

Child Protection Policy

Version 1.0

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Table of Contents

1. Purpose	4
2. Scope	4
3. Roles and Responsibilities	5
4. Procedure	7
4.1. Mandatory Reporting to the Child and Family Agency (TUSLA)	7
4.2. Seeking Advice and Cases not Reported to TUSLA	8
4.3. Confidentiality and Record Keeping	8
4.4. Legislative Protection for Reporting	8
4.5. Training	9
4.6. Garda Vetting	9
4.7. Review of this Policy	9

1. Purpose

South East Technological University (SETU) recognises that the welfare and protection of children is of paramount importance and that SETU has a responsibility to protect children from abuse.

When abuse is suspected, SETU shall report this to TUSLA, the Child and Family Agency, in accordance with "*Children First: National Guidance for the Protection and Welfare of Children*", as revised, and the Children First Act 2015.

The purpose of this policy is to apply the provisions of *Children First* guidance to the work and activities of SETU and supports the use of professional and safe practices when working with children. More explanation is offered in the SETU Code of Behaviour for interacting with children. SETU has prepared a Child Safeguarding Statement in support of these policy objectives.

This Policy is intended to inform members of the SETU community, who for teaching, research or occupational reasons have contact with children, of their obligation to recognise child protection concerns and respond appropriately. Our community, for the purposes of this document, includes staff, occasional staff, contracted staff, registered students and those who work in a volunteer or unpaid basis on behalf of SETU.

2. Scope

This policy and procedure is applicable to any child (i.e. a person under the age of 18 years, excluding a person who is or has been married), who

- is a registered student of SETU
- is employed by SETU
- is a user of services of SETU with the express permission of the University (e.g. a user of sporting or other facilities of SETU, or on work placement, attending an open day, etc.).

This policy shall also apply to situations where the behaviour of a registered student towards children raises concern of abuse or neglect.

SETU recognises that academic, mentoring and other interactions with registered students who are under the age of 18 years is on the basis of the normal rules applying to all registered students.

Please Note: SETU cannot and does not take responsibility for any unsupervised minors who are on Campus without the express permission of the University. Nonetheless

should the University become aware of any suspected abuse or neglect of children on Campus, this Policy will be followed.

3. Roles and Responsibilities

A. Staff Members

All staff shall be alert to the possibility that children with whom they are in contact may be suffering from abuse. Child abuse may be categorised as neglect, emotional abuse, physical abuse and sexual abuse. Everyone in the University community has a duty of care to raise a concern about the behaviour of others which may be harmful to children. Note that a current risk to a child may be discerned due to a retrospective disclosure of abuse by an adult.

When a person has reasonable grounds for concern, they shall be expected to raise this, in the first instance, with SETU's Designated Liaison Person.

If, for any reason, the Designated Liaison Person is not available, the staff member may raise their concerns with a Deputy Designated Liaison Person or their own manager or a HR Manager.

Staff, as individuals, are also free to consult with or report their concerns directly to TUSLA or An Garda Síochána.

Under no circumstances should a child be left in a situation that exposes that child to harm or to risk of harm pending TUSLA intervention. In the event of an emergency, where it appears a child may be in immediate danger, staff shall contact TUSLA, or alternatively An Garda Síochána, through any Garda station.

B. Designated Liaison Person

The Designated Liaison Person shall:-

1. Act as a liaison with outside agencies and a resource person to any staff or student who has child protection concerns.
2. Ensure that this Policy is followed.
3. Maintain links with TUSLA to facilitate the reporting and sharing of information as required.
4. Be responsible for ensuring that the standard reporting procedure is followed, so that suspected cases of child neglect or abuse are referred promptly to the designated person in TUSLA or in the event of an emergency and the unavailability of the TUSLA, to An Garda Síochána.
5. Ensure that they are knowledgeable about child protection and shall undertake training considered necessary to keep them up to date on new developments.

6. Follow up on any concerns brought back by students of SETU arising from placement, having first reported such concerns to the Placement Deputy Designated Liaison Person(s), who will communicate with the placement.
7. The identities and contact details should be easily accessed on the University website, along with the details for the Deputy Designated Liaison Person(s).

C. Deputy Designated Liaison Person(s)

The Deputy Designated Liaison Person(s) shall:-

1. Assist the Designated Liaison Person to ensure that the standard reporting procedure is followed, so that suspected cases of child neglect or abuse are referred promptly to the designated person in TUSLA or in the event of an emergency and the unavailability of the TUSLA, to An Garda Síochána
2. Ensure that they are knowledgeable about child protection and shall undertake training considered necessary to keep them up to date on new developments.
3. Inform the Designated Liaison Person, as soon as practicable, of all complaints.

D. Mandated Persons

1. The Children First Act 2015 places a legal obligation on mandated persons to report child protection concerns, at or above a defined threshold, to TUSLA, as soon as practicable.
2. Mandated persons are people who, because of their qualifications, training and/or employment role, are in a key position to help protect children from harm (see schedule 2 Children First Act 2015).
3. Mandated persons have an obligation to assist TUSLA, if requested, in assessing a concern which has been the subject of a mandated report. However, a mandated person cannot disclose information shared by TUSLA in the course of this assistance, without authorisation from TUSLA.
4. A mandated person cannot submit a mandated report anonymously.
5. A mandated person may make a joint report with the Designated Liaison Person to TUSLA and this will discharge their statutory obligation.

Mandated persons include, but are not limited to, persons in the following roles in the University.

Mandated Person Description	SETU Role
Registered nurse or registered midwife within the meaning of section 2(1) of the Nurses and Midwives Act 2011.	Nurse

Member of the clergy (howsoever described) or pastoral care worker (howsoever described) of a church or other religious community.	Chaplain
Person providing counselling who is registered with one of the voluntary professional bodies.	Student Counselling Service: Psychologist(s) / Psychotherapist(s).

4. Procedure

4.1. Mandatory Reporting to the Child and Family Agency (TUSLA)

Everyone is encouraged to be alert to the possibility that children with whom they are in contact could be victims of abuse. All SETU staff and volunteers working with children are encouraged to discuss any concerns with the Designated Liaison Person.

SETU is obliged to inform TUSLA of any reasonable grounds for concern that a child may have been, is being or is at risk of being abused or neglected. The report is made by the Designated Liaison Person, except in the case of mandated persons. The Designated Liaison Person will use the appropriate, standard reporting form. Staff, as individuals, are free to consult with or report their concerns directly to TUSLA or An Garda Siochana.

Where there is a concern that a child is in immediate danger, staff shall contact TUSLA or an Garda Siochana immediately. In these circumstances, the staff member shall then inform the Designated Liaison Person of the referral and the nature of that referral, at the earliest possible opportunity.

In a case where an allegation is made against a SETU employee or volunteer operating in the course of their duties, the Designated Liaison Person shall report the matter to the Human Resource Manager. The Human Resource Manager will inform the employee/volunteer of the allegation and they will be given an opportunity to respond immediately in accordance with established HR policy. The Designated Liaison Person shall ensure that this immediate response is communicated to TUSLA when submitting the report.

When the allegations relate to a registered student operating in the course of their study, the Designated Liaison Person shall refer this matter to the Head of Department where the student is registered, who shall be responsible for informing the student of the allegation. The registered student shall be given an opportunity to respond immediately and shall have the same rights and process as defined in the university's policies on student discipline. The Designated Liaison Person shall ensure that this immediate response is communicated to TUSLA when submitting the report.

SETU reserves the right to take further action in response to the allegations, under other University Policies and Procedures. However, a decision to take further action internally does not negate the duty to report the allegation to TUSLA.

4.2. Seeking Advice and Cases not Reported to TUSLA

The Designated Liaison Person may seek advice from TUSLA on any matter, including whether or not to make a report. Generally, the advice offered should be followed and the person who raised the concern informed in writing that a report to TUSLA is or is not being made. If the concern is not reported to TUSLA, then the individual who raised the concern should be advised of their individual right to make a report to TUSLA or an Garda Síochána.

4.3. Confidentiality and Record Keeping

Any person raising child protection concerns should accurately record the conversations and observations which establish the basis for their concern.

The Designated Liaison Person shall keep dated and signed records. These are confidential documents which must be kept securely and in accordance with law on data protection. Destruction will be in accordance with the university's policy on data retention.

Complete confidentiality must never be promised to a person making a disclosure. However, individuals involved in the procedure should maintain confidentiality consistent with the requirements of fair examination and response and breaches of confidentiality expose staff to disciplinary action. Information should be shared on a 'need to know' basis, in the interests of the child. Information may be communicated to personnel who have a legitimate involvement or role in dealing with the issue. It is not a breach of confidentiality to give information to those who need to have that information for the protection of the child.

4.4. Legislative Protection for Reporting

The Protection of Persons Reporting Child Abuse Act 1998 protects from criminal or civil liability any person who reports suspicions of child abuse reasonably and in good faith to designated officers of TUSLA or to An Garda Síochána. The protection applies even where the suspicion proves to be unfounded. However, a person who makes a report of child abuse, knowing the statement to be false, commits a criminal offence.

It is a criminal offence to withhold information about a serious offence against a person under the age of 18 years or a vulnerable person under the Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012.

4.5. Training

The Policy will be brought to the attention of all staff, who will receive a copy of the Policy and awareness training on its implications. SETU shall support specific and ongoing training provided by TUSLA to the Designated Liaison Person, Deputy Designated Liaison Persons and mandated persons. Focussed training will be provided to staff and volunteers who work with or deal with children, with the objective of ensuring that staff have the necessary skills and knowledge to make informed decisions and provide confident responses to child protection issues.

4.6. Garda Vetting

Wherever required by law, staff, volunteers and others working within the University are subject to Garda vetting and clearance. Offers of employment and/or continued employment/engagement by the University may be conditional on the appropriate clearance being obtained. Adults who are not SETU employees, but who work with or form part of University societies, clubs and other groupings, such as sports teams, are also subject to Garda vetting and clearance.

4.7. Review of this Policy

The Policy will be reviewed every two years unless new or revised legislation or national guidance necessitates an earlier review. The Designated Liaison Person and the Deputy Designated Liaison Person(s) may arrange to meet in order to discuss the operation of the Policy.