

Appendices: Bord Iascaigh Mhara Policy and Procedures for the Protection and Safeguarding of Children

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Note: Appendix 1, *Bord Iascaigh Mhara Child Safeguarding Statement* is a separate Document

Appendix 2 Work Experience Students (under 18 years including Transition Year)

Annually BIM offers work placements to TY students. In addition, work may also be completed on a project/time limited basis by third level students. Once engaged in BIM's relevant activities all students will be expected to follow the BIM Policy and Procedures for the Protection and Safeguarding of Children.

To assist in this compliance a copy of the BIM child safeguarding statement will be made available to students (under 18 years) and their parents/guardians. None of these student placements will be agreed without the consent of the Human Resources department and the identification of a link manager. This link manager will be responsible for receiving any issues or concerns the students may have prior to and during the placement.

All staff that are supervising or working alongside the TY students must be Garda vetted and should have completed the BIM Children First induction training and the Tusla Children First e-learning training.

The parents/guardians of these students will be given the website links, in advance of placements, for the child safeguarding statement and the protection and safeguarding of children policy and procedures. They will also confirm in writing that they have accessed a copy of the statement alongside their permission for the child/young person to attend the BIM work experience.

TY students are not to be permitted to deliver relevant activities to children while on placement at BIM. Checklist for Managers before/during work experience placement on BIM premises.

TY Checklist

The following Checklist is relevant for TY students, but some tasks may not be required:

No.	Task	Tick when complete
1	Agree the work that the student is assigned and ensure it is compliant with the BIM Policy and Procedures for the Protection and Safeguarding of Children 2020.	
2	Secure proof of age from the student and if the student is under 18 ensure that all of the procedures below are followed.	
3	Identify the supervisor for the student on work experience/ placement and ensure they have completed Tusla's Children First E-Learning Programme and have relevant Garda vetting in place.	
4	Provide copy of or link for BIM Child Safeguarding Statement to student plus their parents/guardian /others and store written acknowledgement from student.	
5	Provide copy of BIM Dignity at Work, Codes of Conduct, IT Policies to the student (and ensure they are informed of fire evacuation procedures).	

6	Ensure that the student has completed the relevant safety induction prior to commencing their placement.	
7	Provide student with name and contact details of the BIM DLP and Deputy DLPs.	
8	Put a plan in place on where the student will be based and how BIM will ensure that s/he does not have unsupervised one-to-one contact with Adults.	
9	Provide a copy of the BIM Policy and Procedures for the Protection and Safeguarding of Children to all staff members or others working on its behalf in the business unit that may have contact with the student. Best practice is that the relevant staff will be required to provide written confirmation that they have been issued with the BIM Policy and Procedures plus the Child Safeguarding Statement. This confirmation will be held on file by the relevant manager.	
10	The supervisor will also ensure that the child/young person is made aware of the appropriate evacuation procedure in the case of an emergency. The supervisor will also ensure that the presence and location of the child/young person is known to office/centre Fire Marshall.	
11	Obtain written parental permission/consent as required by this guidance.	
12	Send an email to all staff in the department in which the placement will take place, informing them that the student is a child/young person.	

In signing this form, you are giving permission for your child to attend a BIM training course which may involve some or all of the following:

- Training courses may be in remote locations, e.g. with close proximity to unprotected piers.
- There may be an absence of on-site toilet facilities or canteen facilities, particularly in respect of the coastal training units.
- BIM is unable to provide supervision outside of the classroom environment.
- For practical course sessions, the child may be interacting with adult course participants (for example - practical pool sessions or first aid training scenarios - under staff supervision).
- Engineering or full time Deck Hand training course content involves practical operation of machinery and fish filleting (under supervision).
- Transportation to and from all training course locations is the responsibility of the parent/guardian or responsible adult.
- The full time Deck Hand course will involve visits to fishing Co-ops and fishing vessels (under staff supervision).

- Please note that all BIM Instructors are Garda vetted and BIM's Policy and Procedures for the Protection and Safeguarding of Children 2020 is available on the web site www.bim.ie

I, the undersigned confirm that I have been advised that the BIM Child Safeguarding Statement is available on the www.bim.ie web site. I also confirm that I have been provided with the details of the Designated Liaison Person and the Deputy Designated Liaison Persons.

Name of Person (under 18 year of age- (Block Capitals):	
*Date of Birth:	
Print Name of Parent/Guardian/Responsible Adult (Block Capitals):	
Signature of Parent/Guardian/Responsible Adult:	
Date:	
* Children under the age of 16 must be accompanied at all times during the course. This may be a Parent or Guardian, or a responsible adult nominated by the Parent or Guardian If this applies to your child, the name of the responsible adult accompanying them should be named below.	
Name of responsible adult (Block Capitals):	
I, the parent/guardian/other of _____ confirm that I have been advised of the BIM Child Safeguarding Statement and I am in agreement with my son/daughter/other attending a training course(s) held by BIM.	
My contact details in case of emergency:	
I confirm that I consent to first aid being provided to my son/daughter/other if and when required while attending a course held by BIM. My son/daughter/other has the following health issues / allergies, details of which I consent to being provided to BIM staff or third parties who need to be appraised of this information in order to supervise and safeguard my son/daughter/other.	
Print Name of Parent/Guardian/Responsible Adult (Block Capitals):	
Signature of Parent/Guardian/ Responsible Adult:	
Date:	

Data Protection Notice

Bord Iascaigh Mhara ("BIM"), the data controller, as a State Agency, is required to collect, process and

transfer personal data to comply with our legal obligations as set out in various Irish and EU fisheries and marine legislation. We gather and process your personal information in accordance with the General Data Protection Regulation (GDPR), the Irish Data Protection Act 2018 and other applicable laws.

How BIM will use your information:

- Data provided in candidates application forms will be used for the administration of the training and health and safety purposes.
- Where you have provided consent for the processing of your data you may withdraw your consent at any time.
- Subject to your rights, we will ordinarily process your personal data throughout the course of your relationship with us and will then retain it for a period after that. The precise length of time will depend on the type of data, our legitimate business needs and other legal or regulatory rules that may require us to retain it for certain minimum periods. For example, proof of attendance at training.

You have a right to access and rectify your personal data which can be exercised by writing to the Data Protection Officer, BIM, Crofton Road, Dún Laoghaire, Co. Dublin or via email on dataprotection@BIM.ie. You have the right to complain to the Data Protection Commission should you be dissatisfied with our actions: Office of the Data Protection Commission, 21 Fitzwilliam Square South, Dublin 2, D02 RD28
www.dataprotection.ie

The BIM Privacy Policy is available on the BIM website www.bim.ie

Appendix 3 Protocol for occasional one-to-one contact with children

This Protocol for managing staff communication and contact with children/young people (students under 18 years) has been developed for BIM staff and others working on its behalf. The Protocol requires that:

- BIM Staff and others working on its behalf should be aware of the identity of children who are under 18.
- All BIM staff and others working on its behalf who will have one-to-one contact with children must have completed the Tusla e-learning programme and a copy of the certificate must be submitted to the staff officer, and also received internal Children First training. <https://www.tusla.ie/Children-first/Children-first-e-learning-programme/>
- Day to day education delivery to groups in classrooms/labs/other should not be affected by the presence of children/young people.
- Where possible, another employee or adult should be present when meeting or interacting with children/young people. However, it is acknowledged that this will not always be possible for a number of reasons. If a meeting alone with a child is necessitated by circumstances and is of concern to a staff member, a record should be kept of these meetings including names, dates, times, location, reason for the meeting and outcome. A copy of this record should be kept locally.

NOTE: Where a student is under 16 years, they will be accompanied by a responsible adult during training.

Staff however need to be conscious of the protocols for dealing with children which could result in one-to-one contact such as the following:

- Staff providing reader/scribe support/mentoring/PLP planning/ assignment support and counselling' and personal support to students or any other situation in which one-to-one contact could arise should:
 - Establish if the student is a child.
 - Provide the support in a room with door open or in an open public area.
 - Student should sit at the open-door side of the desk/table with the staff person on the far side from the door.
 - Student should be advised that this arrangement is part of child safeguarding protocol.
- Staff conducting skills assessments on a one-to-one basis should:
 - Ensure there are always other students or staff in the vicinity.
 - Avoid direct contact/touching the student while providing assistance in completing the skill. For example, showing a sample/ restraining an animal/showing machine control.
- Staff conducting disciplinary/conduct enquiries should:

- Inform the student that you wish to carry out an investigation/ enquiry.
 - Inform the student's parent/guardian/other and advise them that they should attend the meeting/interview.
 - All interviews should include two staff members.
 - Follow college policy/guidelines regarding penalties/suspensions etc. as per Student Handbook.
- Staff dealing with injuries/medical issues should:
 - Where possible (i.e., other than in cases where urgent/ emergency assistance is required, and consent is not possible) inform the student that you wish to provide medical assistance and get their verbal approval.
 - Have another staff member or adult student present.
 - Inform the student's parent/guardian/other as soon as is practical to do so.
 - Where the student requires transportation to the doctor/hospital ensure that another staff member or adult student is also present.

Appendix 4 Definitions and roles

Working definitions and roles in respect of BIM Policy and Procedures for the Protection and Safeguarding of Children 2020 are the following:

Child

A person who has not attained 18 years of age, excluding a person who is or has been married (Note from 1.1.19, under the Domestic Violence Act 2018, a person under the age of 18 can no longer apply to the Circuit Courts for permission to marry. However, a person may get married if permission was granted before 1.1.19 or an application was made before 1.1.19 and permission was granted afterwards).

Safeguarding

Safeguarding children/young person's involves creating and maintaining safe environments for children by:

- Protecting children/young persons from harm, abuse, and neglect.
- Ensuring children have access to the care and support they need.
- Enabling safe and effective care by families and other carers.
- Enabling children to achieve the best outcomes.

Child Safeguarding Statement

The Children First Act requires that relevant services develop a child safeguarding statement which sets out the services provided by the relevant service and the principles and procedures that are in place to ensure, as far as practicable, that a child availing of or in contact with the relevant service is safe from abuse or harm. This statement must also include an assessment of risk of "harm" to a child while availing of or in contact with the relevant service and procedures to manage such risks are to be specified.

Welfare concern

A child welfare concern experienced directly by a child, or by the family of a child, that is seen to impact negatively on the child's health, development and welfare and that warrants assessment and support, but may not require a child protection response.

Child protection

Child protection focuses on one aspect of safeguarding, the protection of a child who has suffered from, is suffering from, or has the potential to suffer from harm.

Child protection requires staff to recognise, respond, report, and record such concerns.

Harm

This refers to assault, ill treatment, neglect, or sexual abuse of a child.

Reasonable grounds for concern

Reasonable grounds for concern exist when you have a view that a child may have been, is being, or is at risk of being abused or neglected. Such concerns shall be supported by evidence or indicators of abuse.

Responsible adult

This is a person of or above the age of 18 years who, in relation to a person under the age of 18 years (the child/young person), belongs to one of the following classes of persons:

- parent, stepparent, or guardian of the child/young person Or
- a person who, for the time being, has parental rights, duties, and responsibilities for the child/young person.

Staff member

Any person who works for BIM under a contract for employment. This contract may be expressed or implied and be oral or in writing. A staff member may be employed full time or part time or in a temporary capacity.

Contractor /Third Party

Any individual, employer, or organisation whose staff members undertake work for a fixed or other sum and who supplies the materials, labour and/or services (whether their own input or that of another) to carry out such work.

Volunteer

Any activity that involves spending time, unpaid, doing something that aims to benefit the environment or someone (individuals or groups) other than, or in addition to, close relatives. Central to this definition is the fact that volunteering must be a choice freely made by each.

individual. This can include formal activity undertaken through public, private, and voluntary organisations as well as informal community participation.

Named Person

In the context of BIM there is a named person nominated to this role. This person is responsible for implementing and maintaining compliance with Children First both from the perspective of the Children First Act 2015 and Children First: National Guidance for the Protection and Welfare of Children 2107. This person is also to take a lead in ensuring the review of the BIM Policy and Procedures for the Protection and Safeguarding of Children occurs within the agreed timeframe.

Relevant Service

A relevant service means any work or activity specified in Schedule 1 of the Children First Act 2015. (Appendix 2) This work, or activity is carried out by a person, a necessary and regular part of which consists mainly of the person having access to or contact with children. In the context of the BIM the following subsections apply in respect of Schedule 1:

- Work or activity which consists of the provision of 'educational, research, training, cultural, recreational, leisure, social or physical activities to children'.
- Work or activity which consists of the provision of 'care or supervision of children'.

Relevant Person

The relevant person is the first point of contact, appointed by the relevant service BIM, in relation to the child safeguarding statement of the company. This point of contact applies internally and externally.

Designated and Deputy Designated Liaison Persons

The Designated Liaison Person (DLP) liaises with the relevant statutory agencies responsible for child protection and welfare and is the resource person to staff members who have child protection and welfare concerns. This person has the responsibility to ensure that the reporting procedure within BIM is followed so that suspected cases of child abuse or neglect, where reasonable grounds for concern exist, are referred without undue delay to Tusla or, in an emergency and the unavailability of Tusla, to An Garda Síochana. In the event that the Designated Liaison Person is unavailable Deputy Designated Liaison Persons with delegated responsibility have been appointed by BIM.

An Garda Síochana

It is the responsibility of An Garda Síochana to investigate if a crime has been committed with regard to child protection and welfare concerns. They will liaise with the Designated Liaison Person/s in respect of child protection and welfare concerns, as appropriate.

Tusla (the Child and Family Agency)

Tusla is the lead statutory organisation for safeguarding children in the Republic of Ireland and as such it has the responsibility to promote the welfare of children in Ireland who are not receiving adequate care and protection. Tusla will liaise with the Designated Liaison Person/s particularly in respect of reports of child protection and welfare concerns from BIM relating to children.

Authorised persons have been appointed within Tusla, under the requirements of the Children First Act 2015. They have a responsibility to receive reports under Section 14 of the Act and to ensure an acknowledgement of receipt is sent to the mandated person or other persons who made the report.

Mandated Persons

The Children Act 2015 contains a list of classes of mandated persons (Appendix 8). Under this Act, mandated persons have a statutory obligation to report concerns which meet or exceed a particular threshold and to cooperate with Tusla in the assessment of such mandated reports, where requested to do so.

Appendix 5 Relevant Service

Schedule 1 of Children First Act 2015

RELEVANT SERVICES

1. Any work or activity which is carried out by a person, a necessary and regular part of which consists mainly of the person having access to, or contact with, children in—
 - a. an establishment which provides early years services within the meaning of Part VIIA of the Child Care Act 1991,
 - b. a school or centre of education, both within the meaning of the Education Act 1998,
 - c. any hospital, hospice, health care centre or other centre which receives, treats or otherwise provides physical or mental health services to children,
 - d. a designated centre within the meaning of section 2 of the Health Act 2007, in so far as it relates to an institution at which residential services are provided in accordance with the Child Care Act 1991 or to children with disabilities in relation to their disabilities,
 - e. a special care unit provided and maintained in accordance with section 23K of the Child Care Act 1991,
 - f. a children detention school within the meaning of section 3 of the Children Act 2001,
 - g. a reception or accommodation centre which provides residential accommodation services to applicants for asylum under contract to the Department of Justice and Equality where children may be accommodated, or
 - h. a centre which provides residential accommodation services to victims of domestic violence where children may be accommodated.
2. Any work or activity which consists of the inspection of a service provided to a child under the Child Care Act 1991, the Education Act 1998, the Children Act 2001 or the Health Act 2007.
3. Any work or activity which consists of the inspection, examination or investigation by the Office of the Ombudsman for Children under the Ombudsman for Children Act 2002.
4. Any work or activity which consists of treatment (including assessment which may lead to treatment), therapy or counselling provided to a child.
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,
 - d. [No. 36.] SCH.1 whether or not for commercial or any other consideration.
6. Any work or activity which consists of the provision of advice or guidance services (including by means of electronic interactive communications), a necessary and regular part of which consists, mainly, of the person having access to, or contact with, children.
 7. Any work or activity as a minister or priest or any other person engaged in the advancement of any religious beliefs which would or could bring that minister, priest or other person, as the case may be, into contact with a child.
 8. Any work or activity as a driver of, or as an assistant to the driver, or as a conductor, or as a supervisor of children using a vehicle which is being hired or used only for the purpose of conveying children who are unaccompanied by a parent or guardian.
 9. Any work or activity which is carried out by a member of An Garda Síochána, a necessary and regular part of which consists mainly of the person having access to, or contact with, children.

Appendix 6 Recognising child protection and welfare concerns

Categories and indicators of abuse

Child abuse can be categorised into four main 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 institution. The abuser may be 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 protection and welfare issue for both children and child protection procedures should be adhered to for both the possible victim and the alleged abuser.

The important factor in determining whether behaviour constitutes abuse or neglect is the impact of that behaviour on the child rather than the intention of the parent/guardian.

The definitions of neglect and abuse presented in this section are not legal definitions. They are intended to describe ways in which a child might experience abuse and how this abuse may be recognised.

Neglect

- 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, supervision, and safety. Emotional neglect may also lead to the child having attachment difficulties. 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, but not necessarily caused by, poverty. It is strongly linked with parental substance misuse, domestic violence and parental mental illness and disability
- Neglect, including serious neglect, may be apparent immediately and on the basis of one engagement. An example is a child who is seriously underweight (without a medical condition) and has persistent hair and skin infections from poor hygiene. This condition is not the result of a one-off lapse on the part of a parent.
- Other forms of neglect may only emerge over time as a pattern emerges. For example, a child who suffers a series of ongoing minor injuries may not be having his or her needs met

- in terms of necessary supervision and safety. A child who consistently misses school may be being deprived of intellectual stimulation or adequate supervision.
- 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.
- The following are examples 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, such as, child not gaining weight due not only to malnutrition but also to 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 appropriate 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.

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/guardian 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 (for example, fun and play).
 - lack of continuity of care (for example, 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 is made contingent on his or her behaviours or actions.
 - extreme over-protectiveness.
 - inappropriate non-physical punishment (for example locking a child in a room).
 - 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.

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
- 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 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. There has been no change to the reporting requirements in relation to corporal punishment.

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 principally 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.

NOTE. It should be remembered that sexual activity involving a child or young person may be sexual abuse even if the child or young person concerned does not themselves recognise it as abuse.

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 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 the act of masturbation.
 - Sexual intercourse with a child, whether oral, vaginal, or anal.
 - Exposing a child to inappropriate or abusive material through information and communication technology.
 - Consensual sexual activity involving an adult and underage person.
- Sexual exploitation of a child, which includes:
 - Inviting, inducing, or coercing a child to engage in prostitution or the production of child pornography.
 - Inviting or 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.
- An Garda Síochána have the responsibility to investigate any criminal aspects of a sexual abuse case under the relevant criminal justice legislation and 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, for the purposes of 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.

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 be 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 behaviors such as physical aggression, cyber bullying, and 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, through mobile phones, the Internet, and other personal devices.

While bullying can happen to any child, some may be more vulnerable such as disabled children or children who have 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 amongst children with special educational needs and particularly 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 are required to have a code of behaviour and an anti-bullying policy in place. School personnel should be aware of their school's anti-bullying policy and of the relevant procedural guidelines.

NOTE: In cases of serious instances of bullying where the behaviour is regarded as possibly abusive, or poses a serious risk to the health, development or welfare of a child, a report may need to be made to Tusla and/or An Garda Síochána.

Complicating factors in child welfare and protection

The following are some of the complicating factors and circumstances that may make children more vulnerable to child protection and welfare concerns:

- Age of child
- Gender
- Sexuality
- Trafficked and/or exploited children
- Children with communication difficulties
- Children with mental health issues

- Children with disabilities
- Domestic violence
- Sexual violence
- Adolescent parents
- Parental mental health issues
- Parental substance misuse
- Parental intellectual disability
- Unknown male partners and their history/association with the child's family
- Families who are uncooperative or hard to engage
- Poverty and social exclusion

Outside of the above child and parental factors there may also be relevant community, environmental and motivational engagement factors with and for parents/guardians.

Examples of these may include:

- Housing issues.
- Children who are out of home and not living with their parents.
- Bullying.
- Internet and social media concerns.
- Non-attendance of children at appointments.
- Parents/guardians avoiding contact with services and displaying a reluctance to work with services.

NOTE: It is important to remember that the identification of additional vulnerability to risk of abuse does not mean that a child in those circumstances or environment is being abused.



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Appendix 7 Tulsa Child Protection and Welfare Forms

Tulsa Child Protection and Welfare Report Form:

https://www.tusla.ie/uploads/content/Child_Protection_and_Welfare_Report_Form_FINAL.pdf

Tulsa Retrospective Abuse Report Form:

https://www.tusla.ie/uploads/content/Retrospective_Abuse_Report_Form_FINAL.pdf

Appendix 8 List of mandated persons under Children First Act 2015

MANDATED PERSONS

The following classes of persons are specified as mandated persons for the purposes of this Act:

1. Registered medical practitioner within the meaning of section 2 of the Medical Practitioners Act 2007.
2. Registered nurse or registered midwife within the meaning of section 2(1) of the Nurses and Midwives Act 2011.
3. Physiotherapist registered in the register of members of that profession.
4. Speech and language therapist registered in the register of members of that profession.
5. Occupational therapist registered in the register of members of that profession.
6. Registered dentist within the meaning of section 2 of the Dentists Act 1985.
7. Psychologist who practises as such and who is eligible for registration in the register (if any) of members of that profession.
8. Social care worker who practises as such and who is eligible for registration in accordance with Part 4 of the Health and Social Care Professionals Act 2005 in the register of that profession.
9. Social worker who practises as such and who is eligible for registration in accordance with Part 4 of the Health and Social Care Professionals Act 2005 in the register (if any) of that profession.
10. Emergency medical technician, paramedic and advanced paramedic registered with the Pre-Hospital Emergency Care Council under the Pre-Hospital Emergency Care Council (Establishment) Order 2000 (S.I. No. 109 of 2000).
11. Probation officer within the meaning of section 1 of the Criminal Justice (Community Service) Act 1983.
12. Teacher registered with the Teaching Council.

13. Member of An Garda Síochána.

14. Guardian ad litem appointed in accordance with section 26 of the Child Care Act 1991.

15. Person employed in any of the following capacities:

- a. manager of domestic violence shelter.
- b. manager of homeless provision or emergency accommodation facility.
- c. manager of asylum seeker accommodation (direct provision) centre.
- d. addiction counsellor employed by a body funded, wholly or partly, out of moneys provided by the Oireachtas.
- e. psychotherapist or a person providing counselling who is registered with one of the voluntary professional bodies.
- f. manager of a language school or other recreational school where children reside away from home.
- g. member of the clergy (howsoever described) or pastoral care worker.
- h. (howsoever described) of a church or other religious community.
- i. director of any institution where a child is detained by an order of a court.
- j. safeguarding officer, child protection officer or other person (howsoever described) who is employed for the purpose of performing the child protection and welfare function of religious, sporting, recreational, cultural, educational, and other bodies and organisations offering services to children.
- k. childcare staff member employed in a pre-school service within the meaning of Part VIIA of the Child Care Act 1991.

- I. person responsible for the care or management of a youth work service within the meaning of section 2 of the Youth Work Act 2001.

16. Youth worker who—

- a. holds a professional qualification that is recognised by the National Qualifications Authority in youth work within the meaning of section 3 of the Youth Work Act 2001 or a related discipline, and
- b. is employed in a youth work service within the meaning of section 2 of the Youth Work Act 2001.

17. Foster carer registered with the Agency.

18. A person carrying on a pre-school service within the meaning of Part VIIA of the Child Care Act 1991.