

Dun Laoghaire
Refugee Project

Child Protection Policy

Dun Laoghaire Refugee Project,
20th August 2008

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***For the purpose of this document and in the National Guidelines a “*child*” means “a person under the age of 18 years, excluding a person who is or has been married”.**

See appendix 1.

1.

Child Protection Statement

The Dun Laoghaire Refugee Project (DRP) is a voluntary organisation committed to promoting and protecting the rights, welfare and diversity of young asylum seekers and refugees. The DRP accepts a responsibility to protect the participants with whom we come into contact from abuse by DRP personnel and other participants while engaging with the DRP **and to ensure** that volunteers and participants have an understanding of the internal and external procedures when responding to concerns or suspicions of neglect or abuse and that this response is consistent with the DRP's mission and ethos.

The DRP is committed to involving young people in decision making and encouraging the participation of young people in matters that affect them.

This policy sets out the procedures we will follow if:

- An allegation of abuse is made against a DRP volunteer or participant while attending the centre
- A child discloses to a volunteer that they have been abused.
- A volunteer of the DRP discloses s/he has abused in the past or is currently abusing.

Volunteers will be made aware of the Child Protection policy and code of behaviour.

This policy is in accordance with Children First (National Guidelines for the Protection and Welfare of Children) and with the principles outlined in Our Duty to Care and Code of Good Practice. An interagency approach will be adopted in relation to this policy.

2.

Definitions of Abuse

Child Abuse can be categorized into 4 different types: *neglect, emotional abuse, physical abuse* and *sexual abuse*. A child may be subjected to more than one form of abuse at any given time. Children First have adopted the following definitions:

Neglect

Neglect is normally defined as terms of omission where a child suffers significant harm or impairment of development by being deprived of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, attachment to and affection for adults or medical care.

Emotional Abuse

Emotional Abuse is normally to be found in the relationship between a caregiver and a child rather than in a specific event or pattern of events. It occurs when a child's needs for affection, approval, consistency and security are not met. It is rarely manifested in terms of physical symptoms.

Physical Abuse

Physical Abuse is any form of non-accidental injury that causes significant harm to a child.

Sexual Abuse

Sexual abuse occurs when a child is used by another person for his/her gratification or sexual arousal, or for that of others.

3.

Code of Behaviour

- **Professional Practice**

Volunteers are accountable for the participants on the project. Failure to exercise good supervision can be detrimental to young people and volunteers. Volunteers must be aware at all times of the participants' whereabouts and what they are doing while in the centre. This is essential in the case of emergencies such as fire. Volunteers must keep an awareness of their own personal safety and be vigilant at all times. Sensitivity to participants' cultural or religious backgrounds should always be shown. Where a volunteer has concern about the nature of a particular relationship/situation, this should be discussed with another volunteer.

- **Working with Young People**

Participants should have the opportunity to complain and be listened to. Volunteers should never let an allegation by a participant go unchallenged or unrecorded.

- **One-to-One Situations**

Volunteers should be sensitive to the potential risk to personal safety and false allegations which may arise when they meet alone with a participant and should avoid spending excessive amounts of time alone with participants – away from others.

- **Physical Contact**

Volunteers should be mindful of encroaching on personal space or engaging in any contact that may create discomfort.

- **Health**

Accidents and injuries must be reported and an Accident/Incident Report Form must be completed. (See sample policy)

4. Disclosures and Reporting Procedures

Allegations of abuse may be made against a volunteer of the DRP while engaging with the DRP. In cases of suspected abuse the right of the participant to be protected is paramount. It is always our policy to take action if abuse is suspected. If a member of the DRP is accused of abuse two separate procedures will be followed:

4.1 Procedure in Respect of the Participant

- a) This procedure will be undertaken by the DRP Committee who will co-operate completely with any investigation that takes place.
- b) If any incident of abuse is reported to a member of the DRP Committee one of its members will record the allegation and pass to the Trustees who will investigate the incident further.
- c) The DRP Trustees will in turn designate a Child Protection Person to report to the authorities in accordance with Children First and the DRP Child Protection Policy.

4.2 Procedure in Respect of an Allegation against a Volunteer

- a) Volunteers may be subjected to erroneous or malicious allegations. Therefore any allegation of abuse should be dealt with sensitively and support provided for a volunteer where necessary. However, the primary goal is to protect the participant while taking care to treat the volunteer fairly.
- b) If an allegation of abuse is made against a volunteer, a report will be made to the Trustees of the DRP. A written statement of the allegation should be sought from the participant making the allegation. If the allegation is made by another volunteer the DRP should provide support to the volunteer making the allegation. **All allegations will be put in writing.**
- c) The Trustees should then communicate to the alleged perpetrator that an allegation has been made against him/her and the nature of the allegation.
- d) The volunteer about whom the allegation has been made will be offered the opportunity to respond to the allegations. They should also be informed of their right to an adjournment of the meeting until such time as they can seek appropriate representation (e.g. official or other representative). The action will be guided by the agreed procedures and the rules of natural justice. While adhering to the principle of natural justice enshrined within our Constitution in relation to the rights of the accused, the vulnerability of the alleged victim must be foremost in our mind, therefore any postponement must be within a reasonable time frame.

- e) The volunteer will be directed by the Trustees not to attend the centre until an investigation has been completed.
- f) Throughout the investigation information/clarifications/statements may be sought from the centre/ person/s making the allegation
- g) All matters relating to the allegations, including the response of the volunteer against whom the allegation has been made should be related, in writing, to the Duty Social Worker of the H.S.E. Usually this communication will be carried out by the Trustees.
- h) Reporting volunteers should be informed that the matter is being dealt with and reminded of their obligation to confidentiality.
- i) The name of the person against whom the allegation has been made should be known only by the reporting member, the Trustees, the investigating persons, the Duty Social Worker of the HSE
- j) The fact that a volunteer is re-instated with no disciplinary action taken should be taken as evidence that no blame/fault/suspicion attaches to them. Support will also be provided if necessary.
- k) The Committee and Trustees will take care to ensure that actions taken by them do not undermine or frustrate any investigations being conducted by the H.S.E. or An Garda Síochana. A close liaison will be maintained with these authorities to achieve this.

4.3 Response to a Participant Disclosing Child Abuse

If a participant discloses that they have/are being abused by a volunteer while at the DRP centre the following procedure should be used:

- a) Be aware that disclosure can be very difficult for the participant – listen, believe and reassure
- b) Remember the participant may initially be testing your reactions and may only fully open up over a period of time.
- c) Listen to what the participant has to say. Give them the time and opportunity to tell as much as they are able and wish to. Do not pressurize the participant. Allow him/her to disclose at their own pace and in their own language.

- d) Be careful when asking questions. Questions should be supportive and for the purpose of clarification. Avoid leading questions such as asking whether a specific person carried out the abuse. Also, avoid asking about intimate details or suggesting that something else could have happened other than what you have been told. Such questions and suggestions could complicate the official investigation.
- e) It is important therefore to avoid expressing any judgment on, or anger towards, the alleged perpetrator, while talking with the participant.
- f) It may be necessary to reassure the participant that your feelings towards him/her have not been affected in a negative way as a result of what she/he has disclosed.
- g) Do not promise to keep secrets. At the earliest opportunity tell the participant that :
 - You acknowledge that they have come to you because they trust you.
 - There are secrets, which are not helpful and should not be kept because they make matters worse. Such secrets hide things that need to be known if people are to be helped and protected from further ongoing hurt.
- h) By refusing to make a commitment to secrecy to the participant you do run the risk that they may not tell you everything or indeed anything, there and then. However, it is better to do this than to tell a lie and ruin the participant's confidence in yet another adult. By being honest, it is more likely that the participant will return to you at another time.

DO NOT DELAY - Immediately following a disclosure the volunteer should record the disclosure in writing and pass to the Trustees who will report to the appropriate authorities. The DRP volunteer may be required to co-operate with a formal investigation.

4.4 Response to a volunteer disclosing they have abused a participant

- a) At the induction stage with any new volunteer the DRP should outline the rules of confidentiality. This includes the responsibility of the DRP to report any disclosures of child abuse.
- b) If a volunteer of the DRP discloses that they have abused a participant in the past or are currently an abuser the DRP will inform that volunteer that such a disclosure is reportable in the best interests of the participant.
- c) The Trustees will record clearly in writing the exact disclosure.
- d) The Trustees will assess the nature of the complaint with reference to Children First Guidelines
- e) A decision will be made as to whether or not the concern is reported and the appropriate course of action. This may involve interagency liaison.

- f) The report will be developed and submitted in accordance to the reporting procedures and practice as outlined in Children First, using the Standard Reporting Form. (See template)
- g) If the Trustees believe that a participant is at risk and the appropriate person (e.g. Duty Social Worker) within the HSE cannot be contacted the Gardai will be contacted and a report of the disclosure will be provided to the Gardai
- h) All documentation relating to the incident should be retained in a confidential place under lock and key

4.5 How to respond in a one-to-one situation when a participant discloses they have abused

- a) Allow the participant space and time to talk
- b) Do not ask any leading questions
- c) Remain calm
- d) Advise the person that it is your obligation to report any current or previous incidents to the HSE / Gardai and/or other appropriate authorities.
- e) Explain that all incidents will be followed up to ensure that they have been processed
- f) Record all facts
- g) Liaise with Trustees to determine if a report should be made
- h) If necessary, make a report to the relevant authorities, with the support of the Trustees.

4.6 Procedure if a Participant discloses s/he was abused in the past

- a) The volunteer to whom this disclosure is made should listen in a calm, non-judgmental manner
- b) The volunteer should provide the client with the necessary information to report this incident to the relevant authorities.
- c) The volunteer should provide the client with information on services that might support the individual.
- d) Following the disclosure the volunteer should record the detail of the disclosure and pass to the designated Child Protection Officer

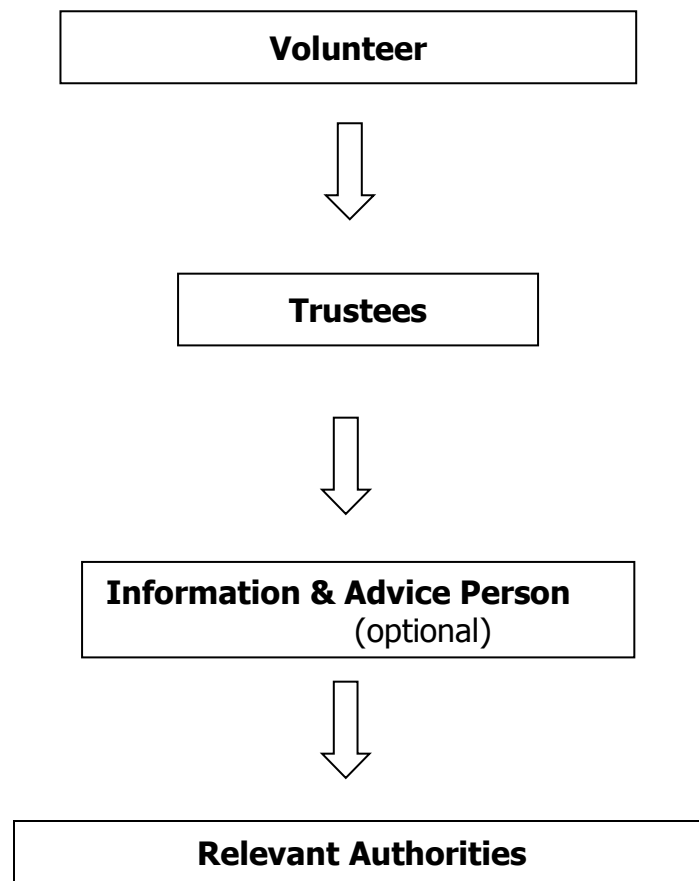
- e) If the content of the disclosure and information gathered by the volunteer indicates that a *child* could currently be at risk the Trustees will make a decision regarding reporting the situation to the relevant authorities, using the standardized reporting procedures as outlined in Children First

5. Responsibility to Report to Statutory Authorities

Where a youth facility, childcare service or voluntary organization becomes aware of an allegation of abuse the standard procedure for reporting allegations to the H.S.E. will be used. If the alleged abuser is a DRP volunteer or participant the Trustees will be informed without delay.

Action taken in reporting an allegation of child abuse against an individual should be based on an opinion formed reasonably and in good faith. When an allegation is received it should be assessed promptly and carefully. The Trustees will decide whether a formal report should be made to the H.S.E.

Procedure for Reporting



6

Role of the DRP Trustees

The designated Child Protection Person will have an in-depth knowledge of child protection, Children First, Our Duty to Care and any other policies and procedures issued by the local HSE. He / She should make their contact details available to all volunteers. They should work in partnership with the relevant statutory authorities. The role of this position will be to:

- Impart information and advice on child protection to all volunteers within the organization
- Develop and ensure all policies and procedures are followed
- Establish and maintain contact with the appropriate person/s within the HSE
- Receive and consider child protection / welfare concerns
- Be the link person between the DRP and HSE, Gardai and/or other key personnel
- Maintain records on concerns, disclosures and reports to the HSE or Gardai
- Keep a record of the action taken by the DRP on all cases
- Advise the DRP of its training needs in relation to child protection and welfare

7.

Confidentiality

- Participants will be informed that their engagement with the service is undertaken in a safe way. However, if at any stage they share information that would endanger themselves or disclose information that has previously or currently violated children's welfare, the DRP is obliged to report this to the HSE Duty Social Worker and/or An Garda Siochana.
- The DRP will respect and protect in a confidential manner all information in relation to participants and volunteers of the centre.
- Information will be shared on a "*need to know*" basis in the best interests of the child and in line with child protection policy and procedures.
- The DRP recognizes that giving information to others for the protection of a participant/child is not a breach of confidentiality
- Participants will be informed of how information is shared
- Decisions about who "*needs to know*" will be taken in order to:
 - Support the participant and volunteer
 - Ensure correct procedures are applied
 - Make a final report to the HSE

8.

Recording

- a) Confidential reports related to child protection / welfare issues will be placed on file. The file will be locked and inaccessible to others outside of the investigation
- b) Records will be kept in relation to concerns, disclosures, accidents and reports made
- c) When keeping records, dates, time, names, location, context and other relevant factual information will be documented on file. Opinions are not recorded
- d) Information will be signed by the relevant participant and/or volunteer.
- e) Volunteers and the Committee must be mindful of the Data Protection and Freedom of Information when recording any incidents. This means participants/volunteers have a right to see their file and read any information recorded.

9.

Dun Laoghaire Refugee Project

Child Protection Report Form

Name, address of child/participant: _____

D.O.B.: _____

Status: _____

Name and address of alleged perpetrator: _____

G.P.: _____

School: _____

Source of information: _____

Grounds for concern: _____

Circumstances: _____

Child's statement (if relevant): _____

Family circumstances: _____

Supportive factors: _____

Actions taken to date: _____

Name of others aware of these concerns: _____

Details of all subsequent meetings, discussions: _____

Agencies involved: _____

Signature of child, Designated Child Protection Person, witness *:

Date: _____

Note

* 2 people must always be present following all subsequent meetings/discussion after initial disclosure and when completing form – the 'witness' should record the information given.

**Dun Laoghaire Refugee Project
Accident / Incident Report Form**

Name : _____ **Date of Birth:** _____

Address: _____

Details of accident/incident: _____

Date and time of accident/incident: _____

Description of accident/incident: (nature of any injury/illness etc)

Who was present at time of accident/incident ? _____

Witness of accident/incident: _____

Actions taken and by whom: _____

GP contacted: Yes ___ No ___

Ambulance/Hospital contacted: Yes ___ No ___

Comments/any follow up on action required: _____

Signature of injured: _____ **Date:** _____

Witness: _____ **Date:** _____

Management Committee: _____ **Date:** _____

Appendix 1

Department of Health and Children (1999) **Children First - National Guidelines for the Protection and Welfare of Children.** Stationery Office: Dublin

The National Counselling Service

A Community Based Service for Adults who have experienced
Childhood Abuse

HSE Dublin North East

Dublin North - Freephone 1800 234 110

Cavan/Monaghan/Louth/Meath - Freephone 1800 234 117

HSE Dublin Mid-Leinster

Dublin South East/Dún Laoghaire/Wicklow - Freephone 1800 234 111

Dublin South West - Freephone 1800 234 112

Longford/Westmeath; Laois/Offaly - Freephone 1800 234 113

HSE West

Galway/Mayo/Roscommon - Freephone 1800 234 114

Limerick/Clare/North Tipperary - Freephone 1800 234 115

Donegal - Freephone 1800 234 119

HSE South

Cork/Kerry - Freephone 1800 234 116

Waterford/Wexford/Carlow/Kilkenny/South Tipperary - Freephone 1800 234 118