



Child Safeguarding Policy & Procedure

DOCUMENT CONTROL SHEET

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Leave No Trace Ireland Child Safeguarding Policy and Procedure

1. Introduction

Leave No Trace Ireland is a charitable company limited by guarantee under Part 18 of the Companies Act 2014, whose main object is to benefit the community in Ireland by promoting responsible, sustainable and ethical use of the outdoors - our countryside, mountains, lakes, forests, seas, urban areas and the natural environment of Ireland. We do this through the delivery, development, design and funding of educational programmes.

Leave No Trace Ireland is fully committed to safeguarding the well-being of children by protecting them from physical, sexual, psychological, financial, discriminatory abuse and neglect. Leave No Trace Ireland accepts that in all matters concerning children, the welfare and protection of such children is paramount. It is considered of the utmost importance that we are fully compliant with all relevant safeguarding guidance and legislation.

Leave No Trace Ireland recognises the rights of young people in accordance with the United Nations Convention on the Rights of the Child (UNCRC) 1989 by incorporating the principles of the UNCRC in our core values and throughout this document. The main principles of the UNCRC fundamental to this document are:

- that all the rights guaranteed by the UNCRC must be available to all children without discrimination of any kind (Article 2)
- that the best interests of the child must be a primary consideration in all actions concerning children (Article 3)
- that children's rights must be respected, protected and fulfilled with an environment where they can grow and reach their potential (Article 4)
- that every child has the right to life, survival and development (Article 6)
- that the child's view must be considered and taken into account in all matters affecting him or her (Article 12)
- that every child is properly cared for and protected from harm or mistreatment (Article 19)

that children should be protected from all forms of exploitation (Articles 34 and 36) (taken from Children's Rights Alliance website, 2017)

Leave No Trace Ireland comes into contact with children when delivering the following educational programmes.

- Leave No Trace Champions Programme – primary schools programme

- Leave No Trace River Explorers Programme – primary schools programme
- Delivery of Marine Explorers Education Programme
- Online delivery of workshops through schools – contact made with teacher who is physically present.

For all of the above programmes– an Accredited Leave No Trace trainer visits the classroom and engages in activities in the presence of the teacher, a trainer may bring students outside, also with the teacher present.

In accordance with the requirements of the [Children First Act 2015](#), Section 6 - [Children First: National Guidance for the Protection and Welfare of Children 2017](#) and [Túsla's 'Child Safeguarding: A Guide for Policy, Procedure and Practice'](#), Leave No Trace Ireland has prepared a Child Safeguarding Policy as set out below. This policy and procedure underpins Leave No Trace Ireland's commitment to the protection and welfare of children and young people.

An instructor, teacher, trainer, or volunteer may have regular contact with young people and be an important link in identifying cases where a young person needs protection. All suspicious cases of poor practice should be reported following the guidelines in this document.

1.1 Policy Scope

Leave No Trace Ireland has developed education programmes (outlined above) delivered through schools and accredited training centres delivered by Leave No Trace Ireland accredited trainers. Leave No Trace Ireland is a "provider" of "relevant services" as set out in Section 8 and Schedule 1 (5.a and b.) of the [Children First Act 2015](#).

This Child Safeguarding Policy applies to all Leave No Trace Ireland workers, employees, contractors and volunteers.

1.2 Definitions

Please see [Appendix 2](#) for the definitions of terms used in this policy.

1.3 Aims

- To clarify the responsibility of Leave No Trace Ireland in relation to the protection of children and young people

- To assist Leave No Trace Ireland workers, employees, contractors and volunteers in identifying and reporting child abuse/neglect
- To safeguard Leave No Trace Ireland workers, employees, contractors and volunteers when engaging with children and young people

1.4 Review

This Child Safeguarding Policy will be regularly evaluated taking into account such items as; feedback received; changing legislation; and changes resulting from risk assessment. Leave No Trace Ireland 's Child Protection Policy and Procedures will be made available to all workers, employees, contractors and volunteers and are available on Leave No Trace Ireland Basecamp.

2. Guiding Principles

Leave No Trace Ireland shall observe this set of guiding principles in keeping children safe from harm while availing of our services. We believe that;

- The welfare, safety and rights of children availing of Leave No Trace Ireland 's services are paramount. Leave No Trace Ireland 's safeguarding guiding principles and procedures reflect national policy and legislation.
- Our safeguarding procedure ensures young people are empowered to make good choices, enthusing them to connect with our heritage and take personal responsibility for the health and well being of our planet by providing safe, enjoyable, stimulating educational workshops.
- During Leave No Trace workshops, workers, employees, contractors and volunteers will act with integrity, behave ethically and inspire young people.
- During school workshops, teachers must remain present at all times, both inside the classroom and outdoors.
- Leave No Trace programmes for young people are designed to be an enjoyable experience while fostering a connection with nature for every young person.
- In partnering with schools, Accredited Training Centres and other organisations or individuals to deliver its education and outreach services, Leave No Trace Ireland will only engage with those who demonstrate good governance in safeguarding children.

3. Key Roles in safeguarding

3.1 Designated Liaison Person (DLP)

Children First: National Guidance for the Protection and Welfare of Children 2017

recommends that all organisations providing services to children should have a designated person to act as a liaison with outside organisations.

The DLP is responsible for leading the development of Leave No Trace Ireland 's Guiding Principles and child safeguarding procedures and for ensuring that policies and procedures are consistent with best practice. This will be done through liaison with all key workers who have relevant roles and responsibilities.

Best practice requires that Leave No Trace Ireland undertakes the following:

- Appointing at least one person as a DLP
- Appointing a Deputy DLP
- Ensuring that the DLP/Deputy DLP is accessible.
- Ensuring that the DLP/Deputy DLP is knowledgeable about child safeguarding and has undertaken any training considered necessary.
- Ensuring that the DLP/Deputy DLP is aware of their responsibility for making sure that the reporting procedure within Leave No Trace Ireland is followed in the event of a child welfare concern.
- See Appendix 3 for Roles and Responsibilities of DLP/Deputy DLP

The DLP is the person to contact if there is an issue or concern about any aspect of a child or young person's protection and welfare. It is the responsibility of the DLP to support and advise staff about policy and procedures in relation to child protection and to ensure that procedures are followed. It is also the responsibility of the DLP to liaise with Túsla or An Garda Síochána where appropriate. The DLP can be contacted at:

Gavin Beetlestone, Leave No Trace Ireland, Castlebar St, Westport, Co Mayo

Ph: 01 9059009 Email: gavinbeetlestone@leavenotraceireland.org

3.2 Deputy Designated Liaison Person (DLP)

Leave No Trace Ireland has appointed a Deputy Designated Liaison Person (DLP). Where the DLP is not available then the Deputy DLP should be contacted.

Noel Doyle, Leave No Trace Ireland, Castlebar St, Co Mayo,

Ph: 01 9059009 Email: noel@leavenotraceireland.org

3.3 Relevant Person

As Leave No Trace Ireland is a provider of a 'relevant service', the organisation is required to appoint a '**relevant person**'. For members of the public who wish to access Leave No Trace Ireland's Child Safeguarding Policy and Procedures; they are required to contact the '**relevant person**'. In Leave No Trace Ireland the '**relevant person**' is the DLP.

4. Raising Awareness about Child Abuse

4.1 What is Child Abuse?

Child abuse occurs when the behaviour of someone in a position of greater power than a child causes the child harm. Because children can be abused in a number of ways, sometimes at the same time, it is very important for Leave No Trace Ireland workers, employees, contractors and volunteers to be aware of, or sensitive to these indicators. See Appendix 4 for the categories of child abuse.

4.2 How to recognise Child Abuse?

The ability to recognise child abuse can depend as much on a person's willingness to accept the possibility of its existence as it does on their knowledge and information. There are commonly three stages in the identification of child abuse:

- a) considering the possibility
- b) looking out for signs of abuse
- c) recording of information

Considering the possibility

The possibility of child abuse should be considered for example, if a child appears to have suffered a suspicious injury for which no reasonable explanation can be offered or if the child seems distressed without obvious reason or displays persistent or new behavioural problems. The possibility of child abuse should also be considered if the child displays unusual or fearful responses to teachers/parents/carers.

Looking out for signs of abuse

Signs of abuse can be physical, behavioural or developmental. They can exist in the relationship between children and teachers/parents/carers or between children and other family members/other persons. A cluster or pattern of signs is likely to be more indicative of abuse. Children who are being abused may hint that they are being harmed and sometimes make direct disclosures. Disclosures should always be believed.

Reasonable Grounds for Concern

- a specific indication from the child that he or she was abused;
- an account by a person who saw the child being abused;
- evidence, such as an injury or behaviour, that is consistent with abuse and unlikely to be caused in another way;
- an injury or behaviour that is consistent both with abuse and with an innocent explanation, but where there are corroborative indicators supporting the concern that it may be a case of abuse. An example of this would be a pattern of injuries, an implausible explanation, other indications of abuse and/or dysfunctional behaviour;
- consistent indication, over a period of time, that a child is suffering from emotional or physical neglect

A suspicion that is not supported by any objective indication of abuse or neglect would not constitute a reasonable suspicion or reasonable grounds for concern. However, these suspicions should be recorded as future suspicions may lead to the decision to make a report and earlier suspicions may provide important information for Túsla or An Garda Síochána.

4.3 What to do if the above signs arise?

When an Leave No Trace Ireland worker, employee, contractor or volunteer has a child welfare concern, they have a duty to contact Leave No Trace Ireland 's Designated Liaison Person (DLP) as soon as practicable.

Under no circumstances should an Leave No Trace Ireland worker employee, contractor or volunteer) attempt to deal with a welfare issue alone. And matters of such nature should not be discussed with any other individual than the DLP.

5. Reporting Child Welfare Concerns Procedure

As outlined all workers, employees, contractors, and volunteers have a duty to contact Leave No Trace Ireland 's Designated Liaison Person (DLP) as soon as practicable in the event of a child welfare concern arising. The DLP is responsible for assessing, reporting and liaising with Túsla/An Garda Síochána on behalf of Leave No Trace Ireland .

5.1 Receiving a Disclosure

If you receive a disclosure of harm from a child/young person, you may feel reluctant to report this for a number of reasons. **You are required to inform the DLP of any instance of disclosure.** The information contained in a disclosure may be critical to Túsla's assessment of risk to a child either now or in the future.

You should deal with disclosures of abuse sensitively and professionally. The following approach is suggested as best practice for dealing with these disclosures.

- React calmly
- Listen carefully and attentively
- Take the child/young person seriously
- Reassure the child/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
- 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
- Make a written record of the conversation as soon as possible in as much detail as possible for the purposes of reporting to the DLP
- Treat the information confidentially
- Report this information as soon as possible to Leave No Trace Ireland 's DLP

Concern about a potential risk to Children

A concern about a potential risk to children posed by a specific person, even if the children are unidentifiable, should be communicated to Leave No Trace Ireland 's DLP and in turn it will be reported to Túsla.

Any and all child welfare concerns should be discussed with Leave No Trace Ireland 's DLP.

6. How to ensure good Child Safeguarding Practices while fulfilling Leave No Trace Ireland 's activities

6.1 Risk Assessment Strategy

A child safeguarding risk management strategy is a structured approach to managing risks associated with child protection. The strategy outlines how risk is managed, including who is responsible for the process and a description of the process itself. The process includes risk assessment, implementation of controls, and a monitoring and review process to ensure the currency of the risk management approach.

Managing risk typically involves the following steps and considerations

1. Identification of child safeguarding risks
2. Identification of any existing risk mitigation measures or internal controls.
3. Assess and rate Leave No Trace Ireland 's child safeguarding risks given the existing controls in place, taking into account the likelihood of the risk, and the likely consequence of the risk.
4. If the risk rating is more than the '*acceptable level*', identify further risk management strategies through additional controls or other prevention, detection or mitigation strategies and then re-assess the risk.
5. If there is still a high risk – the event should be cancelled.

In planning, arranging and managing an Education Programme or event, risks to child welfare shall be identified and actions taken to reduce or remove these risks shall be documented. Leave No Trace Ireland workers, employees, contractors and volunteers shall assess;

- events by taking into account the nature of each type of environment (i.e. classroom, field excursion, community hall, transport method (e.g. bus))

- the activities expected to be conducted in that environment (including the provision of services by contractors or outside organisations e.g. national governing bodies under Sport Ireland)
- the characteristics e.g. age group and needs of all children/juveniles expected to be present in that environment.

6.2 Examples of Risk Management Measures

- Induction and training for all relevant staff and volunteers – See paragraph 8 below
- Assist staff in identifying inappropriate behaviour – see Appendix 1
- Assessment of new or changed physical environments for risks to child welfare
- Supervision or monitoring of activities
- Garda Vetting – see paragraph 7 below

7. Recruitment/Garda Vetting

S.10 of the [Children First Act 2015](#) (enacted December 2017) states; *'a provider of a relevant service shall ensure, as far as practicable, that each child availing of the service from the provider is safe from harm while availing of that service'*. S. 11 of this Act stipulates that procedures must be in place for the *'selection or recruitment of any person as a member of staff of the provider with regard to that person's suitability to work with children'*.

The [National Vetting Bureau \(Children and Vulnerable Persons\) Acts 2012 to 2016](#) (enacted April 2016) placed vetting procedures under a legislative footing, and now makes it mandatory for persons working with children or vulnerable adults to be vetted. Thus, Leave No Trace Ireland's Child Safeguarding Policy and Procedure is applied in conjunction with Leave No Trace Ireland's Garda Vetting Policy and Procedure.

7.1 New Recruits

Leave No Trace Ireland shall take all reasonable steps to ensure that suitable individuals are recruited to work (as workers, contractors, employees or volunteers) with children and young people in accordance with this policy and procedure which include; consent and application of Garda vetting, induction and training on Leave No Trace Ireland's Child Safeguarding Policy and Procedure.

7.2 Permanent /Contract Staff

Not all Leave No Trace Ireland workers, employees, contractors or volunteers will be working with young people. Workers, Contractors, employees, and/or volunteers may be required to work with children in the following programmes:

- Leave No Trace Champion Programme
- Leave No Trace River Explorer Programme
- Delivery of Marine Explorer Education Programme

People working on these programmes or other programmes where there is possible young people shall be re-vetted on a rolling basis i.e. every 3 years.

7.3 Leave No Trace Ireland Recruitment Policy for Employees and Contractors

Exclusions from working on Leave No Trace Ireland 's Programmes in which young people are involved would include:

- Any child related convictions;
- Insufficient documentary evidence of identification;
- Concealing information on one's suitability to working with children;

7.4 Volunteers/Members from another agency/organisation

Staff/volunteers from another agency or organisation that have contact with children/young people during the course of their work with Leave No Trace Ireland will be required to confirm in writing that they currently comply with the relevant legislation and guidelines i.e. have been Garda vetted and undertaken appropriate child safeguarding training.

8. Training

8.1 Induction

All workers, employees, contractors and volunteers commencing with Leave No Trace Ireland will receive induction training on Leave No Trace Ireland 's Child Safeguarding Policy and Procedure including "promoting good practice with young people" see appendix 1. Confirmation by signature that they have read and understood Leave No Trace Ireland 's Child Safeguarding Policy and Procedure will be required.

8.2 Tusla Training Module

On its website Túsła has provided a training module '*Introduction to Children First eLearning Programme*'. <https://www.tusla.ie/children-first/children-first-e-learning-programme/>. This is a

module of training that all workers, employees, contractors and volunteers working with young people are required to complete.

8.3 Child Safeguarding Refresher Training

Workers, employees, contractors and volunteers whose duties bring them into contact with children will receive refresher training in the area of child safeguarding as consistent with their role in Leave No Trace Ireland .

9. Management of Allegations Procedure

The priority of this procedure is to:

- (a) protect the child/young person;
- (b) safeguard Leave No Trace Ireland workers, employees, contractors and volunteers against malicious or unfounded complaints;
- (c) ensure that an Leave No Trace Ireland workers, employees, contractors and volunteers, are provided with due process/access to their rights of natural justice where a complaint is made.

9.1 Persons to be Notified

When an allegation of abuse is received, the procedure for reporting child welfare concerns shall be followed.

In addition:

- The CEO shall be alerted to the allegation by the DLP;
- Leave No Trace Ireland management shall ensure no child or young person is exposed to unnecessary risk; any initial protective measures taken to safeguard the welfare of the child/young person do not presume guilt.
- Parents /guardians or person in 'locus parentis' shall be informed of any action planned while having regard to the confidentiality rights of others, such as the person against whom the allegation has been made.

9.2 Investigation of a complaint

In the context of an allegation of abuse against a worker, employee, contractor or volunteer, an investigation will be conducted in a thorough and expeditious manner. This investigation will

ensure the respondents full access to the rules of natural justice and shall follow strict procedures to ensure that confidentiality is employed throughout.

Steps

1. A complaint can come to the attention of the organisation in a number of different ways:
 - a. Contact, by phone or in person, with a worker, employees, contractor or volunteer, or by letter, email and or text.
 - b. The complaint may be made by the person directly affected or by a person acting on their behalf.
2. When a complaint is received the manager is informed immediately, every effort will be made to address the issue informally before moving to a formal procedure.
3. Formal Procedure: An external, independent, investigator will be appointed to investigate the complaint. This investigation will ensure the respondents have full access to the rules of natural justice and shall follow strict procedures to ensure that confidentiality is employed throughout.

The Director with responsibility for Human Resources will determine the appropriate course of action following receipt of the findings of the investigation which may include review of the findings under the auspices of the Leave No Trace Ireland Disciplinary procedure.

Leave No Trace Ireland shall ensure that actions taken by the organisation do not frustrate or undermine any investigations or assessments that may be undertaken by Túsla or An Garda Síochána.

The requirements of fair procedures and natural justice mean that Túsla will not usually share the detail of any assessment regarding allegations of abuse against a worker until the worker has had an opportunity to fully respond to the allegation and any findings and decisions

All persons involved in a child safeguarding process (the child, his/her parents/guardians, the alleged offender, his/her family, Leave No Trace Ireland staff) shall be afforded appropriate respect, fairness, support and confidentiality at all stages of the procedure.

9.3 Confidentiality

Every effort shall be made to maintain confidentiality and guard against publicity while an allegation is being investigated or considered. Apart from keeping the child, parents and accused person up to date with progress of the case, information will be restricted to those who require the

appropriate knowledge in order to protect children, facilitate enquiries, manage related investigation or disciplinary or suitability processes. In order to ensure that happens;

- All parties will be advised of the need for confidentiality
- Breaches of confidentiality as outlined in Leave No Trace Ireland 's contracts
 - Clauses 1.1 and 2.1 from Contract for Work for Accredited Trainers v.2021
 - Clause 13.1 from Contract for Service for Contractors
 - Clause 13.1 from Employee Contract of Employment
 - Volunteer Policy – Confidentiality Section

will be handled in line with Leave No Trace Ireland 's Disciplinary Policy and Procedure.

9.4 Factors Considered in taking Protective Measures

When an allegation is received, the following issues shall be considered when deciding whether a worker, employee, contractor or volunteer should remain in their current position, moved to another or be suspended;

- the nature and seriousness of the allegation(s);
- the vulnerability of the children/young people the worker, employee, contractor or volunteer would be in contact with at work;
- the nature of the position occupied by the worker, employee, contractor or volunteer;
- the level of supervision available for the worker, employee, contractor or volunteer;
- the availability of support for the worker, employee, contractor or volunteer;
- other possible risks to the investigation.

9.5 At the Conclusion of an Investigation

At the conclusion of an investigation, a finding should be made in relation to the allegation and an appropriate decision made with regard to next steps. A review of the investigation should then be conducted to ensure that all relevant risk issues have been considered. This might include looking at environmental factors and work practices that result in a situation of unsupervised access to children by workers. This information will provide Leave No Trace Ireland with an opportunity to put in place measures to minimise any further risk of harm to children in its care while also ensuring the safeguarding of workers, employees, contractors and volunteers in the carrying out of their duties/activities in the workplace.

Such measures may include;

- excluded from working on programmes with children

- additional training to be undertaken.

9.6 Malicious Complaints

If it is found that a malicious complaint has been made by a member of the public, the case will be referred to the relevant authorities. If such a complaint is made by a staff member, Leave No Trace Ireland's disciplinary process will be invoked.

Appendix 1 Promoting Good Practice with Young People

Good practice means:

- Always working in an open environment (e.g. avoiding private or unobserved situations and encouraging an open environment i.e. no secrets). Avoid one to one scenarios.
- Treating all young people equally, and with respect and dignity.
- Always putting the welfare of each child first.
- Maintaining a safe and appropriate distance with juniors (e.g. it is not appropriate to have an intimate relationship with a child).
- Building balanced relationships based on mutual trust which empowers children to share in the decision-making process.
- Making outdoor learning fun, enjoyable and promoting fair play.
- That although manual or physical support situations are rare in Leave No Trace Ireland training any that do occur should be provided openly and according to guidelines. Care is needed, as it is difficult to maintain hand positions when the child is constantly moving. Young people should always be consulted, and their agreement gained. Some parents are becoming increasingly sensitive about manual support and their views should always be carefully considered.
- Keeping up to date with the technical skills, qualifications and vetting procedures in outdoor education.
- Being a good role model – this includes moderating one's own behavior in the company of children.
- Giving enthusiastic and constructive feedback rather than negative criticism.
- Recognising the developmental needs and capacity of children– not relevant and not pushing them against their will.
- Ensuring that teacher remains present at all times during the workshop, both inside the classroom and outdoors.
- Keeping a written record of any injury that occurs, along with the details of any treatment given.

Practice to be avoided

The following should be **avoided** except in emergencies.

- Taking a child in your car.

- If cases arise where these situations are unavoidable, they should only occur with the full knowledge and consent of someone in charge of the training or the child's parents. For example, a child sustains an injury and needs to go to hospital.

Practice never to be sanctioned

The following should **never** be sanctioned. You should never:

- Engage in rough, physical or sexually provocative games, including horseplay.
- Avoid spending any amounts of time alone with children away from others.
- Allow or engage in any form of inappropriate touching.
- Allow children to use inappropriate language unchallenged.
- Make sexually suggestive comments to a child, even in fun.
- Reduce a child to tears as a form of control.
- Allow allegations made by a child to go unchallenged, unrecorded or not acted upon.
- Do things of a personal nature for children that they can do for themselves. **
- Invite or allow children to stay with you at your home unsupervised.
- Administer any form of physical punishment or discipline except by way of necessary restraint.

**** NB.** It may sometimes be necessary for workers, employees, contractors or volunteers to do things of a personal nature for children, particularly if they are young or are vulnerable. These tasks should only be carried out with the full understanding and consent of teachers and the person involved. There is a need to be responsive to a person's reactions. If a person is fully dependent on you, talk with him/her about what you are doing and give choices where possible. This is particularly so if you are involved in any dressing or undressing of outer clothing, or where there is physical contact, lifting or assisting a child to carry out activities. Avoid taking on the responsibility for tasks for which you are not appropriately trained.

If any of the following occur you should report this immediately to another colleague e.g the class teacher, (this is critically important so that there is another adult aware of the incident) and record the incident and report to the training administrator (who will decide whether or not to report to DLP). You should also ensure the teacher of the child is informed.

- If you accidentally hurt a child.
- If he/she seems distressed in any manner.
- If a child appears to be sexually aroused by your actions.
- If a child misunderstands or misinterprets something you have done.

Appendix 2 – Definitions

CHILD – under the Child Care Act 1999 a child is defined as ‘a person under the age of 18 years, excluding a person who is or has been married’.

PROVIDER - The Children First Act 2015 (s.8) defines a ‘provider’ as “a person— (a) who provides a relevant service, and (b) who, in respect of the provision of such relevant service— (i) employs (whether under contract of employment or otherwise) one or more than one other person to undertake any work or activity that constitutes a relevant service, (ii) enters into a contract for services with one or more than one other person for the provision by the person of a relevant service, or (iii) permits one or more than one other person (whether or not for commercial or other consideration and whether or not as part of a course of education or training, including an internship scheme) to undertake any work or activity, on behalf of the person, that constitutes a relevant service”.

RELEVANT SERVICES -

Schedule 1 [Extract], Children First Act 2015

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, whether or not for commercial or any other consideration.

Appendix 3 – Roles and Responsibilities of Leave No Trace Ireland 's DLP/Deputy DLP

- Be fully familiar with Leave No Trace Ireland 's duties in relation to the safeguarding of children
- Have a good knowledge of Leave No Trace Ireland 's guiding principles and child protection procedures
- Ensure that Leave No Trace Ireland 's reporting procedure is followed, so that child protection and welfare concerns are referred promptly to Túsła
- Receive child protection and welfare concerns from workers, employees, contractors and volunteers and consider if reasonable grounds for reporting to Túsła exist
- Consult informally with a Túsła Social Worker if necessary
- Where appropriate, make a formal report of a child protection or welfare concern to Túsła on behalf of Leave No Trace Ireland ,
- Inform the child's parents/ guardians/teacher that a report is to be submitted to Túsła or An Garda Síochána, unless:
 - Informing the parents/guardians/teacher is likely to endanger the child or young person;
 - Informing the parents/guardians/teacher may place you as the reporter at risk of harm from the family/teacher;
 - The family's /teachers knowledge of the report could impair Túsła's ability to carry out an assessment
- Record all concerns or allegations of child abuse brought to their attention as well as any action/inaction taken in response these concerns
- Provide feedback to the trainer, as appropriate
- Ensure that a secure system is in place to manage confidential records
- Act as liaison with Túsła and An Garda Síochána, as appropriate

Information obtained by Agency or other persons pursuant to Act

As per s17 of the Act subsection 1– information shall not be disclosed to a third party, except when necessary in accordance with law or under and in accordance with an authorisation under *subsection 2* of the Act. Failing to comply with non-disclosure requirement is an offence and shall be liable on summary conviction to a class A fine or imprisonment for a term not exceeding 6 months or both.

Appendix 4 – Categories of Child Abuse (Children First National Guidance)

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, it should be considered a child welfare and protection issue for both children and child protection procedures should be followed 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 teacher/parent/carer.

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.

(i) 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 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

(ii) 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/carers 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.

(iii) 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.

(iv) 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:

- 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

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.

Possible indicators of this type of abuse:

- age inappropriate understanding of sexual behaviour
- inappropriate seductive behaviour
- hints about sexual activity

(v) 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.