

## **CHILD SAFEGUARDING POLICY**

**Over the Rainbow Early Learning Centre Ltd** is committed to safeguarding the children in our care and to providing a safe environment in which they can play, learn and develop. The welfare and protection of children in our care is always the first priority.

We are committed to child centered practice in all our work with children and fully comply with ***Children First Act 2015*** and ***Children First – National Guidance for the Protection and Welfare of Children 2017*** (Tusla, 2017).

We recognise the right of children to be protected from harm, treated with respect, listened to and have their views taken into consideration in matters that affect them.

Management, staff, volunteers and students in this service recognise that the welfare of children is paramount and our service will endeavour to safeguard children by:

- Having procedures to recognise, respond to and report concerns about children's protection and welfare as outlined within this policy
- Having a confidentiality policy
- Having a code of behaviour for management, employees, students and volunteers.
- Having a safe recruitment procedure
- Having procedures for managing/supervising employees, students and volunteers
- Having a procedure to respond to accidents and incidents
- Having a procedure to respond to complaints
- Having procedures to respond to allegations of abuse and neglect against staff members as outlined within this policy.

As part of the policy, this service will:-

- Appoint both a Designated Liaison Person for dealing with child protection concerns and a Deputy
- Provide induction training on the Child Protection and Welfare Policy to all staff, volunteers, students and members of the board of management
- Ensure that staff attend child protection training as appropriate
- Provide supervision and support for staff and volunteers in contact with children
- Share information about the Child Safeguarding Policy with families and children
- This policy will be shared with parents on enrolment with our service
- This policy will be reviewed by the Designated Liaison Person each time an incident is reported or every 2 years if that is sooner
- Work and cooperate with the relevant statutory agencies as required.

### **Overall Responsibility of all Managers, Employees, Volunteers and Students**

It is the responsibility of all service personnel to ensure the safety, protection and well-being of children in the care of this service. All staff, management, relief staff and volunteers are required to read, understand and sign off on this Child Safeguarding Policy. It is expected that if anyone has any questions about the policy or its implementation they speak with the Designated Liaison Person.

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We will ensure that all personnel:

- Are aware of their responsibilities and their obligations under *Always Children First*
- Are aware of their responsibilities as Mandated Persons for reporting concerns and/or incidents regarding the safety or well-being of children to Tusla with the knowledge of the Designated Liaison Person
- Attend child protection training as appropriate

This policy is applicable at all times when children are in the care of the service, including when on day trips and outings.

We will ensure this policy is observed by:

- Staff
- AIM Support Staff / Special Needs Assistants
- Volunteers
- Students on placement
- Visitors to the service
- Children (depending on the age)

### **Definition of a Child**

For the purpose of this policy, a 'child' means anyone who is under 18 years of age.

### **Named person**

A named person assists the organisation to develop their guiding principles and child safeguarding procedures and is responsible for leading the development of the guiding principles and child safeguarding procedures and for ensuring that policies and procedures are consistent with best practice. They should liaise with all key workers and volunteers who have relevant roles and responsibilities. The named person can also assist with the review of guiding principles and child safeguarding procedures.

**Our named person is:** Jennifer Byrne

### **Mandated Persons**

#### **Who are mandated persons?**

Mandated persons are people who have ongoing contact with children and/or families and who because of their qualifications, training and experience are in a key position to protect children from harm. A list of classes of persons specified as mandated persons is included with this policy and can be found under the Children First Act 2015, Schedule 2.

#### **Legal obligation of Mandated Persons**

Under the Children First Act 2015, Mandated Persons have a statutory obligation to:

- report a concern which reaches or exceeds the legally defined threshold of harm to Tusla;
- assist Tusla, if requested, in assessing a concern which has been the subject of a mandated report.

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### **Maintaining a list of any mandated persons**

The named person will be:

- responsible for maintaining a list of current mandated persons within the setting.
- responsible for ensuring mandated persons are aware of their responsibilities under the legislation at commencement of their employment.

Mandated persons may make joint reports with the DLP, however, a mandated person cannot discharge their statutory responsibility to report by reporting to another person (e.g. by reporting to their DLP).

### **Designated Liaison Person**

The role of the Designated Liaison Person (DLP) is to be a resource for any staff member, student or volunteer who has a child protection or welfare concern. The DLP will be well-informed about child protection and have received all the necessary training for the role. The DLP will help any person in the setting who is considering making a report to Tusla and will liaise with outside agencies.

The Deputy DLP will be appointed by the managers to undertake the below duties when the DLP is on leave or is unavailable for a long period of time.

Our appointed Designated Liaison Person (DLP) is **Ann-Marie Healy**.  
Our Deputy Designated Liaison Person (DLP) is **Jennifer Byrne**.

### **Details of designated Liaison person and the duty social worker**

Designated Liaison Person: Ann-Marie Healy  
Contact Details: 087 1380894

Deputy Designated Liaison Person: Jennifer Byrne  
Contact Details: 085 8312929

Duty Social Worker  
River House, Ennis  
Tel: 065 6863935  
Mon - Fri 2pm - 5pm

*\*In an emergency, if the child is in immediate danger, call Ennis Garda Station on (065) 684810\**

### ***Role of the Designated Liaison Person (DLP)***

The DLP has the ultimate responsibility for ensuring that the child safeguarding policy is promoted and implemented.

### ***Duties:***

- To be familiar with ***Children First: National Guidance for the Protection and Welfare of Children 2017*** and ***The Children First Act 2015***
- To have responsibility for the implementation and monitoring of the child

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- safeguarding policy within the setting;
- To provide support to staff members who are dealing with/have dealt with a child protection concern or disclosure.
  - To receive reports of alleged / suspected or actual child abuse and act on these in accordance with the guidelines;
  - To ensure that training is provided for all new and existing staff on the child safeguarding policy;
  - To build a working relationship with the Child and Family Agency Tusla, An Garda Síochána and other agencies, as appropriate;
  - To ensure that supports are put in place for the young person, employees or volunteers in cases of allegations being made;
  - To keep up to date and undertake relevant training on child safeguarding policy and practice, in order to ensure the relevance and appropriateness of our policy and procedures in this area;
  - To review the policy, procedures on child safeguarding and the Child Safeguarding Statement on an annual basis and amend as appropriate;
  - To ensure that systems are in place for recording and retaining all relevant documentation in relation to child protection issues.

### **Types of Child abuse and how to recognise them**

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 parent/carer.

### **Neglect**

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

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

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- 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. 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.

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 over protectiveness
- 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.

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. 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.

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:

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- 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

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

### **Bullying**

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

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

**Reckless Endangerment** is when a person having authority or control over a child or an abuser, who intentionally or recklessly endangers a child by:

- Causing or permitting any child to be placed or left in a situation which creates a substantial risk to the child of being a victim of serious harm or sexual abuse, or
- Failing to take reasonable steps to protect a child from such a risk while knowing that the child is in such a situation, is guilty of an offence'.

Further information regarding recognising child abuse can be found in Chapter 2 of the ***Children First – National Guidance for the Protection and Welfare of Children***

**2017.**

**A concern could come to your attention in a number of ways:**

- A child tells you or indicates that she/he is being abused. This is called a disclosure
- An admission or indication from the alleged abuser
- A concern about a potential risk to children posed by a specific person, even if the children are unidentifiable
- Information from someone who saw the child being abused
- Evidence of an injury or behaviour that is consistent with abuse and unlikely to be caused in any other way
- Consistent indication over a period of time that a child is suffering from emotional or physical neglect
- An injury or behaviour which is consistent with abuse, but an innocent explanation is given
- Concern about the behaviour or practice of a colleague

**Steps in making the decision to report a child protection or welfare concern**

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 threshold of harm, at which you must report to Tusla 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.**

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, Discuss it with the DLP who can advise you about the reporting process to Tusla.

In an emergency situation, where you believe the child is at risk of **immediate harm**, you should contact Tusla **without delay** before making a written report. Under no circumstances should a child be left in a situation that exposes him or her to harm or risk of harm, while waiting for Tusla to intervene. If the child is in immediate danger and Tusla cannot be contacted, contact An Garda Síochána.

**Step 1: Providing a focus for your concern before contacting Tusla.**

Questions you might ask yourself and the family before making the decision to report to Tusla.

Ask yourself:

- What am I worried about?
- What is working well?
- What needs to happen?

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Ask the family:

- Is there anyone else supporting you at the moment? Do you mind if I speak to them?
- Is there any other support that you feel you need at the moment?
- What would you ideally like to see happen next?
- Have you told anyone about this before?
- Has this happened before?
- Do you feel that professionals understand your concerns?

All concerns must be brought to the attention of the DLP or Deputy DLP, who can provide you with support and contact Tusla informally to discuss concerns if you are unsure whether to formally report it to Tusla or not.

### **Step 2: Informing the family, where appropriate**

The DLP will formally and fully inform the family if a report is being made, with the following exceptions.

The family do not need to be informed if:

- By doing so, the child will be placed at further risk
- Where the family knowing about the report could affect Tusla's ability to carry out a risk assessment
- You believe that doing so would place you at risk of harm from the family.

### **Step 3: When to report a child protection or welfare concern to Tusla**

Together with the DLP, the Mandated person will inform Tusla immediately if there is any reasonable grounds for concern that a child may have been, is being, or is at risk of being abused or neglected. It is not necessary to prove that abuse has occurred to report a concern to Tusla.

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

### **Step 4: Submitting the report**

Together with the DLP, the Mandated Person can make the report to Tusla in person, by telephone or in writing to the local Child Protection and Welfare Duty Social Work Services at the following contact address:

Duty Social Worker  
River House, Ennis

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Tel: 065 6863935

or

Child and Family Agency,  
Unit 3, St. Camillus Hospital,  
Shelbourne Road,  
Limerick  
Tel: 061 588688

Verbal reports will be followed up by completing the Child Protection and Welfare Report Form. (See Attachment 1).

The provisions of the Protections for Persons Reporting Child Abuse Act 1998 apply once they communicate ‘reasonably and in good faith’ (see Chapter 2 Relevant legislation p16 of Children First National Guidance for the Protection and Welfare of Children 2017).

**Over the Rainbow Early Learning Centre Ltd** wish to draw the attention of the staff and volunteers to this Act **Protection for Persons Reporting Child Abuse Act, 1998** provides immunity from civil liability to persons who report child abuse “reasonably and in good faith” to the HSE or An Garda Síochána. Section 3(1) of the Act states:

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

- *a child has been or is being assaulted, ill-treated, neglected or sexually abused, or*
- *a child’s health, development or welfare has been or is being avoidably impaired or neglected, unless it is proved that he or she has not acted reasonably and in good faith in forming that opinion and communicating it to the appropriate person”.*

This protection applies to childcare services and to individuals.

In making a report on suspected or actual child abuse, it must be ensured that the first priority is always for the safety and welfare of the child/ young person and that no child/ young person is ever left in a situation that could place a child/young person in immediate danger.

### **Procedure when a referral is not made to the Child & Family Agency**

Not all concerns will meet the reasonable grounds for concern. In this case, the concern and any informal consultation will be documented and kept confidentially and securely by the DLP as future suspicions may lead to the decision to make a report and earlier suspicions may provide important information for the statutory child protection agency or An Garda Síochána.

## **Who can make a report**

Reports can be made by:

- Children / young people;
- Parents/guardians;
- Employees, students and volunteers;
- Other advocates on behalf of children / young people.

## **How to report abuse if a child/young person discloses the incident of abuse**

In the event of a child / young person disclosing an incident of abuse it is essential that this is dealt with sensitively and professionally by the employee / volunteer involved. In such circumstances, the employee / volunteer should:

- React calmly;
- Listen carefully and attentively; take the young person seriously;
- Reassure the young person that they have taken the right action in talking to you;
- **DO NOT** promise to keep anything secret;
- Ask questions for clarification only. **DO NOT** ask leading questions, this is not an interview, but rather receiving a disclosure from a child;
- Check back with the child/young person that what you have heard is correct and understood;
- **DO NOT** express any opinions about the alleged abuser;
- Record the conversation as soon as possible, in as much detail as possible. **Sign and date the record**;
- Ensure that the child/young person understands the procedures which will follow;
- Pass the information to the DLP. **DO NOT** attempt to deal with the problem alone;
- Treat the information confidentially.

## **How to handle retrospective (past) disclosures made by adults**

Parents and staff who are working with children and young adults or who attend child protection training may disclose abuse which took place during their childhood. A disclosure of abuse by an adult which took place during their childhood must be noted or recorded.

In these cases it is essential that consideration is given to the current risk to any child who may be in contact. If any risk is deemed to exist to any child who may be in contact with the alleged abuser, a report of the allegation should be made to the Child and Family Agency Tusla without delay. Investigation of disclosures by adult victims of past abuse frequently uncovers current incidents of abuse and is therefore an effective means of stopping the cycle of abuse.

An increasing number of adults are disclosing abuse that took place during their childhoods. Such disclosures often come to light when adults attend counselling. It is essential to establish whether there is any current risk to any child who may be in contact with the alleged abuser revealed in such disclosures.

If any risk is deemed to exist to a child who may be in contact with an alleged abuser, the Mandated Person, with the knowledge of the DLP should report the allegation to the Child and Family Agency Tusla without delay.

The National Counselling Service is in place to listen to, value and understand those who have been abused in childhood. The service is a professional, confidential counselling and psychotherapy service and is available free of charge in all regions of the country (see [http://www.hse.ie/eng/services/list/4/Mental Health Services/National Counselling Service/](http://www.hse.ie/eng/services/list/4/Mental_Health_Services/National_Counselling_Service/)). The service can be accessed either through healthcare professionals or by way of self-referral.

### **Allegations Against an Employee/Volunteer**

The protection and welfare of the children in the service are paramount and their safety and well-being is the priority. However, the service also has a duty and responsibility, as an employer, in respect of its employees.

It is important to note that there are two procedures to be followed when an allegation of abuse or neglect is made against an employee:

1. Reporting procedure in respect of any child protection and welfare concern
  - The safety of the child is our first priority and all necessary measures will be taken to ensure their safety.
  - The Designated Liaison Person will deal with the procedure involving the child and the reporting procedure to Tusla.
2. The procedure in respect to the allegation against the employee
  - If the concern meets the reasonable grounds for reporting then it should be referred without delay to the Child & Family Agency. Informal consultation with the Child & Family Agency may be used to determine if reasonable grounds are present.
  - Written records are very important: If a disclosure is made by a child, a written record of the disclosure will be made as soon as possible by the person receiving it.
  - Where an allegation of abuse or neglect is made by an adult, a written record of the allegation will be made and a written statement will be sought from this person.
  - When becoming aware of an allegation of abuse by an employee while executing their duties, the employee will privately be informed of the following by the owner:
    - a) The fact that an allegation has been made against him/her
    - b) The nature of the allegation.
  - The employee will be afforded the opportunity to respond, the response will be noted and passed onto the Child & Family Agency with the formal report.
  - All stages of the process will be recorded.

- If an investigation is deemed necessary, it will be carried out by an external consultant in collaboration with the owners.
- Whether or not the matter is being reported to the Child & Family Agency, the employer is always informed of an allegation of abuse or neglect against an employee.
- It is essential that at all times the matter is treated in the strictest confidence and that the identity of the employee is not disclosed, other than as required under the procedures within the policy.
- The principles of natural justice, the presumption of innocence and fair procedures will be adhered to.
- Regular and close liaison with the Child & Family Agency and or An Garda Síochána will be maintained and the service will ensure that no action frustrates or undermines any investigation.
- Further action will be guided by employment legislation, the contract of employment, the other policies and procedures of the service (including the disciplinary policy) and the advice of the investigating agencies.
- The Manager/Owner, will suspend the employee / volunteer with pay (where appropriate). In the case where the worker is not suspended the level of supervision of the worker will be increased.
- Depending on the nature of the allegation, one of the following protective measures will be taken to ensure the safety of children and young people within the service:
  - a) suspension of duties of the person accused,
  - b) re-assignment of duties where the accused will not have contact with children/young people,
  - c) working under increased supervision during the period of the investigation
  - d) or other measures as deemed appropriate.

### **Parents and Allegations of Abuse or Neglect Against Employees**

Parents have the right to contact the Child & Family Agency to report an allegation of abuse or neglect about the employee or service.

Parents of children who are named in an allegation of abuse or neglect will be kept informed of actions planned and taken, having regard to the rights of others concerned.

If there is any concern that a child may have been harmed, their parents will be informed immediately.

### **Confidentiality**

In matters of child abuse, an employee / volunteer should never promise to keep secret any information which is divulged. It should be explained to the child/young person that this information cannot be kept secret but only those who need to know in order to safeguard the child, will be told.

It is essential in reporting any case of alleged / suspected abuse that the principle of

confidentiality applies. The information should only be shared on a 'need to know' basis which means sharing information with persons who have a need to know in order to safeguard a child/young person and is not a breach of confidentiality and the number of people that need to be informed should be kept to a minimum.

**If an employee has any doubt as to whether a report should be made, he / she should consult with the Designated Liaison Person or Deputy Liaison Person, who can contact The Children First Information and Advice Officer for Clare as follows:**

Laura Nee  
Children First Information and Advice Officer  
Child and Family Agency  
Civic Offices  
Limerick Road  
Nenagh  
Co. Tipperary  
email: [laura.nee@tusla.ie](mailto:laura.nee@tusla.ie)

### **Record Keeping**

Under the Data Protection Act every person has a right to establish the existence of personal data, to have access to any such data relating to him and to have inaccurate data rectified or erased.

Management will ensure that:

- Data is collected fairly, is accurate and up- to-date, is kept for lawful purposes and is not used or disclosed in any manner incompatible with those purposes as per the services Record Keeping Policy and Confidentiality and Data Protection Policy.
- All data in relation to child protection records collected will be stored in a safe and confidential manner in a secure locked cabinet. This will be kept in the office of the Designated Liaison Person.
- Information will only be shared with the Child and Family Agency or An Garda Síochána as appropriate.

### **Safe Recruitment**

We will ensure that all staff and volunteers are carefully selected in line with our Recruitment Policy and the Child Care (Pre-school Services) Regulations 2006.

The following will be undertaken:

- Development of job description which outlines the qualifications, skills and experience needed for each post
- Advertising vacancies externally and as widely as practicable
- Requesting candidates to supply personal information on an application form
- Interviews will be conducted by more than one person. It is the responsibility of the interview panel and not one individual to appoint staff/volunteers

- All processes should be consistent and transparent (i.e. interview questions agreed in advance, scoring sheets and feedback to candidates)
- Prior to an offer of employment being made, two references from previous employers (including the most recent) should be supplied, verified and kept on file
- Prior to commencement of position, proof of identity including address (passport, driving license or ID card) will be requested and kept on file
- Prior to commencement of position, satisfactory Garda vetting will be in place for all staff or volunteers
- The development of criteria on decision making regarding suitability in the event of a vetting disclosure (Garda Vetting Policy)

Any child protection and welfare concerns that arise through the recruitment process should be dealt with through the reporting procedures as outlined in this policy.

All new appointments should be subject to a probationary period for a stated period and a review meeting held before the post is confirmed. All employees will be provided with an employment contract.

### **Personnel File**

An up-to-date and accurate personnel file is kept for each member of staff that includes the following records:

- proof of identity and that the person is over 18 years of age
- proof of satisfactory Garda Vetting
- two validated references, including a reference from the most recent place of employment
- verification of qualifications investigation of any gaps in employment.

These guidelines will apply both to the recruitment of new employees and to the selection of internal candidates for promotion or job change.

**Over the Rainbow Early Learning Centre Ltd** will not employ, contract or involve as a volunteer, any person to work with children or young adults who has a criminal conviction for violent crime, sexual crime, drugs related offences, or any other offences deemed inappropriate in relation to work with children.

All workers employed, contracted to work, or volunteering to work with children through **Over the Rainbow Early Learning Centre Ltd** will be required to sign a declaration form outlining any previous criminal convictions and granting permission for vetting from An Garda Síochána to be sought. Garda Vetting will be undertaken for all **Over the Rainbow Early Learning Centre Ltd** management and staff.

### **Guidelines for Management of Staff**

Formal Support & Supervision meetings take place monthly or more frequently if the workload requires it. Informal Support & supervision is available to staff members as requested or as required. Full Team Meetings take place once every two months.

In accordance with our Staff handbook all staff undergoes an induction process including the Child Safeguarding Policy and will confirm in writing that the induction process has taken place.

Our Child safeguarding Policy will be rolled out to existing staff through an in-house training programme. On-going training will be provided following annual review or statutory/ guideline changes.

### **Code of Behaviour**

- All employees and volunteers of **Over the Rainbow Early Learning Centre Ltd** must make themselves aware of the childcare service's good practice guidelines and must be familiar with the overall child safeguarding policy and sign up to it;
- Parents of children involved with our work must be informed of our policy and procedures;
- **Over the Rainbow Early Learning Centre Ltd** has appointed a Designated Liaison Person to deal with any complaints or issues arising which concern the safety or welfare of any child / young person (see above for identity of the Designated Liaison Person of the childcare service). This person is appropriately trained and familiar with the procedures to be followed in the event of an allegation, concern or disclosure of child abuse;
- **Over the Rainbow Early Learning Centre Ltd** has put in place an anti-bullying policy. We will not tolerate any bullying behaviour by children/young people or adults and will deal with any incidents immediately in accordance with the DCYA anti-bullying policy when working with children and young people. Where bullying amounts to any form of abuse it will be treated as such and be recorded and reported as appropriate.
- Staff show respect and understanding for the rights, safety and welfare of the children and young people;
- **Over the Rainbow Early Learning Centre Ltd** has put in place a complaints procedure. (See Complaints Policy)
- Employees and volunteers should avoid working in isolation with children and favouritism.
- **Over the Rainbow Early Learning Centre Ltd** respects and promotes the principles of equality and diversity and works with all children in a culturally sensitive way within the context of the Irish Constitution and law and the UN Convention on the Rights of the Child i.e. staff should never physically punish or be in anyway verbally abusive to a child, nor should they ever tell jokes of a sexual nature in the presence of children.

This policy was adopted by **Over the Rainbow Early Learning Centre Ltd** on:

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

\_\_\_\_\_  
Manager

\_\_\_\_\_  
co-Manager

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

Created: Jun20  
Updated: Nov22