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# Child Protection Policy

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Newcastle  
Community Centre

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Version 1.2  
Approval date 1/5/2019

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Revision date 1/5/2022  
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1.Responsibility for approval of policy	<i>Board</i>
2.Responsibility for implementation	<i>Chairperson</i>
3.Responsibility for ensuring review	<i>Secretary</i>

## **1. Policy Statement**

- 1.1. Newcastle Community Centre aims to be fully committed to safeguarding the well being of children by protecting them from physical, sexual and emotional harm and neglect.

This policy document has been created with reference to:

- Children First National Guidance
- Child Protection and Welfare Practice Handbook
- The Interim guide for the Development of Child Protection, Welfare Policy, Procedures and Practices
- Our Duty of Care: The principles of good practice for the protection of children and young people

## **2. Purpose**

- 1.1. To ensure the Centre is clear about its roles and responsibilities providing for the welfare of children and ensuring they are protected.

## **3. Scope**

Although Newcastle Community Centre does not directly provide services or work with children we may as an organisation come into contact with children using our facilities. It is important the Board, volunteers, service users are fully compliant with all relevant safeguarding guidance and legislation

## **4. Definition and Recognition of Child Abuse**

"A child" means a person under the age of 18 years, excluding person who is or has been married.

- 4.1. Physical abuse: where it is known or suspected that injury was deliberately inflicted.
- 4.2. Sexual abuse: the use of children by others for sexual gratification. This can take many forms and includes rape and other sexual assaults, allowing children to view sexual acts or to be exposed to, or involved in, pornography, exhibitionism and other perverse activities.
- 4.3. Emotional abuse: adverse effects on behaviour and emotional development of a child caused by persistent or severe emotional ill treatment or rejection or exposure to on-going domestic violence.
- 4.4. Neglect: the persistent or severe neglect of a child whether wilful or unintentional which results in serious impairment of the child's health, development or welfare.
- 4.5. Bullying. Repeated aggression, whether verbal, psychological or physical, that is conducted by an individual or group against others. It is behaviour that is intentionally aggravating and intimidating.

## 5. Basis for Reporting Concerns and Standard Reporting Procedure.

5.1. Newcastle Community Centre volunteers have responsibilities under various pieces of Child Protection legislation. See Appendix to this document for more information.

5.2. How to Respond To a Disclosure of Abuse.

A child or young person will carefully select a person to confide in. That chosen person will be someone they trust and have confidence in. It is important that a child or young person who discloses child abuse feels supported and facilitated in what may be a frightening and traumatic process for them. A child or young person may feel perplexed, afraid, angry, despondent and guilty. It is important that any negative feelings they may have are not made worse by the kind of response they receive. A child or young person who divulges child abuse has engaged in an act of trust and their disclosure must be treated with respect, sensitivity, urgency and care.

**It is of the utmost importance that disclosures are treated in a sensitive and discreet manner. Anyone responding to a child making such a disclosure should take the following steps**

- Take what the child or young person says seriously
- React calmly, as over-reaction may intimidate the child or young person and increase any feelings of guilt that they may have.
- Reassure the child or young person that they were correct to tell somebody what happened.
- Listen carefully and attentively
- Never ask leading questions.
- Use open-ended questions to clarify what is being said and try to avoid having them repeat what they have told you.
- Do not promise to keep secrets
- Advise that you will offer support but that you must pass on the information
- Do not express any opinions about the alleged abuser to the person reporting to you.
- Explain and make sure that the child understands what will happen next. Do not confront the alleged abuser.

## 6. Reporting Procedures.

6.1. Following a disclosure of abuse, volunteers should:

- Write down immediately after the conversation what was said, including all the names of those involved, what happened, where, when, if there were any witnesses and any other significant factors and note any visible marks on the individual making the report or any signs you observed.
- Record the event, sign and date all reports and indicate the time the notes were made.

- Ensure that the information is treated with the utmost confidence.
- Pass that report to the Designated Person in Newcastle Community Centre.

Allegations should not be investigated by volunteers.

Under no circumstances should a child be left in a situation that exposes him or her to harm or to risk of harm. In the event of an emergency where you think a child is in immediate danger you should contact the Gardai in the first instance. The nearest Garda Station is Newtownmountkennedy, telephone number 01 2819222.

## **What does a Volunteer do if they suspect or have reasonable grounds for concern that a Child or Young Person is being abused.**

Try to ensure, in so far as is possible, that no situation arises that could cause any further risk to the individual.

- **Record the facts as you know them. Include the child's name, address, nature of the concern, allegation or disclosure and, where possible, information about a parent or guardian. Volunteers should pass that report to the Designated Person in the Newcastle Community Centre.**

The following examples from the Child Protection and Welfare Practice Handbook (HSE) would constitute reasonable grounds for concern:

- An injury or behaviour that is consistent both with abuse and an innocent explanation, but where there are corroborative indicators supporting the concern that it may be a case of abuse.
- Consistent indication over a period of time that a child or a young person is suffering from emotional or physical neglect.
- Admission or indication by someone of an alleged abuse.
- A specific indication from a child or young person that they were abused.
- An account from a person who saw the child or young person being abused.
- Evidence, such as injury or behaviour that is consistent with abuse and unlikely to have been caused on any other way.

## **Parents and Guardians**

Where any report is being made to Tusla (the Child and Family Agency) or An Garda Síochána in respect of a person under 18 years of age, parents or guardians should be informed unless doing so would put the child or young person at further risk.

## **Designated Person**

Newcastle Community Centre

Name

Telephone No

Mobile no

Email:

## **6.2 Information to be included when Making a Report.**

The ability of Tusla (the Child and Family Agency) or An Garda Siochana to assess and investigate suspicions or allegations of child abuse or neglect will depend on the amount and quality of information conveyed to them by the people reporting concerns. As much detail as possible should be provided.

## **6.3 Cases Not Reported to Tusla (the Child and Family Agency) or An Garda Siochana.**

In those cases where Newcastle Community Centre decides not to report concerns to Tusla (the Child and Family Agency) or An Garda Siochana, the individual volunteer who raised the concern will be given a clear written statement of the reasons why no report is being made. The volunteer should be advised that if they remain concerned about the situation, they are free as individuals to consult with, or report to, Tusla (the Child and Family Agency) or An Garda Siochana.

## **6.4 Retrospective Disclosures by Adults**

An increasing number of adults are disclosing abuse that took place during their childhoods. 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 volunteers should follow the reporting procedure.

The HSE 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 [www.hse-ncs.ie/en](http://www.hse-ncs.ie/en)). The service can be accessed either through healthcare professionals or by way of self-referral (Freephone 1800 477477).

## **6.5 Legal Protection**

Protection for Persons Reporting Child Abuse Act 1998 makes provision for the protection from civil liability of persons who have communicated child abuse "reasonably and in good faith" to designated officers of Tusla (the Child and Family Agency) or to any member of An Garda Siochana. See the Appendix to this document for more information.

## **6.6 Confidentiality**

All information regarding concern or assessment of child abuse or neglect should be shared on a need to know basis in the interest of the child. The provision of information to the statutory agencies for the protection of a child is not a breach of confidentiality or data protection. Volunteers should not give any undertakings regarding secrecy.

## **6.7 Record Keeping**

See Newcastle Community Centre Data Protection Policy.

## **Review**

This policy will be reviewed in three years or sooner if circumstances change.

Signed:  
Chairperson

Signed  
Secretary

Date.

Date

Signed version of policy kept in NCC Centre

## **Appendix – Relevant Legislation**

### **Protections for Persons Reporting Child Abuse Act 1998.**

Protection for Persons reporting Child Abuse Act 1998 makes provision for the protection from civil liability of persons who have communicated child abuse “reasonably and in good faith” to designated officers of Tusla (the Child and Family Agency) or to any member of An Garda Síochána.

#### **Section 1786 of Criminal Justice Act 2006 (Reckless Endangerment)**

(2) A person, having authority or control over a child or 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 position.

Is guilty of an offence

- Where a person is charged with an offence under subsection (2), no further proceedings in the matter (other than any remand in custody or on bail) shall be taken except by or with the consent of the Director of Public Prosecutions.
- A person guilty of an offence under this section is liable on conviction on indictment, to a fine or to imprisonment for a term not exceeding 10 years or both.

#### **Criminal Justice (Withholding Of Information On Offences Against Children And Vulnerable Persons) Act 2012.**

In 2012 Criminal Justice (Withholding Of Information On Offences Against Children And Vulnerable Persons) Act 2012 was passed.

This legislation establishes an offence of withholding information in relation to specified offences committed against a child or vulnerable adult.

A person shall be guilty of an offence if –

- He/she knows of a specified offence having been committed by another person against a child or vulnerable adult and
- He/she has information which might be of assistance in securing apprehension, prosecution or conviction of that other person and fails, without reasonable excuse, to disclose that information to an Garda Siochana.

### **National Vetting Bureau (Children and Vulnerable Persons) Act 2012**

The national Vetting Bureau Act 2012 makes provision for the protection of children and vulnerable persons and, for that purpose:

- To provide for the establishment and maintenance of a National Vetting Bureau Database system.
- To provide for the establishment of procedures that are to apply in respect of persons who wish to undertake certain work or activities relating to children or vulnerable persons or to provide certain services to children or vulnerable persons.
- To amend the Garda Siochana Act 2005 to provide for the change of name of the Garda Central Vetting Unit to the National Vetting Bureau.
- And to provide for related matters.