

Temple Bar Gallery + Studios

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Temple Bar Gallery + Studios (TBG+S)

CHILD PROTECTION AND WELFARE POLICY

February 2023

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1. TBG+S Declaration of Guiding Principles

Temple Bar Gallery + Studios (TBG+S) is committed to a child-centred approach to our work with children and young people. Our mission is to cultivate an environment of learning and creativity and to support close and sustained engagement of audiences with the work of Irish and international artists. Through different strands of programming, including one-off workshops, drop-in family activities and outreach school projects, we support children and young people to connect with our mission. We undertake to provide a safe environment and experience, where the welfare of the child is paramount. We seek to ensure that no child or young person is disadvantaged or treated differently because of gender, social or ethnic background, family status, sexual orientation, religion or disability. It is the policy of TBG+S to safeguard the welfare of all children by protecting them from physical, sexual and mental harm. TBG+S acknowledges the rights of children to be protected, treated with respect, listened to and have their views taken into consideration.

Our guiding principles are underpinned by Children First: National Guidance for the Protection and Welfare of Children, Tusla's Child Safeguarding: A Guide for Policy, Procedure and Practice, the United Nations Convention on the Rights of the Child and current legislation such as the Children First Act 2015, Child Care Act 1991, Protections for Persons Reporting Child Abuse Act 1998 and the National Vetting Bureau Act 2012. TBG+S has conducted a Risk Assessment and produced a Safeguarding Statement. We commit to reviewing our Risk Assessment every 12 months and our Safeguarding Statement and Guiding Principles every 24 months or sooner if necessary due to service issues or changes in legislation or national policy.

All members of staff will receive minimal Child Protection training (relevant to their roles) and will abide by this policy document. Our guiding principles will be communicated to all staff, volunteers, our board members, and freelance workers as appropriate. These Guiding Principles are also available for children, young people, parents and guardians to view. We will leave a copy of our Safeguarding Statement on our website and will have a copy available at our gallery-based information desk.

Our Designated Liaison Person is Órla Goodwin, Learning & Public Engagement Curator
Contact details orla@templebargallery.com / 01 6710073

Our Deputy Designated Liaison Person is Clíodhna Shaffrey
Contact details cliodhna@templebargallery.com / 01 6710073

2. Key Roles in Safeguarding

Named Persons

Órla Goodwin, Learning and Public Engagement Curator is TBG+S's named person, and as such is responsible for the development of our guiding principles and child safeguarding procedures. The named person is responsible for ensuring that policies and procedures are consistent with best practice as detailed in Tusla's Child Safeguarding: A Guide for Policy, Procedure and Practice. The named person/s will liaise with all key workers and volunteers who have relevant roles and responsibilities, ensuring that all workers have sufficient training. The implementation of policies and training will be reviewed on a regular basis, informed by our Risk Assessment.

Designated and Deputy Designated Liaison Persons

Órla Goodwin, Learning & Public Engagement Curator has been designated as the person to contact if you have any issue or concern about any aspect of a child's or young person's safety or welfare. It is the responsibility of this person to support and advise staff about policy and procedures in relation to child protection and to ensure that procedures are followed. It is the responsibility of the designated person to liaise with Tusla or Gardai.

Órla Goodwin, Designated Liaison Person can be contacted at TBG+S, Monday to Friday from 10am to 5pm, or at 01 6710073 for urgent queries.

Clíodhna Shaffrey, Deputy Designated Liaison Person can be contacted at TBG+S, Monday to Friday 10am to 5pm, or at 01 6710073 for urgent enquiries.

Roles and responsibilities of Designated Liaison Person /Deputy Designated Liaison Person

The DLP and Deputy DLP should:

- Be fully familiar with TBG+S's duties in relation to the safeguarding of children.
- Have good knowledge of TBG+S's guiding principles and child safeguarding procedures.
- Ensure that TBG+S's reporting procedure is followed, so that child protection and welfare concerns are referred promptly to Tusla.
- Receive child protection and welfare concerns from workers and volunteers and consider if reasonable grounds for reporting to Tusla exist.
- Consult informally with a Tusla Duty Social Worker if necessary.
- Where appropriate, make a formal report of a child protection or welfare concern to Tusla on behalf of TBG+S, using the Tusla Child Protection and Welfare Report Form (<https://www.tusla.ie/children-first/publications-and-forms/>).
- Inform the child's parents/guardians that a report is to be submitted to Tusla or An Garda Síochána, unless:
 - Informing the parents/guardians is likely to endanger the child or young person;
 - Informing the parents/guardians may place you as the reporter at risk of harm from the family;
 - The family's knowledge of the report could impair Tusla's ability to carry out an assessment.
- Record all concerns or allegations of child abuse brought to your attention as well as any action/inaction taken in response to these concerns.
- Provide feedback to the referrer, as appropriate.
- Ensure that a secure system is in place to manage confidential records.
- Act as a liaison with Tusla and An Garda Síochána, as appropriate.
- Where requested, jointly report with a mandated person.

Mandated Persons

TBG+S does not have any staff member at present who meets the schedule of mandated persons under the Children First Act 2015.

Mandated persons are people who have contact with children and/or families and who, because of their qualifications, training and/or employment role, are in a key position to help protect children from harm. Mandated persons include professionals working with children in the education, health, justice, youth and childcare sectors. Certain professionals who may not work directly with children, such as those in adult counselling or psychiatry, are also mandated persons. The list also includes registered foster carers and members of the clergy or pastoral care workers of a church or other religious community.

3. Responding to and Reporting Child Protection or Welfare Concerns

3.1 Procedures for Reporting Child Protection or Welfare Concerns

All workers and volunteers (including students on placement or work experience) have a responsibility to safeguard children and young people and to report any concerns they may have for the protection or welfare of a child/young person.

The role of the DLP is to receive child protection and welfare concerns from workers/volunteers and to report concerns which meet the threshold of 'reasonable grounds for concern' to Tusla. Reasonable grounds for concern are as follows and all employees are legally obliged to report any concerns to the Designated or Deputy Designated Liaison Person:

1. Evidence, for example an injury or behaviour, that is consistent with abuse and is unlikely to have been caused in any other way;
2. Any concern about possible sexual abuse;
3. Consistent signs that a child is suffering from emotional or physical neglect;
4. A child saying or indicating by other means that he or she has been abused;
5. Admission or indication by an adult or a child of an alleged abuse they committed;
6. An account from a person who saw a child being abused;
7. An injury or behaviour which is consistent 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, dysfunctional behaviour).

Wherever appropriate, any issues should be checked with the parents/guardians when considering whether a concern exists, unless doing so may further endanger the child or the person considering making the report.

Abuse is not always committed through personal contact with a child or young person, sometimes it is perpetrated through social media or the use of information and communication technology.

The guiding principles on reporting child abuse or neglect may be summarised as follows:

1. The safety and wellbeing of the child must take priority over concerns about adults against whom an allegation may be made
2. Reports of concerns should be made without delay to Tusla

If you think a child is in immediate danger and you cannot contact Tusla, you should contact An Garda Síochána without delay.

If a concern relates to the DLP, reports should be made to the DDLP.

3.2 Definitions of Abuse, Vulnerable Children, & Bullying

Summarised below, with signs and symptoms defined further in Children First,
https://www.tusla.ie/uploads/content/Children_First_National_Guidance_2017.pdf

Neglect

Can be defined in terms of an omission, where the child suffers significant harm or impairment of development by being deprived of food, clothing, warmth, hygiene, medical care, intellectual stimulation, supervision and safety, attachment to and affection from adults and/or medical care. (Children First, Chapter 2 pp. 07-08)

Emotional Abuse

Is normally to be found in the relationship between a parent/caregiver and a child rather than a specific event or pattern of events. It occurs when a child's developmental need for affection, approval, consistency and security are not met, due to incapacity or indifference from their parent or caregiver. (Children First, Chapter 2, pp. 08 - 09)

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 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. (Children First, Chapter 2, pp. 09 - 10)

Sexual abuse

When a child is used by another person for his or her gratification or sexual 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. (Children First, Chapter 2, pp. 10 - 11)

Circumstances which may make children more vulnerable to harm:

If you are dealing with children, you need to be alert to the possibility that a welfare or protection concern may arise in relation to children you come in contact with. A child needs to have someone they can trust in order to feel able to disclose abuse they may be experiencing. They need to know that they will be believed and will get the help they need. Without these things, they may be vulnerable to continuing abuse.

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.

There are a variety of factors that mean a child may be at greater risk of abuse, these include parent or carer factors, child factors, community factors, environmental factors and poor motivation or willingness of parents/guardians to engage. These factors may place a child at greater risk of abuse or neglect. It is important for you to remember that the presence of any of these factors does not necessarily mean that a child in those circumstances or settings is being abused. Please see Children First, (pp. 11 - 12) for further information.

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, non binary or transgender (LGBTQ+) children and those perceived to be LGBTQ+; 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.

Bullying in schools is a particular problem due to the fact that children spend a significant portion of their time there and are in large social groups. In the first instance, the school authorities are responsible for dealing with such bullying. School management boards must have a code of behaviour and an antibullying policy in place.

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.

3.3 Reporting Procedures

Regardless of how a concern comes to a worker/volunteer's attention, it must be reported to the Designated Liaison Person.

The Designated Liaison Person, in consultation with the person who raised the concern, will decide if reasonable grounds for concern exist. If reasonable grounds for concern exist, the Designated Liaison Person will report to the Tusla duty social worker.

If, following consideration, a report is made to the DLP and it is deemed to not initially meet reasonable grounds for concern. This concern will be recorded in our incident book, including reasons why the incident or issue was not reported to Tusla. Any actions taken internally will be recorded and the worker or volunteer who raised the concern will receive a written explanation of the reasons why the concern is not being reported to Tusla and should be advised that if they remain concerned, they are free to make a report to Tusla or An Garda Síochána. The individual worker has protections under the Protection for Persons Reporting Child Abuse Act 1998, should they report independently. It should be noted that all records are stored securely and confidentially. Concerns which do not initially meet reasonable grounds for concern may, upon review, show patterns or clusters which may heighten the level of concern.

If you are in doubt about whether your concern reaches the legal definition of harm for making a report, Tusla can provide advice in this regard. Details of who to contact to discuss your concern can be found at <https://www.tusla.ie/children-first/contact/>.

Staff should, without delay, report and record the following information in relation to children and young people to the DLP:

1. suspicions
2. concerns
3. worrying observations

4. behavioural changes
5. actions and outcomes

An incident report form (Appendix 1) will be completed by the DLP and all concerns and actions taken will be reported in this book. If there is an immediate risk to the child, action will be taken straight away. Where reasonable grounds for concern is exceeded it is the responsibility of the DLP to complete the Child Protection and Welfare Report Form (<https://www.tusla.ie/children-first/publications-and-forms/>) or the Retrospective Report Form (<https://www.tusla.ie/children-first/publications-and-forms/>) and reports to Tusla should be made without delay. Professionals and DLPs cannot report anonymously.

Allegations of abuse by a child – where the person allegedly causing harm to a child is another child (peer abuse), reports should be made to Tusla for both children.

Records will be stored securely and confidentiality, and will be maintained at all times.

Reporting procedures

NB all concerns should be reported, even in the case of unidentified children. Reports should be made without delay, and failure to do so is against the 2006 Criminal Justice Act, Section 176. The person who reports the concern is protected by law, as long as report is reasonable and in good faith, including protection from dismissal and discrimination.

1. This reporting procedure should be known and accessible to all staff
2. The person who expresses concern should be involved and kept involved
3. Actions and outcomes should be noted
4. Inform the DLP or DDLP immediately and if necessary, agree measures to protect the child/young person.
5. Record in writing all details, including the date, time and people involved in the concern or disclosure and the facts (incident form/ book). Information should be factual and not opinion. If a report has been made by a child or young person, include as far as possible the exact words used by the child/young person.
6. The most appropriate person should discuss the concern or consult with the primary carers. Parents, carers or responsible adults should be made aware of a report to Tusla unless it is likely to put the child/young person at risk
7. The DLP may contact Tusla on an informal basis prior to making a report
8. Information is shared on a strict “need to know” basis (see section 3.4)

9. If there are reasonable grounds for concern, the DLP will contact the duty social worker using standard Tusla reporting form.
10. If necessary, reports can be made verbally and then followed without delay with standard reporting practice.
11. If the DLP or DDLP are not available, contact the duty social worker for the Dublin 2 area:
 - a. Child and Family Agency, Bridge House, Cherry Orchard Hospital, Dublin 10.
T. 076 6955749.
 - b. If there is no answer in case of an emergency, contact An Garda Síochána.
12. In situations that threaten the immediate safety of a child/young person, contact An Garda Síochána on 112.

3.4 Confidentiality Statement and Record Keeping

We at TBG+S are committed to ensuring people's rights to confidentiality. However, in relation to child protection and welfare we undertake that:

1. Information will only be shared on a "need to know" basis in the best interest of the child
2. No undertaking regarding secrecy can be given and giving information to others for the protection of the child or young person is not a breach of confidentiality
3. Parents, primary carers and children/young people have a right to know if personal information is being shared and/or a report is being made to Tusla, unless doing so could put the child/person at further risk
4. Records will be stored in a safe and confidential manner and without access to all staff members (see below on record-keeping)
5. TBG+S has a policy of full co-operation with Tusla where welfare or child protection issues arise, and a commitment to attend and share information, as required.

TBG+S policy record-keeping

- Records are factual and include details of contacts, consultations and any actions taken.
- All agencies dealing with children must cooperate in the sharing of records with Tusla where a child protection or welfare issue arises.
- All records on child protection concerns, allegations and disclosures are kept securely and safely within the organisation.
- Records are only used for the purpose for which they are intended.
- Records are only shared on a need to know basis in the best interests of the child/young person.
- Only the DLP or DDLP has access to incident and Tusla report forms, unless either person is implicated, in which case the Chair of the Board has access.

- All Child Protection records are stored in a locked filing cabinet in the TBG+S offices, with the DLP/DDLP only having access to the key.
- We will retain these records for ten years.
- Our child protection records will be updated every two years or where policy requires, and as such will be reviewed regularly by the Designated Liaison Person.

3.5 Talking to parent(s)/carers

It is best practice to inform parents/guardians when reporting a concern about a child, however, they should not be informed that a report is being made if by doing so the child will be placed at further risk or if the family's knowledge of the report could impair Tusla's ability to carry out an assessment. Also, it is not necessary to inform the family if the person making the report reasonably believes it may place them at risk of harm from the family. Consideration should be given to who is the most appropriate person to talk to, i.e. parents/guardians.

How to talk to parents/guardians about child protection or welfare concerns

Workers/volunteers may feel uncomfortable approaching a parent about a concern. You may have to discuss a concern about the welfare or protection of a child/young person or an issue which relates to the child/young person's developmental needs. The following best practice tips may be useful:

- Make sure parents/guardians have prior awareness of your guiding principles, procedures and duties to safeguard children.
- Be straightforward and clearly explain the nature of the concern or issue, e.g. by using facts and records of observations made.
- Think about the time and place to have the conversation. Find a time when parents/guardians are not in a hurry.
- Find a place that is quiet and allows privacy.
- Consider arranging to meet parents/guardians.
- Consider who is the best person/who are the best people to have the conversation with the parents/guardians.
- Use a calm and gentle tone, consider the language used.
- Start with positive comments and observations about the child/young person. Ensure that the parents/guardians know that you care about the welfare of their child and recognise their strengths.
- Refer to how the situation may be affecting the child/young person.

- Start with positive comments and observations about the parents/guardians. Most parents/guardians are trying to do their best for their children and will appreciate your acknowledgement of how challenging parenting can be at times.
- Give the parents/guardians an opportunity to talk; ask them for an explanation and acknowledge their feelings.
- Take the approach that you are working together to address any issues in the best interests of the child/young person.
- Don't blame, don't get defensive and don't take things personally.
- Ensure that you are supportive but also address the issue.
- Refer to your guiding principles and child safeguarding procedures for support.
- Offer possible solutions, where appropriate.
- Advise parents/guardians how you plan to follow up and keep them informed and involved, where appropriate. Where it is not possible to contact the parents/guardians to discuss a concern you may need to discuss the concern with the DLP or Tusla duty social worker.
- Remember, if a report needs to be made to Tusla, do not delay.

3.6 Dealing with disclosures from children or a young person

TBG+S will deal with any disclosures from a child or young person in the following manner:

A child or young person may disclose to a worker or volunteer that they have been or are being harmed or abused. Children/young people will often have different ways of communicating that they are being abused. If a child or young person hints at or tells a worker or volunteer that he or she is being harmed by someone, be it a parent/carer, another adult or by another child/young person (peer abuse), it should be treated in a sensitive way.

Remember, a child/young person may disclose abuse to you as a trusted adult at any time during your work with them. It is important that you are aware and prepared for this.

- Be as calm and natural as possible.
- Remember that you have been approached because you are trusted and possibly liked. Do not panic.
- Be aware that disclosures can be very difficult for the child/young person.
- Remember, the child or young person may initially be testing your reactions and may only fully open up over a period of time.
- Listen to what the child/young person has to say. Give them the time and opportunity to tell as much as they are able and wish to.

- Do not pressurise the child/young person. Allow him or her to disclose at their own pace and in their own language.
- Conceal any signs of disgust, anger or disbelief.
- Accept what the child or young person has to say – false disclosures are very rare.
- It is important to differentiate between the person who carried out the abuse and the act of abuse itself. The child/young person quite possibly may love or strongly like the alleged abuser while also disliking what was done to them. It is important therefore to avoid expressing any judgement on, or anger towards the alleged perpetrator while talking with the child/young person
- It may be necessary to reassure the child/young person that your feelings towards him or her have not been affected in a negative way as a result of what they have disclosed.
- Reassure the child/young person that they have taken the right action in talking to you.

When asking questions

- Questions should be supportive and for the purpose of clarification only.
- 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 may have happened other than what you have been told. Such questions and suggestions could complicate the official investigation.

Confidentiality – Do not promise to keep secrets

At the earliest opportunity, tell the child/young person that:

- You acknowledge that they have come to you because they trust you.
- You will be sharing this information only with people who understand this area and who can help. 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 on-going hurt. By refusing to make a commitment to secrecy to the child/young person, 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 child/young person's confidence in yet another adult. By being honest, it is more likely that the child/young person will return to you at another time

On-going support

Following a disclosure by a child/young person, it is important that the worker/volunteer continues in a supportive relationship with the child/young person. Disclosure is a huge step for a child/young person. Workers/volunteers should continue to offer support, particularly by:

- Maintaining a positive relationship with the child/young person;
- Keeping lines of communication open by listening carefully to the child/young person;
- Continuing to include the child/young person in the usual activities.

Any further disclosure should be treated as a first disclosure and responded to as indicated above. Where necessary, immediate action should be taken to ensure the child/young person's safety.

3.7 Responding to adults who disclose childhood abuse

There are an increasing number of adults disclosing abuse that took place during their childhood. Often such disclosures come to light when people attend counselling. They also sometimes arise in adult services and services which work with parents/guardians and families.

Where such a disclosure is made it is essential to establish whether there may be current risk to any child or young person who may be in contact with the alleged abuser revealed in the disclosure. This is important even where the children/young people about whom there may be a concern are still to be identified.

If any risk is deemed to exist to a child/young person who may be in contact with an alleged abuser, follow your organisation's child protection and welfare reporting procedure; any mandated person/DLP should report the allegation to Tusla without delay. (See Children First: National Guidance for the Protection and Welfare of Children and the Child Protection and Welfare Practice Handbook for further information).

If you are unsure about whether to report or not, consult with your DLP or the Tusla Duty Social Work Service in your area.

Reports by adults of childhood abuse will be assessed by Tusla. If there are on-going child protection concerns Tusla will take necessary actions to ensure any child who may be at risk of harm is protected.

The Retrospective Abuse Report Form (RARF) should be used to report disclosures of childhood abuse by adults.

3.8 Procedure for Allegations of abuse against workers

In the event of allegations being made against an employee (staff or voluntary), the protection of the child/young person is the first priority, while taking account of the worker/volunteer's right to due process. 'Protective measures' do not presume guilt.

If an allegation is made against an employee, it will be dealt with as procedure dictates (Section 3.2). TBG+S will maintain a close relationship with Tusla and not undermine the investigations.

TBG+S notes that its responsibility lies in protecting the child and reporting the incident. TBG+S is not responsible for investigating any allegations, but responsible for reporting the allegations.

TBG+S will take protective measures appropriate to the level of risk while not reasonably penalising the worker, unless necessary to protect the child/young person. Legal advice may be taken on procedures to deal with allegations against staff.

An allegation of abuse may relate to a person who works with children who has:

- Behaved in a way that has or may have harmed a child/young person;
- Possibly committed a criminal offence in relation to a child/young person;
- Behaved towards a child/young person or children/young people in a way that indicates they may pose a risk of harm to a child/young person;
- Behaved in a way that is contrary to the organisation's code of behaviour for workers and volunteers;
- Behaved in a way that is contrary to professional practice guidelines.

The following procedures will be taken with regard to an allegation of abuse against a member of staff:

1. In respect of the child/young person, Clíodhna Shaffrey, DLP will deal with issues related to the child/young person
2. In respect of the person against whom the allegation is made Clíodhna Shaffrey, Director and the Chair of the Board will deal with the issues related to the staff member
3. The first priority is to ensure that no child or young person is exposed to unnecessary risk
4. If allegations are made against the DLP, then the DDLP will be notified
5. Reporting procedures will be followed as outlined in Section 3.6. It should be noted that the first priority is for the safety of the child/young person and parents/guardians should be informed of any action planned while having regard to the confidentiality and rights of others, such as the person against whom the allegation has been made.
6. The employee will be immediately informed privately that an allegation has been made against them and informed of the nature of the allegation. The employee should be given an opportunity to respond
7. All stages of the process should be recorded
8. Based on the seriousness of the allegation, the employee may be suspended from TBG+S until Tusla/Gardai investigations have taken place
9. All involved parties will be updated on all aspects of the investigation and TBG+S will liaise closely with the investigating bodies
10. A quick resolution will be sought for the benefit of all concerned

TBG+S internal personnel procedures for dealing with the worker/volunteer:

In the context of an allegation of abuse against a worker/volunteer, TBG+S's disciplinary procedures ensures that fair procedure is followed and that the employment contract is taken into account, as well as the rules of natural justice.

TBG+S will proceed as follows:

- It will make an immediate decision about the worker's/volunteer's presence in the organisation, based on the allegations the Director will, as a matter of urgency, take any measures necessary to protect the child/young person. These should be proportionate to the level of risk to the child/young person; 'protective measures' do not presume guilt.
- The Director will privately inform the worker/volunteer that an allegation has been made against him or her and the nature of the allegation.
- The worker/volunteer will be afforded an opportunity to respond officially. The Director will note this response and pass on this information if making a formal report to Tusla.
- The worker/volunteer will be offered the option to have representation at this stage and should be informed that any response may be shared with Tusla.
- The TBG+S will seek advice and consultation with regard to the risk to children/young people from the local Tusla social work office.
- The Director will ensure that actions taken by the organisation do not frustrate or undermine any investigations or assessments undertaken by Tusla or An Garda Síochána. The organisation should liaise closely with the investigating bodies to ensure this.
- The requirements of fair procedure and natural justice mean that Tusla usually will not share the detail of any assessment regarding allegations of abuse against a worker/volunteer until the worker/volunteer has had an opportunity to fully respond to the allegation and any findings and decisions of Tusla.
- Disciplinary procedures will be developed by the organisation in line with employment guidelines

Erroneous allegations

Workers or volunteers working with children/young people may feel vulnerable to accusations of child abuse. There may have been occasions when erroneous or untrue allegations have been made against workers/volunteers. This might have been because of a misunderstanding of what has happened or a genuine mistake.

Any allegation of abuse against a worker/volunteer should be dealt with sensitively and support provided by the organisation for both the worker or volunteer who allegedly abused a child/young person and the worker or volunteer who reported the alleged abuse. Appropriate levels of confidentiality must be ensured.

4. Safe Recruitment Procedures and Child Protection Training for workers

4.1 Recruitment and Selection of Workers and Volunteers working with children:

All permanent staff or volunteers that have or are likely to have contact with children and young people will undergo the following recruitment and selection procedures:

- Roles and responsibilities in relation to the person's work with children and young people will be clearly defined
- Where appropriate roles will be widely advertised, providing applicants with information about the organisation
- All applicants will be interviewed
- All applications must be accompanied by a Declaration Form (Appendix 2)
- A minimum of two references are required. References verified by telephone.
- Garda vetting would be sought (where appropriate) prior to commencement and any person deemed to constitute a risk would be excluded, risks include:
 - Any child-related convictions
 - Convictions for any violent crimes including common assault
 - Any crimes of a sexual nature
- All new workers and volunteers will be inducted to all of our procedures, including our guiding principles and safeguarding procedures

Any regular casual staff, including artists who will be working with children on a one-off basis through our drop-in activities and children's workshops will be required to:

- Complete a declaration form
- Provide the contact details of two referees, to be contacted by phone
- Will take part in Garda vetting prior to commencement of work (or in an interim basis, prove that they have received Garda vetting from another institution)
- They will be briefed to the TBG+S's Child Protection Policies and Safeguarding Statement

Some artists are invited to deliver workshops on a one-off basis, in this instance we will ask that they complete a declaration form and this artist will at all times be under the supervision of our regular casual staff, who will be fully vetted and trained.

At no time will any child or young person be alone with a staff member, volunteer or freelance artist working for TBG+S.

4.2 Training and Safe Management of Workers

Procedures will be put in place to cover training, induction and supervision of all members of staff that work directly with children and young people

To protect both staff (paid and voluntary) and children/young people, we undertake that:

All staff

- will receive an adequate level of supervision and review
- will be expected to read and sign the Child Protection Declaration of Guiding Principles and Child Safeguarding Procedures
- will be provided with CP training if required, including how to recognise child abuse, understand how to respond to child protection and welfare concerns, be aware of all relevant policies and support agencies
- In addition, the DLP and DDLP will receive specific training relevant to the role.

TBG+S will gather and maintain the following records in relation to Child Protection Training:

- Date and name of training programmes delivered;
- Names of worker/volunteers who attended and their position within the organisation;
- Details of workers/volunteers who did not receive training but need to complete it;
- Number of workers/volunteers trained;
- Training programmes completed by each worker/volunteer (e.g. induction into the organisation's guiding principles and child safeguarding procedures, child safeguarding training, DLP training, refresher training, etc.);
- The names of the trainers who delivered the programme and the organisation they were from (as relevant).
- A signed receipt of all workers/volunteers who have been given a copy of the organisation's declaration of guiding principles and child safeguarding procedures (can be done at induction or In-house training).

4.3 Safe Management of Activities

Types of Programming and Procedures in place to ensure safety:

Note, at the time of this report TBG+S offers the following educational events for children and young people and the levels of supervision and contact are based on these. It should also be noted that at all times staff at the gallery information desk are aware of the artists who are working and the activity, with information being given on a weekly basis.

1. Guided tours – guided tours for school groups – ratio of 10:1 required for under 12's, ratio of 15:1 required for 12-18's, teacher/adult supervision, no one to one contact with TBG+S staff and children, guided tours take place in exhibition spaces (i.e. in public domain).

3. Art workshops – all workshops are led by a professional artist who is supported at all times by an assistant. These workshops take place in the gallery (public space) and in the Studios (private space). The artist and assistant are present at all times, so at no given point is a child left alone with an adult or unattended. The ratio for these workshops is 15:2. To date all of our art workshops have been for family groups or school classes, and children have not attended alone. Going forward any workshops without parental/teacher participation, children will attend with parental permission, full contact details for parents/guardians taken in case of emergencies and a photo permission form will be completed by all parents/guardians. This contact information is kept on file in a locked cupboard after the workshop for a period of ten years.

4. School Projects – some workshops take place off site in schools, and in this instance the child protection policy of the school applies.

In addition to this any accidents or incidents that take place while a child or young person is on the premises of TBG+S, our Health and Safety reporting procedures are followed. If a child or parent has any complaints or grievances, these follow our organisation's complaint procedures.

In all cases, we take into consideration the following safety measures when working with children and young people:

- Activities being undertaken are suitable for the abilities, ages and experience levels of the participants; children or young people should not be excluded from any activities.
- Equipment and facilities meet appropriate safety and quality standards and are appropriate to the needs of the participants.
- Activities are risk assessed and that appropriate responses to identified risks are planned and implemented.
- Where protective equipment is deemed necessary, it should be used.
- Parents/guardians should be notified by the appropriate person of injuries/illnesses which occur while children/young people are participating in an activity.
- Insurance cover is adequate to TBG+S's needs.

Use of Photography, Video and/or Social/Digital Media

TBG+S has fully adopted the guidelines for taking and using images of children and young people in the arts sector, provided by the Arts Council. For all workshops and projects, TBG+S requests photo

permission from parents/guardians prior to the commencement of the same, please see template in Appendix 3.

4.4 Code of Behaviour for workers and volunteers

TBG+S has a responsibility to protect children's rights by:

1. treating them with dignity and respect
2. making time to listen and valuing their input and views
3. by involving them in decision making processes where appropriate
4. helping children to be safe, happy and having a valuable and worthwhile experience
5. encouraging and praising children
6. making sure that children know the organisation's rules about behaviour

TBG+S ensures that:

1. Children are not left unsupervised
2. Any rough or boisterous behaviour is stopped, with the assistance of the parent/teacher/guardian
3. No TBG+S staff member will spend time alone with a child, unless in exceptional circumstances to aid a child
4. While physical contact is a valid way of comforting, reassuring and showing concern for children, it should only take place when it is acceptable to all concerned and in response to the need of the child
5. Workers should be mindful of language used in front of children/young people
6. Workers should never physically punish or be in any way verbally abusive to a child, nor should tell jokes of a sexual nature in front of the child
7. Workers should not allow children to use inappropriate language unchallenged
8. TBG+S should communicate if there is a possibility that any exhibit may be unsuitable for children/young people and that the appropriate carer gives permission for the children/young people in their care to view the material.
9. If any photographic images or videos are taken on personal electronic devices (digital camera/phones), these are uploaded to a TBG+S computer, without any personal information linking to that young person. Images are deleted immediately from any devices.
10. For any activities where a child participates without their parents / carers, or when TBG+S is working with a school group over an extended period, permission to participate and for photography is sought from parents or guardians

11. Should any staff member, volunteer or freelance artist witness any breaches in the code of behaviour by another staff member, this should be brought immediately to the attention of the DLP or DDLP. In turn the DLP will liaise with the Chair of the Board and HR and Child Protection procedures will be followed, as appropriate.
12. TBG+S Disciplinary procedures will be followed as appropriate, and in accordance with TBG+S HR and Child Protection guidelines.

This code of behaviour will be expanded as the programmes offered to children/young people

Supervision and Support of workers and volunteers:

All workers and volunteers will have regular reviews of their practice, as outlined in our HR policies and individual contracts. This includes, where relevant a reflection on their work with children or any additional training in relation to the same.

5. Code of Behaviour for Children and Young People

When introducing our workshops or longer term projects, we request the following from participants:

1. To treat each other with respect regardless of ability, ethnic origin, and cultural background.
2. To listen to each other, and respect each other's opinions, even if we disagree.
3. It's ok to disagree, once it is done respectfully.
4. Respect all TBG+S property and the property of others as well as taking care of our own.
5. Not engage in bullying of any kind and report any such behaviour if we become aware of it.
6. Be fair and honest in all our dealings with other children and artists so as not to hurt any others by what we say or do.
7. Report any behaviour that makes us feel uncomfortable to the person in charge or someone designated for this purpose.
8. Actively engage in the activity and contribute to the best of our ability in an age appropriate manner.
9. Follow the instructions and directions of the artist and ask if we are unsure.
10. Arrive on time and depart at the appropriate time.
11. Remain in a supervised area at all times during the activity.
12. Not have in our possession any substances or materials that may pose harm to any member of the group, the artists or the property in which the activity is held.
13. Not take audio or visual recording of anyone present at the activity without the approval and monitoring of artists or teachers.
14. Keep mobile phones on silent or switched off unless required for use during the workshop

In time it is our ambition to develop our code of behaviour for young people in collaboration with young people.

6. Working in Partnership with Parents/Guardians

TBG+S is committed to being open with all primary carers

We undertake to:

- Advise primary carers of our Guiding Principles and Child Protection Safeguarding Statement
- Issue contact, participation and photography consent forms where applicable
- Comply with health and safety practices
- Operate child-centred practices
- Adhere to our recruitment policies
- Encourage the involvement of parent(s), carer(s) or responsible adults where appropriate, including giving feedback on our programmes and procedures

If we have concerns about the welfare of a child/young person, we will:

- Respond to the need of the child
- Inform the primary carer on an on-going basis unless such action puts the child at further risk
- If there are welfare/protection concerns, we will inform Tusla/Gardai
- In the event of a complaint against a member of staff, we will immediately ensure the child/young person's safety and inform primary carers

7. Complaints procedures

Complaints may arise in response to:

- An alleged breach of the code of behaviour by a worker/volunteer;
- A particular practice issue;
- Perceived poor attitude of a worker/volunteer;
- A child/young person feeling unhappy about an incident or an event;
- A parent/guardian feeling unhappy about an incident or event involving their child;
- Dissatisfaction in relation to an aspect of the service being provided.

Some complaints may need to be addressed through our procedure for responding to allegations of abuse against workers/volunteers, others through our standard procedures for complaints.

Complaints could be received from a number of places, including a parent/guardian; a child or young person; an external agency or organisation involved in interagency working; or a member of the public or other who may have a legitimate concern.

In the event of complaints or comments relating to children or young people, this will be responded to within two weeks by the DLP. Verbal complaints will be recorded by the person receiving them, and this information will be passed on to the DLP. Complaints should, where possible, be resolved informally. However, where someone remains dissatisfied access to a more formal process should be available.

Appendix 1 – TBG+S Incident Report Form

TBG+S incident reporting form

To be completed by the TBG+S Designated or Deputy Designated Liaison Person, where appropriate in collaboration with the person reporting the concern.

If the threshold for reasonable grounds is reached, the Tusla Reporting Form must also be completed and sent to Tusla.

Your name:	Name of organisation:
Your role:	
Contact information (you):	
Address:	Postcode:
Telephone numbers:	Email address:
Child's name:	Child's date of birth:
Child's ethnic origin: Please state	Does child have a disability? Please state
Child's gender:	
<input type="checkbox"/> Male	
<input type="checkbox"/> Female	
Parent's / carer's name(s):	
Contact information (parents/carers):	
Address:	Postcode:
Telephone numbers:	Email address:
Have parent's / carer's been notified of this incident?	
<input type="checkbox"/> Yes	
<input type="checkbox"/> No	
If YES please provide details of what was said/action agreed:	
Are you reporting your own concerns or responding to concerns raised by someone else:	
<input type="checkbox"/> Responding to my own concerns	
<input type="checkbox"/> Responding to concerns raised by someone else	
If responding to concerns raised by someone else: Please provide further information below	
Name:	

Please provide details of any person involved in this incident or alleged to have caused the incident: Name:	
Position within the organisation or relationship to the child:	
Date of birth (if child):	
Address:	Postcode:
Telephone number:	Email address:
Please provide details of action taken to date:	
Has the incident been reported to any external agencies? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If YES please provide further details:	
Name of organisation / agency:	
Contact person:	
Telephone numbers:	
Email address:	
Agreed action or advice given:	

Your Signature:		Print name:	
Date:			

Copies of all relevant forms will be kept in a secure location in TBG+S.

Appendix 2 - Declaration Form

Declaration of Suitability to Work with Children/Young People

I, _____ hereby declare and warrant that there is no reason known to me and there are no convictions, claims or complaints (past or pending) against me relating to children/young people that would deem me to be unsuitable to work with children/young people and carry out my role within this organisation.

I understand that my making a false declaration would be grounds for dismissal or the termination of my contract on any project on which I was engaged.

Signed:_____ Date: _____

Appendix 3 – TBG+S Photography Permission Form

Parent/Guardian Permission Form

Photography and film permission for the XXXX at Temple Bar Gallery + Studios

I give permission for Temple Bar Gallery + Studios to use the image of my child, _____, as marked by my selection below. This includes the display, distribution, publication, transmission, or otherwise use of photographs, images, and/or video taken of my child for use in materials that include, but may not be limited to, printed materials such as brochures and newsletters, videos, and digital images such as those on the Temple Bar Gallery + Studios website and social media. These images may be used by Temple Bar Gallery + Studios for a variety of purposes and images may be used without further notification. A child's last name will not be used in conjunction with any video or digital images.

I give permission to use my child's image as above.

☐ Yes

☐ No

Child's name

Parent/Guardian Name

Parent/Guardian Email

Parent/Guardian
signature

Date

If you have queries, please contact Órla Goodwin, Learning and Public Engagement Curator at 01 6710073.

Appendix 4 – Relevant Legislation

Child Care Act 1991

This is the key piece of legislation which regulates child care policy in Ireland. Under this Act, Tusla has a statutory responsibility to promote the welfare of children who are not receiving adequate care and protection. If it is found that a child is not receiving adequate care and protection, Tusla has a duty to take appropriate action to promote the welfare of the child. This may include supporting families in need of assistance in providing care and protection to their children. The Child Care Act also sets out the statutory framework for taking children into care, if necessary.

Protections For Persons Reporting Child Abuse Act 1998

This Act protects you if you make a report of suspected child abuse to designated officers of Tusla, the Health Service Executive (HSE) or to members of the Gardaí as long as the report is made in good faith and is not malicious. Designated officers also include persons authorised by the Chief Executive Officer of Tusla to receive and acknowledge reports of mandated concerns about a child from mandated persons under the Children First Act 2015. This legal protection means that even if you report a case of suspected child abuse and it proves unfounded, a plaintiff who took an action would have to prove that you had not acted reasonably and in good faith in making the report. If you make a report in good faith and in the child's best interests, you may also be protected under common law by the defence of qualified privilege. You can find the full list of persons in Tusla and the HSE who are designated officers under the 1998 Act, on the website of each agency (www.tusla.ie and www.hse.ie).

Criminal Justice Act 2006

Section 176 of this Act created an offence of reckless endangerment of children. This offence may be committed by a person who has authority or control over a child or abuser who intentionally or recklessly endangers a child by: 1. Causing or permitting the child to be placed or left in a situation that creates a substantial risk to the child of being a victim of serious harm or sexual abuse; or 2. Failing to take reasonable steps to protect a child from such a risk while knowing that the child is in such a situation. Child Abuse: What Is It? How do I Recognise It? How do I Report It?

Criminal Justice (Withholding of information on offences against children and vulnerable persons) Act 2012

Under this Act, it is a criminal offence to withhold information about a serious offence, including a sexual offence, against a person under 18 years or a vulnerable person. The offence arises where a person knows or believes that a specified offence has been committed against a child or vulnerable person and he or she has information which would help arrest, prosecute or convict another person for that offence, but fails without reasonable excuse to disclose that information, as soon as it is

practicable to do so, to a member of An Garda Síochána. The provisions of the Withholding legislation are in addition to any reporting requirements under the Children First Act 2015.

National Vetting Bureau (Children and Vulnerable Persons) Acts 2012-2016

Under these Acts, it is compulsory for employers to obtain vetting disclosures in relation to anyone who is carrying out relevant work with children or vulnerable adults. The Acts create offences and penalties for persons who fail to comply with their provisions. Statutory obligations on employers in relation to Garda vetting requirements for persons working with children and vulnerable adults are set out in the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012-2016.

Children First Act 2015

The Children First Act 2015 is an important addition to the child welfare and protection system as it will help to ensure that child protection concerns are brought to the attention of Tusla without delay. The Act provides for mandatory reporting of child welfare and protection concerns by key professionals; comprehensive risk assessment and planning for a strong organisational culture of safeguarding in all services provided to children; a provision for a register of non-compliance; and the statutory underpinning of the existing Children First Interdepartmental Implementation Group which promotes and oversees cross-sectoral implementation and compliance with Children First.

Criminal Law (Sexual Offences) Act 2017

This Act addresses the sexual exploitation of children and targets those who engage in this criminal activity. It creates offences relating to the obtaining or providing of children for the purposes of sexual exploitation. It also creates offences of the types of activity which may occur during the early stages of the predatory process prior to the actual exploitation of a child, for example, using modern technology to prey on children and making arrangements to meet with a child where the intention is to sexually exploit the child. The Act also recognises the existence of underage, consensual peer relationships where any sexual activity falls within strictly defined age limits and the relationship is not intimidatory or exploitative.