, is being or may be harmed.

Where Mandated Persons provide counselling, it is recommended that participants are put on notice before counselling commences, that if any child protection issues arise and there is an identified risk, then the Mandated Person must report the same to Túsla.

When a university member makes a retrospective disclosure of abuse, they should be directed to the relevant university support service. The Student Counselling and Wellbeing Service, The Chaplaincy and The Employee Assistance Service can be utilised in this regard. Their details can be found on the University website.

10.0 Procedure for the management of allegations of abuse or misconduct against any member of the University

If an allegation is made against any member of the University (staff/volunteer/student) action will be guided by the Children First (2015) Act and Children First National Guidance for the Protection and Welfare of Children (2017), the agreed procedures and the rules of natural justice.

The most important consideration is that of the protection of children and the first priority should be to ensure their safety and wellbeing.

The University will also ensure it complies with employment legislation and other appropriate employee/student relations policies, such as agreed grievance and disciplinary procedures.

The Designated Liaison Person (DLP) shall be informed without delay. The Designated Liaison Person (DLP) shall follow the reporting procedures set out in this document.

The University also has a duty and responsibility in respect of all its members and will ensure that any person against whom an allegation is made has their rights respected.

Any allegation of abuse must be dealt with sensitively. It should be borne in mind that any member of the University may be subject to erroneous or malicious allegations. Support, including counselling, shall be provided for personnel where necessary. Personnel shall be treated fairly, which includes the right not to be judged inappropriately.

If the allegation relates to a staff member or volunteer the Designated Liaison Person (DLP) shall as a matter of urgency refer the matter to the Director of Human Resources.

If the allegation relates to a student the Designated Liaison Person (DLP) shall as a matter of urgency refer the matter to the Registrar.

The first priority should be to ensure no child is placed at risk. The Designated Liaison Person (DLP) shall seek advice from Tús/ An Garda Síochána in relation to the risk to children. The Director of Human Resources/Registrar may take any necessary protective measures required, including directing the person against whom the allegation is made to absent themselves from the School, College, Department or campus with immediate effect. These measures shall be proportionate to the level of risk and should not unduly penalise the member, financially, or otherwise, unless necessary to protect children.

The Director of Human Resources/Registrar accordingly, or their nominee shall:

- seek legal advice as circumstances can vary considerably from one case to another;
- arrange privately to inform the person against whom the allegation has been made of the nature of the allegation;
- provide a copy of the written record of the allegation, having due regard to ensuring that appropriate measures are in place to protect any child;
- provide advice on the procedures that will be followed;

- advise them as to what support will be made available to them;
- offer the person against whom the allegation has been made the opportunity to provide a response, verbally or in writing. This response should be noted and passed to Túsla/An Garda Síochána, and the person should be notified that their explanation will be shared in this way.

If an allegation or concern relates to the Designated Liaison Person (DLP) the matter should be reported, without delay, to the Deputy Designated Liaison Person (DDLDP) and the Director of Human Resources, who shall follow the reporting procedures set out in this document.

In the event an allegation is made against any member of the University there are **two** procedures to be followed:

- (a) the reporting procedure in respect of the allegation or concern, and
- (b) the procedure for dealing with the person against whom the allegation is made, these being the relevant HR procedures and the University Student rules.

The same person should not have the responsibility of dealing with both procedures. The Designated Liaison Person (DLP) is responsible for reporting the matter to Túsla and An Garda Síochána, as appropriate. The Director of Human Resources is responsible for addressing the relevant procedural issues applicable in respect of a University staff member. The Registrar is responsible for addressing the application of the student rules, as appropriate.

In the event that an allegation is made against a student who is under the age of 18 years, this should be considered as a child welfare and protection issue for both children and the Designated Liaison Person (DLP) should follow the reporting procedure for both the alleged victim and the alleged abuser.

It must be ensured that actions taken by University staff dealing with such allegations do not undermine or frustrate assessment/investigation being conducted by Túsla and or An Garda Síochána. Therefore, close liaison with these agencies must be maintained. Any further follow up action required shall accord with established University disciplinary procedures and shall be made following consultation with Túsla (and An Garda Síochána, if involved).

It is essential that at all times the matter is treated in the strictest confidence and that the identity of the person against whom the allegation is made shall not be disclosed inappropriately, other than as required under the procedures within this document.

11.0 Procedure for safe Recruitment and Selection

The University has appropriate recruitment procedures that should be followed in recruitment of paid staff and any volunteers. Thereby the University ensures it will:

- appoint appropriately qualified/experienced recruitment panels that receive recruitment training;
- use standard forms and agreed recruitment procedures;
- require appropriate qualifications /experience from applicants;
- issue job/role descriptions for each post that describes the broad range of duties that the role will involve and issue a person specification that describes the type of attributes the University requires the post holder to have (e.g. experience, qualifications and other requirements);
- ensure that prospective candidates working with children undergo the normal selection process, which includes a relevant interview;

- check successful applicant’s references, qualifications, experience, suitability to work with children, gaps in curriculum vitae etc.;
- undertake vetting of current and prospective employees and volunteers in accordance with the National Vetting Bureau (Children and Vulnerable Persons) Act (2012-16);
- ensure that contracts of employment shall state that the employee shall comply with this Child Safeguarding Statement;
- require all new recruits to undergo induction and any appropriate probationary periods.

12.0 Procedure for the provision of and access to child safeguarding training and information

The University will:

- provide each University staff member with a copy of the Child Safeguarding Statement;
- ensure all new staff are provided with a copy of the Child Safeguarding Statement;
- ensure they receive a signed receipt from all workers/volunteers who have been given a copy of the Child Safeguarding Statement;
- require staff to avail of relevant mandatory training;
- encourage staff to take advantage of further training;
- publish the Child Safeguarding Statement;
- provide a copy of the Child Safeguarding Statement to any parent/guardian upon request.

The Relevant and Named Person will take main responsibility for child safeguarding training.

They will be assisted in this role by the Child Safeguarding Co-ordinators, who will be responsible for identifying training needs within their College or Unit and ensuring training records are maintained.

The Relevant and Named Person will ensure:

- appropriate briefing sessions are provided to University members, including those who may not work with children on a regular basis, in order to ensure that University members have the necessary familiarity with the legislation, guidance and this Child Safeguarding Statement;
- an appropriate briefing session will be provided as part of the induction process for new staff members;
- Mandated Persons, the Designated Liaison Person (DLP) and Deputy Designated Liaison Person (DDL) will be provided with training tailored to suit their needs; and
- provide training templates for use by line managers to provide direct training for staff.

All employees (staff and volunteer members) of the University of the University are required to undertake the Túsla Children First e-Learning Programme called “Introduction to Children First” which has been written to support people of all backgrounds and experience in recognising concerns about children and reporting such concerns. A certificate is provided on successful completion, which should be forwarded to the relevant Child Safeguarding Co-ordinator.

[Children First E-Learning Programme Túsla - Child and Family Agency](#)

When arranging student work placements, University staff should liaise with the host organisations, in order to clarify the host organisation's child safeguarding procedures and any available training. University students should familiarise themselves with these procedures prior to commencing their placements and undertake any training offered by the host organisation.

When The University organises activities involving interaction between University students and children either as volunteers or as part of the student's study programme, the participating university students will attend any required training sessions relevant to the specific volunteer activity or programme. Such training should generally include information on appropriate behaviour towards children, as well as reporting procedures as to any welfare concerns arising. Students will also comply with any specific rules set by those organising the voluntary activity or programme in respect of child safeguarding.

13.0 Procedure for maintaining a list of mandated persons

The Child Safeguarding Co-ordinators will ensure a register of all Mandated Persons within each College and Unit is compiled, maintained and regularly updated, and supplied to the Designated Liaison Person (DLP). The full list of those designated as Mandated Persons can be found at Schedule 2 of the Act – *Appendix 4* of this document.

The Designated Liaison Person (DLP) will liaise with the Child Safeguarding Co-ordinators and ensure an updated list of all Mandated Persons within the University is maintained.

14.0 University Activities involving Children – Best Practice Code of Behaviour

All members of the University when working with children should observe the following code of behaviour:-

Avoid being alone with a child

University members should avoid being alone with a child or student under 18 years of age where this is practicable. In circumstances where this is unavoidable, permission should be obtained from a parent, guardian or carer. If this is not possible another colleague should be informed. Wherever possible any such meetings should be conducted in a room/area where you are clearly visible, and where the door can be left open. Aim to always work in an open environment and avoid private or unobserved situations.

University members should avoid taking children or students under the age of 18 alone in their cars or meeting them alone outside the normal working environment. In situations where any such arrangements are unavoidable, permission should be obtained from a parent, guardian or carer. If this is not possible another colleague should be informed

Physical Contact

University members are advised not to make physical contact with a child except where this is unavoidable due to the nature of the authorised activity, in which case the child must consent to this.

Hitting, punching or fighting is unacceptable behaviour, as is any form of harm to a child.

Do not do things of a personal nature for children that they can do themselves.

Unnecessary physical contact with young people/children should be avoided. Although these gestures may be well intentioned they could easily be misinterpreted.

Do not use language of a sexual, suggestive or inappropriate nature in front of children.

If it is necessary to administer first aid (normally this should be done by a trained first aider). If you think that physical contact may be necessary and may be misunderstood take steps to ensure, wherever possible, that another responsible person is present.

Interaction and safe management

University members should treat all children equally with respect and dignity, and demonstrate exemplary behaviour in the presence of children.

They should provide a safe, appropriately monitored environment for any children visiting campus and adopt the safest possible practices to minimise the possibility of harm or accidents happening to children.

They should aim to give enthusiastic and constructive feedback and avoid negative criticism, and never use physical punishment.

They should use all digital media appropriately and in accordance with the University's policies and procedures in that regard. They should not browse, download or upload material that could be considered offensive or illegal, or send any material or communications that could be considered threatening, bullying, offensive or illegal.

Use of camera / mobile phone/ other media to record on the University campus or at University events.

Members of the University and members of the public are forbidden from photographing or recording images in areas where doing so may give rise to concern, such as, in changing rooms, toilet areas or locker rooms.

Photographs and/or recorded images of children cannot be used or shared without the prior written approval of parents/guardians and where appropriate the child.

15.0 Research Activity Involving Children

Research involving children must be approved by either the University Research Ethics Committee, or an equivalent ethics body (e.g. Túsła's Independent REC) prior to commencement of the work. Information on research ethics applications can be obtained from the University Research Ethics Committee website

When undertaking research involving children, researchers must comply with this Child Safeguarding Statement the University policy and procedures relating to ethical research and “The Guidance for Developing Ethical Research Projects Involving Children”

- (a) Written consent must be obtained from the parents/guardians of children under 18 and where appropriate (i.e. where children are capable of providing informed consent) from the children themselves;
- (b) In assessing whether the child is capable of giving informed written consent, their age, literacy, cultural background and any learning difficulties or disabilities should be taken into account;
- (c) Children should be informed in appropriate language so that they understand the research in which they are being asked to participate;
- (d) The effect of the research on the child is monitored in order to ensure that the child feels comfortable with continuing with the research. A child’s right to discontinue participation at any time must be respected;
- (e) In addition to the child, two or more persons shall be present during any research participation by the child. There may be rare occasions when a confidential interview or a one to one meeting is necessary. In such circumstances the child’s parents/guardians should be informed and the interview should be conducted in a room with an open door or visual access.

In situations where research involves children who are in state care, such children and their care proceedings are governed by “in camera” rules and principles of confidentiality, as set out in s.20 and s. 31 of The Child Care Act (1991). Legal advice should always be sought in advance of undertaking such research.

16.0 Confidentiality and Information Sharing

All information regarding child protection concerns, allegations and disclosures should be shared only on “a need to know” basis in the interest of the child.

Giving information reasonably and in good faith to those who need to have the information for the protection of a child (including the Designated Liaison Person (DLP), Túsła and An Garda Síochána) is not a breach of confidentiality or data protection laws.

No undertakings regarding secrecy should be given by any University member to any person (adult or child) reporting an allegation of child abuse or a child protection concern. This should be made clear to all parties involved, although reassurances can be given that all information will be handled with sensitivity, taking full account of legal requirements.

At all stages in the process of dealing with a child protection matter confidentiality is of extreme importance. Statements, documents and all other communications shall be kept confidential to those involved in the procedures contained in the Child Safeguarding Statement.

In accordance with s. 17 of the Children First Act (2015), where the Designated Liaison Person (DLP) or a Mandated Person is assisting Túsła in carrying out an assessment they must not share the information gained with a third party, save in accordance with the law, or unless Túsła authorises in writing the disclosure of information, subject to any conditions Túsła specifies. Any person failing to comply with this requirement shall be guilty of a criminal offence.

17.0 Record Keeping

All records regarding child protection concerns must be regarded as highly confidential and should be provided to the University Designated Liaison Person (DLP) to be stored in a secure location, in keeping with data protection requirements.

The Designated Liaison Person (DLP) shall keep proper dated and signed records of all reports made of child protection allegations or concerns. It is the responsibility of the Designated Liaison Person (DLP) to ensure the records are securely stored.

Detailed reports of all child protection concerns must always be fully recorded, should be factual and include details of contacts, consultations and any actions taken.

The University records should contain as much detailed information as possible, including:

- all the information that is available as required to complete the Túsła “Child Protection and Welfare Report Form” or the Túsła “Retrospective Abuse Report Form”;
- details of the child, their family, and any other involved parties, including names and addresses;
- detailed account of the grounds for concern;
- date and time of any disclosure or reported concern;
- details of what action the University has taken;
- the response of the parents/guardians to the information (if any);
- the response of any person against whom an allegation has been made (if any);
- the written report from the University staff member who received the information or who has concerns;
- where a decision was made not to inform the parents/guardians, the reason for the decision and a note of the advice received from Túsła;
- details (dates, times, people, place, content) of any subsequent meetings and communications of interested parties; and
- detailed note of all decisions regarding referral (or not) to Túsła, or An Garda Síochána, including how, why, when and by whom the decision was taken.

18.0 Review

We recognise that implementation is an on-going process. Our service is committed to the implementation of this Child Safeguarding Statement and the procedures that support our intention to keep children safe from harm while availing of our service.

This Child Safeguarding Statement will be reviewed every 2 years, or as soon as practicable after there has been a material change in any matter to which the statement refers.

19.0 Key Contacts List

APPENDIX 1 SEXUAL OFFENCES AS SET OUT IN THE CHILDREN FIRST ACT 2015 [AS AMENDED BY SECTION 55 OF THE CRIMINAL LAW (SEXUAL OFFENCES) ACT 2017]

Schedule 3 of the Children First Act 2015 sets out offences for the purposes of paragraph (a) of the definition of 'sexual abuse' in section 2 as:

1. Rape.
2. Rape under section 4 of the Criminal Law (Rape) (Amendment) Act 1990.
3. Sexual assault.
4. Aggravated sexual assault within the meaning of section 3 of the Criminal Law (Rape) (Amendment) Act 1990.
5. An offence under section 1 of the Punishment of Incest Act 1908 (incest by males).
6. An offence under section 2 of the Punishment of Incest Act 1908 (incest by females of or over 17 years of age).
7. An offence under section 6(1) of the Criminal Law (Sexual Offences) Act 1993 (soliciting or importuning for purposes of commission of sexual offence).
8. An offence under section 2 of the Criminal Law (Sexual Offences) Act 2006 (defilement of child under 15 years of age).
9. An offence under section 3 of the Criminal Law (Sexual Offences) Act 2006 (defilement of child under 17 years).
- 9A. An offence under section 3A of the Criminal Law (Sexual Offences) Act 2006 (offence by person in authority).
10. An offence under either of the following provisions of the Child Trafficking and Pornography Act 1998:
 - (a) section 3 (child trafficking and taking, etc., child for sexual exploitation);
 - (b) section 4 (allowing child to be used for child pornography);
 - (c) section 4A (organising etc. child prostitution or production of child pornography);
 - (d) section 5A (participation of child in pornographic performance).
11. An offence under section 5 of the Criminal Law (Human Trafficking) Act 2008 in so far as it relates to a child who has been trafficked for the purpose of his or her exploitation (soliciting or importuning for purposes of prostitution of trafficked person).
12. An offence under section 176 of the Criminal Justice Act 2006 (reckless endangerment of children).
13. An offence under section 249 of the Children Act 2001 (causing or encouraging sexual offence upon a child).
14. An offence under any of the following provisions of the Criminal Law (Sexual Offences) Act 2017:
 - (a) section 4 (invitation etc. to sexual touching);

(b) section 5 (sexual activity in the presence of child);

(c) section 6 (causing child to watch sexual activity);

(d) section 8 (use of information and communication technology to facilitate sexual exploitation of child).

APPENDIX 2 SCHEDULE OF RELEVANT SERVICES UNDER THE 2015 ACT

(Children First Act (2015) – Schedule 1)

1. Any work or activity which is carried out by a person, a necessary and regular part of which consists mainly of the person having access to, or contact with, children in—

(a) an establishment which provides early years services within the meaning of Part VIIA of the Child Care Act 1991,

(b) a school or centre of education, both within the meaning of the Education Act 1998,

(c) any hospital, hospice, health care centre or other centre which receives, treats or otherwise provides physical or mental health services to children,

(d) a designated centre within the meaning of section 2 of the Health Act 2007, in so far as it relates to an institution at which residential services are provided in accordance with the Child Care Act 1991 or to children with disabilities in relation to their disabilities,

(e) a special care unit provided and maintained in accordance with section 23K of the Child Care Act 1991,

(f) a children detention school within the meaning of section 3 of the Children Act 2001,

(g) a reception or accommodation centre which provides residential accommodation services to applicants for asylum under contract to the Department of Justice and Equality where children may be accommodated, or

(h) a centre which provides residential accommodation services to victims of domestic violence where children may be accommodated.

2. Any work or activity which consists of the inspection of a service provided to a child under the Child Care Act 1991, the Education Act 1998, the Children Act 2001 or the Health Act 2007.

3. Any work or activity which consists of the inspection, examination or investigation by the Office of the Ombudsman for Children under the Ombudsman for Children Act 2002.

4. Any work or activity which consists of treatment (including assessment which may lead to treatment), therapy or counselling provided to a child. 5. Any work or activity which consists of the provision of—

(a) educational, research, training, cultural, recreational, leisure, social or physical activities to children,

(b) care or supervision of children, or

(c) formal consultation with, or formal participation by, a child in respect of matters that affect his or her life, 22 [2015.] Children First Act 2015. [No. 36.] SCH.1 whether or not for commercial or any other consideration.

6. Any work or activity which consists of the provision of advice or guidance services (including by means of electronic interactive communications), a necessary and regular part of which consists, mainly, of the person having access to, or contact with, children.

7. Any work or activity as a minister or priest or any other person engaged in the advancement of any religious beliefs which would or could bring that minister, priest or other person, as the case may be, into contact with a child.

8. Any work or activity as a driver of, or as an assistant to the driver, or as a conductor, or as a supervisor of children using a vehicle which is being hired or used only for the purpose of conveying children who are unaccompanied by a parent or guardian.

9. Any work or activity which is carried out by a member of An Garda Síochána, a necessary and regular part of which consists mainly of the person having access to, or contact with, children.

APPENDIX 3 LEGAL FRAMEWORK AND KEY PUBLICATIONS

The following laws, policies and key publications were taken into account when developing this CHILD SAFEGUARDING STATEMENT:

1. The Children First Act (2015)
2. Children First: National Guidance for the Protection and Welfare of Children
3. Children First Support Documents including:
 - Guide for the Reporting of Child Protection and Welfare Concerns;
 - Best Practice principles for Organisations in Developing Children First Training Programmes
 - Guidance on Developing a Child Safeguarding Statement
 - Child Safeguarding: A Guide for Policy, Procedure and Practice, and
 - Mandated Assisting Protocol for Túsla Staff
4. The Criminal Justice (Spent Convictions and Certain Disclosures) Act 2016 5. Criminal Law (Sexual Offences) Act 2017
6. Child Trafficking and Pornography Act 1998
7. Protection for Persons Reporting Child Abuse Act 1998
8. Protected Disclosures Act 2014
9. Child and Family Agency Act 2013
10. Child Care Act, 1991
11. Criminal Justice Act 2006
12. Safety, Health and Welfare at Work Act, 2005
13. Protection of Persons Reporting Child Abuse Act 1998
14. Data Protection Acts 1988 and 2003
15. Freedom of Information Act 2014 (as amended)
16. GDPR (General Data Protection Regulation)
17. Criminal Justice (Withholding of Information on Offences Against Children and Vulnerable Persons) Act 2012
18. National Vetting Bureau (Children & Vulnerable Persons) Act 2012-2016
19. Code of Ethics and Good Practice in Children's Sport, Irish Sports Council 2000
20. Ethical Review and Children's Research in Ireland, Department of Health and Children March 2010

21. Guidance for developing ethical research projects involving Children Department of Children and Youth Affairs April 2012

22. Department of Children and Youth Affairs National Strategy for Research and Data on Children's Lives 2011-2016 (2011)

APPENDIX 4 THE UNIVERSITY'S RISK ASSESSMENT

List of The University Activities	Examples of Risk of Harm in respect of the activity	Procedures / Protocols in place to address risk of harm identified
<p>Provision of Educational services to the University's students under the age of 18</p>	<p>Risk of harm to university students under the age of 18 by University members.</p> <p>Indicators of harm /abuse not being recognised or reported by University personnel</p>	<p>The University follows appropriate and thorough recruitment procedures to aim to ensure all employees are suitably qualified.</p> <p>For employees who will be working with children the selection process will include a formal interview and checking of their references, qualifications, experience, suitability to work with children, and any gaps in curriculum vitae.</p> <p>The University ensures compliance with the legal requirements to vet relevant staff as prescribed by The National Vetting Bureau (Children and Vulnerable Persons) Act 2012 as amended.</p> <p>The University ensures the Child Safeguarding Statement is made available to all University members, employees, volunteers and students by way of e-mail. A copy will be supplied to all newly recruited staff alongside their contract of employment, and to students at registration. A copy is displayed on the University website.</p> <p>All members of the university must familiarise themselves with signs and symptoms of child abuse and the University Child Safeguarding Statement.</p> <p>Relevant University staff will receive training on child safeguarding/protection.</p> <p>There are suitable points of contact for training for staff and students. The Relevant/Named Person takes main responsibility for child safeguarding training.</p> <p>They are assisted by the Child Safeguarding Co-ordinators, who are responsible for identifying training needs within their College or Unit and ensuring training records are maintained.</p> <p>The University Safeguarding Statement contains a section entitled University Activities Involving</p>

		<p>Children – best Practice Code of Behaviour which must be complied with by all University members.</p> <p>The name and contact details of the University DLP is prominently displayed on campus and on the University website.</p> <p>University members have been made aware of their duty to report any concern and the process for doing so.</p>
<p>Provision of one to one tutoring to/meetings with University students under 18 years of age.</p>	<p>Enhanced risk due to staff being alone with the child.</p> <p>Requirement for one to one interaction, increasing the vulnerability of the student and the relationship of trust and confidence between the student and tutor.</p>	<p>The University Safeguarding Statement contains a section entitled University Activities Involving Children – Best Practice Code of Behaviour which must be complied with by all University members.</p> <p>This provides specific requirements for members to avoid being alone with a child, where possible, and to work in an open environment, avoiding private or unobserved situations.</p>
<p>Child safeguarding/ protection training for University Personnel</p>	<p>Harm / Abuse not being reported properly and promptly by personnel</p> <p>Indicators of harm /abuse not being recognised</p> <p>Training not being identified or appropriately undertaken</p>	<p>The DLP/DDLP and Relevant Person have a duty to keep up to date with developments in Child Safeguarding and Protection and to avail of training provided by professional organisations on a regular basis.</p> <p>The University Child Safeguarding Statement are made available to all members of the University.</p> <p>All employed and volunteer staff members of the University are required to sign the ‘Acceptance of the University Child Safeguarding Statement’.</p> <p>Individual colleges and units maintain a list of Mandated Persons and provide this to the DLP on a regular basis. Mandated Persons are made aware through training of their specific obligations under the Children First Act (2015).</p> <p>The University requires all employees undertake the Tusla Children First training module.</p>

		<p>The Relevant/Named Person is available to assist The University Schools, Colleges and Units with arranging suitable training for staff. They will be assisted by the Child Safeguarding Co-ordinators in this regard,</p> <p>Provision of the Child Safeguarding Statement and undertaking relevant training is incorporated in the induction process for all new staff.</p> <p>Heads of Departments/Managers assisted by the relevant Child Safeguarding Co-ordinator are responsible for ensuring staff attend the appropriate level of Children First and Child Protection training and maintain staff training records.</p> <p>The Relevant/Named Person and the Child Safeguarding Co-ordinators will liaise regularly to identify training needs and how to fulfill the same.</p>
<p>Provision of child safeguarding/ protection Information for University students</p>	<p>Risk of harm to University students under the age of 18 by other students.</p> <p>Indicators of harm /abuse not being recognised by University students</p> <p>Harm / Abuse not being reported properly and promptly by students</p>	<p>The Child Safeguarding Statement is made available to all students.</p> <p>The name and contact details of the University DLP and DDLP are prominently displayed on campus and on the NUIG website.</p> <p>All students are required to sign the ' Acceptance of The University Child Safeguarding Statement'.</p> <p>All of The University's students who have contact with / engage with children as part of their studies /work placements are required to comply with the host organisations child safeguarding procedures, and undertake any training the host organisation require of them.</p> <p>All students who have contact with / engage with children as part of their studies /work placements are vetted in accordance with legal requirements.</p> <p>There are student volunteer outreach programmes which provide their own bespoke training suited to the requirements of the volunteer students and the activities they are undertaking.</p>

		<p>The University's Student Services offer support, counselling, health advice to students including running an Active Consent Program to raise awareness as to appropriate relationship behaviour.</p> <p>The Relevant/Named Person is available to assist The University Schools, Colleges and Units with arranging suitable training for students, as required.</p>
Recruitment of University personnel	Risk of child being harmed by a member of University personnel	<p>It is compulsory for all hiring departments of the University to obtain vetting disclosures in relation to anyone who is carrying out relevant work with children or vulnerable adults.</p> <p>Best practice procedures with regard to interviewing and checking references are followed.</p> <p>The University follows appropriate and thorough recruitment procedures to aim to ensure all employees are suitably qualified and that they are vetted in accordance with legal requirements, including Garda vetting where appropriate.</p> <p>For employees who will be working with children the selection process will include a relevant interview and checking of their references, qualifications, experience, suitability to work with children, and any gaps in curriculum vitae.</p> <p>Provision of the Child Safeguarding Statement and undertaking relevant training as to child safeguarding is incorporated in the induction process for all new staff.</p> <p>The University requires all employees undertake the Tusla Children First training module.</p>
Volunteers / Parents involved in the University's activities	Risk of child being harmed by a volunteer / parent while child participating in University activities	<p>All volunteers / parents involved in the University's activities who deal with or work with children will be Garda vetted.</p> <p>All volunteers / parents who deal with or work with children shall be required to undergo Child safeguarding/protection training.</p>

	Risk of Harm / Abuse not being reported properly and promptly by Volunteers/ Parents	All volunteers / parents involved in the University's activities are provided with a copy of the Child Safeguarding Statement.
University Research involving children	<p>Risk of harm/abuse to children who are the subjects of academic/medical research.</p> <p>Indicators of harm/abuse not being recognised.</p> <p>Risk of harm/abuse not being reported appropriately and promptly</p>	<p>All research involving children requires approval through the University's research ethics process prior to the commencement of the work.</p> <p>Written consent is required from the parents/guardians of children under 18 and where appropriate from the children themselves.</p> <p>Personnel conducting research involving children shall undergo the University vetting process, including Garda vetting, and relevant training.</p> <p>The University ensures university members involved in research comply with best practice, all ethical and other requirements and guidance relating to research, both generally and involving children.</p> <p>In addition to the child, two or more persons shall be present during the research in so far as this is possible.</p> <p>In circumstances where a one-to-one meeting or interview is necessary this should always be conducted in a room with open door /visual access. Parents/Guardians and supervisors must always be informed of one-to-one situations.</p> <p>All members of the University involved in research must familiarise themselves with signs and symptoms of child abuse and the University Child Safeguarding Statement.</p>
Use of camera / mobile phone/ other media to record on University campus or a University events.	Risk of harm/abuse to children through the inappropriate taking of and /or sharing of images	<p>Members of the University and members of the public are forbidden from photographing or recording images in changing rooms, toilet area or locker rooms.</p> <p>Photographs and/or recorded images of children cannot be used or shared without the prior approval of parents/guardians and where appropriate the child.</p>

		<p>All members are expected to comply with the behavioural standards set out on The University Social Media Policy</p> <p>(https://www.nuigalway.ie/media/studentservices/files/Social-Media-Policy)</p>
Use of Information Communication Technology (ICT) by members of the University.	<p>Risk of harm to children by University members accessing or communicating inappropriate material.</p> <p>Risk of harm to children by them accessing inappropriate material whilst utilising ICT equipment at the University.</p>	<p>The University has Information Solutions and Services, which can appropriately regulate access to and through the University's ICT services.</p> <p>The University has a Social Media Policy, which all members must comply with.</p> <p>www.universityofgalway.ie/media/studentservices/files/Social-Media-Policy-v4.0-Staff-and-Students-2020.pdf</p>
University students under 18 years of age residing in the University's student accommodation	<p>Risk of harm to students under 18 years by university staff/other students/members of the public.</p> <p>Harm/abuse not being recognised or reported appropriately</p>	<p>Student residences have suitable residential assistance and reception staff.</p> <p>Residences have security outside of office hours (with regular patrols). Residents are provided with ID cards which they are requested to carry at all times for inspection by security or management.</p> <p>All staff are suitably recruited, vetted and trained in child safeguarding.</p> <p>Students have key cards to their individual apartments and rooms.</p> <p>Students can call reception free of charge from their apartment, and security services are also contactable by phone.</p> <p>There is a formal procedure in place if students wish to have overnight guests.</p>
Students/children/public using the	Risk of harm to any student under 18 years of age or child	The campus sport and leisure facility is provided by an external organisation who are expected to comply with the Children First Act and all Child

<p>University sport/fitness/leisure facilities/clubs.</p>	<p>availing of this service</p>	<p>Safeguarding Legislation. They have their own code of conduct in order to ensure the safety of children utilising the facility.</p> <p>All of the University Sports Clubs are officially affiliated to the relevant National Governing Body for their sport as recognised by Sport Ireland. Consequently they must comply with their Governing Bodies Child Safeguarding Statement, rules, procedures and policies as set out in the “Safeguarding Guidance for Children and Young People in Sport.”</p> <p>All Coaches details are completed and retained by the clubs, who ensure compliance with safe recruitment procedures, vetting requirements, training and parental consent as required.</p> <p>The University employs staff who have direct managerial and administrative oversight of sporting organisations affiliated with the university, who ensure compliance with all procedural requirements, including child safeguarding, as well as compliance with the legal requirements to vet relevant staff and students as prescribed by The National Vetting Bureau (Children and Vulnerable Persons) Act 2012 as amended.</p>
<p>Galway University students aged under 18 on trips, tours and travelling to sporting events</p>	<p>Risk of harm to students under the age of 18 by staff, other students or members of the public.</p> <p>Harm/ abuse or risk thereof not being recognised by University staff.</p>	<p>The University ensures appropriate staff numbers accompany students on trips and requests gender balance of staff members where possible.</p> <p>The University ensures accompanying staff are suitably recruited, vetted and trained in child safeguarding before undertaking such trips.</p> <p>Parental consent is obtained.</p>
<p>University Counselling Services</p>	<p>Risk of harm to students under age of 18 availing of this service.</p>	<p>The University appoints appropriately qualified and experienced staff, who are suitably vetted and trained.</p>

	<p>Risk of current risk to child not being identified and/ or reported following an adult disclosing or providing information about past abuse.</p> <p>Enhanced risk due to requirement of one to one service interaction, vulnerability of the student using the service and relationship of trust and confidence between the student and counsellor.</p>	<p>The counselling service ensures compliance with its reporting obligations under the 2015 Act and clients are made fully aware of this.</p>
<p>Children/members of the public visiting the University campus or using university premises at events accompanied by parents or other appropriate adults.</p>	<p>Risk of harm to children by members of The University or members of the public.</p> <p>Indicators of harm/abuse not being recognised by The University members.</p>	<p>The University appoints appropriately qualified/experienced security staff and provides for a sufficient number of security staff on the University's premises.</p> <p>CCTV monitoring is in place on campus.</p> <p>The University publishes opening and closing hours that are accessible to all University members and members of the public.</p> <p>The University requires all relevant third party organisations to confirm compliance with the 2015 Act and 2017 Guidance.</p> <p>Child Safeguarding arrangements shall be included in event management plans submitted by event organisers.</p>
<p>Children, other than registered students, participating in University Summer</p>	<p>Risk of a child being harmed by a member of The University.</p> <p>Indicators of harm/abuse not</p>	<p>The University ensures the The Child Safeguarding Statement is made available to all University employees, volunteers and students.</p> <p>The University requires parental consent for children participating in any such programmes/events.</p>

<p>Schools, Placements, Mentoring Programmes, Admission Interviews or any other University activity where children are not accompanied by a parents, guardian, or other appropriate adult</p>	<p>being recognised or reported.</p>	<p>The University follows appropriate and thorough recruitment procedures to aim to ensure all employees/volunteers are suitably qualified/trained.</p> <p>For employees who will be working with children the selection process will include a suitable interview, checking of their references, qualifications, experience, suitability to work with children, and any gaps in curriculum vitae.</p> <p>The University ensures compliance with the legal requirements to vet relevant staff, volunteers and students as prescribed by The National Vetting Bureau (Children and Vulnerable Persons) Act 2012 -16.</p> <p>Relevant University members receive training on child safeguarding/protection.</p>
<p>Students under 18 years of age attending University bars</p>	<p>Risk of harm to children/students in campus bars serving alcohol, in particular risk of vulnerability due to alcohol consumption by themselves or others.</p>	<p>The University bars comply with licensing laws.</p> <p>The bar operators appoint appropriate security staff.</p> <p>Training in Responsible Serving of Alcohol (RSA) is provided for all those serving alcohol in the Students' Union Club and The University staff must adhere to the University policy on intoxicants including alcohol.</p> <p>https://www.nuigalway.ie/media/humanresources/publicdocuments/policiesprocedures/QA144-Intoxicants-Policy-issued-16072021).pdf</p> <p>Staff are authorised to inspect student identity cards and/or other identification documents to ascertain identity and age.</p> <p>Bar staff are authorised not to serve intoxicated customers.</p>
<p>Use of The University toilet/shower/ changing facilities.</p>	<p>Risk of harm to children using the facilities by University members</p>	<p>Facilities are allocated for each gender including gender-neutral facilities.</p> <p>Facilities are maintained and monitored at regular intervals by cleaning service staff.</p>

	<p>or members of the public.</p>	<p>The University ensures the Child Safeguarding Statement is made available to all University employees, volunteers and students.</p> <p>The University ensures that security staff are available/contactable at all times. CCTV monitoring is in place on campus. Use of the same is governed by university policy. (https://www.nuigalway.ie/media/buildingsoffice/files/policiesandprocedures/QA170_CCTV-Policy.pdf)</p> <p>Members of the University and members of the public are forbidden from photographing or recording images in changing rooms, toilet area or locker rooms.</p>
<p>University Students going on placements, including where they are in contact with children.</p>	<p>Risk of harm to university students who are under 18 years of age by university members or staff members in the host organisation.</p> <p>Risk of harm to children in the host organisation.</p> <p>Indicators of harm/abuse not being recognised or reported by university students.</p>	<p>Placement students are supported by designated university staff whilst in a host organisation.</p> <p>A Student Garda Vetting programme is in place for relevant students.</p> <p>The University Student Placement staff are required to confirm the child safeguarding procedures implemented at the host organisation when setting up student placements.</p> <p>The University ensures the Child Safeguarding Statement is made available to students and the host organisations.</p> <p>Students are required to review and comply with the host's child safeguarding policy and procedures and undertake any training required by the host.</p>
<p>Students and volunteers engaging in University educational outreach programme working with children such as Cell explorers</p>	<p>Team members (i.e. coordinators, volunteers or project students) interact with children in a manner that is inappropriate and/or not adherent to Children First</p>	<p>Code of Behaviour & Child Protection Policy training given to those working with children.</p> <p>Working with children training given to those working with children.</p> <p>Garda vetting of team members working with children or vulnerable adults.</p> <p>Garda vetted team leader or coordinator to be present at events/projects.</p>

	<p>guidelines</p> <p>Children/vulnerable people interact with individuals who present a danger/harmful impact to them</p> <p>Team leaders and volunteers are ill-equipped to safeguard children from harm</p> <p>Child/teacher/parents/guardians unsure about how or to whom to report an issue OR Person unsure as to how or to whom to voice a concern about a child at risk</p> <p>Inappropriate use or dissemination of children's images or information</p>	<p>Children participating in events are supervised at all times; either by a high ratio of garda vetted trained team members (1 team member: 8 children), and/or by their classroom teachers or parents/guardians.</p> <p>Children/vulnerable adults never on their own with an adult</p> <p>Formal child safeguarding training and information provided upon recruitment.</p> <p>Working with children guidelines provided as part of event training.</p> <p>Signing of volunteering agreement.</p> <p>Participants have opportunity to provide feedback on all events.</p> <p>Child Safeguarding Statement published on website and available at every event Procedures outlined in Volunteer Handbook, at volunteer and coordinator training.</p> <p>Social media procedures and guidelines. Ensure all team members adhere to social/media procedures including consent sought for the taking and use of images. Consent forms collected from parents at workshops/events as per Child Protection Policy.</p>
<p>Volunteer activities taking place on the University Campus involving children.</p>	<p>Risk of harm to children by members of The University or members of the public.</p> <p>Indicators of harm/abuse not being recognised by The University members.</p>	<p>The University requires any voluntary activities to acquire permission from the University.</p> <p>The University requires third party organisations to confirm compliance with the 2015 Act and 2017 Guidance.</p>
<p>Student or staff observation of</p>	<p>Members not being aware of their duty to react and report</p>	<p>The University ensures the Child Safeguarding Statement is made available to all University employees, volunteers and students.</p>

<p>a child protection issue on campus, outside of above examples.</p>	<p>the matter, or how to go about reporting the same.</p>	<p>The University ensures that security staff are available/contactable at all times.</p> <p>CCTV monitoring is in place on campus.</p> <p>The name and contact details of the University DLP and DDLP are prominently displayed on campus and on the University website.</p>
---	---	---

APPENDIX 5 MANDATED PERSONS SPECIFIED IN THE 2015 ACT

(Children First Act (2015) – Schedule 2)

The following classes of persons are specified as mandated persons for the purposes of the 2015 Act:

1. Registered medical practitioner within the meaning of section 2 of the Medical Practitioners Act 2007.
2. Registered nurse or registered midwife within the meaning of section 2(1) of the Nurses and Midwives Act 2011.
3. Physiotherapist registered in the register of members of that profession.
4. Speech and language therapist registered in the register of members of that profession.
5. Occupational therapist registered in the register of members of that profession.
6. Registered dentist within the meaning of section 2 of the Dentists Act 1985.
7. Psychologist who practises as such and who is eligible for registration in the register (if any) of members of that profession.
8. Social care worker who practises as such and who is eligible for registration in accordance with Part 4 of the Health and Social Care Professionals Act 2005 in the register of that profession.
9. Social worker who practises as such and who is eligible for registration in accordance with Part 4 of the Health and Social Care Professionals Act 2005 in the register (if any) of that profession.
10. Emergency medical technician, paramedic and advanced paramedic registered with the Pre-Hospital Emergency Care Council under the Pre-Hospital Emergency Care Council (Establishment) Order 2000 (S.I. No. 109 of 2000).
11. Probation officer within the meaning of section 1 of the Criminal Justice (Community Service) Act 1983.
12. Teacher registered with the Teaching Council.
13. Member of An Garda Síochána.
14. Guardian ad litem appointed in accordance with section 26 of the Child Care Act 1991.
15. Person employed in any of the following capacities:
 - (a) manager of domestic violence shelter;
 - (b) manager of homeless provision or emergency accommodation facility;
 - (c) manager of asylum seeker accommodation (direct provision) centre;
 - (d) addiction counsellor employed by a body funded, wholly or partly, out of moneys provided by the Oireachtas;
 - (e) psychotherapist or a person providing counselling who is registered with one 24 [2015.] Children First Act 2015. [No. 36.] SCH.2 of the voluntary professional bodies;

(f) manager of a language school or other recreational school where children reside away from home;

(g) member of the clergy (howsoever described) or pastoral care worker (howsoever described) of a church or other religious community;

(h) director of any institution where a child is detained by an order of a court;

(i) safeguarding officer, child protection officer or other person (howsoever described) who is employed for the purpose of performing the child welfare and protection function of religious, sporting, recreational, cultural, educational and other bodies and organisations offering services to children;

(j) child care staff member employed in a pre-school service within the meaning of Part VIIA of the Child Care Act 1991;

(k) person responsible for the care or management of a youth work service within the meaning of section 2 of the Youth Work Act 2001.

16. Youth worker who—

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

(b) is employed in a youth work service within the meaning of section 2 of the Youth Work Act 2001.

17. Foster carer registered with the Agency.

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

APPENDIX 6 SIGNS AND SYMPTOMS OF CHILD ABUSE

(As Set out in Chapter 2 of 2017 National Guidance)

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

Neglect

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

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

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

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

The following are features of child neglect:

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

Emotional abuse

Emotional abuse is the systematic emotional or psychological ill-treatment of a child as part of the overall relationship between a caregiver and a child. Once-off and occasional difficulties between a parent/carer and child are not considered emotional abuse. Abuse occurs when a child's basic need for attention, affection, approval, consistency, and security are not met, due to incapacity or indifference from their parent or caregiver. Emotional abuse can also occur when adults responsible for taking care of children are unaware of and unable (for a range of reasons) to meet their children's emotional and developmental needs. Emotional abuse is not easy to recognise because the effects are not easily seen.

A reasonable concern for the child's welfare would exist when the behaviour becomes typical of the relationship between the child and the parent or carer.

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

- Rejection
- Lack of comfort and love
- Lack of attachment
- Lack of proper stimulation (e.g. fun and play)
- Lack of continuity of care (e.g. frequent moves, particularly unplanned)
- Continuous lack of praise and encouragement
- Persistent criticism, sarcasm, hostility or blaming of the child
- Bullying
- Conditional parenting in which care, or affection of a child depends on 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.

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.

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 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.

An Garda Síochána will deal with any criminal aspects of a sexual abuse case under the relevant criminal justice legislation. The prosecution of a sexual offence against a child will be considered within the wider objective of child welfare and protection. The safety of the child is paramount and at no stage 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 *Appendix 7*.

Circumstances which may make children more vulnerable to harm

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

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

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

Parent or carer factors:

- » Drug and alcohol misuse
- » Addiction, including gambling
- » Mental health issues
- » Parental disability issues, including learning or intellectual disability
- » Conflictual relationships
- » Domestic violence
- » Adolescent parents

Child factors:

- » Age
- » Gender
- » Sexuality
- » Disability

- » Mental health issues, including self-harm and suicide
- » Communication difficulties
- » Trafficked/Exploited
- » Previous abuse
- » Young carer

Community factors:

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

Environmental factors:

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

Poor motivation or willingness of parents/guardians to engage:

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

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

BULLYING

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

Bullying can be defined as repeated aggression – whether it is verbal, psychological or physical – that is conducted by an individual or group against others. It is behaviour that is intentionally aggravating

and intimidating, and occurs mainly among children in social environments such as schools. It includes behaviours such as physical aggression, cyberbullying, damage to property, intimidation, isolation/exclusion, name calling, malicious gossip and extortion. Bullying can also take the form of abuse based on gender identity, sexual preference, race, ethnicity and religious factors. With developments in modern technology, children can also be the victims of non-contact bullying, via mobile phones, the internet and other personal devices.

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

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

Bullying in schools is a particular problem due to the fact that children spend a significant portion of their time there and are in large social groups. In the first instance, the school authorities are responsible for dealing with such bullying. School management boards must have a code of behaviour and an antibullying policy in place. If you are a staff member of a school, you should also be aware of your school's anti-bullying policy and of the relevant guidelines on how it is handled.

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

Online safety and Cyber bullying

Abuse is not always committed through personal contact with a child or young person. Sometimes it is perpetrated through social media or the use of information and communication technology (ICT). There are many ways in which ICT can be utilised to harm children. Some of the risks and dangers associated with the same are set out at Appendix 7 of Child Safeguarding: A Guide for Policy, Procedure and Practice 2nd ed., 2019. See [here](#)

Cyber bullying is defined as an 'aggressive intentional act carried out by a group or individual using electronic forms of contact, repeatedly, over time, against a victim who cannot easily defend him or herself.' It uses electronic and digital means, such as mobile phones, personal computers, e-mail and the internet to deliberately harass, ridicule or hurt another.

It differs from more traditional bullying in that the audience can be larger, there are no time or location barriers, as the target's reaction is not often seen this can lead to a lack of empathy and it can be anonymous.

More information on forms of cyberbullying and signs/symptoms of the same are set of at Appendix 8 of Child Safeguarding: A Guide for Policy, Procedure and Practice 2nd ed., 2019.

APPENDIX 7 GUIDANCE FOR MANDATED PERSONS and THRESHOLD OF HARM FOR MANDATED REPORTING

(As Set out in Chapter 3 of 2017 National Guidance)

Mandated persons are people who have contact with children and/or families and who, because of their qualifications, training and/or employment role, are in a key position to help protect children from harm.

A full list of people who are classified as mandated persons is defined in Schedule 2 of the 2015 Act and is set out in of this document.

Mandated persons have two main legal obligations under the Children First Act 2015.

These are:

1. To report the harm of children above a defined threshold to Túsla;
2. To assist Túsla, if requested, in assessing a concern which has been the subject of a mandated report.

Criteria for reporting: definitions and thresholds

As a mandated person, under the legislation you are required to report any knowledge, belief or reasonable suspicion that a child has been harmed, is being harmed, or is at risk of being harmed. The Act defines harm as assault, ill-treatment, neglect or sexual abuse, and covers single and multiple instances. The four types of abuse are described in. The threshold of harm for each category of abuse at which mandated persons have a legal obligation to report concerns is outlined below.

NEGLECT

Neglect is defined as 'to deprive a child of adequate food, warmth, clothing, hygiene, supervision, safety or medical care'. The threshold of harm, at which you must report to Túsla under the Children First Act 2015, is reached when you know, believe or have reasonable grounds to suspect that a child's needs have been neglected, are being neglected, or are at risk of being neglected to the point where **the child's health, development or welfare have been or are being seriously affected, or are likely to be seriously affected.**

EMOTIONAL ABUSE/ILL-TREATMENT

Ill-treatment is defined as 'to abandon or cruelly treat the child, or to cause or procure or allow the child to be abandoned or cruelly treated'. Emotional abuse is covered in the definition of ill-treatment used in the Children First Act 2015.

The threshold of harm, at which you must report to Túsla under the Children First Act 2015, is reached when you know, believe or have reasonable grounds to suspect that a child has been, is being, or is at risk of being ill-treated to the point where **the child's health, development or welfare have been or are being seriously affected, or are likely to be seriously affected.**

PHYSICAL ABUSE

Physical abuse is covered in the references to assault in the Children First Act 2015. The threshold of harm, at which you must report to Túsła under the Children First Act 2015, is reached when you know, believe or have reasonable grounds to suspect that a child has been, is being, or is at risk of being assaulted and that as a result **the child's health, development or welfare have been or are being seriously affected, or are likely to be seriously affected.**

SEXUAL ABUSE

If, as a mandated person, you know, believe or have reasonable grounds to suspect that a child has been, is being, or is at risk of being sexually abused, then you must report this to Túsła under the Children First Act 2015.

Sexual abuse to be reported under the Children First Act 2015 [as amended by section 55 of the Criminal Law (Sexual Offences) Act 2017] is defined as an offence against the child, as listed in Schedule 3 of the Children First Act 2015.

A full list of relevant offences against the child which are considered sexual abuse is set *out in Appendix 1.*

As all sexual abuse falls within the category of seriously affecting a child's health, welfare or development, you must submit all concerns about sexual abuse as a mandated report to Túsła. There is one exception, which deals with certain consensual sexual activity between teenagers.

Exemptions from requirements to Report

UNDERAGE CONSENSUAL SEXUAL ACTIVITY

Under the Criminal Law (Sexual Offences) Act 2006 the legal age of consent is 17 years. While a sexual relationship where one or both parties is under 17 years of age is illegal, when making a mandated report to Túsła, it might not be regarded as child sexual abuse.

There are certain exemptions from reporting underage consensual sexual activity under section 14(3) of the Children First Act 2015. If you are satisfied that all of the following criteria are met, you are not required to make a report to Túsła:

- The young person(s) concerned are between 15 and 17 years old
- The age difference between them is not more than 24 months
- There is no material difference in their maturity or capacity to consent
- The relationship between the people engaged in the sexual activity does not involve intimidation or exploitation of either person
- The young persons concerned state clearly that they do not want any information about the activity to be disclosed to Túsła

In effect, this means that if all of the above criteria are met, you as a mandated person do not have to report consensual sexual activity between older teenagers as sexual abuse to Túsła.

All persons, including mandated persons, must uphold the key principle that the welfare of the child is paramount and if you have any concerns, even where all the above criteria are met, you may make a report to Túsła.

If your concern does not reach the threshold for mandated reporting, but you feel it is a reasonable concern about the welfare or protection of a child, you should report it to the DESIGNATED LIAISON PERSON.

MANDATED ASSISTING

When Túsła receives a report of harm to a child, the information in the report is used to assess the risk of harm to that child, or any other child. Written reports from mandated persons should improve the quality of information available to Túsła and therefore improve the assessment process, although in some instances Túsła will need further information from the person making the report. The better the quality of the initial report, and the more comprehensive and relevant the information given at that stage, the more likely Túsła can make an early and effective decision about how to deal with the reported concern.

It is usual practice for professionals, who have ongoing contact with a child and where there is concern about possible abuse, to continue to engage with Túsła's social work team to assist in the protection of the child. To support and reinforce this practice, the Children First Act 2015 provides that **all mandated persons can be asked by Túsła to provide any necessary and proportionate assistance** to aid Túsła in assessing the risk to a child arising from a mandated report. The Act requires that mandated persons **must** comply with this request, regardless of who made the report. Túsła accepts the time limitations and pressures on other professionals and will use mandated assisting only when necessary and only to the extent needed in each specific case. Mandated assistance may include a request to supply further information over the phone, produce a verbal or written report or attend a meeting. You can find the Túsła Children First – Protocol for Mandated Assisting on the Túsła website (www.Túsła.ie).

SHARING INFORMATION

The Data Protection Acts 1988 and 2003 do not prevent the sharing of information on a reasonable and proportionate basis for the purposes of child protection. Túsła has the authority to share information concerning a child who is the subject of a risk assessment with a mandated person who has been asked to provide assistance. Túsła must only share what is necessary and proportionate in the circumstances of each individual case.

Information that Túsła shares with you, if you are assisting it to carry out an assessment, must not be shared with a third party, unless Túsła considers it appropriate and authorises in writing that the information may be shared. This is in keeping with the principles of data protection, which recognise that in certain circumstances information can be shared in the interests of child protection, but that such sharing must be necessary and proportionate.

Section 17 of the Children First Act 2015 makes it an offence for you to disclose information to a third party which has been shared by Túsła during the course of an assessment, unless Túsła has given you written authorisation to do so. If you fail to comply with this section, you may be liable to a fine or imprisonment for up to six months or both. This offence can also be applied to an organisation.

Protection from civil liability

If you are required to share information with Túsła when assisting in the assessment of risk to a child, you are protected from civil liability. Section 16(3) of the Children First Act 2015 states:

“If a mandated person furnishes any information (including a report), document or thing to the Agency pursuant to a request made under subsection (1), the furnishing of that information, document or thing shall not give rise to any civil liability in contract, tort or otherwise and nor shall the information, document or thing be admissible as evidence against that person in any civil or criminal proceedings.”

ADVICE, INFORMATION AND TRAINING FOR MANDATED PERSONS

Túsła provides information resources on Children First guidance and legislation, including an e-learning training module. This e-learning module, which is called Introduction to Children First, covers recognising and reporting child abuse, the role of mandated persons, including mandated assisting, and the responsibilities of organisations working with children to safeguard children using their services. Information on how you can access the e-learning module can be found on the Túsła website (www.Túsła.ie).

APPENDIX 8 SCHEDULE OF OFFENCES AS SET OUT IN THE CRIMINAL JUSTICE (WITHOLDING OF INFORMATION ON OFFENCES AGAINST CHILDREN AND VULNERABLE PERSONS ACT 2012

This Act creates a criminal offence of withholding information relating to the commission of a serious offence, including a sexual offence, against a person under 18 years or a vulnerable person.

The offence arises where a person knows or believes that a specified offence has been committed against a child or vulnerable person and he or she has information which would be of material assistance in securing the apprehension, prosecution or conviction of another person for that offence and fails without reasonable excuse to disclose that information as soon as it is practicable to do so to a member of An Garda Síochána.

Offences against Children:-

1. Murder.
2. Manslaughter.
3. Common law offence of false imprisonment.
4. Rape.
5. Rape under section 4 of the Criminal Law (Rape) (Amendment) Act 1990 .
6. Sexual assault.
7. Aggravated sexual assault within the meaning of section 3 of the Criminal Law (Rape) (Amendment) Act 1990 .
8. An offence under section 1 of the Punishment of Incest Act 1908 (incest by males).
9. An offence under section 2 of the Punishment of Incest Act 1908 (incest by females of or over 17 years of age).
10. An offence under section 6 (1) of the Criminal Law (Sexual Offences) Act 1993 .
11. An offence under section 2 of the Criminal Law (Sexual Offences) Act 2006 (defilement of child under 15 years of age).
12. An offence under section 3 of the Criminal Law (Sexual Offences) Act 2006 (defilement of child under the age of 17 years).
- 12A. An offence under section 3A of the Criminal Law (Sexual Offences) Act 2006 (offence by person in authority).
13. An offence under any of the following provisions of the Child Trafficking and Pornography Act 1998
 - (a) section 3 (child trafficking and taking, etc., child for sexual exploitation),
 - (b) section 4 (allowing child to be used for child pornography),
 - (c) section 4A (organising etc. child prostitution or production of child pornography),
 - (d) section 5A (participation of child in pornographic performance).”,

14. An offence under section 2 of the Sexual Offences (Jurisdiction) Act 1996 insofar as it relates to an offence specified in the Schedule to that Act that is also specified in this Schedule.

15. An offence under any of the following provisions of the Criminal Law (Human Trafficking) Act 2008

(iv) section 2 (trafficking, etc., of children),

(v) section 5 insofar as it relates to a child who has been trafficked for the purpose of his or her exploitation (soliciting or importuning for purposes of prostitution of trafficked person),

(vi) section 7 insofar as it relates to an offence under section 2 of that Act or section 3 (other than subsections (2A) and (2B)) of the Child Trafficking and Pornography Act 1998 .

16. An offence under section 249 of the Children Act 2001 (causing or encouraging sexual offence upon a child).

17. An offence under section 176 of the Criminal Justice Act 2006 (reckless endangerment of children). 18. An offence under any of the following provisions of the Non-Fatal Offences against the Person Act 1997 —

(a) section 3 (assault causing harm),

(b) section 4 (causing serious harm),

(c) section 5 (threats to kill or cause serious harm),

(d) section 13 (endangerment),

(e) section 15 (false imprisonment),

(f) section 16 (abduction of child by parent, etc.),

(g) section 17 (abduction of child by other persons).

19. An offence under section 246 of the Children Act 2001 (cruelty to children).

20. An offence under any of the following provisions of the Criminal Justice (Female Genital Mutilation) Act 2012 —

(a) section 2 (offences of female genital mutilation, etc.),

(b) section 3 (offence of removal from State for purpose of female genital mutilation),

(c) section 4 (acts, etc., done outside State).

21. An offence under any of the following provisions of the Criminal Law (Sexual Offences) Act 2017

(a) section 3 (obtaining, providing etc. a child for purpose of sexual exploitation),

(b) section 4 (invitation etc. to sexual touching),

(c) section 5 (sexual activity in presence of child),

(d) section 6 (causing child to watch sexual activity),

(e) section 7 (meeting child for purpose of sexual exploitation),

(f) section 8 (use of information and communication technology to facilitate sexual exploitation of child).

Offences against vulnerable persons:-

1. Common law offence of false imprisonment.
2. Rape.
3. Rape under section 4 of the Criminal Law (Rape) (Amendment) Act 1990.
4. Sexual assault.
5. Aggravated sexual assault within the meaning of section 3 of the Criminal Law (Rape) (Amendment) Act 1990.
6. An offence under section 1 of the Punishment of Incest Act 1908 (incest by males).
7. An offence under section 2 of the Punishment of Incest Act 1908 (incest by females of or over 17 years of age).
8. An offence under either of the following provisions of the Criminal Law (Sexual Offences) Act 1993—
 - (a) subsection (1) of section 5 insofar as it provides for an offence of having sexual intercourse, or committing an act of buggery, with a person who is mentally impaired within the meaning of that section (other than a person to whom the alleged offender is married or to whom he or she believes with reasonable cause he or she is married),
 - (b) subsection (2) of section 6 insofar as it provides for an offence of soliciting or importuning a person who is mentally impaired within the meaning of that section (whether or not for the purposes of prostitution) for the purposes of the commission of an act that would constitute an offence under section 5(1) (insofar as it is referred to in paragraph (a)) of that Act or an offence referred to in section 2 of the Criminal Law (Rape) (Amendment) Act 1990.
9. An offence under section 2 of the Sexual Offences (Jurisdiction) Act 1996 insofar as it relates to an offence specified in the Schedule to that Act that is also specified in this Schedule to the extent that it is so specified.
10. An offence under any of the following provisions of the Criminal Law (Human Trafficking) Act 2008—
 - (a) section 4 (trafficking of persons other than children),
 - (b) section 5 insofar as it relates to a person in respect of whom an offence under subsection (1) or (3) of section 4 of that Act has been committed (soliciting or importuning for purposes of prostitution of trafficked person),
 - (c) section 7 insofar as it relates to an offence under section 4 of that Act.
11. An offence under section 3 of the Non-Fatal Offences against the Person Act 1997 (assault causing harm).

Responsibilities

Director of Human Resources	Policy updating
UMT/Head of School / Unit	Dissemination policy to staff and ensure they are aware of their responsibilities
All Staff	To read and understand the policy and responsibilities
Human Resources Office	Ensure policy is available to staff