



# Child and Vulnerable Adult Protection Policy

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# 1) Introduction

## 1.1 Background

The National Museum of Ireland (NMI) is Ireland's premier cultural institution. Its collections and exhibitions are centred on four sites, NMI Natural History, Merrion St, Dublin; NMI Archaeology, Kildare St, Dublin; NMI Decorative Arts and History, Collins Barracks, Dublin and NMI Country Life, Turlough Park, Castlebar, Co. Mayo.

NMI welcomes up to one million visitors to its four sites each year and is committed to providing a high quality and rewarding visitor experience.

A large proportion of visitors to NMI are children and young people who enjoy the learning opportunities on offer. We are committed to a child-centred approach and to ensuring the safety and protection of all children under the age of 18 yrs and vulnerable adults who visit us. Many of these visit as part of an organised group or with family and friends. While the primary responsibility for a child's, or vulnerable adult's welfare rests with the primary carer<sup>1</sup>, NMI will ensure insofar as it is reasonably practicable, that children, young people and vulnerable adults who interact with NMI, are safe and protected from harm. Ultimately, the safety and welfare of children and vulnerable adults is everyone's responsibility.

## 1.2 NMI also engages young people from time to time through transition year and other education and work experience programmes. *Who is the Policy For?*

This NMI Child and Vulnerable Adults Protection Policy, and our Guiding Principles apply to all NMI Committee/Board members, Directors, staff, those persons engaged by NMI, students on work placements and volunteers. Unless otherwise stated, reference to staff includes the following:

- Staff employed directly by NMI on a permanent, fixed term and casual contracts.
- Staff employed by contractors or through a contract of agency arrangement who provide a service to NMI.
- Self-employed or freelance staff.
- Individuals who provide a service to NMI through a partnership arrangement with NMI.
- Volunteers.

Contractors who provide services to NMI such as security and catering providers will be advised of NMI's Child and Vulnerable Adults Protection Policy and will be required to meet the policy requirements as part of their contract terms and conditions.

All Committee/Board members, Directors, Staff, volunteers and students must sign up to and abide by these Guiding Principles, and the Child and Vulnerable Adults Protection Policy.

## 1.3 Aim and Purpose of this Policy

This policy states that all staff and volunteers have a duty to report concerns over safety and welfare of children. Any suspicions or allegations of abuse will be taken seriously and responded to swiftly and appropriately. It sets guidelines and procedures for staff to follow if they have reasonable grounds for concern about the safety and welfare of children that they come into contact with.

The policy also sets clear guidelines and procedures on action to be taken if allegations of abuse are made against NMI staff or volunteers. NMI is committed to ensure that all documentation in relation to record-keeping of child protection and welfare concerns is stored securely and appropriately.

## 1.4 Guiding Principles

The NMI is committed to create a safe and enjoyable environment for children and vulnerable adults. It undertakes to provide an experience where the welfare of the child/young person is paramount. Under the Children First: National Guidance Document (2011) and the Children First Act, 2015, the following are

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<sup>1</sup> 'Primary carer' refers to parent(s), teacher(s) and group leaders, legal guardians, carer(s) or responsible adult(s) as appropriate.

the key principles for best practice in Child Protection:

- The safety and welfare of children is everyone's responsibility.
- The best interests of the child should be paramount.
- The overall aim in all dealings with children and their families is to intervene proportionately to support families to keep children safe from harm.
- Interventions by the State should build on existing strengths and protective factors in the family.
- Early intervention is key to obtaining better outcomes. Where it is necessary for the State to intervene to keep children safe the minimum intervention necessary should be used.
- Children should only be separated from parents/guardians when alternative means of protecting them have been exhausted.
- Children have a right to be heard, listened to and taken seriously. Taking account of their age and understanding, they should be consulted and involved in all matters and decisions that may affect their lives.
- Parents/guardians have a right to respect and should be consulted and involved in matters that concern their family.
- A proper balance must be struck between protecting children and respecting the rights and needs of parents/guardians and families. Where there is conflict, the child's welfare must come first.
- Child protection is a multi-agency, multi-disciplinary activity. Agencies and professionals must work together in the interests of children.

NMI has adopted these Guiding Principles, the Child and Vulnerable Adult Protection Policy, and a Child Safeguarding Statement (Collectively referred to as "The NMI Child and Vulnerable Adults Protection Policy") to underpin its commitment to the safety and welfare of children and young people who engage with NMI and its services. This NMI Child and Vulnerable Adults Protection Policy provides staff and volunteers with the necessary information and guidance to be compliant with The Children's First Act 2015 and to protect children. This document has been aligned with the Children's First Act 2015 & Children First: National Guidance for The Protection and Welfare of Children (DYCA 2017).

This Policy also refers to changes to the vetting / recruitment of people who are working with children, which is addressed in the National Vetting Bureau Act (Children and Vulnerable Persons) 2012. Our guiding principles are also underpinned by the Child Care Act 1991, and Protection for Persons Reporting Child Abuse Act 1998. In drafting this Policy, we also took into consideration relevant definitions provided for in the Adult Safeguarding Bill 2017.

NMI recognises that the Children First Act 2015 places statutory obligations on specific groups of professionals and on organisations who provide services to children. NMI is one of these organisations and we are fully committed to fulfilling all of our duties as required by The Children First Act.

### ***1.5 Policy Review***

This Policy is approved by NMI Board, reviewed and updated by the Head of Human Resources in consultation with other relevant staff every two years or more frequently, if required

## 2) Legislative Provisions

In addition to the Children's First Act 2015 & Children First: National Guidance for The Protection and Welfare of Children (DYCA 2017), the following are the key legislative provisions governing the rights of children and young people and their protection and the protection of those reporting Child Abuse Concerns. NMI will regularly review and check this policy in relation to all relevant legislation, case law, regulation and standards.

### **2.1 *Child Care Act, 1991***

The purpose of this Act was to update the law in relation to the care of children and young people, who have been assaulted, ill-treated, neglected or sexually abused or who are at risk.

### **2.2 *Protection for Persons Reporting Child Abuse Act, 1998***

The main provisions of this Act are:

- (i) The provision of immunity from civil liability to any person who reports child abuse "reasonably and in good faith" to designated officers of HSE or any member of An Garda Síochána.
- (ii) The provision of significant protections for employees who report Child Abuse. These protections cover all employees and all forms of discrimination up to, and including, dismissal.
- (iii) The creation of a new offence of false reporting of Child Abuse when a person makes a report of Child Abuse to the appropriate authorities knowing that statement to be false. This is a criminal offence designed to protect innocent persons from malicious reports.

### **2.3 *Data Protection Acts, and GDPR2018***

The Data Protection Acts apply to the processing of personal data. The Acts provide a right to every individual, irrespective of nationality or residence, to establish the existence of personal data, to have access to any such data relating to the individual, and to have inaccurate data rectified or erased. It requires data controllers to make sure that the data they keep is collected fairly, is accurate and up to date, is kept for lawful purposes and is not used or disclosed in any manner incompatible with such purposes. It also requires both data collectors and data processors to protect the data they keep and imposes on them a special duty of care in relation to the individuals about whom the data relates to.

### **2.4 *Additional Legislative Provisions***

- Health and Safety at Work Regulations
- Freedom of Information Act, 2014
- Domestic Violence Act, 1996
- Non-Fatal Offences Against the Person Act, 1997

### **3) Child Protection Policy Statement**

#### **3.1 Basis of the Policy**

The National Museum of Ireland (NMI) is committed to a child-centred approach in its work with children and young people. It undertakes to provide a safe environment and experience where the welfare of the child and vulnerable adult is paramount. It will adhere to The Children's First Act 2015 & Children First: National Guidance for The Protection and Welfare of Children (DYCA 2017).

NMI will refer any child protection and welfare issues to the appropriate agencies. In particular if NMI encounters or has concerns or suspects abuse of a child or young person, the Designated Liaison Persons will arrange for a report of these concerns to the HSE and/or An Garda Síochána.

#### **3.2 Relevance of the Children First Act 2015 to the NMI**

The Children First Act 2015 defines a "Relevant Services" and specifically provides that it includes:

"Any work or activity which consists of the provision of educational, research, training, cultural, recreational, leisure, social or physical activities to children, and the care and supervision of children."

Accordingly, the NMI as a provider of relevant service must ensure, as far as practicable, that each child availing of the service from the provider is safe from harm while availing of that service.

NMI wishes to support and protect everyone working in the organisation and the guidelines in this policy will ensure that there is no doubt over responsibilities, obligations and standards. The following controls are covered in this policy:

- Key Roles in Safeguarding
- Code of Behaviour for Staff
- Procedures for Reporting of Child Protection or Welfare Concerns
- Confidentiality and Record Keeping
- Recruitment and Selection of Staff
- Managing and Supervising Staff
- Involvement of Primary Carers
- Allegations of Misconduct or Abuse by Staff
- Complaints and Comments
- Incidents and Accidents

NMI's Child Protection and Vulnerable Adults Policy will be made accessible to all users of NMI's sites and services through its website [www.museum.ie](http://www.museum.ie) or on request from a NMI Designated Liaison Person. A copy of the Child Safeguarding Statement will be displayed in a prominent place in each NMI Site.

This policy will be reviewed and updated every two years or sooner if necessary due to service issues or changes in legislation or national policy. Our Designated Liaison Persons are identified in Section 4 of this Policy.

## 4) Key Roles in Safeguarding

The safety and welfare of children and vulnerable adults is everyone's responsibility. There are a number of key roles within NMI who support safeguarding of children and vulnerable adults.

### 4.1 *Development of Guiding Principles and Child Safeguarding Procedures*

The Head of Human Resources of NMI is responsible for leading the implementation of the Child Protection and Vulnerable Persons Policy and ensuring that actions are consistent with the policy.

### 4.2 *Designated Liaison Persons*

The Designated Liaison Persons will liaise with statutory agencies responsible for child protection and welfare and will be the resource person to any person engaged by/with the NMI and any member of staff who has child protection concerns.

The role of the Designated Liaison Person is:

- To report suspicions and allegations of Child Abuse to the HSE or An Gardaí Síochána.
- Responsible for ensuring that the standard reporting procedures, as detailed in this policy, are followed.

Concerns regarding vulnerable adults should also be reported to the Designated Liaison Persons.

The following examples would constitute reasonable grounds for concern and should be reported:

- A disclosure from the child that he/she was abused;
- An account by a person who saw a child being abused; and
- Evidence, such as injury or behaviour, which is consistent with abuse and unlikely to be caused in another way.

A suspicion which is not supported by any objective signs of abuse, would not constitute a reasonable suspicion, or reasonable grounds for concern. However, these suspicions should be reported to the Designated Liaison Person who will record them internally as future suspicions may lead to the decision to make a report. A Child Protection tracking sheet may also be started at this point by the Designated Liaison Person. In such instances, further reports and observations may lead to reasonable grounds for referral to the relevant statutory agency.

In the event that a Designated Liaison Person may not be contacted or is unavailable, the Deputy Designated Liaison Person should be contacted. A list of Designated Liaison Persons and Deputy Designated Liaison Persons is provided in the below table:

Location	Name	Contact Number	Designated Responsibility	E Mail
Kildare Street	Damian Kelly		Designated Liaison Person	<a href="mailto:dkelly@museum.ie">dkelly@museum.ie</a>
Merrion Street	Derek Flynn		Designated Liaison Person	<a href="mailto:dflynn@museum.ie">dflynn@museum.ie</a>
Collins Barracks	Brendan Torsney		Designated Liaison Person	<a href="mailto:btorsney@museum.ie">btorsney@museum.ie</a>
Kildare Street	Laura Casey		Designated Liaison Person	<a href="mailto:lcasey@museum.ie">lcasey@museum.ie</a>
Collins Barracks	Majella Lynch		Designated Liaison Person	<a href="mailto:mlynch@museum.ie">mlynch@museum.ie</a>
Turlough Park	Barbara Barclay		Designated Liaison Person	<a href="mailto:bbarclay@museum.ie">bbarclay@museum.ie</a>
Turlough Park	Bethany Nishimoto		Designated Liaison Person	<a href="mailto:bnishimoto@museum.ie">bnishimoto@museum.ie</a>

Collins Barracks	Shane Sterio		Designated Liaison Person	<a href="mailto:ssterio@museum.ie">ssterio@museum.ie</a>
Kildare Street	Siobhan Collins		Designated Liaison Person	<a href="mailto:scollins@museum.ie">scollins@museum.ie</a>
Collins Barracks	Judith Finlay		Designated Liaison Person	<a href="mailto:jfinlay@museum.ie">jfinlay@museum.ie</a>
Collins Barracks	Emer Ní Cheallaigh		Designated Liaison Person	<a href="mailto:enicheallaigh@museum.ie">enicheallaigh@museum.ie</a>

### **4.3 Relevant Person**

The relevant person is the first point of contact in relation to the Child Safeguarding Statement (included at Appendix 5 below). The relevant person's name and contact details are contained in the Child Safeguarding Statement.



## 5) Recognised Behaviour for NMI staff

Recognised code of behaviour for NMI staff is categorised under the following headings:

1. Child-centred approach
2. Good practice
3. Inappropriate behaviour
4. Health and Safety

### 5.1 *Child-centred Approach*

In keeping with the commitment to a child centred approach NMI staff will:

- Treat all children and vulnerable adults equally;
- Listen to and respect children and vulnerable adults;
- Involve children and vulnerable adults in decision-making, as appropriate;
- Provide encouragement, support and equal praise (regardless of ability);
- Use appropriate language;
- Encourage a positive atmosphere;
- Offer constructive criticism when needed;
- Treat all children and vulnerable adults as individuals;
- Respect a child's and a vulnerable adult's personal space;
- Discuss boundaries on behaviour and related sanctions, as appropriate, with children and vulnerable adults and their primary carers;
- Agree group contact before beginning sessions;
- Encourage feedback from the group;
- Use age-appropriate and ability-appropriate teaching aids and materials;
- Lead by example;
- Be cognisant of a child's or a vulnerable adult's limitations, i.e. medical conditions;
- Create an atmosphere of trust; and
- Respect differences of ability, culture, religion, race and sexual orientation.

### 5.2 *Good Practice*

NMI will adopt the following good practice:

- Register the primary carer of each child /young person, or vulnerable adult as appropriate, participating in an NMI activity (name, address, phone, special requirements, attendance, emergency contact), as they are leaving their children or the vulnerable adult for whom they care for in the care of NMI staff for the duration of the workshop;
- Make primary carers, children/young people, vulnerable adults, visitors and facilitators aware of the Child Protection and Vulnerable Adult Policy and Procedures;
- Request primary carers to supervise the children, or vulnerable adults in their care at all times;
- Require facilitators and others working with children and vulnerable adults at NMI who are non NMI staff to be made aware of and accept NMI Child Protection and Vulnerable Adult Policy, as well as signing a Declaration Form (See Appendix 10 );
- Set out clearly for young people requesting work experience the exact nature of the placement, the place and conditions of work and ensure that he/she is comfortable with the proposed arrangements before commencement;
- Ensure that parental/guardian consent is granted for young people who undertake work experience at NMI;
- Have procedures in place for emergencies and make all staff aware of these procedures (as carried out at Health and Safety/Induction for new NMI staff);
- Be inclusive of children and young people with special needs;
- Be inclusive of vulnerable adults;
- Report any concerns to the NMI Designated Liaison Person ensuring reporting procedures are followed;
- Encourage children and vulnerable adults to report any bullying, concerns or worries;
- Ensure that NMI staff are aware of the anti-bullying policy (Dignity at Work - available on the Intranet, or on request from HR at NMI);

- Observe appropriate dress and behaviour;
- Have appropriate work practices in place and evaluate them on a regular basis;
- Provide appropriate training for staff and volunteers;
- Report and record any incidents and accidents (See Appendix 7);
- Update and review relevant policies and procedures regularly;
- Have procedures in place for dealing with lost / found children (See Appendix 6);
- Inform primary carers of any issues that concern their children;
- Ensure proper NMI supervision, based on adequate ratios, according to age, abilities and activities involved;
- Ensure, as appropriate, that primary carers are present at all educational sessions/workshops;
- Have an active policy in relation to concerns around child protection and vulnerable adults;
- Respond promptly to concerns; and
- Maintain awareness of child protection issues when engaging with children and young people and in particular, around language and comments made.

### **5.3 *Inappropriate Behaviour***

Staff will behave appropriately and follow the following guidelines:

- Never spend time alone with children or vulnerable adults without the knowledge of other staff members;
- Never use or allow offensive or sexually suggestive physical and/or verbal language;
- Never single out a particular child or vulnerable adult for unfair favouritism, criticism, ridicule, or unwelcome focus or attention;
- Never socialise with children or vulnerable adults participating with/visiting NMI outside of structured NMI activities;
- Never make contact with/interact with children or vulnerable adults participating with/visiting NMI on any social media platform;
- Never allow/engage in inappropriate touching of any form;
- Avoid physical contact with child or vulnerable adult (except in an emergency or a dangerous situation);
- Never hit or physically chastise a child or vulnerable adult;
- Never verbally chastise a child in an aggressive manner; and
- Never engage in horseplay.

### **5.4 *Health and Safety***

- Don't leave children or vulnerable adults unattended or unsupervised;
- Management of any dangerous materials as per Health and Safety Policy (available on the Intranet/Health and Safety/Health and Safety Statement);
- Provide a safe environment; and
- Be aware of the accident procedure and follow accordingly: See Section 3.2(J) for further information.

## 6) Procedures for Reporting Child Protection or Welfare Concerns

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

Children First: National Guidance for the Protection and Welfare of Children requires organisations to have reporting procedures in place that are understood and followed by all staff and volunteers and any individuals undertaking work experience or internships within NMI.

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

### 6.1 *Role of Tusla*

On 1st January 2014 the Child and Family Agency/Tusla (hereinafter referred to as Tusla) became an independent legal entity, comprising HSE Children and Family Services, the Family Support Agency and the National Educational Welfare Board as well as incorporating some psychological services and a range of services responding to domestic, sexual and gender-based violence.

Tusla has statutory responsibility for the protection and welfare of children and An Garda Síochána has responsibility for the investigation of suspected criminal offences. Any person involved with a child/young person may also be in position to play a key role in safeguarding children.

### 6.2 *Roles and Responsibilities of Staff*

All staff and those engaged by/on behalf of NMI (including volunteers, those undertaking work experience, internships, Contractors and Facilitators of Workshops etc.) have a responsibility to safeguard children and to report any concerns they may have for the protection or welfare of a child/young person.

Children First: National Guidance for the Protection and Welfare of Children refers to the role of the Designated Liaison Person (DLP and Deputy DLP. The role of the DLP is to receive child protection and welfare concerns from staff/volunteers and to report concerns which meet the threshold of “reasonable grounds for concern” to Tusla.

Under the Children First Act 2015 mandated persons have a statutory obligation to report concerns which reach or exceed a legally defined threshold (see section 14 of the Children First Act 2015) and to co-operate with Tusla in the assessment of mandated reports, where requested to do so.

The DLP’s and Deputy DLP’s are identified in section A.2 above, together with their contact details.

### 6.3 *Identifying Reasonable Grounds for Concern (Children)*

Child neglect or abuse can often be difficult to identify and may present in many forms. No one indicator should be seen as conclusive in itself of abuse. It may indicate conditions other than child abuse. All signs and symptoms must be examined in the context of the child’s situation and family circumstances. There are many reasons a member of staff (as defined) may be concerned about the welfare or protection of a child or young person. Children First: National Guidance for the Protection and Welfare of Children states that “Tusla should always be informed when a person has **reasonable grounds for concern** that a child may have been, is being, or is at risk of being abused or neglected”.

Children First: National Guidance for the Protection and Welfare of Children lists the following as reasonable grounds for concern:

- An injury or behaviour that is consistent both with abuse and an innocent explanation, but where there are corroborative indicators supporting the concern that it may be a case of abuse;
- A child or young person saying or indicating by other means that s/he has been abused;
- An account by a person who saw the child/young person being abused;
- Evidence, such as an injury or behaviour, which is consistent with abuse and unlikely to be caused in any other way;
- Any concerns about possible sexual abuse;
- Consistent signs that a child is suffering from emotional or physical neglect;
- Admission or indication by an adult or a child of an alleged abuse they committed.

Wherever appropriate, any issues should be checked with the parent/guardians/primary carers when considering whether a concern exists, unless doing so may further endanger the child or person considering making the report (consult with DLP or Deputy DLP).

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

#### **6.4 Categories and Indicators of Abuse**

Children First: National Guidance for the Protection and Welfare of Children defines four categories of abuse; neglect, emotional abuse, physical abuse and sexual abuse. A child/young person may be subjected to one or more forms of abuse at any given time.

Note: Staff are required to be aware of the definitions of child abuse as outlined in Appendix 2.

#### **6.5 Complicating Factors and Circumstances Which May Make Children More Vulnerable to Harm**

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

Some children may be more vulnerable to abuse than others. Also, there may be particular times or circumstances when a child may be more vulnerable to abuse in their lives. In particular, children with disabilities, children with communication difficulties, children in care or living away from home, or children with a parent or parents with problems in their own lives may be more susceptible to harm.

The following list is intended to help you identify the range of issues in a child's life that may place them at greater risk of abuse or neglect. It is important for you to remember that the presence of any of these factors does not necessarily mean that a child in those circumstances or settings is being abused.

##### **Parent or carer factors:**

- Drug and alcohol misuse;
- Addiction, including gambling;
- Mental health issues;
- Parental disability issues, including learning or intellectual disability;
- Conflictual relationships;
- Domestic violence; and
- Adolescent parents.

##### **Child factors:**

- Age;
- Gender;
- Sexuality;
- Disability;
- Mental health issues, including self-harm and suicide;
- Communication difficulties;
- Trafficked/Exploited;
- Previous abuse; and
- Young carer.

##### **Community factors:**

- Cultural, ethnic, religious or faith-based norms in the family or community which may not meet the standards of child welfare or protection required in this jurisdiction; and
- Culture-specific practices, including:
  - Female genital mutilation
  - Forced marriage
  - Honour-based violence
  - Radicalisation

##### **Environmental factors:**

- Housing issues;
- Children who are out of home and not living with their parents, whether temporarily or permanently;
- Poverty/Begging;
- Bullying; and

- Internet and social media-related concerns.

**Poor motivation or willingness of parents/guardians to engage:**

- Non-attendance at appointments;
- Lack of insight or understanding of how the child is being affected;
- Lack of understanding about what needs to happen to bring about change;
- Avoidance of contact and reluctance to work with services; and
- Inability or unwillingness to comply with agreed plans.

You 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 DLP or Deputy DLP who will in turn bring such matters to the attention of Tusla.

**6.6 Responding to Concerns - Reporting Procedures**

In addressing concerns in relation to the welfare of a child or vulnerable adult the following information should be noted and recorded.

- Suspicions;
- Concerns;
- Worrying observations;
- Behavioural changes; and
- Any actions taken and outcomes reached.

In dealing with a disclosure and/or concern staff are required:

- To stay calm and listen to the child or vulnerable adult, allow him or her enough time to say what he/she needs to say;
- Not to use leading questions or prompt details;
- To reassure the child or vulnerable adult but do not promise to keep anything secret;
- Not to make the child or vulnerable adult repeat the details unnecessarily; and
- To explain to the child or vulnerable adult what will happen next (explanation should be age appropriate or ability appropriate).

Procedures for passing on a concern regarding a child or a vulnerable adult

- Regardless of how a concern comes to a staff member's (as defined including volunteers) attention, it must be reported to the Designated Liaison Person. The staff member will bring the concern to the attention of the Designated Liaison Persons or in his/her absence the Deputy Designated Person at the earliest opportunity.

Next step of procedure involving reporting of concerns regarding children

- The Designated Liaison Person, in consultation with the staff member who raised the concern, will decide if reasonable grounds for concern exist. If reasonable grounds for concern exist, the staff member who expresses concern will be required to complete a file report (Appendix 3: Child Protection and Welfare Report Form) in consultation with the Designated Liaison Person outlining the situation, including the date, time and people involved, the report should be factual. Any opinions should be stated as such and supported by factual information;
- Staff will facilitate direct access to the Designated Liaison Person or his/ her Deputy if requested by a primary carer or by a child or young person;
- The Designated Liaison Person will decide the most appropriate action to be taken to deal with the concern and may decide to discuss it with the primary carers and /or make a report to the Tusla Duty Social Worker, the HSE and/or An Garda Síochána. If any query or concern in relation to child protection arises out of Tusla office hours, An Garda Síochána should be contacted directly in that regard;
- The Designated Liaison Person may contact Tusla Duty Social Worker or the HSE for an informal consultation prior to making the report;
- All persons involved should be made aware (by the Designated Person) of a report to Tusla/ the HSE and/or An Garda Síochána unless it is likely to put the child at further risk;
- Information will be shared on a strictly 'need to know' basis;
- If there are reasonable grounds for concern as outlined above, the Designated Liaison Person will contact the Duty Social Worker in the HSE area, using the standard Child Protection and Welfare

Report Form reporting form (Appendix 3). If NMI Designated Liaison Persons or Deputy Designated Liaison Person are not available the concerned staff may need to contact the local Duty Social Worker of Tusla directly and subsequently advise the relevant Designated Liaison Person as soon as possible;

- An Garda Síochána should be contacted in case of emergencies outside Tusla Duty Social Work Department working hours. In situations that threaten the immediate safety of a child/young person, An Garda Síochána should be contacted directly; and
- If the DLP decides not to make a report, the member of staff with the reasonable concern is still entitled to make a report to Tusla under the Children First: National Guidance for the Protection and Welfare of Children, should they wish to do so.

Next step for reporting procedures involving vulnerable adults:

- If any staff member of NMI (as defined) or any person involved with NMI has any concerns or issue about any aspect of a vulnerable adult's safety or welfare, immediate contact should be made with the Designated Liaison Person or Deputy Designated Liaison Person to ensure that procedures are followed, and appropriate steps are taken in response to that concern and/or issue. It is the responsibility of Designated Liaison Person or Deputy Designated Liaison Person to liaise with the Health Service Executive or An Garda Síochána where appropriate.

### **6.7 Emergencies**

Under no circumstances should a child be left in a situation that exposes him or her to harm or to risk of harm pending HSE intervention. In the event of an emergency where you think a child is in immediate danger and you cannot get in contact with the HSE, you should contact An Garda Síochána. This may be done through any Garda Station.

### **6.8 Consequences of Failure to Report**

NMI will ensure that procedures are in place, and regularly reviewed, to ensure that any incidents are recorded, reported appropriately, and that there will be sanctions for failure in following such procedures."

Section 176 of the Criminal Justice Act, 2006 introduced the criminal charge of reckless endangerment of children. It states: 'A person, having authority or control over a child or abuser, who intentionally or recklessly endangers a child by:

- a. causing or permitting any child to be placed or left in a situation which creates a substantial risk to the child of being a victim of serious harm or sexual abuse, or
- b. failing to take reasonable steps to protect a child from such a risk while knowing that the child is in such a situation, is guilty of an offence.'

The penalty for a person found guilty of this offence is a fine (no upper limit) and/or imprisonment for a term not exceeding 10 years.

### **6.9 Legal Protection**

The Protections for Persons Reporting Child Abuse Act, 1998 makes provision for the protection from civil liability of persons who have communicated child abuse 'reasonably and in good faith' to designated officers of the HSE or to any member of An Garda Síochána. This protection applies to organisations as well as to individuals. This means that even if a communicated suspicion of child abuse proves unfounded, a plaintiff who took an action would have to prove that the person who communicated the concern had not acted reasonably and in good faith in making the report.

### **6.10 Recording concerns that may not initially need to be reported to the HSE**

A suspicion, which is not supported by any objective indication of abuse or neglect, would not constitute a reasonable suspicion or reasonable grounds for concern.

However, these suspicions should be recorded or noted internally in NMI and kept by the Designated Liaison Person as future suspicions may lead to the decision to make a report and earlier suspicions may provide important information for the statutory child protection agency or An Garda Síochána.

If the Designated Liaison Person, on behalf of NMI, decides that reasonable grounds for reporting the incident or suspicion to the health board or An Garda Síochána do not exist, the individual worker who referred the matter should be given a clear written statement of the reasons why NMI is not taking action.

### ***6.11 Processes to deal with and report retrospective disclosures of child abuse by adults***

If a disclosure is made to a staff member by an adult who suffered abuse as a child, it is essential to establish whether there is any current risk to any child who may be in contact with the alleged abuser revealed in such disclosures.

If any risk is deemed to exist to a child who may be in contact with an alleged abuser, the staff member should report the allegation to the Child and Family Agency without delay.

The HSE National Counselling Service is in place to listen to, value and understand those who have been abused in childhood. The service is available free of charge on Freephone: 1800 670 700.

### ***6.12 Third Party Concerns***

Concerns about a child that are reported anonymously should be followed up fully in accordance with HSE standard procedures. If the report has been made through a third party, the person mediating should be requested to facilitate contact between the original person who reported the concern and the Child and Family Agency. If, however, contact is not facilitated, for whatever reason, the concerns reported via the third party must be fully investigated.

## **7) Confidentiality and Record Keeping**

### **7.1 Confidentiality**

NMI is committed to ensuring people's rights to confidentiality. However, in relation to child protection and welfare, NMI undertakes that:

- Information will only be forwarded on a 'need to know' basis in order to safeguard the child or vulnerable adult;
- Giving such information to others for the protection of a child or vulnerable adult is not a breach of confidentiality;
- All persons involved have a right to know if personal information is being shared and/or a report is being made to Tusla/ An Garda Síochána, unless doing so, could put the child or vulnerable adult at further risk;
- Images of a child or vulnerable adult will not be used for any reason without the written consent of the parent/carer (photography is prohibited inside NMI galleries however, we cannot guarantee that cameras/videos will not be used at public performances);
- Procedures are in place in relation to the use by NMI of images of children or vulnerable adults as outlined in the NMI Image Safe Handbook; and
- Procedures will be in place for the recording and storing of information in line with NMI GDPR Privacy Policy available on public folders at NMI Administration/Human Resources/Data protection.

### **7.2 Record Keeping**

The Designated Liaison Person is responsible for keeping the following records related to Child Protection in a locked filing cabinet. The Designated Liaison Person and the Director of the NMI are the only persons to have access to the following records:

- Any complaints about the safety and welfare of children and vulnerable persons relating to the NMI;
- Any disclosures, concerns or allegations of child abuse;
- The follow up to any complaints, disclosures, concerns or allegations, including informal advice from the HSE, reports to the HSE and informing parents/guardians;
- Any bullying complaints related to children and young people and the follow up action;
- Signed acceptance forms of the NMI Child Protection and Vulnerable Adults Policy by staff members and third parties included within the scope of the policy;
- All Garda Vetting forms; and
- All Parental/Guardian consent forms.

### **7.3 Code of Confidentiality**

Working with children and young people involves the development of trusting relationships where it may be common for children to divulge personal information. Therefore, staff need to be aware that a child or vulnerable person or a colleague may disclose that they are being abused or know of someone who is being abused.

Confidentiality is about managing sensitive information in a manner that is respectful, professional and purposeful. All information provided to NMI by a child, vulnerable person or staff member must be treated in a confidential manner. All persons within the scope of this policy have a responsibility to handle all sensitive information in line with the following code of confidentiality:

1. All information regarding a child protection concern or suspected case of child abuse must be only shared on a need to know basis and always in the best interest of the child's general welfare and safety. This subject should never be discussed with other persons in the organisation, including staff, contractors or young people if they are not directly involved;
2. In the case of a child protection concern, no member of staff should promise to tell a person they can keep a secret to any person disclosing the information. The person receiving the information should also never state that they would keep a secret. This could give the person who made the disclosure the impression that the information is not that serious or infer a range of mixed messages. It must be made clear to the person(s) making the disclosure that secrets cannot be kept but that information will only be shared with the appropriate person who will handle the information sensitively;



3. Sharing information with an appropriate/designated person for the protection of a child is not a breach of confidentiality. Codes of confidentiality do not intend to prevent the exchange of information between individuals who have a responsibility to protect children and vulnerable people;
4. Personal information which is gathered for a specific purpose, should never be used for any other purpose without consulting the person who provided that information; and
5. All staff working with children and vulnerable people must have some training on understanding the importance of confidentiality and the limitations of confidentiality in relation to child protection issues.

## 8) Recruitment and Selection of Staff

NMI will adopt the Public Appointments Service principles of fairness, transparency and parity in all of its recruitment and selection processes, including all candidates, employees, interns, volunteers and freelancers. NMI will ensure that staff are carefully selected, trained and supervised to provide a safe environment for all children and young people, by observing the following principles:

- Roles and responsibilities will be clearly defined for every job; and
- Posts will be advertised as appropriate to the job.

NMI will endeavour to select the most suitably qualified personnel

- Candidates will be required to complete an Application Form.

At least two references that are recent, relevant, independent and verbally confirmed will be necessary.

Staff will be selected by a panel of at least three (or more) representatives through an interview process mindful of gender balance.

The NMI recognises the requirements of the National Vetting Bureau (Children and Vulnerable Persons) Act 2012, and duly adheres to same. The Act stipulates that a relevant organisation shall not permit any person to undertake relevant work or activities on behalf of the NMI, unless the NMI receives a satisfactory vetting disclosure from the National Vetting Bureau in respect of that person.

- Consent for Garda Vetting (see below) will be sought for all staff as well as the completion of a Declaration Form;
- No person deemed to constitute a 'risk' will be employed. It is entirely at the discretion of the NMI to determine whether a vetting disclosure is deemed to be satisfactory and/or whether it is classified as a "risk". Some of the exclusions would include:
  - Any child related conviction;
  - Refusal to sign Application Form and Declaration Form;
  - Insufficient documentary evidence of identification;
  - Concealing information on one's suitability to working with children;
  - A probationary period will apply as appropriate to the post.

An Garda Síochána Vetting System is to be introduced when an arrangement has been agreed between An Garda Síochána and Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media.

## **9) Managing and Supervising Staff**

To protect both staff and children/young people, NMI undertakes that:

New staff will:

- Receive induction training from the Human Resources Unit to include NMI Child Protection & Vulnerable Adult Policy and Procedures;
- Be given a copy of NMI Code of Conduct, Child Protection Policy and Procedures, and the names of the Designated Liaison Persons; and
- Undergo an appropriate probationary period as outlined in the contract.

All staff will:

- Receive child protection induction training in line with NMI Child Protection & Vulnerable Adult Policy and Procedures within 1 month of taking up employment with NMI;
- Receive the appropriate level of training and guidance in the area of child protection as appropriate to their role at NMI; and
- Be required to read and sign acceptance of NMI Child Protection & Vulnerable Adults Policy.

## 10) Involvement of Primary Carers

The primary responsibility for the welfare of children visiting NMI rests with the carers, group leaders and teachers at all times. NMI requires them to ensure that they, and all children and young adults in their care, meet standards of good conduct and behaviour and are courteous and cooperative with NMI staff.

NMI will endeavour to ensure age appropriateness for all its activities; however, it is the primary carers' responsibility to ensure that the programme is suitable for the child (ren) or group in its care.

Primary carers of children, group leaders and/or teachers are required to remain with their group while on site as advised.

NMI is committed to being open with primary carers and undertakes to:

- Advise primary carers of our Child Protection & Vulnerable Adult Policy;
- Advise primary carers and schools of the type of activities and potential activities that young people will participate in at NMI;
- Issue contact/consent forms where relevant;
- Comply with Health and Safety practices;
- Operate child-centred policies in accordance with best practice;
- Encourage and facilitate the involvement of parent(s), carer(s) or responsible adult(s), where appropriate; and
- Advise primary carers, in particular, teachers and group leaders of their responsibilities regarding supervision of children or vulnerable adults in their care.

If NMI has reasonable grounds for concern about the welfare of the child, it will:

- Respond to the needs of the child;
- Inform the primary carers, on an on-going basis, unless this action puts the child at further risk
- Where there are child protection and welfare concerns NMI is obliged to follow the NMI reporting procedures; and
- In the event of a complaint against a member of staff, NMI will immediately ensure the safety of the child and inform primary carers as appropriate.

As a child-centred organisation, NMI is committed to putting the interest of the child first. To that end it will:

- Contact local duty social workers of Tusla, and/or HSE and/or An Garda Síochána where there is a child protection concern;
- Encourage primary carers to work in partnership with NMI under the guidelines set out by NMI to ensure the safety of children in their care; and
- Have Designated Persons available for consultation with primary carers in the case of any concern over a child or vulnerable adult's welfare.

If NMI has grounds for concern about the welfare of a vulnerable person, it will:

- Respond to the needs of the child;
- Inform the primary carers, on an on-going basis, unless this action puts the vulnerable person at further risk;
- Where there are welfare concerns, NMI is obliged to follow the NMI reporting procedures; and
- In the event of a complaint against a member of staff, NMI will immediately ensure the safety of the vulnerable person and inform primary carers as appropriate.

## 11) Procedure for Dealing with Allegations Against Staff

In the event of allegations being made against an NMI staff member, the protection of the child or vulnerable adult is the first and paramount consideration.

NMI has a dual responsibility in respect of both the child/young person and staff member. The same person will not have responsibility for dealing with the child or vulnerable adult welfare issue(s) and the staff issue(s).

An allegation against a staff member will be assessed promptly and carefully. If reasonable grounds for concern exist concerning a child, a formal report to Tusla will be made. The reporting procedures in relation to the child in Section [INSERT] of these guidelines will be followed. NMI will maintain a close liaison with Tusla and An Garda Síochána and will in no way undermine or frustrate the process.

Agreed procedures will be followed in the context of the applicable engagement contract and the rules of natural justice. Any procedures not being implemented should be brought to the attention of Jennifer O'Connor, Corporate Affairs Officer, NMI will take protective measures appropriate to the level of risk while not unreasonably penalising the staff member - unless necessary to protect the child/young person. Protective measures might mean increased supervision, assignment to different duties, or suspension. NMI will follow its Grievance and Disciplinary Policy and Procedure.

Malicious Claims: If it is found that a malicious claim has been made by a member of the public the case will be referred to the necessary authorities or if such a claim is made by a staff member NMI's disciplinary process will be invoked.

Two separate procedures will be followed for dealing with allegations against staff:

1. In respect of the child/young person the Designated Liaison Persons or the Deputy Designated Liaison Person will deal with issues related to the child or vulnerable adult.
2. In respect of the person against whom the allegation is made, the under mentioned staff member will deal with issues related to the staff member. In the event of the absence of Ms Jennifer O'Connor, Corporate Affairs Officer, the Head of Human Resources will designate an appropriate person.

Designated Responsibility	Name	Contact Number	Email
Staff Allegations - all NMI sites	Jennifer O'Connor	+353 (87) 7013287	jenocconnor@museum.ie

- The first priority is to ensure that no child or vulnerable adult is exposed to unnecessary risk;
- If allegations are made against the Designated Liaison Person then the Deputy or another Designated Liaison Person should be contacted;
- The reporting procedures outlined in Section 4 of this policy will be followed;
- The child will be dealt with in an age-appropriate manner;
- The vulnerable adult will be dealt with in a matter appropriate to his/her ability/level of understanding;
- The staff member will be informed as soon as possible of the nature of the allegation and given the opportunity to respond;
- The Chair of the Board and Director of NMI will be informed as appropriate;
- Any action following an allegation of abuse against an employee will be taken in consultation with Tusla, the HSE and An Garda Síochána;
- After consultation with Tusla, the HSE/An Garda Síochána, Jennifer O'Connor will advise the person accused and agreed procedures will be followed.

## 12) Complaints and Comments Procedures

The Head of Human Resources, will manage any complaint or comment received in relation to NMI Child Protection & Vulnerable Adult Policy or related Procedures

Designated Responsibility	Name	Contact Number	Email
Complaints Manager			

- Complaints or comments will be responded to within two weeks of being received;
- In the case of a verbal complaint/comment the person will be asked to put the complaint/comment, in writing, after which it will be responded to within two weeks of being received.

### **13) Incidents and Accident Procedure**

- NMI has a Health and Safety Statement. Procedures to follow in the event of an accident have been formulated and have been made available to staff (available on the Intranet/Health and Safety/Health and Safety Statement);
- NMI will register the contact details of the primary carers of children/young people who attend activities/programmes as appropriate;
- First-aid boxes are available and regularly re-stocked;
- The location of the first-aid boxes is known to staff;
- Availability of first-aid is in accordance with NMI Health and Safety Guidelines;
- Children and young people will be advised of risks of dangerous material, however, NMI will endeavour to use risk free materials in its children/young people programmes/activities; and
- All incidents and accidents will be recorded in the accident book. This is to be found at the main reception desk at all NMI sites.

## Appendix 1: Definitions of Child Abuse

*(Children First: National Guidance for the Protection and Welfare of Children 2017 pp7-11)*

### **Child Abuse**

Child abuse can be categorised into four different types: neglect, emotional abuse, physical abuse and sexual abuse. A child may be subjected to one or more forms of abuse at any given time. Abuse and neglect can occur within the family, in the community or in an institutional setting. The abuser may be someone known to the child or a stranger, and can be an adult or another child. In a situation where abuse is alleged to have been carried out by another child, you should consider it a child welfare and protection issue for both children and you should follow child protection procedures for both the victim and the alleged abuser.

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

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

### **Neglect**

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

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

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

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

The following are features of child neglect:

- Children being left alone without adequate care and supervision
- Malnourishment, lacking food, unsuitable food or erratic feeding
- Non-organic failure to thrive, i.e. a child not gaining weight due not only to malnutrition but also emotional deprivation
- Failure to provide adequate care for the child's medical and developmental needs, including intellectual stimulation
- Inadequate living conditions – unhygienic conditions, environmental issues, including lack of adequate heating and furniture
- Lack of adequate clothing
- Inattention to basic hygiene
- Lack of protection and exposure to danger, including moral danger,
- or lack of supervision appropriate to the child's age
- Persistent failure to attend school
- Abandonment or desertion

### **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 overprotectiveness
- Inappropriate non-physical punishment (e.g. locking child in bedroom)
- Ongoing family conflicts and family violence
- Seriously inappropriate expectations of a child relative to his/her age and stage of development

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

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

### ***Physical abuse***

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

Physical abuse can include the following:

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

The Children First Act 2015 includes a provision that abolishes the common law defence of reasonable chastisement in court proceedings. This defence could previously be invoked by a parent or other person in authority who physically disciplined a child. The change in the legislation now means that in prosecutions relating to assault or physical cruelty, a person who administers such punishment to a child cannot rely on the defence of reasonable chastisement in the legal proceedings. The result of this is that the protections in law relating to assault now apply to a child in the same way as they do to an adult.

### ***Sexual abuse***

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

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

Cases of sexual abuse mainly come to light through disclosure by the child or his or her siblings/friends, from the suspicions of an adult, and/or by physical symptoms.

Examples of child sexual abuse include the following:

- Any sexual act intentionally performed in the presence of a child
- An invitation to sexual touching or intentional touching or molesting of a child's body whether by a person or object for the purpose of sexual arousal or gratification
- Masturbation in the presence of a child or the involvement of a child in an act of masturbation
- Sexual intercourse with a child, whether oral, vaginal or anal
- Sexual exploitation of a child, which includes:
  - Inviting, inducing or coercing a child to engage in prostitution or the production of child pornography [for example, exhibition, modelling or posing for the purpose of sexual arousal, gratification or sexual act, including its recording (on film, videotape or other media) or the manipulation, for those purposes, of an image by computer or other means]
  - Inviting, coercing or inducing a child to participate in, or to observe, any sexual, indecent or obscene act
  - Showing sexually explicit material to children, which is often a feature of the 'grooming' process by perpetrators of abuse
- Exposing a child to inappropriate or abusive material through information and communication technology
- Consensual sexual activity involving an adult and an underage person

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.

An Garda Síochána will deal with any criminal aspects of a sexual abuse case under the relevant criminal justice legislation. The prosecution of a sexual offence against a child will be considered within the wider objective of child welfare and protection. The safety of the child is paramount and at no stage should a child's safety be compromised because of concern for the integrity of a criminal investigation.

In relation to child sexual abuse, it should be noted that in criminal law the age of consent to sexual intercourse is 17 years for both boys and girls. Any sexual relationship where one or both parties are under the age of 17 is illegal. However, it may not necessarily be regarded as child sexual abuse. Details on exemptions for mandated reporting of certain cases of underage consensual sexual activity can be found in Chapter 3 of the Children First: National Guidance for the Protection and Welfare of Children. .

### **With regard to Vulnerable Adults:**

#### ***The Adult Safeguarding Bill***

"harm" means, in relation to an adult at risk—

- a. assault, ill-treatment or neglect of the adult at risk in a manner that seriously affects or is likely to seriously affect the adult at risk's health or welfare,
- b. Sexual abuse of the adult at risk,
- c. Financial abuse of the adult at risk,

Whether caused by a single act, omission or circumstance or a series or combination of acts, omissions or circumstances, or otherwise;

Meaning of Abuse in relation to Vulnerable Adults

"abuse" means act, failure to act or neglect, which results in a breach of a person's constitutional or legal rights, physical and mental health, dignity or general wellbeing,

and may include ill-treatment, intimidation, humiliation, overmedication, withholding necessary medication, censoring communications, invasion or denial of privacy, or denial of access to visitors;

## Appendix 2: Relevant Definitions of a Child and a Vulnerable Adult

### A: Definition of a Child

'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' (S.2.1).

### Definition of a Vulnerable Adult

For the purposes of the Child Protection Policy, the definition of vulnerable adults encompasses both the definition of vulnerable persons as defined in the National Vetting Bureau (Children and Vulnerable Persons) Act 2012 in addition to the definition of an "Adult at risk" as set out in the Adult Safeguarding Bill, 2017.

#### ***1. Definition of a Vulnerable Adult as per the National Vetting Bureau (Children and Vulnerable Persons) Act, 2012***

As per the National Vetting Bureau (Children and Vulnerable Persons) Act, 2012, a "Vulnerable person" means a person, other than a child, who—

- a) is suffering from a disorder of the mind, whether as a result of mental illness or dementia,
- b) has an intellectual disability,
- c) is suffering from a physical impairment, whether as a result of injury, illness or age, or
- d) has a physical disability, which is of such a nature or degree—
  - (i) as to restrict the capacity of the person to guard himself or herself against harm by another person, or
  - (ii) that results in the person requiring assistance with the activities of daily living including dressing, eating, walking, washing and bathing.

#### ***2. Definition of Vulnerable Adult as per the Adult Safeguarding Bill 2017***

As per the Adult Safeguarding Bill, 2017, an adult at risk means a person, who has attained the age of 18 years who is unable to take care of himself or herself, or is unable to protect him or herself from abuse or harm.

### B: Role & Responsibility of a Designated Person

The role of the designated person is to:

1. Establish contact with the local duty Social Workers of Tusla responsible for child protection in the organisation's catchment area i.e. Child Care Manager or Principal Social Worker;
2. Provide information and advice on child protection within the organisation;
3. Inform local duty Social Workers of Tusla of relevant concerns about individual children;
4. Ensure appropriate information is available at the time of referral and that the referral is confirmed in writing, under confidential cover;
5. Liaise with local duty Social Workers of Tusla /An Garda Síochána and other agencies as appropriate;
6. Keep relevant people within the organisation informed as appropriate, particularly the head of the organisation,
7. Ensure that an individual case record is maintained of the action taken by the organisation, the liaison with other agencies and the outcome;
8. Advise the organisation of child protection training needs.

The Designated Liaison Person is responsible for:

1. Acting as a source of advice on child protection matters;
2. Acting as a source of advice on concerns regarding welfare and/or suspected abuse of vulnerable adults;
2. Coordinating action in relation to Child Protection matters within the organisation;
3. Liaising with Tusla, the HSE and An Garda Síochána and other agencies about suspected or actual cases of child abuse.

## **Appendix 3: Child Protection and Welfare Report Form**

<https://www.tusla.ie/children-first/mandated-persons/how-do-i-report-a-concern-about-a-child/>

## Appendix 4: Tusla: Duty Social Work Contact Details

Go to TuslaWebsite/Children and Family Services/Child Welfare and Protection/Social workers.

Dublin South Central Lorraine Doherty Lorraine.doherty@tusla.ie

Child and Family Agency, 2nd Floor, Mill Lane, Bridge Street, Castlebar, Mayo. Phone 094 9042030

An Garda Síochána:

Bridewell Garda Station	Kevin Street Garda Station	Castlebar Garda Station
Phone 01 666 8200	Phone 01 666 9400	Phone 094 902 8200

St James's Hospital	Mater Misericordiae University Hospital	Mayo General Hospital
Phone 01 410 3000	Phone 01 803 2000	Phone 094 902 1733

Duty Social Worker     Dublin Phone 076 6955749

## Appendix 5: Child Safeguarding Statement

1. Name of service being provided: \_\_\_\_\_
2. Nature of service and principles to safeguard children from harm (brief outline of what our service is, what we do and our commitment to safeguard children):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### 3. Risk Assessment

We have carried out an assessment of any potential for harm to a child while availing of our services. Below is a list of the areas of risk identified and the list of procedures for managing these risks.

	<b>Risk identified</b>	<b>Procedure in place to manage identified risk</b>
1	Secluded areas	The Museum is monitored extensively with CCTV
2	Education events	All risks identified under health and safety Policy
3	Staff	All staff are and continue to be trained in Child protection with TULSA
4	Professional Boundary Management	All relevant staff receive training

### 4. Procedures

Our Child Safeguarding Statement has been developed in line with requirements under the Children First Act 2015, Children First: National Guidance for the Protection and Welfare of Children (2017), and Tusla's Child Safeguarding: A Guide for Policy, Procedure and Practice. In addition to the procedures listed in our risk assessment, 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 appointing a relevant person.

All procedures listed are available upon request.

### 5. Implementation

We recognise that implementation is an on-going process. Our service is committed to the implementation of this Child Safeguarding Statement and the procedures that support our intention to keep children safe from harm while availing of our service.

This Child Safeguarding Statement will be reviewed on \_\_\_\_\_, or as soon as practicable after there has been a material change in any matter to which the statement refers.

### 6. Relevant Person

The relevant person is the first point of contact in relation to the Child Safeguarding Statement. The relevant person is, the Head of Human Resources, NMI Phone 01 6486407

Signed: \_\_\_\_\_

For and on behalf of the NMI

For queries, please contact, Head of Human Resources, Relevant Person under the Children First Act 2015.

## Appendix 6: Visitor Information Form

(Please use this form to record details of visitor groups arriving at the Museum without a booking. Please return to fully completed forms to the Bookings Office). It is mandatory for all group leaders to complete this form in advance of the visit.

Date & Day of Visit			
Contact Details			
Primary Carer/Group Leader Name			
Group Name		Address	
Telephone:		Mobile	
Fax			
Email			
Is this your first visit to the Museum?			
Group Details			
No. in group			
Age of Group			
Type of Group			
Special Interests			
Special Needs: Access/ Language			
Other details			
<b>Please sign below to confirm that you are aware of NMI's Child Protection Policy, Procedures &amp; Child Safeguarding Statement and the Code of Conduct for Visitors &amp; Groups.</b>			
Signature			



## Appendix 7: Code of Conduct for Visitors to the National Museum of Ireland

The National Museum of Ireland (NMI) is committed to ensuring that visitors have a rewarding and enjoyable experience while visiting each of its four sites. NMI aims to provide a quality service in a welcome and safe environment. In return, NMI asks that visitors adhere to the code of conduct outlined below.

It is advisable to read this code in conjunction with NMI Child Protection & Vulnerable Adult Policy, which is available at [www.museum.ie](http://www.museum.ie) and, by request, at NMI reception areas. Please note that the Child Safeguarding Statement is also displayed in the reception areas of the Museum.

1. NMI wishes all visitors to have an enjoyable stay. Visitors are therefore expected to display courtesy and respect for others and for NMI property.
2. Primary carers are responsible for the safety and behaviour of children in their care. Children must be supervised at all times.
3. All NMI staff must be treated with courtesy and respect. Anyone who demonstrates inappropriate behaviour towards staff or other visitors such as raising their voice, making unwanted physical contact, making sexist or racist remarks, will be asked to leave NMI.
4. NMI has a duty of care to children and will communicate any child protection/welfare based concerns to the relevant NMI Designated Liaison Person as outlined in Section A.2 of the Child Protection & Vulnerable Adult Policy.
5. To ensure a pleasant environment for all visitors, please refrain from using mobile phones when on the premises. Mobile phones must be switched off during workshops, talks, launches and any other events.
6. In order to protect the collections, the touching of display objects is not allowed, unless signage specifies otherwise.
7. For reasons of copyright and conservation, photography is not permitted in the galleries, unless otherwise indicated.
8. Please consider others when using shared areas (e.g. education resource room). Plan to arrive and leave the area promptly. Please take steps to leave the area clean and tidy.
9. Litter bins are provided by NMI. Visitors are asked to use them.
10. There are designated areas for the consumption of food in NMI. Please use these areas as eating is not allowed in other areas of NMI buildings.
11. Smoking is not permissible within NMI buildings.
12. The consumption of alcohol, not obtained on the premises, is not permitted.
13. Possession and/or use of any illegal drugs is strictly prohibited anywhere on NMI property.
14. Visitors are advised not to enter areas of NMI that are cordoned off or marked 'Private'.
15. In order to avoid accidents, running within NMI buildings is not allowed.
16. In the case of emergency or an accident, follow the directions/instructions of staff. Staff members will follow NMI Health and Safety procedures as outlined in the Health and Safety statement and Section J, Page 20. of NMI Child Protection & Vulnerable Adult Policy.
17. To contact a member of staff in the event of a lost child, NMI procedures will be followed. This procedure is available as an appendix to the NMI Child Protection & Vulnerable Adult Policy.
18. The NMI reserves the right to ask visitors not following the code of conduct to leave the Museum premises.

Primary carer refers to parent(s), teacher(s) and group leader(s), legal guardians, carer(s) or responsible adult(s) as appropriate.

## **Appendix 8: Code of Conduct for Groups (Schools, Language Schools etc.) visiting the National Museum of Ireland**

The National Museum of Ireland (NMI) is committed to ensuring that groups visiting NMI have the best possible experience at each of its four sites. While NMI aims to provide a quality service in a welcome and safe environment, groups and their leaders/teachers are asked in return to adhere to the code of conduct outlined below. It is also imperative that all visiting groups book through the Bookings Office so that NMI has all the necessary information.

It is advisable to read these procedures in conjunction with the NMI Child Protection & Vulnerable Adult Policy which is available at [www.museum.ie](http://www.museum.ie) and, by request, at NMI reception areas.

NMI would ask all group leaders/teachers when on site to:

1. Ensure that a supervisory ratio of 1 teacher/leader to every 15 students is maintained. In the case of groups with children less than 7 yrs or those with special educational needs, ensure a supervisory ratio of 1 teacher/leader to every 10 students.
2. Stay with your group and supervise the children and young people at all times as leaders/teachers have primary responsibility for the welfare and behaviour of these children and young people.
3. Ensure your group display courtesy and respect towards visitors, NMI staff and NMI property. Anyone who demonstrates inappropriate behaviour towards staff or other visitors, such as, raising their voice, making unwanted physical contact, making sexist or racist remarks, will be asked to leave NMI.
4. Keep in mind that there are designated areas for eating in NMI. Please use these areas as eating is not allowed in other areas of NMI buildings.
5. Ensure that the consumption of alcohol, not obtained on the premises, is not allowed.
6. Ensure that the possession or use of illegal drugs is not allowed within NMI.
7. Prohibit the touching of display objects, unless signage specifies otherwise.
8. Refrain from entering areas of NMI that are cordoned off.
9. Ensure that running within NMI buildings is prohibited.
10. Follow the directions/instructions of staff in the case of emergency or an accident. Staff members will follow NMI Health and Safety procedures as outlined in the Health and Safety statement and Section [INSERT] of the NMI Child Protection & Vulnerable Adult Policy.
11. Contact a Senior Attendant in the event of a lost / missing child. In such cases NMI procedures on lost / missing children will be followed. This set of procedures is available as an appendix in the NMI Child Protection & Vulnerable Adult Policy.

Reminders to NMI staff:

- NMI reserves the right to ask groups, who do not adhere to this code of conduct, to leave NMI premises.
- NMI staff will communicate any child protection based concerns/welfare to the relevant NMI Designated Liaison Person as outlined in Section A.2 of the Child Protection & Vulnerable Adult Policy.
- Senior Attendant will communicate concerns, unrelated to child protection, to the leader/teacher, (unless this person is the source of concern) and follow through with the school/organisation.
- Senior Attendant will communicate any unrelated child protection concerns about the leader/teacher, directly to the school /organisation and possibly An Garda Síochána.

Arrival of Groups that have booked through the Bookings Office:

- For pre-booked activities (including tours, workshops, self-directed gallery sessions etc.), please bring the booking confirmation form on the day and present it at the reception desk.
- Please make contact with NMI site you are visiting if you are going to be late for your tour/workshop. Contact details as follows: Dublin sites (Collins Barracks: Kildare Street: Merrion Street) - 01 6777444; Turlough Park - 094 9031755
- NMI requires 48 hours' notice if you cancel a tour / workshop. Cancellations must be in writing. Otherwise, we regret that a mandatory charge of €40 must be paid.

Arrival of Groups that have not booked through the Bookings Office:

- If your group has not booked a visit, NMI cannot guarantee entrance into the Museum upon arrival as preference will be given to groups who have made prior bookings.
- All groups who enter NMI sites are required to register at the Museum reception.
- When registering at reception, you will be asked to complete a 'Reception Area Booking Confirmation Form' which contains the following information:
  - Date of visit.
  - Contact details of the group (including name of group leader and the School or organisation details).
  - Whether this is the group's first visit to NMI.
  - Group details (number in group, age group, type group, etc.)
  - Purpose of visit.
  - Receipt of the above form by the Bookings Office may be followed up with a letter aimed at encouraging pre-booking in future by the group.

### **Procedures for Responding to Lost and Missing Children at the National Museum of Ireland**

As part of the National Museum of Ireland's (NMI) commitment to practices which safeguard and promote the welfare of children, these procedures have been prepared to advise members of staff on procedures to follow if they discover a lost or missing child.

It is advisable to read these procedures in conjunction with the NMI Child Protection Policy. This policy is available at [www.museum.ie](http://www.museum.ie) and, by request, at NMI reception areas.

If you come across a lost child follow the procedures below:

- Get down to the child's eye level.
- Show the child your identity badge. Tell them your name and inform them that you work for NMI.
- Reassure the child by speaking clearly and calmly. Remember to use age appropriate language.
- Bring the child to the main reception and contact the Senior Science and Art Attendant on duty without delay.
- If the child refuses to go to reception, reassure them that you are there to help them and encourage them to accompany you to main reception. At all times stay with the child and contact a colleague to go to reception if the need arises.
- Give Senior Science and Art Attendant the following details:
  - The time and location where you found the child
  - Name of child
  - Age of child
  - Home address/name of school
  - Physical description of child (height, colour of hair, clothing, etc.)
  - Where the child was found
- Ask Visitor & Security Officer to announce over the loud speaker that a child has been found and state where the child or young person can be collected. Do not disclose the name of the child or young person on loud speaker.
- Continue to make every effort to reassure and calm the child while waiting for the primary carer to collect the child.
- When the primary carer arrives, it is advisable to ask the child to verify that this person is who they say they are. At the same time look for visual clues that the child recognises the adult and check that the child is comfortable leaving with the adult. Before they depart request full contact details of the adult and fill out an incident form. In this situation it is advisable for staff to exercise sensitivity and common sense.
- If the child is not claimed after a reasonable time, the Senior Science and Art Attendant should contact a member of An Garda Síochána/Designated Liaison Person.
- If An Garda Síochána has been notified, and if, in the meantime, the child has been reunited with their primary carer, then An Garda Síochána should be informed of this development immediately.
- A short record of the incident should be completed by NMI staff and sent to the NMI Designated Liaison Person who will include details of the incident in the Incident Book.
- If a lost child is brought to you by a member of the public, you will need to record the person's contact details in the event that they need to be contacted at a later stage.

### **Procedures for dealing with missing children**

- If someone reports to you that a child is missing, record as many details as possible including:
  - Name of Child
  - Age of Child
  - Where and when the child was last seen
  - The person's name and contact details who has reported the missing child
  - Child's address or name of school/group
  - Physical description of the child (height, colour of hair, clothing etc.)
  - If possible ask for a recent photograph of the child
  - Contact all staff on duty and ask them to keep a look-out for the child. Place one member of staff at each exit.
- Senior Science and Art Attendant should co-ordinate a search involving other staff and the child's primary carers and set a reasonable time limit for this activity.
- If the child is not found, Senior Science and Art Attendant should decide on whether to undertake further searches or to inform An Garda Síochána.
- Senior Science and Art Attendant should reassure and calm the primary carer that action is being taken to locate the child.
- Senior Science and Art Attendant will maintain contact by telephone or in person with the primary carer until the child is found.
- If An Garda Síochána has been notified, and if, in the meantime, the child has been found, then An Garda Síochána should be informed of this development immediately.
- A short record of the incident should be completed by the Senior Science and Art Attendant and sent to the Child Protection Designated Liaison Person who will include details of the incident in the Incident Book.

## Appendix 9: Incident Report

1. Details of Child (if known)			
Name		Age	
Male/Female		Address	
School			
1.1 Details of Parents/Primary Carer (if known)			
Name of Parent / Primary Carer		Contact Address	
Telephone Number			
Details of concern(s), allegation(s) or incident(s) dates, times, who was present, description of any observed injuries, parent's view(s), child's view(s) if known. (Use additional sheet if necessary.)			
Details of incident and witness('s) account(s) available allegedly causing concern in relation to the child if known			
2. Details of Child (if known)			
Child's Name		Age	
Male/Female		Address	
3. Details of Witness (if known)			
Witness' Name		Job Title	
Telephone		Address	
4. Details of Person (Deputy/Designated Person) to whom incident/concern is reported and action(s) taken if any			
Designated Person Name		Job Title	
Telephone		Actions Taken	

## **Appendix 10: Declaration Form**

Confidential

Declaration form for all new staff/Facilitators

Surname:      First Name:

Date of Birth:   Place of Birth:

Address:

Tel no: Mobile no:

Any other name(s) previously known as:

Is there any reason that you would be considered unsuitable to work with children and young people?

Yes      No      (please tick one)

If yes please outline:

Have you ever been convicted of a criminal offence relating to children? Yes      No      (please tick one)

If yes, please state below the nature and date(s) of the offence (s):

Signed:      Date: