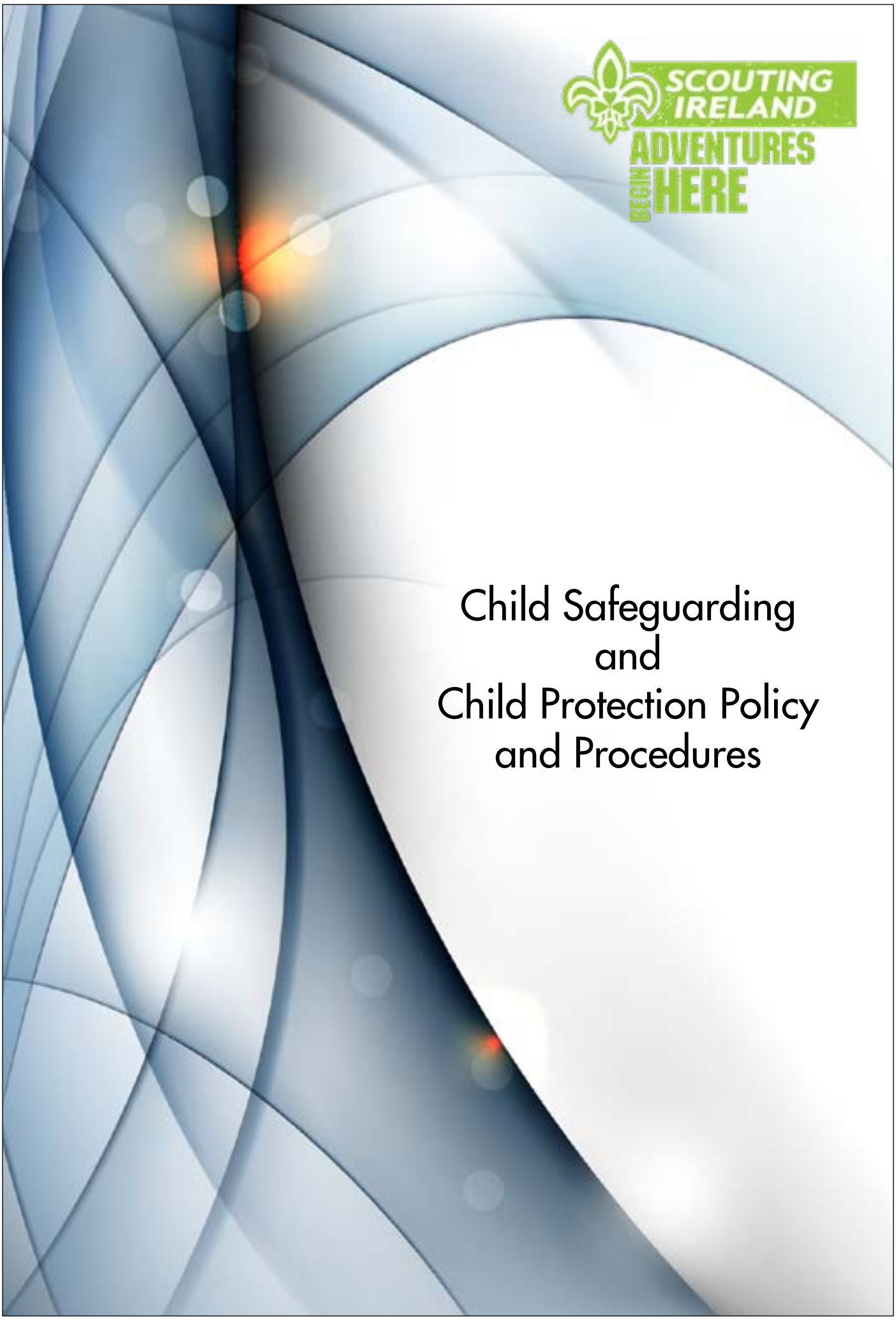


Child Safeguarding and Child Protection Policy and Procedures

	Gasóga na hÉireann / Scouting Ireland			
	No.	Issued	Amended	Next Review Date
	BOD-SG-001	22/12/2020	04/09/2025	September 2026
	Category: Safeguarding			
	Child Safeguarding and Child Protection Policy and Procedures			

Related Documents
BOD-SG-002 - Scouting Ireland Code of Behaviour: To assist adults engaging with children in scouting
BOD-SG-003 - Scouting Ireland's Safeguarding Adults at Risk Policy
BOD-SG-004 - Membership Risk Assessment Policy: Adult members suspended without prejudice for a safeguarding purpose.
BOD-SG-005 - Membership Risk Assessment Policy: Youth members suspended without prejudice for a safeguarding purpose.
BOD-SG-006 - Responding to Victims of Abuse within Scouting Ireland
BOD-MA-002 - Scouting Ireland's Procedure for Suspension without Prejudice
SID-CCD04 - Scouting Ireland's Disciplinary Process

Revision Schedule		
Revision	**Date**	**Description**
1	22/12/2020	To replace the Code of Good Practice (SID 39-05)
2	04/11/2025	No changes / Accepted as relevant, current – but full review in 2026 to introduce a Safeguarding manual for S.I.

FOREWORD

This Child Safeguarding and Child Protection Policy and Procedures along with the accompanying Code of Behaviour: To assist adults engaging with children in Scouting acknowledges Scouting Ireland's duty of care to safeguard and promote the welfare of children. We are committed to ensuring our safeguarding practices comply with best practice and Scouting Ireland requirements, while reflecting statutory responsibilities and Government guidance.

Scouting Ireland is a voluntary, uniformed, non-formal educational movement for young people, helping them to achieve their full potential through a programme based on fun, friendship, challenge, and adventure. We are an independent, non-political movement, open to all without distinction of origin, race, creed or gender, promoting the purpose, principles and method conceived by our Founder, Robert Baden-Powell and as stated by the World Organisation of the Scout Movement.

Young People in Scouting are supported, encouraged and facilitated by adult volunteers, all of whom understand the responsibility and trust placed in them by parents and guardians.

The welfare and interests of children are paramount in everything we do. We aim to ensure that all children have a positive and enjoyable experience of Scouting in a safe and child-centred environment. Children must be safeguarded whilst participating in any Scouting activities, regardless of gender, marital status, family status, sexual orientation, religion, age, disability, race and membership of the Traveller community.

A separate Code of Behaviour: To assist adults engaging with children in scouting has been developed as a guide to instruct and advise scouters and Scouting Ireland staff how to properly:

1. safeguard children, thereby preventing harm though abuse, and;
2. respond to a concern or suspicion that a child is being, has been or is at risk of being abused.

The Code of Behaviour is also designed to inform parents of these behaviours and practices.

Our Child Safeguarding Statement, with accompanying risk assessment, has been developed in line with the requirements under the Children First Act 2015, Children First: National Guidance, and Tusla's Child Safeguarding: A Guide for Policy, Procedure and Practice.

In addition, the following procedures support our intention to safeguard children while they are availing of our service:

- Procedure for the management of allegations of abuse or misconduct against workers /volunteers of a child availing of our service.
- Procedure for the safe recruitment and selection of workers and volunteers to work with children.
- Procedure for provision of and access to child safeguarding training and information including the identification of the occurrence of harm.
- Procedure for the reporting of child protection or welfare concerns to Tusla.
- Procedure for maintaining a list of persons who are mandated persons.
- Procedures for the appointing of a relevant person. All procedures are available on request.
- Risk assessments to safeguard children from harm.

As part of our safeguarding policy we will:

- Promote and prioritise the safety and well-being of children.
- Ensure all volunteers and staff members understand their roles and responsibilities in respect of safeguarding and are provided with appropriate education to recognise, identify and respond to sign of abuse, neglect and other safeguarding concerns relating to children.
- Ensure appropriate action is taken in the event of incidents/concerns of abuse and that support is provided to the individual/s who raise or disclose the concern
- Ensure that confidential, detailed and accurate records of all safeguarding concerns are maintained and securely stored
- Ensure robust safeguarding arrangements and procedures are in operation. Scouting Ireland is committed to ensuring all young people enjoy their time in Scouting in a safe and enjoyable way.

The safety and well-being of our young people is the responsibility of all volunteers and staff of Scouting Ireland. We encourage all to play their part in ensuring that Scouting Ireland remains a safe place for all. We in Scouting Ireland recognise that the implementation of robust Child Protection policies is an ongoing process. Scouting Ireland is committed to the implementation of this Child Safeguarding and Child Protection Policy and Procedures, the accompanying Code of Behaviour: To assist adults engaging with children in scouting and other procedures supporting our intention to keep children safe from harm while taking part in Scouting.

Within the Republic of Ireland, the Children's First Act 2015 stipulates certain procedures that must be included in child safeguarding and child protection policies. In order for this policy to comply with legislation in the Republic of Ireland these procedures are included in this policy.
In Northern Ireland where there is no comparable legislation, the procedures outlined in this document will be the policy of Scouting Ireland.

ACKNOWLEDGEMENTS

Scouting Ireland would like to acknowledge the contribution, support and guidance of all those involved in the compilation of this Scouting Ireland Child Safeguarding and Child Protection Policy and Procedures and its accompanying Scouting Ireland Code of Behaviour: To assist adults engaging with children in scouting:

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Section 1

Introduction

The aim of Scouting Ireland / Gasóga na hÉireann is to encourage the social, physical, intellectual, character, emotional and spiritual development of young people so that they may achieve their full potential and, as responsible citizens, to improve society.

We believe that:

1. Our priority is to ensure that the welfare and safety of every child and young person who attends our service is paramount. "Definition of a child" a person under the age of 18 years, excluding a person who is or has been married"

2. Our guiding principles and procedures to safeguard children and young people reflect national policy and legislation and we will review our guiding principles and child safeguarding procedures every two years.

3. All children and young people have an equal right to attend a service that respects them as individuals and encourages them to reach their potential, regardless of their background.

4. We are committed to upholding the rights of every child and young person who attends our service, including the rights to be kept safe and protected from harm, listened to, and heard.

5. Our guiding principles apply to everyone in our organisation.

6. Staff/volunteers must conduct themselves in a way that reflects the principles of our organisation.

Scouting Ireland has an obligation to all of its members to provide an environment within which scouting activities can be enjoyed in a safe, non-discriminatory and respectful manner. Scouting Ireland is legally obliged under the Children First Act 2015 to ensure that each child availing of their service is safe from harm while availing of that service.

The purpose of this document is to provide a common understanding within the Organisation of the behaviours and practices expected of adults involved in Scouting, and to provide a statement of the policy and procedures relating to safeguarding and child protection to be adhered to by all of those involved in Scouting Ireland.

NOTE: In the Republic of Ireland, the Child Care Act 1991 defines "a child" as a person under the age of 18 years, other than a person who is or has been married.

Northern Ireland The Children (Northern Ireland) Order 1995 defines a 'child' as a person under the age of 18.

Children First Act 2015 (Republic of Ireland)

Children (Northern Ireland) Order 1995

Scouting Ireland Code of Behaviour

Children First Act 2015 (Republic of Ireland)

Children (Northern Ireland) Order 1995

For Northern Ireland while this is not a legal requirement it is Best Practice for groups within Scouting Ireland to have in place a Child Safeguarding Statement and Risk Assessment.

Child safeguarding statement and Risk Assessment (Republic of Ireland)

Child safeguarding statement and Risk Assessment (Northern Ireland)

1.1 Statement of Commitment

Scouting Ireland is committed to the protection of the children and young people From harm when they are engaged in Scouting Ireland activities; whom we work; Scouting Ireland is committed to promoting the rights of the child including the participation of children and young people in matters that affect them.

1.2 Child Safeguarding Statement & Risk Assessment

In the Republic of Ireland Section 11 of the Children First Act 2015 as amended, requires organisations that are providers of relevant services to prepare a Child Safeguarding Statement.

The Child Safeguarding Statement includes an assessment of the risk of a child being harmed whilst availing of the service

The Child Safeguarding Statement must also specify the procedures that are in place to:

- Manage any risk identified
- Investigate an allegation against any staff member about any act, omission, or circumstance in respect of a child availing of the service and all specified procedures required under legislation can be found in this document.
- Select and recruit staff and volunteers who are suitable to work with children
- Provide information and training to staff and volunteers on child protection and safeguarding issues
- Enable staff members, whether mandated persons or otherwise, to make a report to Tusla in accordance with the Act or any guidelines issued by the Minister for Children and Youth Affairs
- Maintain a list of persons in the organisation who are mandated persons under the Act
- Appoint a relevant person in the organisation for the purposes of the Act Children First: National Guidance for the Protection and Welfare of Children further requires that
  "All organisations that provide services to children should develop specific policies and procedures on how to create a safe environment"

1.3 Scope of this policy

This policy document covers all those in a paid and voluntary capacity; the generic term 'Scouting Ireland personnel' will be used throughout this document to include all adults in Scouting Ireland.

Section 2

Key Roles in Safeguarding

2.1 Designated Liaison Person (DLP)

Scouting Ireland has appointed the Safeguarding Manager as the Designated Liaison Person (DLP) and a number of Deputy Designated Liaison Persons (DDLP's), hereafter referred to as DLP's. They are a resource for all Scouting Ireland personnel, parents/guardians, who have any queries or concerns relating to child safeguarding. The DLP's will liaise with outside agencies on behalf of Scouting Ireland and will receive regular and appropriate training for this role. The DLP's are appointed nationally by Scouting Ireland and are employees of the organisation.

2.2 Role and responsibilities of the DLP

- Be fully familiar with Scouting Ireland's duties in relation to the safeguarding and protection of children.
- Have excellent knowledge of Scouting Ireland's guiding principles and child safeguarding procedures.
- Ensure that Scouting Ireland reporting procedures are followed, so that child protection and welfare concerns are referred promptly to Tusla/Gateway in Northern Ireland or An Garda Siochana/Police Service of Northern Ireland (hereafter referred to as Statutory Authorities when appropriate.
- Receive child protection and welfare concerns and consider if reasonable grounds for concern for reporting to the Statutory Authorities exist.
- Consult informally with Duty Social Workers and when relevant to seek their advice.
- Where appropriate, make a formal report of a child protection or welfare concern, or allegation of a criminal offence to the statutory authorities using the appropriate standard reporting forms. All allegations of a criminal offence will always be reported to the Gardai Síochána//Police Service of Northern Ireland (PSNI)
- Provide guidance to members of Scouting Ireland around who is best placed to informing the child's parents/guardians when a report is submitted to the statutory authorities.
- Record all concerns or allegations of child abuse and welfare brought to their attention as well as any decisions taken in response to these concerns.
- Provide feedback to the referrer, as appropriate. In incidents where a decision is made by Scouting Ireland not to make a referral to the statutory authorities the referrer should be informed by the DLP the reason why Scouting Ireland will not be reporting and that if they wish, they can make a report to the statutory authorities.
- Ensure that a secure system is in place to manage confidential records.
- Act as an ongoing liaison with the statutory authorities.
- Ensure implementation of these Scouting Ireland Safeguarding and Child Protection procedures across Scouting Ireland and coordinate the ongoing review of the Scouting Ireland's Safeguarding Risk Assessments and review of the Scouting Ireland Child Safeguarding Statement.
- To undertake any training required of them in the role

2.3 Deputy Designated Liaison Person (DDLP)

Scouting Ireland has appointed Deputy Designated Liaison Persons (DDLP). They are a resource for all Scouting Ireland personnel, parents/guardians who have any queries or concerns relating to child safeguarding. The DDLP's will liaise with outside

agencies on behalf of Scouting Ireland and will receive regular and appropriate training for this role. The DDLP's are appointed nationally by Scouting Ireland and are employees of the organisation based in the Safeguarding Department of Scouting Ireland as Case Officers.

2.4 Role and responsibilities of the DDLP

- The Role of DDLP is the same Role as the DLP

NOTE: When the DLP is unavailable the DDLP will perform all of the functions of the DLP

There are a number of Scouting Ireland staff who are trained DLP's, however all concerns/allegations /suspicions relating to child welfare and protection should be made directly to the Safeguarding Department of Scouting Ireland.

Scouting Ireland Safeguarding Department

In Northern Ireland Designated Persons are referred to as Designated Officers and the Designated Officers in Scouting Ireland are the Safeguarding Manger, and the DLP's/Case Officers and they are the persons to whom you a report should be made.

2.5 Mandated Persons within Scouting Ireland

In the Republic of Ireland, the Children First Act 2015, defines certain persons as "Mandated Persons". Within Scouting Ireland the following personnel are deemed 'Mandated Persons' under this legislation.

- Safeguarding Manager and the DLP's/Case Officers
- Chief Executive Officer (CEO) of Scouting Ireland
- Volunteers who Self Declare as Mandated Persons

Designated Officers Contact Details

The list of mandated persons will be maintained by Scouting Ireland who will be responsible for updating it in the event of any personnel change or changes to role/job description. It will also be reviewed in line with the review of this policy document and Scouting Ireland Child Safeguarding Statement every 24 months or sooner, in the event of any change to national policy or legislation.

Within the Republic of Ireland Schedule 2, Section 2 of the Children First Act 2015 as amended provided a list of the classes of persons who are specified as Mandated Persons for the purposes of this Act.

Classes of persons who are specified as mandated persons

Scouting Ireland's Chief Executive Officer, Safeguarding Manager and Case Officers at the Safeguarding Department are Mandated Persons under the Act. Members of the Clergy, members of An Garda Siochana and Foster Carers are Mandated Persons and may have obligations as Mandated Persons at all times.

Persons who are Mandated Persons [under Schedule 2, Section 2 of the Act] in a professional capacity may also be Mandated Persons if acting in a voluntary capacity. Any Scouter [Adult Volunteer] who is a Mandated Person in their profession may also be a Mandated Person in a voluntary capacity provided the voluntary role involves that person discharging an analogous or comparable role to the professional role which warrants their designation as a Mandated Person.

All Scouters are required to declare to Scouting Ireland if they believe that they are Mandated Persons while acting in a voluntary capacity with the organisation.

Scouting Ireland will maintain a record of this declaration on its Data Base. Procedure for Maintaining a List of Mandated Persons in Scouting Ireland

All adults applying to become Scouters will be required to indicate if they believe that they are a Mandated Person while acting in a voluntary capacity.

All existing Scouters will be requested to indicate if in their view they are or are not a Mandated Person while acting in a voluntary capacity. A record of this return will be maintained by Scouting Ireland.

The Chief Executive Officer of Scouting Ireland will inform any Scouting Ireland Personnel in writing if their role is that of a Mandate Person under the Children First Act 2015 as amended.

2.6 Role and Responsibilities of Mandated Persons within Scouting Ireland

Within the Republic of Ireland mandated persons have a statutory obligation to report concerns which meet or exceed a particular threshold of 'harm' (see section 4.10) and to assist Tusla, the Child and Family Agency (hereafter referred to as Tusla). Mandated persons can also be mandated to assist Tusla in their assessment of child protection and welfare concerns about children who have been the subject of a mandated report

All mandated persons will be informed in writing that they are mandated and will be briefed on their role and responsibilities under the Children First Act 2015. Any new Scouting Ireland staff member that is mandated in their role will be briefed on commencement of their employment and/or volunteering.

See section 4.9 for mandated person's responsibilities in reporting procedures.

See section 8 of the Children First Act 2015 as amended.

For information in relation to the roles of Relevant Persons please refer to: Section 11 of the Children First Act as amended.

Tusla's Children First: National Guidance (2017) page 34

Procedure for appointment of relevant person as specified procedure under Children First Act 2015

2.7 Relevant Person

Within the Republic of Ireland a Relevant Person is defined by the Children First Act 2015 as amended as "a person who is appointed by a provider of a relevant service to be the first point of contact in respect of the provider's child safeguarding statement". See section 8 of the Children First Act 2015 as amended.

Scouting Ireland is a provider of a relevant service and is required under the Act to appoint a relevant person. The relevant person is the first point of contact in relation to the Child Safeguarding Statement.

Appointment of a Relevant Person

Scouting Ireland's process for the appointment of a relevant person is as follows:

1. The Board of Scouting Ireland will propose the relevant person and delegate the function to the Chief Executive Officer [CEO]
2. The Chief Executive Officer may delegate this function to a nominated individual
3. The name of the relevant person will be displayed on Scouting Ireland's Child Safeguarding Statement

2.8 Other resources

Other key roles of support/advice for Volunteers in Scouting Ireland are the Provincial Support Officers (PSO) of Scouting Ireland and the Group Leaders of the Scout Groups. Both roles are support/advice roles where volunteers can avail of advice in relation to any concerns, they may have in relation to a child welfare issue. PSO's and Group Leaders will consult with the volunteer and advise of the steps that the volunteer must take but confidentiality must not be breached by identifying the persons to PSO'S or Group Leaders.

PSO's and Group Leaders are not DLP's but will assist with support/advice to the volunteers and inform them to contact the DLP's at the Safeguarding Department with any child welfare concerns.

DLP Contact Details

Scouting Ireland Role descriptions

Role of the Group Leader

Primarily responsible for the management and co-ordination of the resources of the Scout Group in accordance with the policies of Scouting Ireland and that all members of the Group meet their responsibilities to Scouting in the community. The Group Leader will also ensure that all volunteers in their group will undertake the appropriate training. The Group Leader must undertake the relevant Group Leader training as set out by the Board of Scouting Ireland. They must endeavour to ensure openness and fairness in the operations of the Scout Group.

Role of the Provincial Support Officers

To provide effective support to the Scout Groups and Volunteers to enable them to effectively support the delivery and facilitation of the Scout Programme.

- PSO actively support Scout groups in the Adult Recruitment process.
- The PSO provides advice to Scout Groups and Volunteers on national policy, initiatives, and other relevant topics.
- The PSO provides advice and assists volunteers with the implementation of the Adults in Scouting model which includes the training and supporting of adult volunteers to be effective volunteers in their roles within Scouting Ireland.
- The PSO's are required to undergo any training as maybe required (internal & external).

The role requires them to be willing to work during the evenings and on weekends when necessary.

Section 3

Procedure to Manage any Risk Identified within Scouting Ireland

3.1 Introduction

In the Republic of Ireland section 11 of the Children First Act 2015 as amended, requires organisations that are providers of relevant services to prepare a Child Safeguarding Statement. For further information please refer to Schedule 1 and Section 2 of the Act.

As Scouting Ireland is an organisation that provides relevant services under the Act the organisation is obliged to maintain a written Child Safeguarding Statement that specifies the service being provided and procedures to be observed in order to ensure, as far as practicable, that a child availing of the service is safe from harm.

Section 11 (3) (a) of the Children First Act 2015 as amended requires that a Child Safeguarding Statement should specify the procedures that are in place for managing any risk identified.

The purpose of this procedure is to:

- Comply with the requirement to have a specified procedure in relation to managing any risk identified within Scouting Ireland
- To identify the procedures adopted to manage any risk identified within Scouting Ireland

Application

The procedure is intended to provide information to Scouters, Scouting Ireland Personnel, the Board of Scouting Ireland, to youth members and their families, and to members of the public in respect of the procedure used to identify and manage any risk identified.

Procedures in place to manage any risk identified within Scouting Ireland

Scouting Ireland conducts risk assessments and will put a procedure in place to mitigate and manage each identified risk.

1. Child Safeguarding Statement Annual Review of Risk Assessments of Harm to identify any new risk
2. Group Risk assessments for activities to identify any risk of harm
3. Consent Forms
4. Information sheets for Parents, Scouters and Children.

Risk assessment

Republic of Ireland

Northern Ireland

3.2 Purpose of the Risk Assessment

Under the Children First Act 2015, Scouting Ireland must undertake a risk assessment. A risk assessment is an exercise where the organisation examines all aspects of its service from a safeguarding perspective, to establish whether there are any practices or features of the service that have the potential to put children at risk.

The risk assessment process is intended to enable the organisation to:

- Identify potential risks
- Develop policies and procedures to minimise risk by responding in a timely manner to potential risks

- Review whether adequate precautions have been taken to eliminate or reduce these risks

3.3 Child Safeguarding Statement

After the risk assessment has been completed, Scouting Ireland is required to develop a Child Safeguarding Statement that outlines the policies and procedures which are in place to manage the risks that have been identified.

Scouting Ireland Website scouts.ie

The Child Safeguarding Statement will be communicated throughout Scouting Ireland by the following means:

- Adoption and ratification by the Board of Directors of Scouting Ireland
- Dissemination from the Scouting Ireland Board of Directors to each Group Council/Assemblies, Province and Scout County Board and National Campsites.
- Retained and displayed in all Scouting Ireland premises
- Displayed on the Scouting Ireland website
- Inclusion of a link [where appropriate] on all social media platforms, newsletters, bulletins
- Made available on request to parents, young people, and members of the public
- Emailed to all registered members

Child safeguarding statement and Risk Assessment (Republic of Ireland)

In the Republic of Ireland there is a legal requirement for all Scout Groups to display a Child Safeguarding Statement in all premises used by Groups. It will be furnished to all Scouting Ireland Personnel and available on request to parents, members of the public and Tusla.

Child safeguarding statement and Risk Assessment (Northern Ireland)

In Northern Ireland while there is no legislative requirement to display a Child Safeguarding Statement, it is considered best practice. Scouting Ireland will provide a Child Safeguarding Statement to be used by groups in Northern Ireland which reflects the relevant legislation.

Section 4

Responding to and Reporting Child Protection Concerns

4.1 Introduction

The guiding principle when a child protection or welfare report has to be made is that the safety and wellbeing of the child takes priority over all other considerations.

Scouting Ireland must have reporting procedures in place that are understood, implemented, and followed by all Scouting Ireland Personnel and any individuals employed or volunteering within Scouting Ireland.

The responsibility to report child protection or welfare concerns applies to everyone working with children.

The purpose of this procedure is to:

- Comply with the requirement to have a specified procedure in relation to reporting to the statutory authorities by Scouting Ireland or a member of staff of Scouting Ireland (whether a mandated person or otherwise).
- To identify the procedures for reporting to the statutory authorities by Scouting Ireland or a member of staff of Scouting Ireland (whether a mandated person or otherwise) in accordance with this Act.

Northern Ireland

All professionals, staff and volunteers working with children, young people and their families within and across all organisations must be able to recognise, and know how to act on, concerns that a child or young person may be at risk of harm. They must know how to access child safeguarding advice, how to escalate concerns about a child's welfare within their own organisation and or specialism and how to refer a child to the relevant Health and Social Care Trust (HSCT) Children's Service when they are concerned about a risk of harm. They should also be alert to harm which may happen outside of Scouting activities, including the potential for harm arising from interaction with staff or volunteers. They should know:

- when, how and who to seek advice and support from in their own organisation.
- when and how to make a referral to a HSCT Gateway Service, including the need to following up oral referrals in writing.
- that action or intervention to protect a child or young person believed to be in immediate danger must never be delayed.
- that a formal electronic or written record must be kept of any concerns and discussions raised about a child or young person considered to be at risk; and
- that when a decision is taken not to take further action, the basis of this decision must be recorded by the decision maker and countersigned by a more senior officer of the organisation.

Application

The procedure is intended to provide information to Scouters, Scouting Ireland Personnel, the Board of Scouting Ireland and to youth members and their families, and to members of the public the procedure for reporting to the Statutory Authorities by Scouting Ireland or a member of staff of Scouting Ireland (whether a mandated person or otherwise).

The definitions of child abuse which are used in this policy are in accordance with Children First: National Guidance for the Protection and Welfare of Children 2017 [Department of Children and Youth Affairs – ROI]

4.2 Recognising child protection and welfare concerns

It is important that all adults in Scouting Ireland are aware of the ways in which children and young people can be harmed and have knowledge about the types of abuse and how they may be recognised. This section and the accompanying appendices provide information on child abuse definitions and features.

Note:
In the Republic of Ireland, the Child Care Act 1991 defines "a child" as a person under the age of 18 years, other than a person who is or has been married. The age of sexual consent is 17 years (other than a person who is or has been married).

In Northern Ireland "a child" is a person under the age of 18 years. The Sexual Offences (Northern Ireland) Order 2008 reduced the age of sexual consent from 17 years of age to 16 years of age.

In the Republic of Ireland and in Northern Ireland child abuse is categorised into four different types: neglect, emotional abuse, physical abuse, and sexual abuse.

A child may be subjected to one or more forms of abuse at any given time. Abuse and neglect can occur within the family, in the community or in an institutional setting. The abuser may be someone known to the child or a stranger and can be an adult or another child. The important factor in deciding whether the behaviour is neglect or abuse is the impact of that behaviour on the child rather than the intention of the person harming them. In a situation where abuse is alleged to have been carried out by another child, Scouting Ireland will consider this a child welfare and protection issue for both children, and will follow child protection procedures for both the victim and the child against whom the allegation has been made. See section 3.2 below for more information.

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

Circumstances which may make children more vulnerable to harm

Some children may be more vulnerable to abuse than others. Also, there may be 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, LGBT young people, or children with a parent or parents with problems in their own lives may be more susceptible to harm. In a scouting context, safeguarding measures on trips away from home will be considered a priority.

All Scouting Ireland adults should consider these factors as part of being alert to the possibility that a child may be at risk of suffering abuse and in bringing reasonable concerns to the attention of the statutory agencies.

4.3 Peer Abuse

In a situation where child abuse is alleged to have been carried out by another child, child protection procedures must be adhered to for both the victim(s) and the alleged child (children). The report will be treated as a child protection issue for the children involved. Any reasonable grounds of concern relating to the abuse or harm of a child by another child will be addressed in line with the procedures as set out in this document.

4.4 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 or online.

It includes behaviours such as physical aggression, cyber-bullying, 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; those from the Traveller community; lesbian, gay, bisexual, or transgender (LGBT) children and those perceived to be LGBT; and children of minority religious faiths.

There can be an increased vulnerability to bullying among children with special educational needs. This is particularly so among those who do not understand social cues and/or have difficulty communicating. Some children with complex needs may lack understanding of social situations and therefore trust everyone implicitly. Such children may be more vulnerable because they do not have the same social skills or capacity as others to recognise and defend themselves against bullying behaviour. 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. Sometimes this may expand into organisations such as Scouting.

Scouting Ireland is committed to dealing with bullying and has Codes of Behaviour for young people, and an anti-bullying policy. In cases of serious instances of bullying where the behaviour is regarded as possibly abusive, Scouting Ireland will make a referral to the statutory authorities.

Anti-bullying Policy

NYCI "Let's beat bullying" Resource

Children Bureau Northern Ireland Bullying Forum

4.5 Reasonable Grounds for Concern (Children First National Guidance)

Scouting Ireland will inform the appropriate statutory authorities when there are reasonable grounds for concern that a child may have been, is being, or is at risk of being abused or neglected. Scouting Ireland will not ignore what may be symptoms of abuse, as it could result in ongoing harm to the child.

It is not necessary to prove that abuse has occurred in order to report a concern. All that is required is that there are reasonable grounds for concern. It is the statutory agencies' role to assess concerns that are reported to them. When Scouting Ireland report a concern, the information will be considered by the relevant statutory authorities along with any other information available. A social work Assessment is conducted to establish the level of risk.

Reasonable grounds for a child protection or welfare concern include: (Children First National Guidance)

Republic of Ireland

- Evidence, for example an injury or behaviour, that is consistent with abuse and is unlikely to have been caused in any other way
- Any concern about possible sexual abuse
- Consistent signs that a child is suffering from emotional or physical neglect
- A child saying or indicating by other means that he or she has been abused
- Admission or indication by an adult or a child of an alleged abuse

Northern Ireland

- Evidence, for example an injury or behaviour, that is consistent with abuse/harm and is unlikely to have been caused in any other way
- Any concern about possible sexual abuse
- Consistent signs that a child is suffering from emotional or physical neglect
- A child saying or indicating by other means that he or she has been abused
- Admission or indication by an adult or a child of an alleged abuse/harm

4.6 Responding to child protection concerns

DLP Contact Details

Scouting Ireland adults should deal with any concern/allegation/suspicions of abuse from a child or young person sensitively and carefully. Where a child/young person discloses abuse, Scouting Ireland Personnel must follow the reporting procedures. A disclosure of abuse from a child/young person meets reasonable grounds for concern and the threshold of harm for making a mandated report. The following approach is suggested as best practice for dealing with any concern/allegation/ suspicions and must also be reported

Do not conduct an investigation

- React calmly
- Listen carefully and attentively
- Take the child seriously
- Reassure the child that they have taken the right action in talking to you
- Do not promise to keep anything secret
- Ask questions for clarification only.
- Do not ask leading questions
- Check back with the child that what you have heard is correct and understood
- Do not express any opinions about the alleged abuser
- Ensure that the child understands the procedures that will follow
- Make a written record of the conversation as soon as possible, in as much detail as possible in the child's own words.
- Treat the information confidentially, discuss the matter only with people who really need-to know.

The above guidance will be highlighted in Scouting Ireland Safeguarding training for Scouters.

4.7 Reporting Procedure

GDPR/Data protection and recording and storing of information

All adults within Scouting Ireland have a responsibility to report any concerns they may have in respect of child protection and welfare. Everyone involved in Scouting Ireland must raise any concerns relating to child abuse with the DLP. It is important to note that joint reporting exists for all, a joint report can be made with the DLP, parent/guardian, and a non-mandated referrer.

Following a disclosure from a child, or following observations/interactions with a child relating to child welfare, neglect or abuse, the following are the steps to be followed –

- If you consider the child to be in immediate risk, make contact directly and immediately with An Garda Síochána or the Police Service of Northern Ireland. You should then follow up with a report to the Safeguarding Department DLP's in Scouting Ireland.

- If the concern is not urgent or does not involve immediate risk to the child - Contact the Safeguarding Department (DLP's) during office hours.

If you are unsure if a report should be made you can contact the Scouting Ireland Safeguarding Department DLP's who can discuss it with you. If the DLP is also unsure if the concern meets the threshold for reporting they may seek advice from a Duty Social Worker who can provide guidance. It is important to note that if Scouting Ireland Personnel are not satisfied with the DLP decision that the concern does not meet the threshold to report to the statutory authorities. Scouting Ireland Personnel may themselves make a report to the statutory authorities. **Scouting Ireland Personnel must inform the Safeguarding Department that they have made a report. Where a report is made directly to the statutory authorities, a copy must be forwarded to the Safeguarding Department.** It is not appropriate for anyone to hold copies of this information. All information must be stored at the Safeguarding Department.

- In the Republic of Ireland if reasonable grounds for concern are reached the DLP will complete the relevant form and submit it to the relevant statutory authorities.

- In Northern Ireland If there are reasonable grounds for concern, after consultation with the relevant Gateway team, the DLP will complete the relevant form and submit a referral.

- It is Scouting Ireland policy that parents should be informed that a report is to be made to a statutory authority unless there is a danger to the child, or it may interfere with any statutory authorities' assessment/investigation. This can be discussed with the DLP and if unsure whether to inform parents, the DLP can seek advice from the Tusla in Republic of Ireland and Gateway in Northern Ireland.

- Following the report being made the DLP will continue to liaise with the statutory authorities as appropriate.

- The Group Leader, where appropriate, and on a need-to-know basis will be informed by the DLP that a concern has been raised in respect of their group to Scouting Ireland and it has/has not been reported to the statutory authorities. The Group Leader is obliged to maintain confidentiality in respect of this information; however, the Group Leader will not always be informed of the details of a report. Decisions about informing the Group Leader will be made on a case-by-case basis.

- In order to maintain the confidentiality of the process, information must only be shared on a need-to-know basis and must not be discussed among peers in Scouting Ireland See section 6.1 for more information on confidentiality. The DLP will need to provide as much information as possible about the child when making a report to the statutory agencies. Where possible, when making a report to the DLP, the following information should be included (information being unavailable must not prevent a report being made to the statutory authorities);

- The child's name, address, and age

- Names and addresses of parents or guardians

- Names, if known, of who is allegedly harming the child or not caring for them appropriately

- A detailed account of your grounds for concern (e.g. details of the allegation, dates of incidents, and description of injuries)

- Names of other children in the household

- Name of school the child attends

- Contact details of the reporter who raised the concern, as the statutory authorities may wish to make contact with them.

NOTE: If the person alleged to be causing harm or abuse is a child, the reporting procedures above are followed for both children. See section 3 above for more details responding to peer abuse

Protection for Persons Reporting Act 1998 (Republic of Ireland)

Criminal (Northern Ireland) Law Act 1967

4.8 Non-reporting of concerns

Where the DLP decides that the grounds for reasonable concern are not met, the DLP must inform the reporter in writing as to the reasons for that decision and advise the reporter that he/she may make a report directly to the statutory authorities. Scouting Ireland Personnel who do report directly to the statutory authorities must inform Scouting Ireland Safeguarding Department that they have made a referral directly. Failing to advise the Safeguarding Department and providing copies of any reports may be subject to a breach of the Scouting Ireland Code of Behaviour. In the Republic of Ireland persons are protected under the Protection for Persons Reporting Child Abuse Act 1998, should they report independently.

When the decision is taken not to report the concern, the DLP must maintain a written record of all actions and communications and record the reason(s) for not reporting This includes recording of any informal consultations and any advice received from the statutory authorities.

4.9 Mandated Persons reporting procedure Children First Act 2015

Mandated Persons in Scouting Ireland should inform the Safeguarding Department if making a report of harm. The safeguarding Department cannot make a mandated report on behalf of a Mandated Person, however the Safeguarding Department and other Mandated Person should make the report jointly. If the Mandated Person and/or the Safeguarding Department are in doubt about whether the concern reaches the legal definition of harm for making a mandated report, guidance from Tusla should be sought.

Where a Mandated Person has a concern that they believe does not reach the threshold for a mandated report, they should consider whether the concern meets reasonable grounds for concern. If the Mandated Person thinks the concern does meet reasonable grounds for concern, they should report the concern to their DLP, in line with current policies and Legislations and Scouting Ireland reporting procedures.

4.10 Threshold of Harm for Mandated Persons

When a Mandated Person in Scouting Ireland is considering whether they should make a mandated report of harm to a child, the Children First Act 2015 defines 'harm' in a relation to a child as

- Assault, ill-treatment, or neglect of the child in a manner that seriously affects or is likely to seriously affect the child's health, development, or welfare, or
- Sexual abuse of the child, whether caused by a single act, omission or circumstance or a series or combination of acts, omissions, or circumstances, or otherwise.

Section 14(1) of the Children First Act 2015 states:…
where a Mandated Persons knows, believes or has reasonable grounds to suspect, on the basis of information that he or she has received, acquired or becomes aware of in the course of his or her employment or profession as such a mandated person, that a child—

- *Has been harmed,*
- *Is being harmed, or*
- *Is at risk of being harmed, he or she shall, as soon as practicable, report that knowledge, belief, or suspicion, as the case may be, to the statutory agencies.*

In the Republic of Ireland Section 14(2) of the Children First Act 2015 places obligations on mandated persons to report any disclosures made by a child:

"Where a child believes that he or she–
(a) Has been harmed,
(b) Is being harmed, or
(c) Is at risk of being harmed,
and discloses this belief to a mandated person in the course of a mandated person's employment or profession as such a person, the mandated person shall, as soon as practicable, report that disclosure to [Tusla]."

It is important to note that if a Mandated Person is making a report, they must inform Scouting Ireland safeguarding department and a joint report will be made with the Mandated person and the DLP.

4.11 Withholding of Information

In the Republic of Ireland the Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012 make it a criminal offence to withhold information about a serious offence, including a sexual offence, committed 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 information legislation are **in addition** to any reporting requirements under the Children First Act 2015.

In Northern Ireland see – Link to Cooperating to safeguard Children and Young People 2016

[Children First Act 2015 (Republic of Ireland)]

4.12 Dealing with a Retrospective Allegation

If an adult within Scouting Ireland receives a disclosure from another adult about abuse they suffered as a child, this must be reported to the Safeguarding Department, who will then notify the statutory authorities in line with procedures outlined above. It is important to also ensure that in a retrospective allegation that there is no current risk to children if the person subject to the allegation is still living. See Section 5 below

[Cooperating to safeguard Children and Young People 2016]

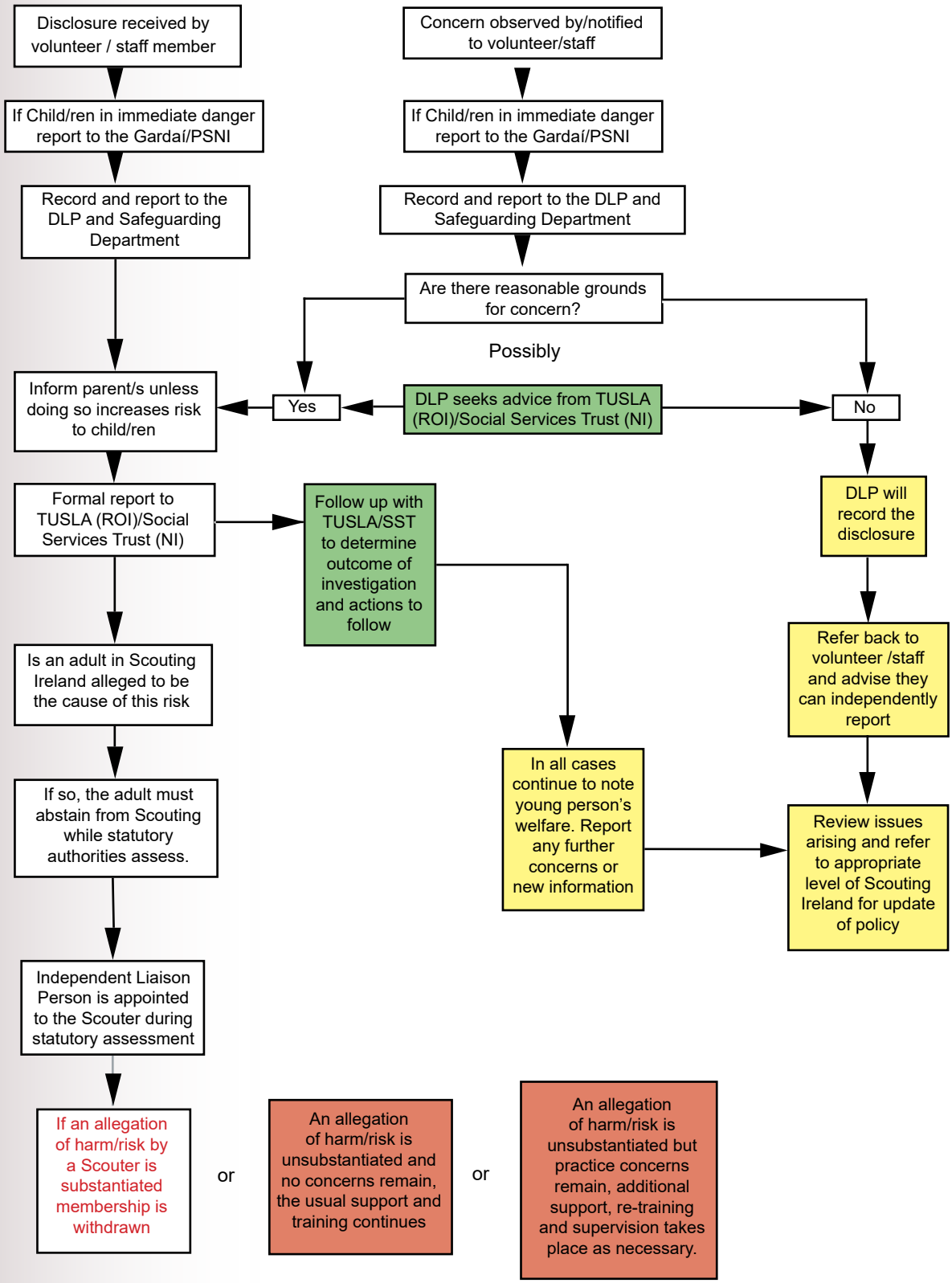
4.13 Anonymous reports

If the DLP or any Scouting Ireland Personnel receives an anonymous report regarding a concern about a child protection and/or welfare within Scouting Ireland, they will follow the reporting procedure outlined above. Scouting Ireland Personnel must inform a DLP at the Safeguarding Department. However, it will likely be much more difficult to establish reasonable grounds for concern without having information directly from the reporter who has raised the concern, and this may impede on any subsequent informal consultation/investigation.

4.14 Diagram of the Overview of reporting procedures

see next page

Reporting Procedure Overview



Mandated Persons: Please see appendix 2 of the Scouting Ireland Child Safeguarding and Child Protection Policy & Procedures. If you are a mandated person you will need to follow your legal obligations under Child First Act and follow the procedures outlined in the Scouting Ireland Child Protection and Safeguarding Policy and Procedures. Sections 2.6 and 4.9 of the policy

Section 5

Responding to allegations of abuse against Scouting Ireland Personnel

5.1 Introduction

In the Republic of Ireland section 11 of the Children First Act 2015 as amended, requires organisations that are providers of relevant services to have a procedure in respect of any member of staff who is the subject of any investigation (howsoever described) in respect of any act, omission or circumstance in respect of a child availing of the relevant service,

As Scouting Ireland is an organisation that provides relevant services under the Act the organisation must have a procedure for the management of allegations of abuse against staff/volunteers.

Section 11 (3) (b) of the Children First Act as amended requires that procedures are in place in respect of any member of staff who is the subject of any investigation (howsoever described) in respect of any act, omission or circumstance in respect of a child availing of the relevant service.

The purpose of this procedure is to:

- Comply with the requirement to have a specified procedure in relation to any member of staff who is the subject of any investigation (howsoever described) in respect of any act, omission or circumstance in respect of a child availing of the relevant service
- To outline the steps taken in relation to any Scouting Ireland personnel subject to subject of any investigation (howsoever described) in respect of any act, omission, or circumstance in respect of a child availing of Scouting Ireland.

Application

The procedure is intended to provide information to Scouters, Scouting Ireland Personnel, the Board of Scouting Ireland to youth members and their families, and to the members of the public in respect of the steps taken to manage any allegations of abuse against Scouting Ireland staff/volunteers.

An allegation of child abuse may relate to a person who is a member of Scouting Ireland 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 Scouting Ireland's Code of Behaviour; or
- Behaved in a way that is contrary to professional practice guidelines.

If an allegation is made against a Staff/Volunteer in Scouting Ireland, the organisation will ensure that everyone involved is dealt with appropriately and in accordance with the rules of natural justice and any relevant employment law. Scouting Ireland has a dual responsibility in respect of both the child/young person and the Staff/Volunteer.

Scouting Ireland Disciplinary Policy SID-CCD04

There are two separate procedures to be followed:

- The Scouting Ireland Reporting Procedure to statutory authorities in respect of the child/young person and the alleged abuser.

- The Scouting Ireland internal personnel procedure for dealing with the Staff/Volunteer.

Scouting Ireland endeavours to ensure that when an allegation is made against a Staff/Volunteer a quick resolution will be sought for the benefit of all concerned, but the welfare and safety of the child will be the primary concern.

5.2 Responding to allegations against Scouting Ireland Personnel.

Scouting Ireland Grievance and Disputes Process

If an allegation is made against an adult who is a member of Scouting Ireland, the priority of Scouting Ireland is to protect the child and/or other children, while taking account of the rights of the person against whom the allegation has been made.

Scouting Ireland will ensure that everyone involved is dealt with appropriately and fairly. The allegation will be handled in accordance with Scouting Ireland's Safeguarding Policy and Procedures, and Scouting Ireland will apply fair procedure and relevant employment law. Scouting Ireland may seek legal advice.

Where concerns are raised about an adult in Scouting which:

- do not reach the level of reasonable grounds of concern
- do not constitute harm,
- are not considered to be a child welfare or child protection concern by the DLP,
- are considered to be a Breach of the Code of Behaviour

and a report is not made to the statutory authorities, Scouting Ireland may invoke its Discipline Policy. See Section 11 below on Non-Compliance with Scouting Ireland's Rules and Regulations.

Where the concerns raised are not related to child safeguarding or child welfare and protection, please see Scouting Ireland's Grievance and Disputes Process

Where there is an allegation, suspicion, or concern of child abuse against a member/employee in Scouting Ireland that gives rise to reasonable grounds for concern/threshold of harm the following procedures must be followed.

- Scouting Ireland will comply with the reporting procedure to the statutory authorities in respect of the child and the alleged abuser.
- The internal personnel procedure for dealing with the Scouting Ireland Personnel will be the responsibility of the Manager Volunteer Resource Management and Group Support (MVRMGS) and the Chief Executive Officer (CEO).

5.3 Role of the DLP

Where a report is received by the Safeguarding Department of Scouting Ireland it will be reviewed by the DLP to establish if there are reasonable grounds for concern or harm and whether a report will be made to the Statutory Authorities A The DLP may wish to contact statutory authorities for advice on the issue.

If there are grounds for reporting, the DLP will follow the normal child protection reporting procedure in Scouting Ireland See section 4 This also includes the reporting responsibilities for mandated persons under the Children First Act 2015 their responsibilities to report. See Section 2.6

Parents/guardians of a child involved should be informed of any action planned or taken if appropriate, while having regard to the confidentiality rights of others, such as the person against whom the allegation has been made.

All stages of the process will be recorded by the DLP in line with Scouting Ireland guidance on record keeping in section 6.

5.4 Role of the Volunteer Resource Management and Group Support (MVRMGS) and the Chief Executive Officer (CEO) in relation to Staff and Volunteers

Where there is an allegation, suspicion or concern of child abuse against a Staff/Volunteer in Scouting Ireland that gives rise to reasonable grounds for concern or harm, it will be the responsibility of the CEO/MVRMGS to deal with the Scouting Ireland Staff/Volunteer against whom an allegation has been made.

The following steps will be followed when an allegation is made against an adult within Scouting Ireland:

- The safety of the child is the first priority of Scouting Ireland and all necessary measures will be taken to ensure the safety of children. The measures taken will be proportionate to the level of risk to child/children Scouting Ireland will ensure that no other children/young people are at risk during this period and will inform other relevant parties as appropriate. In cases of Scouting Ireland staff members, these measures should not unreasonably penalise the employee, unless necessary to protect young people. The measures which can be taken to ensure the safety of children and young people may include the suspension (without prejudice) from duty of the person against whom the allegation has been made

- Scouting Ireland acknowledges that measures such as suspension do not presume guilt on behalf of the individual under suspension.

- If a report is being made to the statutory authorities by the DLP in respect of a Scouting Ireland member or employee, the Manager, Volunteer Resource Management and Group Support (MVRMGS) and the Chief Executive Officer(CEO) will be informed and the person against whom the allegation has been made will be informed by the Manager, Volunteer Resource Management and Group Support (MVRMGS) and/or the Chief Executive Officer (CEO), will be informed case by case basis, of the detail of the allegation. The person against whom the allegation has been made has a right to respond to the allegation, and should they provide a response this should be documented and retained. The Volunteer Resource Management and Group Support (MVRMGS) and the Chief Executive Officer (CEO) should note the response and forward this information to the statutory authorities. The person against whom the allegation has been made should be offered the option of having representation and should be informed that any response they make will be shared with statutory authorities.
- Scouting Ireland will ensure fair procedure is applied when dealing with such matters.

- Scouting Ireland will work in co-operation with the statutory authorities and any action to be taken in regard to the person, against whom the allegation has been made, may involve consultation with these agencies.

- The Volunteer Resource Management and Group Support (MVRMGS) and the Chief Executive Officer (CEO) dealing with the issue should ensure that actions taken by the organisation do not frustrate or undermine any investigations or assessments undertaken by the statutory authorities. Continued liaison between Scouting Ireland and the statutory authorities should be maintained throughout.

The person against whom the allegation is made may need support during this period and Scouting Ireland will consider how best to support them.

- Throughout the process all interactions will be recorded, and appropriate levels of confidentiality will be maintained.

Republic of Ireland
Withholding of information in offences against children and vulnerable persons Act 2012

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.

In Northern Ireland there is no legislative equivalent, but it is a crime to know about a crime and not report it and could lead to civil proceedings.

Scouting Ireland Suspension Policy

Employee Assistance Programme and Counsellings (EAP)

5.5 Allegations against Professional Staff

If there is an allegation or suspicion in relation to Scouting Ireland's DLP, the CEO of Scouting Ireland will deal with the DLP and Deputy DLP with deal the alleged victim.

If there is an allegation made against the Volunteer Resource Management and Group Support (MVRMGS) and the Chief Executive Officer (CEO) the Chairperson of the Board of Directors of Scouting Ireland will deal with the person against whom the allegation has been made and the DLP will deal with the alleged victim.

5.6 Disciplinary actions

Scouting Ireland Disciplinary Policy SID-CCD04

On completion of the statutory agency's investigation/assessment, a number of actions can be taken by Scouting Ireland. These include invoking its disciplinary process, further education and/or training. Where a person has been suspended a risk assessment will be conducted to determine their suitability to resume active scouting. Please see link opposite.

5.7 Erroneous Allegations

Scouting Ireland Disciplinary Procedure

Scouting Ireland personnel may feel vulnerable to accusations of abuse. This may arise from a misunderstanding, malicious reporting, or a genuine mistake. Scouting Ireland will ensure that all allegations are dealt with sensitively and that fair procedure will apply whilst ensuring that the welfare of the child/young person is paramount. Throughout the process of responding to an allegation, Scouting Ireland will ensure that appropriate levels of confidentiality will be maintained. See Section 6.1 below for more information on confidentiality.

5.8 Procedures in place to Support the Management of Allegations of Abuse against Staff/volunteer

Scouting Ireland Suspension (without prejudice) Policy SID-CCD05

- Scouting Ireland's Suspension (without prejudice) Policy SID-CCD05
- Scouting Ireland's Risk Assessment Policy (Readmission following Suspension)
- Scouting Ireland's Disciplinary Policy SID-CCD04

Scouting Ireland Risk Assessment Policy (Readmission following Suspension)

Review

These procedures will be reviewed annually and/or where there is a change to legislation and/or policy or any other circumstance that requires the procedures to be reviewed.

Safeguarding Vulnerable Groups 2007 legislation

In Northern Ireland there is the Disclosure and Barring Service NI - if a volunteer is removed or leaves an organisation due to concerns raised it must be reported to the Disclosure and Barring Service to establish whether that person should be put on the barred list. This is required by law - Safeguarding Vulnerable Groups (Northern Ireland) Order 2007 legislation.

Section 6

Managing Information

Scouting Ireland are committed to ensuring that when dealing with child welfare and protection issues that the following procedures are followed in relation to managing sensitive information.

6.1 Confidentiality

When child protection and welfare concerns arise, information will only be shared on a need to know basis, and in the best interest of the child. It is important that children within Scouting Ireland are made aware that if they disclose abuse, they understand that it cannot be kept secret, but that it will only be shared with people who are in a position to help them. Parents and children have a right to know if personal information is being shared, unless doing so puts the child at further risk or may impact on the assessment/investigation being conducted by statutory authorities.

NOTE: "The principles of data protection, recognise that in certain circumstances, necessary and proportionate Information can be shared in the interests of child protection." Children First Act 2015

6.2 Recording and sharing of information

Scouting Ireland will ensure that:

- Records will be factual and include details of contacts, consultations and any actions taken.
- Records will be shared with the Statutory Authorities where a child protection or welfare issue arises.
- Scouting Ireland records on child protection concerns, allegations and disclosures will be kept securely and safely within the organisation. This will be coordinated and managed by the DLP (Safeguarding Department).
- Records will only be used for the purpose for which they are intended.
- Records will only be shared on a need to know basis in the best interests of the child/young person.
- Records will be held confidentially under the custody of the DLP (Safeguarding Department) and CEO at Scouting Ireland National Office in Larch Hill.

GDPR/Data protection and recording and storing of information

Section 7

Safeguarding measures for Scouting Ireland Personnel who engage with children and young people.

7.1 Introduction

Scouting Ireland is committed to providing a safe environment for children. There are several additional areas of procedure and practice which combine to create safer environments when working with children and young people and the following information below describes best practices. In addition, the implementation of guiding principles in safeguarding will require Scouting Ireland to ensure that all procedures and practice are child-centred at all times. Child-centred practice means working in a way that puts the welfare and best interests of the child at the core of how we work. Child-centred practice supports the legal principle that the welfare of the child is of paramount importance.

Information provided on the following areas of best practice:

- Recruitment and selection of workers and volunteers – to ensure that Scouting Ireland have the appropriate Scouting Personnel in place to work with children/ young people and families to whom we provide services.
- Training and provision of information on safeguarding of children/young people – to endeavour to ensure that all Scouting Ireland Personnel are clear on their responsibilities and understand the different forms of abuse and risks that children/young people they are working with may be exposed to.
- Procedures for safe management of activities – to provide guidance to Staff/ Volunteers on planning and running activities in a way that focuses on the safety of children and young people.
- Management of workers and volunteers – to include the development and use of a "Code of Behaviour: To assist adults engaging with children in Scouting" - to provide clarity to Scouting Ireland Personnel regarding acceptable and unacceptable practices; as well as to give some guidance on how a code of behaviour can be used in your organisation as a tool for effective management of SI Personnel. Several support structures are available with regard to the Volunteers from Staff and other volunteer roles within Scouting Ireland. All groups have a staff member assigned to them in the role of their PSO's who are available to support and advise volunteers. Groups Leaders are also another support tool for the volunteers and Peer support is an important tool in their volunteering with Scouting Ireland.

Scouting Ireland Code of Behaviour and information sheets

7.2 Guidance

When considering any of the key areas of Best Practice please refer to Scouting Ireland's own guidance in relation to, Code of Behaviour, Risk Assessments, Child Safeguarding and Child Protection Policy and Procedures, Child Safeguarding Safety Statement, Recruitment and Adults in Scouting.

Scouting Ireland Consent Forms

Key practice point
Developing policies and procedures, consider the following:

- Intimate care – how are individual care needs met and how is this decided or agreed? Important to meet with parents and develop with the volunteers/ parents a clear role on this
- Communication – how are children/young people who have alternative communication needs catered for and included - Important to meet with parents and develop with the volunteers/parents a clear role on this

Scouting Ireland Complaints Procedure

Managing Meds Guidance

Managing Meds Form

Republic of Ireland

Child safeguarding statement and Risk Assessment

Northern Ireland

Child safeguarding statement and Risk Assessment

- Complaints procedure – where children/young people or their families are not happy with issues in the service, how do they raise this? – Information sheets for parents identify the complaints procedures:
- Risk assessment – where children/young people have additional individual needs, how does the service manage any specific identified risks? See Section 3 of this document
- Consultation and agreements with parents/guardians– what are the procedures for consulting with families around meeting the individual needs of their children/young people? – Information evenings, discussions with the core scouter team of the child, consent, and medical forms:
- Appropriate training – how do Staff/Volunteers access training to give them better knowledge and understanding of individual needs and how to work in an inclusive manner? Reference to Section 9 of this document

Section 8

Recruitment and Selection of Scouting Ireland Staff and Volunteers within Scouting Ireland.

8.1 Introduction

Scouting Ireland is committed to taking all reasonable steps to ensure that only suitable adults work with young people in our organisation. This includes a robust recruitment and selection procedure which includes background checks (including vetting), training, meeting with the applicant, probation period of 6 months, and ongoing support.

All adults must comply with current vetting legislation in their respective jurisdiction, adopt and agree to abide by this document, the Code of Behaviour, and to attend training. Persons of 17.5 years of age, or older,in the Republic of Ireland who are intending on becoming an Adult Volunteer can apply for vetting along with the completion of a Parental Consent form when submitting their e-vetting application.

Persons of 17.5 yrs of age, or older will not become SI Scouters until they have reached the age of 18yrs of age and have completed all stages of the Recruitment as outlined in Section 8.2 of this policy

As Scouting Ireland is an organisation that provides relevant services under the Children First Act the organisation is obliged to maintain a Procedure for Recruitment and Selection of Staff and Volunteers.

The purpose of this procedure is to:

- Comply with the requirement to have a specified procedure in relation to the selection or recruitment of any person as a member of staff of the provider with regard to that person's suitability to work with children

- To identify the procedures adopted in relation to the selection or recruitment of any person as a member of staff or volunteer in Scouting Ireland regarding that person's suitability to work with children

Application

The procedure is intended to provide information to Scouters, Scouting Ireland Personnel, the Board of Scouting Ireland and to members of the public in respect of the procedure used to select and recruit staff and volunteers.

8.2 Recruitment Procedure for Volunteers

- Show of interest, contact with Group Leader

The Group Leader (GL) or a designated Deputy Group Leader (DGL) meets with any adult who expresses an interest in becoming a Scouter. They should provide their contact details and should get contact details from the new volunteer. The GL/DGL will explain that we have a process to help interested adults to understand what is involved and what their role will be.

- The Story of Scouting – eLearning

The GL/DGL invites the volunteer to undertake 'The Story of Scouting' eLearning module on www.scouts.ie. After completing this short module, the participant will have a better idea about what Scouting is about and what it offers young people. The GL/DGL will look at the eLearning module so that they can answer any questions the volunteer may have about it.

- Group Life

Scouting Ireland Welcome to Scouting and Induction booklet

If the volunteer is still interested after they have completed the eLearning module then the Applicants will meet with the Group Leader or with the Group Delegate, who will outline the role and responsibilities, time commitment and training required. All Scouters who wish to be involved with the organisation must:

- Complete the adult online application including a self-declaration in relation to mandated persons.
- Supply two referee's (which are checked by the Group Leader)
- Comply with the relevant Vetting Legislation (including proof of ID and address)
- All applications for Membership within a group need approval of Group Council
- Obtain the approval of the relevant of Group Council for their membership applications
- Undertake safeguarding training

A data management system used to process the applications

The Group Leader/Deputy Group Leader may appoint another experienced Scouter to act as an Induction Facilitator for this volunteer or they may take on this role themselves. The Induction Facilitator will provide a copy of the Induction Handbook to the volunteer, invite them to read it topic by topic and deal with any questions as they arise. This may take a few days or a few weeks, as this part of the induction is the basis of getting the know the person by an informal interview to establish the persons views on child centre practices and child safeguarding and it is important that they take on the information and understand what the expectations/ commitments/ and adherence to policies and procedures are in relation to volunteering in Scouting Ireland

While this is ongoing the Induction Facilitator should plan for the volunteer to attend The Story of Scouting training course as soon as possible. They should introduce the volunteer to other Scouters in the Scout Group and explain how the Scout Group is organised.

The Group Leader/Deputy Group Leader should have a discussion about which of the Programme Sections would be best for the volunteer to work with, and to ensure that this is still the right choice for them. Once the volunteer has completed the induction process, approval of Group Council and training successfully the Group Leader/Deputy Group Leader will meet the volunteer and create a Mutual Agreement which outlines the probation period of 6 months and all expectations in relation to volunteering within Scouting Ireland.

NOTE: The recruitment of a volunteer can be a lengthy process to ensure the suitability of any person to work and volunteer with children

8.4 Recruitment of Employees

Scouting Ireland identifies the need to recruit an experienced individual to work in a department. The skill set required for this role is defined by the HR Manager and the role profile is designed/updated. The stake holders both internal and external are identified.

Internal Stakeholders
- Board of Directors
- Senior Volunteers
- Scouting Ireland Management Team
- Scouting Ireland Membership
- Youth / Child Members of Scouting Ireland and their Parents / Guardians

External Stakeholders
- National Youth Council of Ireland
- Department of Children,Equality, Disability,and Youth
- Child and Family Agency (Tusla)
- Other Youth Work Organisations
- Local and National Media

It is critical that this recruitment is carried out to the highest standard in a timely fashion. An assessment centre process has been identified as an excellent recruitment tool and is used by companies to assess candidates for a job. At assessment centres, candidates undertake a series of assignments designed to show an assessor that they possess the personal and technical skills for the job. Assessment centres are used to supplement interviews and obtain information relating to the qualities of the candidates.

It can consist of a number of elements including:
- A number of tests including group activities
- Practical simulations (in tray exercise)
- Presentations
- Psychometric testing
- Competency based interviews

Not all roles will go through the Assessment Centre process, this process is used for senior Manager and Specialist roles

Recruitment Process

A five-step process for the recruitment of specialist/manager roles is defined below

Step 1
- Advertise role with a 3 – week lead time
- Active link
- Scouting Ireland Website
- National Newspapers

A Recruitment agency may be considered for very senior or very specialist roles Use of a recruitment agency has a number of advantages:

- Bigger pool of potential candidates
- Screening of potential candidates Issues considered for using a recruitment agency/consultant:

Issues considered for using a recruitment agency/consultant
- Cost circa 3 months' salary plus advertisements
- Lead time for agreeing on recruitment company (Finance Procedures)

Step 2
Shortlisting of CV's

Step 3
The In-Tray Exercise will take place over a two ½ hour period, in this instance the candidates will work from a home. This will allow for confidentiality which may be important to some of the candidates. It is important that the candidate prioritise the tasks in the exercise and does not delegate those items which are considered critical to their role.
Competencies demonstrated should be "intelligence, interpersonal sensitivity, planning and organizing ability, delegation skills, problem analysis, problem solving ability and decisiveness". "An in-tray exercise simulates correspondence relating to a particular role. Over the years, these exercises have been found to be among the most valid of assessment exercises.

Step 4
Candidates who have successfully completed the In-tray exercise may be asked to make a presentation to a panel of both internal and external panel members

Step 5
Competency Based Interview
A traditional structured competency-based interview takes place and should be carried out by the Department Manager, the HR Manager, and another Manager within Scouting Ireland.
If the position being filled is a Manager, this Panel should include: the CEO, the Chairperson of the Board and an independent, external expert in the area being recruited for.

Summary

In order to recruit the best possible candidate, it is important that a rigorous process is followed. It is very important that the organisation invests in an in-depth process to ensure that the best candidate is selected.

Candidates should be advised of the recruitment process and the dates of the different stages when applying for the role. The Recruitment process should be a 4 – 5 step process and a score sheet is below. As the assessment centre is a costly exercise the number of candidates to go through the complete process should be no more than 5.

After Day 1, the candidates should be reduced to the top 2 - 3 and these candidates should then go forward to the final interview stages.

Timeline for Recruitment of Staff Member

- Advertisement placed on website and online.
- CV's assessed.
- In-tray exercise.
- Presentation to Panel
- Competency based interview.
- Job offer made.
- References Checked
- Garda / Access NI Vetting
- Medical
- After successful checks are completed Successful candidate takes up role.
- Induction process

The Provision of information, Instruction and Training of Scouting Ireland Personnel in relation to the identification of the occurrence of harm.

Section 9

The purpose of this procedure is to:

- Comply with the requirement to have a specified procedure in relation to the provision of information and, where necessary, instruction and training, to members of staff of the provider in relation to the identification of the occurrence of harm
- To identify the procedures adopted in relation to the provision of information and, where necessary, instruction and training, to members of staff of the provider in relation to the identification of the occurrence of harm

Application

The procedure is intended to provide information to Scouters, Scouting Ireland Personnel, the Board of Scouting Ireland and to members of the public in respect of the procedure used in the provision of information, instruction and training to members of staff/volunteers in relation to the identification of the occurrence of harm.

If all checks in the recruitment procedure are considered successful, the adult will then complete the Scouting Ireland training programme. The details of training for Scouters is contained in the 'Training Strategy of Scouting Ireland'.

Additional training is required for the Scouting Ireland's DLP and DDLP's, who will complete specific training on their roles and responsibilities. Also, the Board of Directors of Scouting Ireland will receive regular briefings on their governance responsibilities in relation to Child Safeguarding and Protection. Safeguarding Training/Information to all Scouting Ireland Personnel will include the identification of the occurrence of harm.

9.1 Scouting Ireland Training Approach

In support of the above we provide training as follows:

- Group Leader and Commissioner Training
- Programme Scouter Training - Incorporating Induction, the Wood Badge Trail and continuous learning

9.2 Programme Scouter Training Modules that must be completed before working with Children

"This is Scouting" enables:

- The participant to integrate into their local Scout Group.
- An understanding of the fundamental principles of Scouting and the core elements of the scout method and our programme.
- An understanding of the principals involved in Safeguarding Children and Young People.
- Strands are: Induction, The Story of Scouting and Being a Scouter

9.3 Group Leader and County Commissioner Training consists of three parts:

- Induction Training
- Basic Wood badge Module
- Advanced Wood badge Module

Group Leaders, Deputy Group Leaders, County Commissioners and Deputy County Commissioners must also have completed:

- All strands of the 'This is Scouting' Component

Scouting Ireland as part of the Training Strategy have developed a Child Safeguarding Training programme. This element of Training is mandatory for all Scouting Ireland Personnel and is also part of the continuous learning. Scouting Ireland Personal must undertake refresher training on Child Safeguarding every three years along with re-vetting.

A database of those who have attended training and the date will be maintained by Scouting Ireland.

As part of the training strategy all adults involved in Scouting Ireland will be emailed a copy of Scouting Ireland's Child Safeguarding Statement, Child Safeguarding and Child Protection policy document, and the Scouting Ireland Code of Behaviour. They will also be directed to downloadable versions of the documents from the Scouting Ireland Website.

Scouters will be subject to a period of probation of 6 months. If at any point in this process the Group Leader or other relevant personnel deems the person unsuitable, the applicant will be informed.

9.4 Supports for the Provision of Training and Information

- Scouting Ireland's Child Safeguarding and Child Protection Policy & Procedures
- Scouting Ireland's Child Safeguarding Statement
- Scouting Ireland's Risk Assessments of Harm
- Scouting Ireland's Risk Assessments for Activities
- Scouting Ireland's Information Sheets for Scouter, Parents and Children
- Scouting Ireland's Online Safeguarding induction/training
- Scouting Ireland's weekly mailings on scouts.ie and to all members email accounts
- Group Assembly meetings
- Scouting Ireland's Training Strategy
- Monitoring and Review points
- Staff Training Days

Code of Behaviour; to assist adults engaging with children in Scouting Ireland

Section 10

10.1 General Principles of the Code of Behaviour

All Scouting Ireland Personnel will be supplied with a copy of the Code of Behaviour: to assist adults engaging with children in Scouting. This will ensure that all Scouting Ireland personnel will have this code available to them to help and support them in their roles within Scouting.

By their behaviour Scouters and Scouting Ireland Personnel must always ensure that they:

- Can fulfil their responsibilities to provide a safe secure environment for the children in their care
- Provide a safe and secure environment for children to enjoy and benefit from Scouting
- Adhere to Scouting Ireland's Policy and procedures and do not permit loyalty to individuals or groups to supersede the paramountcy of Child Safeguarding principles.

Scouters and Scouting Ireland Personnel should be familiar with the various forms of child abuse and know how to respond to a disclosure made to them. Scouters and Scouting Ireland Personnel have a duty to bring any child safeguarding concern to the attention of Scouting Ireland's Safeguarding Department and should be aware of the organisations reporting procedure. [Reference the relevant section of main policy]

Adults by their example should be a positive influence on the behaviour of children in respecting themselves, other Scouters, parents and children and the property of themselves and others.

Children should treat Scouters and Scouting Ireland Personnel with dignity and respect, recognising the time and input that is being contributed to their personal development.

All Scout Groups must put in place a Code of Conduct for their Programme Sections in conjunction with the children, parents/guardians of those Sections.

Scouting Ireland Code of Behaviour and information sheets

10.2 Scouting Ireland Code of Behaviour for Scouters.

All Scouting Ireland personnel must abide by the Code of Behaviour which outlines what is expected of them when working with young people. This Code will be given to all Scouters and is discussed on their training. This Code will be given to all S.I. staff as part of their induction. All Scouting Ireland Personnel have a responsibility to report to Scouting Ireland any breaches of the Code of Behaviour witnessed by them.
Any Scouting Ireland personnel who breach this Code of Behaviour may be subject to sanctions in line with the organisations policies. See section 11 below.

10.3 Safe practices and procedures

All Scouters are expected to run activities in a safe manner. These procedures are detailed in Scouting Ireland 'Safe Procedures and Practices'.

Scouting Ireland 'Safe Procedures and Practices'

Guide to the Public Interest Disclosure (Northern Ireland) Order 1998 (Amended April 2014)

The Protected Disclosures Act 2014 (Republic of Ireland)

Scouting Ireland Code of Behaviour

Scouting Ireland Whistle Blowing Policy

Protections for Persons Reporting Child Abuse Act 1998

Section 11 Non-compliance with Scouting Ireland's Policies and Procedures

The following outlines how Scouting Ireland will address alleged non-compliance with its Policies and Procedures.

11.1 Breaches of Scouting Ireland's Policies and Procedures

In situations involving less serious allegations which do not give rise to an immediate child safeguarding concern but are breaches of the Code of Behaviour which have been reported to the Safeguarding Department, Scouting Ireland will deal with the matter as part of its Disciplinary Process.

These actions may include requiring the adult to undertake re-training, re-vetting, re-assignment of duties or working under increased supervision during the period of the investigation, or other measures as deemed appropriate.

When the allegation is related to child protection or welfare, the procedures for dealing with allegations will be applied. See section 4.6.

11.2 Non-compliance with Scouting Ireland policies and procedures

Scouting Ireland will take non-compliance of its Code of Behaviour or the Child Safeguarding and Child Protection Policy very seriously and will deal with the matter under its disciplinary process. If it is considered by Scouting Ireland that an adult involved in Scouting Ireland has breached the procedures contained in this document, or the Code of Behaviour, a decision regarding their future involvement with this organisation will be taken.

11.3 Whistleblowing/Protected Disclosure

All Scouting Ireland adult members and personnel must report to the DLP any safeguarding or child welfare and protection concerns there may be about the behaviour of another adult within Scouting Ireland. These concerns will be acted upon appropriately by the DLP. In situations where the DLP decides not to make a report to the statutory authorities the person making the report will be informed in writing by the DLP of this decision. Should they disagree with this decision they may report the matter directly to the relevant statutory authorities.

Section 12

Guiding principles and child safeguarding procedures involving Parents, Guardians, families, and young people.

12.1. Guiding Principle

Partnership with parents/guardians and families involves information sharing and consultation regarding all aspects of their child's participation in Scouting Ireland. Parents/Guardians may contact the Safeguarding Department in Scouting Ireland with any concerns they may have regarding their child or any child who is a member of Scouting Ireland. Meaningful communication is essential in building a partnership with parents/guardians and families. Good communication depends not only on how information is shared but what is being shared. Scouting Ireland can support children's and young people's rights by ensuring that children and their parents/guardians are kept informed of matters that concern them.

Please see the links on this page link with regards to Information for Scouters/ SI Personal, Parents/Guardians and Scouts. These information sheets outline what you can expect regarding Scouting Ireland's Child Safeguarding and protection commitments.

Scouting Ireland is committed to ensuring that this policy and the procedures outlined are implemented across the organisation and that they are monitored and reviewed regularly.

Scouting Ireland Consent and Registration forms

Scouting Ireland Information sheets for Parents/ Guardians, Scouters and Scouts

Section

13 Implementation, Monitoring and Review

13.1. Overview of arrangements to ensure implementation, monitoring and review

The procedures contained in this document will be reviewed regularly by the DLP and implementation will be monitored on an ongoing basis.

- The Safeguarding Manager will report to the Board of Directors, through the CEO, any issues that are considered to be significant in respect of child safeguarding. Such reports will be cognisant of confidentiality and will be anonymised, unless exceptional circumstances exist, where in the view of the CEO such information is required by the Board of Directors in order to discharge their statutory obligations.

- Each Group Council will be required to carry out their Group Specific Safeguarding Risk Assessment annually. The completed assessments will be collated and indexed by the Provincial Support Officers (PSO's) in their respective areas and sent to the Safeguarding Department on an annual basis

- Each Adult Member involved in Scouting activities will be required to undergo ongoing appropriate training (see section 6.2 above)

- Ongoing communication and information relating to child welfare and safeguarding will be circulated by the Safeguarding Department via the organisations website and the Scouting Ireland weekly notices.

- A standing agenda item entitled "child safeguarding" will be included in all meetings held within Scouting Ireland. This will include Group, County, Provincial and National meetings, Annual General Meetings and Board Meetings

- The Safeguarding Manager will ensure that this policy, and Scouting Ireland's Child Safeguarding Statement, will be reviewed at least every 2 years and will also ensure they are updated to take account of any substantive changes to relevant policy/legislation or changes in work practice.

- An external audit will be undertaken every two years by an independent body with expertise in the area of child safeguarding and child protection.

Appendix 1

Definitions and Features of Child Abuse

Neglect

Child neglect is the most frequently reported category of abuse, both in Ireland and internationally. Ongoing chronic neglect is recognised as being extremely harmful to the development and well-being of the child and may have serious long-term negative consequences.

Neglect occurs when a child does not receive adequate care or supervision to the extent that the child is harmed physically or developmentally. It is generally defined in terms of an omission of care, where a child's health development or welfare is impaired by being deprived of food, clothing, warmth, hygiene, medical care, intellectual stimulation or supervision and safety. Emotional neglect may also lead to the child having attachment difficulties. The extent of the damage to the child's health, development or welfare is influenced by a range of factors. These factors include the extent, if any, of positive influence in the child's life as well as the age of the child and the frequency and consistency of neglect.

Neglect is associated with poverty but not necessarily caused by it. It is strongly linked to parental substance misuse, domestic violence, and parental mental illness and disability.

A reasonable concern for the child's welfare would exist when neglect becomes typical of the relationship between the child and the parent or carer. This may become apparent where you see the child over a period of time, or the effects of neglect may be obvious based on having seen the child once.

The following are features of child neglect:

- Children being left alone without adequate care and supervision
- Malnourishment, lacking food, unsuitable food, or erratic feeding
- Non-organic failure to thrive, i.e. a child not gaining weight due not only to malnutrition but also emotional deprivation
- Failure to provide adequate care for the child's medical and developmental needs, including intellectual stimulation
- Inadequate living conditions – unhygienic conditions, environmental issues, including lack of adequate heating and furniture
- Lack of adequate clothing and 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/carer and child are not considered emotional abuse. Abuse occurs when a child's basic need for attention, affection, approval, consistency, and security are not met, due to incapacity or indifference from their parent or caregiver. Emotional abuse can also occur when adults responsible for taking care of children are unaware of and unable (for a range of reasons) to meet their children's emotional and developmental needs. Emotional abuse is not easy to recognise because the effects are not easily seen.

A reasonable concern for the child's welfare would exist when the behaviour becomes typical of the relationship between the child and the parent or carer.

Emotional abuse may be seen in some of the following ways:

- Rejection
- Lack of comfort and love
- Lack of attachment
- Lack of proper stimulation (e.g. fun and play)
- Lack of continuity of care (e.g. frequent moves, particularly unplanned)
- Continuous lack of praise and encouragement persistent criticism, sarcasm, hostility or blaming of the child
- Bullying
- Conditional parenting in which care or affection of a child depends on his or her behaviours or actions
- Extreme over-protectiveness
- Inappropriate non-physical punishment (e.g. locking child in bedroom)
- Ongoing family conflicts and family violence
- Seriously inappropriate expectations of a child relative to his/her age and stage of development

There may be no physical signs of emotional abuse unless it occurs with another type of abuse. A child may show signs of emotional abuse through their actions or emotions in several ways. These include insecure attachment, unhappiness, low self-esteem, educational and developmental underachievement, risk taking and aggressive behaviour.

It should be noted that no one indicator is conclusive evidence of emotional abuse. Emotional abuse is more likely to impact negatively on a child where it is persistent over time and where there is a lack of other protective factors.

Physical Abuse

Physical abuse is when someone deliberately hurts a child physically or puts them at risk of being physically hurt. It may occur as a single incident or as a pattern of incidents. A reasonable concern exists where the child's health and/ or development is, may be, or has been damaged as a result of suspected physical abuse.

Physical abuse can include the following:

- Physical punishment
- Beating, slapping, hitting, or kicking
- Pushing, shaking, or throwing
- Pinching, biting, choking, or hair-pulling
- Use of excessive force in handling
- Deliberate poisoning
- Suffocation
- Fabricated/induced illness
- Female genital mutilation

The Children First Act 2015 includes a provision that abolishes the common law defense of reasonable chastisement in court proceedings. This defense could previously be invoked by a parent or other person in authority who physically disciplined a child. The change in the legislation now means that in prosecutions relating to assault or physical cruelty, a person who administers such punishment to a child cannot rely on the defense 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.

Sexual Abuse

Sexual abuse occurs when a child is used by another person for his or her gratification or arousal, or for that of others. It includes the child being involved in sexual acts (masturbation, fondling, oral or penetrative sex) or exposing the child to sexual activity directly or through pornography.

Child sexual abuse may cover a wide spectrum of abusive activities. It rarely involves just a single incident and, in some instances, occurs over a number of years. Child sexual abuse most commonly happens within the family, including older

siblings and extended family members. Cases of sexual abuse mainly come to light through disclosure by the child or his or her siblings/friends, from the suspicions of an adult, and/or by physical symptoms. It should be remembered that sexual activity involving a young person may be sexual abuse even if the young person concerned does not themselves recognise it as abusive.

Examples of child sexual abuse include the following:

- Any sexual act intentionally performed in the presence of a child
- An invitation to sexual touching or intentional touching or molesting of a child's body whether by a person or object for the purpose of sexual arousal or gratification
- Masturbation in the presence of a child or the involvement of a child in an act of masturbation
- Sexual intercourse with a child, whether oral, vaginal, or anal
- Sexual exploitation of a child, which includes:
- Inviting, inducing or coercing a child to engage in prostitution or the production of child pornography [for example, exhibition, modeling or posing for the purpose of sexual arousal, gratification or sexual act, including its recording (on film, videotape or other media) or the manipulation, for those purposes, of an image by computer or other means]
- Inviting, coercing, or inducing a child to participate in, or to observe, any sexual, indecent, or obscene act
- Showing sexually explicit material to children, which is often a feature of the 'grooming' process by perpetrators of abuse
- Exposing a child to inappropriate or abusive material through information and communication technology
- Consensual sexual activity involving an adult and an underage person. An Garda Síochána will deal with any criminal aspects of a sexual abuse case under the relevant criminal justice legislation. The prosecution of a sexual offence against a child will be considered within the wider objective of child welfare and protection. The safety of the child is paramount and at no stage should a child's safety be compromised because of concern for the integrity of a criminal investigation.
- Within the Republic of Ireland - In relation to child sexual abuse, it should be noted that in criminal law the age of consent to sexual intercourse is 17 years for both boys and girls. Any sexual relationship where one or both parties are under the age of 17 is illegal. However, it may not necessarily be regarded as child sexual abuse. Details on exemptions for mandated reporting of certain cases of underage consensual sexual activity can be found in page 23 of Children First: National Guidance 2017

Note: The age at which a person may consent to sexual activity in the Republic of Ireland is 17 years old and in Northern Ireland is 16 years old.

Details on exemptions for mandated reporting of certain cases of underage consensual sexual activity can be found in page 23 of Children First: National Guidance 2017

Exploitation

Exploitation is the intentional ill-treatment, manipulation or abuse of power and control over a child or young person; to take selfish or unfair advantage of a child or young person or situation, for personal gain. It may manifest itself in many forms such as child labour, slavery, servitude, engagement in criminal activity, begging, benefit or other financial fraud or child trafficking. It extends to the recruitment, transportation, transfer, harbouring or receipt of children for the purpose of exploitation. Exploitation can be sexual in nature.

Appendix 2 Mandated Persons within Scouting Ireland

In the Republic of Ireland, the Children First Act 2015, defines certain persons as "Mandated Persons".

Within Scouting Ireland the following personnel are deemed 'Mandated Persons' under this legislation.

- Safeguarding Manager Michael Lynch
- DLP's/Case Officers - Jill Lacey and Caroline Healy
- CEO of Scouting Ireland - Anne Griffin
- Volunteers who self-declare as Mandated Persons

Scouting Ireland's Helpline is open Monday to Friday 9 – 5 pm (1800 221 199 freephone from ROI) or (00353 (0) 87-0934403 (From N.I.) or if you wish you can email safeguarding@scouts.ie

General queries (01 4956300

Appendix 3
Relevant Legislation & Publications

There are a number of publications and pieces of legislation relevant to the safeguarding of children. The following indicative list is not intended to be comprehensive but rather to give a sense of the breadth and wide array of relevant legislation.

Republic of Ireland

Child and Family Agency Act 2013
http://www.oireachtas.ie/documents/bills28/acts/2013/a4013.pdf

Child Care Act 1991
http://www.irishstatutebook.ie/eli/1991/act/17/enacted/en/print.html

Children Act 2001
http://www.irishstatutebook.ie/eli/2001/act/24/enacted/en/pdf

Children First Act 2015
http://www.irishstatutebook.ie/eli/2015/act/36/enacted/en/pdf

Criminal justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012
http://www.irishstatutebook.ie/eli/2012/act/24/enacted/en/pdf

Criminal Justice Act 2006, Section 176: Reckless Endangerment of Children
http://www.irishstatutebook.ie/eli/2006/act/26/enacted/en/pdf

Data Protection Acts 1988 to 2018
http://www.irishstatutebook.ie/eli/1988/act/25/enacted/en/html http://www.irishstatutebook.ie/eli/2003/act/6/enacted/en/pdf http://www.irishstatutebook.ie/eli/2018/act/7/enacted/en/pdf

Domestic Violence Act 1996
http://www.irishstatutebook.ie/eli/1996/act/1/enacted/en/pdf

Education (Welfare) Act 2000
https://www.oireachtas.ie/documents/bills28/acts/2000/a2200.pdf

Education Act 1998
http://www.irishstatutebook.ie/eli/1998/act/51/enacted/en/pdf

Freedom of Information Act 2014
http://www.irishstatutebook.ie/eli/2014/act/30/enacted/en/pdf

National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016
http://www.irishstatutebook.ie/eli/2012/act/47/enacted/en/pdf

Non-Fatal Offences against the Person Act 1997
http://www.irishstatutebook.ie/eli/1997/act/26/enacted/en/pdf

Protected Disclosures Act 2014
http://www.irishstatutebook.ie/eli/2014/act/14/enacted/en/pdf

Protections for Persons Reporting Child Abuse Act 1998
http://www.irishstatutebook.ie/eli/1998/act/49/enacted/en/pdf

Children First: National Guidance https://www.tusla.ie/uploads/content/Children_First_National_Guidance_2017.pdf

United Nations Convention on the Rights of the Child -https://www.ohchr.org/Documents/ProfessionalInterest/crc.pdf

NYCI publication: Lets Beat Bullying https://www.youth.ie/documents/lets-beat-bullying/

Northern Ireland

Children Order (NI) 1995
http://www.legislation.gov.uk/nisi/1995/755/contents/made

Co-operating to Safeguard Children and Young People
https://www.health-ni.gov.uk/publications/co-operating-safeguard- children-and-young-people-northern-ireland

Sexual Offences (Northern Ireland) Order 2008
https://www.legislation.gov.uk/nisi/2008/1769/contents

Human Rights Act 1998
https://www.equalityhumanrights.com/en/human-rights/human- rights-act

Public Interest Disclosures (NI)Order 1998
https://www.health-ni.gov.uk/articles/public-interest-disclosure- northern-ireland-order-1998

Criminal Law Act 1967
http://www.legislation.gov.uk/apni/1967/18/contents

Gateway Service Northern Ireland reporting forms: https://belfasttrust.hscni.net/service/gateway-services-child-protection/

National Children's Bureau Northern Ireland anti bullying https://www.ncb.org.uk/northern-ireland/evidence-and-impact/northern-ireland-anti-bullying-forum

United Nations Convention on the Rights of the Child
https://www.ohchr.org/Documents/ProfessionalInterest/crc.pdf

Schedule 2 of the Children First Act 2015 specifies the following classes of persons as Mandated persons for the purposes of the Act.

Appendix 4

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 practices as such and who is eligible for registration in the register (if any) of members of that profession.
8. Social care worker who practices 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 practices 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.
14. 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 monies 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 (howsoever described) of a church or other religious community;
    (h) director of any institution where a child is detained by an order of a court;
    (i) safeguarding officer, child protection officer or other person (howsoever described) who is employed for the purpose of performing the child welfare and protection function of religious, sporting, recreational, cultural,educational and other bodies and organisations offering services to children
    (j) child care staff member employed in a pre-school service within the meaning of Part VIIA of the Child Care Act 1991;
    (k) person responsible for the care or management of a youth work service within the meaning of section 2 of the Youth Work Act 2001.

    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.
15. Foster carer registered with Tusla.
16. A person carrying on a pre-school service within the meaning of Part VIIA of the Child Care Act 1991.