

NCH

NATIONAL
CONCERT
HALL \ AN
CEOLÁRAS
NÁISIÚNTA

CHILD PROTECTION POLICY

Section 1 – Child Protection Policy Statement

Child Protection Policy Statement

We, the National Concert Hall are committed to a child-centred approach to our work with children* and young people. We undertake to provide a safe environment and experience, where the welfare of the child/young person is paramount. We will adhere to the recommendations of *Children First: National Guidance for the Protection and Welfare of Children*, published by the Department of Children and Youth Affairs. We have implemented procedures covering:

- Code of behaviour for staff
- Reporting of suspected or disclosed abuse; internal and external to the organisation
- Confidentiality
- Recruitment and selecting staff
- Managing and Supervising Staff
- Involvement of primary carers
- Allegations of misconduct or abuse by staff
- Complaints and comments
- Incidents and accidents
- Guidelines for sharing information with children/young people, parents/guardians and other agencies
- Role and responsibilities of Aidan Quinn
- Record keeping, access and storage of information
- Guidelines for interagency working

This policy will be reviewed every 2 years. Changes in legislation are held to automatically update the policy.

Designated Liaison Person _____

Date: 12/04/2018

*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).

Aim of the Policy:

The aim of this policy is to provide National Concert Hall personnel with guidance in relation to their responsibilities in relation to child protection.

Objectives:

The objectives of this policy are to provide National Concert Hall personnel with guidance in relation to:

- The code of behaviour
- Reporting procedures (internal and external to the organisation)
- Confidentiality
- Recruitment and selection of staff
- Management and supervision of staff
- Involvement of primary carers
- Dealing with allegations against staff
- Complaints procedure
- Accident procedure
- Interagency working

Scope:

This policy applies to NCH management, staff, board members, facilitators as well as contracted artists who are working directly with children and young people. It also applies to any and all activities conducted with children and young people in the name of the National Concert Hall.

Section 2 - Code of Behaviour for staff

The code of behaviour is categorised under the following headings:

- Child-centred approach
- Good practice
- Inappropriate behaviour
- Physical contact
- Health and Safety

Child Centred Approach

- Treat all children and young people equally
- Listen to and respect children and young people
- Involve children and young people in decision-making, as appropriate
- Provide encouragement, support and praise
- Use appropriate language (physical and verbal)
- Have fun and encourage a positive atmosphere
- Offer constructive criticism when needed
- Treat all children and young people as individuals
- Respect a child's or young person's personal space
- Discuss boundaries on behaviour and related consequences/sanctions, as appropriate, with children and young people and their primary carers
- Agree group 'contract' before beginning sessions
- Encourage feedback from group
- Use age-appropriate teaching aids and materials
- Lead by example
- Be cognisant of a child's or a young person's limitations, due to a medical condition for example
- Create an atmosphere of trust
- Respect differences of ability, culture, religion, race and sexual orientation

Good Practice

- Register each Primary Carer (Parent or Teacher) as appropriate
- Make primary carers, children/young people, visitors and facilitators aware of the Child Protection Policy and procedures
- Have emergency procedures in place and make all staff aware of these procedures
- Be inclusive of children and young people with special needs
- Plan and be sufficiently prepared, both mentally and physically
- Report any concerns to the Designated Liaison Person and follow reporting procedures
- Ensure that all personnel working with children/young people are aware of the NCH's Anti-Bullying Policy anti-bullying policy. Encourage children and young people to report any bullying, concerns or worries and to be aware of the anti-bullying policy
- Observe appropriate dress and behaviour
- Evaluate work practices on a regular basis
- Provide appropriate training for staff and volunteers
- Report and record any incidents and accidents
- Update and review policies and procedures regularly
- Inform primary carers of any issues that concern their children
- Ensure proper supervision based on adequate ratios according to age, abilities and activities involved
- Don't be passive in relation to concerns, i.e., don't 'do nothing'
- Don't let a problem get out of control
- Do not take a session on your own
- Never give a lift to a child/young person
- Maintain awareness around language and comments made. If you think that something you said may have caused offence or upset, then try to address it in a sensitive manner

Inappropriate Behaviour

- Do not spend time alone with children/young people
- Do not use or allow offensive or sexually suggestive physical and/or verbal language
- Do not single out a particular child/young person for unfair favouritism, criticism, ridicule, or unwelcome focus or attention
- Do not allow/engage in inappropriate touching of any form
- Do not hit or physically chastise children/young people
- Do not socialise inappropriately with children/young people e.g., outside of structured National Concert Hall activities
- Do not contact young people through social networking sites
- Do not make any contact with young people via phone, text, email, without parental consent
- Do not make or receive private calls/texts while facilitating/supervising an activity
- Do not add a child with whom you are working as a friend on Facebook or other social network medium

Physical Contact

- Seek consent of child/young person in relation to physical contact, for example physical contact may be required in relation to some educational activities, the child/young person should be aware of the nature and purpose of such contact (except in an emergency or a dangerous situation)
- Avoid horseplay or inappropriate touch
- Health and Safety
- Don't leave children unattended or unsupervised
- Manage any dangerous materials
- Provide a safe environment
- Be aware of accident procedure and follow accordingly
- Be aware of emergency evacuation procedures

Further information on health and safety and evacuation procedures is contained in the Staff Handbook, available at [\\srv-fs\HR](#)

Section 3 - Reporting Procedures

This section concerns who to contact about issues related to child protection and welfare.

Aidan Quinn, House Manager (Designated Liaison Person), has been designated as the person to contact if you have an issue or concern about any aspect of a child's or young person's safety and welfare. It is the responsibility of this person to support and advise staff about policy and procedures in relation to child protection and to ensure that procedures are followed. It is also the responsibility of the Designated Officer to liaise with Túsla (The Child and Family Agency) or Gardai where appropriate.

The Designated Liaison Person can be contacted at 01 4170077.

Kevin Shaw, Deputy House Manager has been designated as Deputy Designated Liaison Person and can be contacted at 01 4170077.

Role of the DLP

The Designated Liaison Person will:

- a. operate within the guidelines set by the appropriate authorities and those approved by NCH
- b. be available to receive and consider child protection concerns and to report suspicions and allegations of child abuse to the statutory authorities, i.e. Tusla or An Garda Síochána
- c. liaise between the organisation, young people, employees and the statutory authorities where necessary
- d. create and maintain links with the statutory authorities and other relevant agencies and resource groups and to informally consult and seek advice from Tusla regarding referral
- e. facilitate the provision of support to anyone making a disclosure or wishing to make a referral to the statutory authorities
- f. advise the NCH or employees on individual cases within the limits of confidentiality
- g. maintain proper records on all cases referred to him/her in a secure and confidential manner
- h. advise on good practice
- i. organise training and workshops on Child Protection
- j. keep up-to-date on current developments regarding provision, practice, support services, legal obligations/requirements and policy
- k. liaise with the Head of Operations/CEO on the implementation of this policy

Note: See **Appendix 5** for Designated Liaison Person Reporting checklist

Important note regarding the Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012.

Under the [Criminal Justice \(Withholding of Information on Offences against Children and Vulnerable Persons\) Act 2012](#), it is a criminal offence for any person to fail to disclose to the Gardaí information in relation to certain specified offences against children and vulnerable persons. Under the Act, a person shall be guilty of an offence if:

- he or she knows or believes that any of the offences specified in the Act has been committed by another person against a child or vulnerable person, and
- he or she has information which he or she knows or believes might be of material assistance in securing the apprehension, prosecution or conviction of that other person for that offence, and
- fails without reasonable excuse to disclose that information as soon as it is practicable to do so to a member of the Gardaí

Details of the specific offences to which this Act applies to are set out in [Schedule 1](#) and [Schedule 2](#) of the Act. It is the personal responsibility of each individual person to comply with the provisions of the Act. It is also important to note that the fact that a staff member of the National Concert Hall has dealt with a child protection concern in accordance with the procedures detailed in this document does not absolve that staff member of their legal obligation to disclose information to the Gardaí under this Act, where that staff member has information which falls under the ambit of the Act.

Note: **Appendix 4** contains additional information on other pieces of relevant legislation

Issues which would constitute reasonable grounds for concern

- Specific indication from the child or young person 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 another way
- An injury or behaviour which is consistent both with abuse and with an innocent explanation but where there are corroborative indicators supporting the concern that it may be a case of abuse (an example of this would be a pattern of injuries, an implausible explanation, other indications of abuse, dysfunctional behaviour)

Recording of concerns

If abuse is suspected, it is important to establish the grounds for concern by obtaining as much detailed information as possible without investigating. Observations should be accurately recorded and should include dates, times, names, locations, context and any other information that may be relevant. Recording systems regarding child protection procedures are separate from other general records and are accessible only to those who have 'a need to know' basis i.e. the individual involved and the DLP.

Note: See **Appendix 3** for definitions of abuse

Staff should record the following information in relation to children and young people and pass this record to the DLP:

- Suspicions
- Concerns
- Worrying observations
- Behavioural changes
- Actions and outcomes

Dealing with a disclosure

- Stay calm and listen to the child/young person, allow him or her enough time to say what s/he needs to say
- Don't use leading questions or prompt details
- Reassure the child/young person but do not promise to keep anything secret
- Don't make the child/young person repeat the details unnecessarily
- Explain to the child/young person what will happen next (explanation should be age appropriate)
- The person who expresses concern should complete a file report, outlining the situation, including the date, time and people involved, the report should be factual. Any opinions should be stated as such, supported by factual information
- The matter should then be brought to the attention of the Designated Liaison Person or his deputy if unavailable
- The Designated Liaison Person will then decide to discuss the concern or consult with primary carers. Parents, carers or responsible adults? should be made aware of a report to Túsła unless it is likely to put the child/young person at further risk
- The Designated Officer may contact Túsła's Duty Social Work Department for an informal consultation prior to making the report
- Information will be shared on a strictly 'need to know' basis
- If there are reasonable grounds for concern as outlined above, the Designated Officer will contact the Duty Social Worker in the Túsła area using the standard reporting form available from Túsła. Reports to the Duty Social Worker can be made initially and then followed by the standard reporting form. Reports should be made to Túsła without delay
- If the Designated Officer or Deputy Designated Officer is not available, contact the local Túsła Duty Social Worker directly
- In case of emergencies outside HSE Social Work Dept hours, contact the Gardai. In situations that threaten the immediate safety of a child/young person, it may be necessary to contact the Gardai;

Cases not reported to Túsla or An Garda Síochána

In those cases where the DLP decides not to report concerns to Túsla or An Garda Síochána, the individual employee who raised the concern will be given a clear written statement of the reasons why NCH is not taking such action. The employee will be advised that if they remain concerned about the situation, they are free as individuals to consult with, or report to, Túsla or An Garda Síochána. The provisions of the Protections for Persons Reporting Child Abuse Act 1998 apply once they communicate 'reasonably and in good faith' Children First 2011

Retrospective disclosures by adults

An increasing number of adults are disclosing abuse that took place during their childhoods. 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 Túsla without delay. If there is any degree of uncertainty, advice should be sought from Túsla as to how to proceed.

Allegations of Peer Abuse

Abusive behaviour, which is carried out by children and young people, must be taken seriously and it is important that such cases are referred to Túsla. Child protection procedures are adhered to for both children. If there is any conflict of interest between the welfare of the alleged abuser and the victim, the victim's welfare is of paramount importance. The standard reporting procedure will be followed, and advice will be sought from the statutory authorities with regard to informing the parents/carers of the young people concerned.

Third Party Reports

The Child Protection and Welfare Practice Handbook, (HSE 2011) notes that a suspicion of child abuse/welfare received from a third party, must be reported regardless of any consideration in respect of confidentiality, to Túsla who will then assess the concerns. If reasonable grounds for concern exist, NYCI's Reporting procedure must be followed and the information should be forwarded to Túsla, regardless of whether the source wishes to be identified or not. The source must be made aware that the information will be reported.

Record keeping, Access and Storage of information

All records of child protection concerns, disclosures or allegations are to be treated as sensitive information and will be kept together securely

The information will only be shared with those who need to have it in order to safeguard the child.

Child protection records will be stored in a secure (i.e.locked) filing cabinet, accessible through the Designated Liaison Person or their Deputy.

Section 4 – Confidentiality Statement

We at the National Concert Hall are committed to ensuring people’s rights to confidentiality. However, in relation to child protection and welfare we undertake that:

- Information will only be forwarded on a ‘need to know’ basis in order to safeguard the child/young person
- Giving such information to others for the protection of a child or young person is not a breach of confidentiality
- Primary carers, children and young people have a right to know if personal information is being shared and/or a report is being made to Túsla , unless doing so could put the child/young person at further risk
- Images of a child/young person will not be used for any reason without the consent of the parent/carer (however, we cannot guarantee that cameras/videos will not be used at public performances)
- Procedures are in place in relation to the use of images of children/young people.
- Procedures are in place for the recording and storing of information in line with our confidentiality policy.

Section 5 – Recruiting and selecting staff

Recruitment and Selection Policy Statement

We 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
- Posts will be advertised both internally and externally as appropriate
- We will endeavour to select the most suitably qualified personnel
- Candidates will be required to complete an application form
- Candidates will be asked to sign a declaration form
- At least two written references that are recent, relevant, independent and verbally confirmed will be necessary
- Staff will be selected by a panel of at least two (or more) representatives through an interview process
- All staff will receive induction training appropriate to their role
- There will be a maximum six-month probationary period.
- All staff will be required to consent to Garda vetting, and this will be sought

Additional information on the recruitment and selection of staff is contained in the staff handbook. [\\srv-fs\HR](#)

Section 6 – Managing and supervising staff

Staff management policy statement

To protect both staff and children/young people, we undertake that:

New staff will:

- Receive an induction training session
- Be made aware of the organisation’s child protection policy including the code of conduct, child protection procedures, and the identity and role of the DLP and Deputy DLP
- Undergo a maximum six-month probationary period

All staff will:

- Receive an adequate level of supervision and review of their work practices
- Be expected to have read and signed the Child Protection Policy Statement
- Be provided with child protection training

Section 7 - Involvement of primary carers/ Sharing information with parents/guardians and children

Policy Statement on the involvement of primary carers:

We are committed to being open with all primary carers.

We undertake to:

- Advise primary carers and schools of our child protection policy
- Inform primary carers and schools of all activities and potential activities;
- Issue contact/consent forms where relevant
- Comply with health and safety practices
- Operate child-centred policies in accordance with best practice
- Adhere to our recruitment guidelines
- Encourage and facilitate the involvement of parent(s), guardians or carer(s) where appropriate

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

- Respond to the needs of the child or young person
- Inform the primary carers on an on-going basis unless this action puts the child or young person at further risk
- Where there are child protection and welfare concerns we are obliged to pass these on to the Duty Social Worker and, in an emergency, the Gardaí
- In the event of a complaint against a member of staff, we will immediately ensure the safety of the child/young person and inform primary carers as appropriate

As a child-centred organisation, we are committed to putting the interest of the child/young person first. To that end we will:

- Contact Túsla and Gardaí where there is a child protection welfare concern
- Encourage primary carers to work in partnership with us under the guidelines set out by our organisation to ensure the safety of their children
- Have a DLP available for consultation with primary carers in the case of any concern over a child or young person's welfare

Section 8 - Dealing with allegations against staff

In the event of an allegation being made against an employee, the protection of the child/young person is the first and paramount consideration.

The National Concert Hall has a dual responsibility in respect of both the child/young person and employee. The same person must not have responsibility for dealing with the child/young person welfare issues and the staff employment issues.

An allegation against an employee should be assessed promptly and carefully. If reasonable grounds for concern exist, a formal report to the Túsla will be made. The reporting procedures outlined in Section 3 of these guidelines will be followed. The organisation will maintain a close liaison with Túsla and the Gardaí

Agreed procedures will be followed in the context of the applicable employment contract and the rules of natural justice. The National Concert Hall will take protective measures appropriate to the level of risk while not unreasonably penalising the worker – unless necessary to protect the child/young person. Protective measures might mean increased supervision, assignment to different duties, or suspension. The National Concert Hall will follow its Grievance and Disciplinary Codes of Practice.

Dealing with an allegation against staff

Two separate procedures must be followed:

1. In respect of the child/young person, the DLP will deal with issues related to the child/young person.
2. In respect of the person against whom the allegation is made, Barry Walsh, Head of Personnel & Operations, will deal with issues related to the staff member.

- The first priority is to ensure that no child or young person is exposed to unnecessary risk
- If an allegation is made against the DLP then Barry Walsh, Head of Personnel & Operations should be contacted
- If an allegation is made against the Head of Personnel & Operations, then the CEO should be contacted
- The reporting procedures outlined in Section 3 of these guidelines will be followed
- Both the primary carers and child/young person will be dealt with in an age-appropriate manner
- The staff member will be informed as soon as possible of the nature of the allegation and will be given the opportunity to respond

The Chairperson and Chief Executive Officer of the National Concert Hall will be informed as soon as possible, with due regard to confidentiality and any possible conflict of interest.

Any action following an allegation of abuse against an employee will be taken in consultation with Túsla and Gardaí.

After consultation, the Chairperson and/or the Chief Executive Officer of the National Concert Hall will advise the person accused and agreed procedures will be followed.

Section 9 - Complaints procedures

The National Concert Hall's general complaints procedure is available at [\\srv-fs\HR...](#)

Section 10 - Accident Procedure

The National Concert Hall has a Safety Statement. Procedures to follow in the event of an accident have been formulated and can be accessed through [\\srv-fs\HR](#)

Accident Procedure

- The National Concert Hall will register the contact details of all Primary Carers of children/young people who attend activities/programmes in the National Concert Hall
- Children/young people's details will be cross-referenced between the incident book and file
- First aid boxes are available and regularly re-stocked
- The location of the first-aid boxes are known to staff
- Availability of first-aid is in accordance with the National Concert Hall's Health and Safety Guidelines
- Children and young people will be advised of risks of dangerous material, however the National Concert Hall will endeavour to use risk free materials in its children/young people programmes/activities

Interagency Working

Where the NCH is involved in interagency work with another organisation/s, involving contact with children/young people, arrangements and procedures will be agreed between the organisations in advance of any activity, taking account of the following:

- An exchange of child protection policies and subsequent identification of similarities and /or differences in procedures
- Agreement of common procedures, including code of behaviour, internal and external reporting procedures, responsibilities or organisational DLPs, vetting and selection procedures, procedures for dealing with allegations, complaints procedures, health and safety procedures, recording mechanisms and any other relevant areas of concern

Useful Contact Phone Numbers

Principal Social Worker	Phone 01 6486500	Fax 01 6799303
Duty Social Worker		
Carnegie Centre		
21-25 Lord Edward Street		
Dublin 2		
Pearse Street Garda Station	Phone 01 6669000	
Harcourt Terrace Garda Station	Phone 01 6669500	
St Vincents Hospital	Phone 01 2214000	
Mater Misericordiae	Phone 01 8032000	

Sample Photographic / Media Consent Form

INFORMATION

Thank you for agreeing to participate in today's photo call launching the Learning and Participation Programme for 2017 / 2017. Images taken today will be released to the National Media.

The National Concert Hall may then wish to use these photographs for archival or publicity purposes, in displays, publications or presentations. I hereby consent to the collection and use of my personal images by photography or video recording.

I acknowledge these may be used on The National Concert Hall website and/or Facebook and/or Twitter pages.

We will regularly review and delete unwanted material, and we will not seek to use images that might cause embarrassment or distress.

I also understand that my consent can be withdrawn at anytime in writing to the Learning and Participation Executive at education@nch.ie.

CONSENT FORM

I, _____ (Name of person giving consent & parent/guardian if under 18 years of age)

Name of Child: _____

Consent to the use of photographs for use on The National Concert Hall's website and/or Facebook and/or Twitter pages, and release to the National Media.

I understand that photos may be used for other publicity purposes and I consent to such use. I further understand that this consent may be withdrawn by me at anytime, upon written notice.

I give this consent voluntarily.

Signature of person giving consent

Signature of parent/guardian if under 18

Date _____

General Consent Form

I/We the parent(s)/guardian(s) of _____

Who was born on ____/____/____ hereby give permission for my/our child to partake in all activities organized and run by _____ and the National Concert Hall from I/We authorize that the _____ facilitators and/or National Concert Hall staff shall have authority over my/our child and the right to give lawful instructions to my/our child to the same extent as we, ourselves would be able to do so.

Media Consent

An important element of is the production of videos of the performers. Children will never be identified in photographs or videos. Photos and videos may be used for publicity and documentary purposes by _____ and/or the National Concert Hall in printed and online media.

Do you give permission for and consent that photographs and/or videos may be taken which may include your child, and that these may be used in the manner outlined above?

Yes _____ No _____

Medical Consent / Medical Details

I/we understand that that in the event of my/our child requiring medical attention all reasonable efforts will be made to contact me / us (or the Alternative Emergency Contact if I/we are uncontactable) at the contact numbers provided on this form.

In the event of my/our child being taken ill or injured during the period of this consent, I/we hereby consent to any emergency medical treatment that may be necessary in a situation where I/we cannot be contacted for the purposes of giving consent at the time of treatment. I/we hereby authorize the facilitators and/or National Concert Hall staff to communicate my/our consent to any treating medical practitioner.

I/we confirm that the medical details in relation to my/our child are correct.

These are the medical details of my/our child. If you answer YES to any of questions 1-4 or NO to question 5 please provide further details in the space below.

- 1. Has your child any serious illnesses? Yes _____ No _____
- 2. Does your child take any regular medications? Yes _____ No _____
- 3. Are there any medications to which your child is allergic? Yes _____ No _____
- 4. Does your child have any allergies? Yes _____ No _____
- 5. Has your child been fully vaccinated (3/5 in 1, MMR etc.) Yes _____ No _____

If you require a member of staff to manage or administer medications, please contact a member of the facilitators or the National Concert Hall staff.

Further information:

Parent/Guardian Details

Name(s): _____

Contact Number(s): _____

Address: _____

Email: _____

Alternative Emergency Contact

Name: _____ Phone: _____

Signature of Parent(s)/Guardian(s)

Signature(s) _____

Date ____/____/____ ____/____/____

ACCIDENT/INCIDENT REPORT FORM

This form should be fully completed by the person in charge of an event in respect of any accident/incident involving personal injury to any person and damage to the property of such persons.

Date of Accident/Incident: _____ Time: _____

Name: _____ Phone: _____

Address: _____

Accident/Incident location: _____

Event: _____

Injury sustained: _____

Was medical attention required? Yes No

Who administered attention? _____

Telephone No. _____

Nature and extent of attention provided

Was hospital attention required? Yes No

Hospital: _____ Via: Ambulance Car

Describe fully the accident/incident:

Was location checked thoroughly? Yes No

(give reason) _____

Staff member on scene of accident/incident: _____

Witnesses (details)

Were the Gardai informed? Yes No

Station:

Garda name: _____ Garda No. _____

Was House Manager notified immediately? Yes No

(give reason) _____

House Manager on duty: _____

Who accompanied patron? _____ Telephone No. _____

Describe fully nature and extent of damage to property:

Any other information

Signed: _____ Date: _____

Name: _____

Co-signed: _____ Date: _____

Name: _____

Parents informed by staff member: _____

Date: _____

Appendix 1

Work Experience Reference Form

_____ has expressed an interest in doing some work experience with the National Concert Hall and has given your name as a referee.

This post involves substantial access to children and as an organisation committed to the welfare and protection of children, we are anxious to know if you have any reason at all to be concerned about this applicant being in contact with children and young people.

Yes _____ No _____ (please tick one)

If you have answered yes, we will contact you in confidence.

If you are happy to complete this reference, all information contained on the form will remain confidential and will only be shared with the applicant's immediate supervisor, should they be offered a position. We would appreciate you being extremely candid in your evaluation of this person.

How long have you known this person? _____

In what capacity? _____

What attributes does this person have which you would consider makes them a suitable person for work experience?

How would you describe their personality? _____

Please rate this person on the following

	Poor	Average	Good	V/Good	Excellent
Responsibility					
Maturity					
Self-motivation					
Motivation of others					
Energy					
Trustworthiness					
Reliability					

Signed: _____ Date: _____

Occupation: _____

Appendix 2

Declaration Form

Confidential

Declaration form for all those working with children and young people

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: _____

Appendix 3

Definitions of abuse

There are four main categories of abuse as outlined in *Children First: National Guidelines for the Protection and Welfare of Children*. The following is a synopsis of the information contained in that document. For the full definitions please refer to *Children First: National Guidelines for the Protection and Welfare of Children 1993* (p32-34 available in the HR Unit).

1. Neglect

"Neglect can be defined as being where the child suffers significant harm or impairment of development by being deprived of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, attachment to and affection from adults, medical care...The threshold of significant harm is reached when the child's needs are neglected to the extent that his or her well-being and/or development are severely affected." (*Children First p.31*)

2. Emotional abuse

Emotional abuse usually happens where there is a relationship between a carer and a child rather than as a specific incident or incidents.

"Unless other forms of abuse are present, it is rarely manifested in terms of physical signs or symptoms." (*Children First p. 31*)

Rather, it can manifest in the child's behaviour or physical functioning. Examples of these include 'anxious' attachment, unhappiness, low self-esteem, educational and developmental underachievement and uncooperative or hostile behaviour.

"The threshold of significant harm is reached when interaction is predominantly abusive and become typical of the relationship between the child and the parent/carer." (*Children First p.32*)

Examples of emotional abuse in children include:

- Imposition of negative attributes on children, expressed by persistent criticism, sarcasm, hostility or blaming;
- Emotional unavailability by the child's parent/carer;
- Unresponsiveness, inconsistent or inappropriate expectations of the child;
- Premature imposition of responsibility on the child;
- Unrealistic or inappropriate expectations of the child's capacity to understand something or to behave and control him/herself in a certain way;
- Under or over-protection of the child
- Use of unreasonably harsh discipline
- Exposure to domestic violence

3. Physical Abuse

Physical abuse is any form of non-accidental injury or injury which results from wilful or neglectful failure to protect a child. Examples of physical injury include the following:

- Shaking
- Use of excessive force in handling
- Deliberate poisoning
- Suffocation
- Allowing or creating a substantial risk of significant physical harm to child

4. Sexual abuse

Sexual abuse involves the use of a child for gratification or sexual arousal by a person for themselves or others.

Examples of sexual abuse include:

- Exposure of the sexual organs or any sexual act intentionally performed in the presence of a child
- Intentional touching or molesting of the body of a child whether by a person or object for the purpose of sexual arousal or gratification
- Masturbation in the presence of the child or involvement of the child in an act of masturbation
- Sexual intercourse with a child whether oral, vaginal or anal
- Sexual exploitation of a child....may also include showing sexually explicit material to children which is often a feature of the 'grooming' process by perpetrators of abuse
- Consensual sexual activity involving an adult and an under-age person

5. Child Welfare Concern

The HSE Child Protection and Welfare Practice Handbook notes that a child welfare concern is a problem experienced directly by a child or by the family of a child that is seen to impact negatively on the child's welfare or development but may, or may not, require a child protection response.

STANDARD REPORT FORM

(For reporting CP&W Concerns)

A. To Principal Social Worker/Designate: _____

1. Date of Report

2. Details of Child

Name:		Male	<input type="checkbox"/>	Female	<input type="checkbox"/>
Address:		DOB	<input type="text"/>	Age	<input type="text"/>
		School	<input type="text"/>		
Alias		Correspondence address (if different)	<input type="text"/>		
Telephone		Telephone	<input type="text"/>		

3. Details of Persons Reporting Concern(s)

Name:		Telephone No.	<input type="text"/>
Address:		Occupation	<input type="text"/>
		Relationship to client	<input type="text"/>
Reporter wishes to remain anonymous	<input type="checkbox"/>	Reporter discussed with parents/guardians	<input type="checkbox"/>

4. Parents Aware of Report

Are the child's parents/carers aware that this concern is being reported	- Mother	<input type="checkbox"/>	<input type="checkbox"/>
	- Father	<input type="checkbox"/>	<input type="checkbox"/>
Comment	<input type="text"/>		

5. Details of Report

(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.)



An Ghriobhainneacht um
Lionsal agus um Toghblachd
Child and Family Agency

FORM NUMBER: CC01:01:01

STANDARD REPORT FORM

(For reporting CP&W Concerns)

6. Relationships

Details of Mother		Details of Father	
Name:		Name:	
Address: (if different to child)		Address: (if different to child)	
Telephone No's:		Telephone No's:	

7. Household composition

Name	Relationship	DOB	Additional Information e.g. School/ Occupation/Other:

8. Name and Address of other personnel or agencies involved with this child

	Name	Address
Social Worker		
PHN		
GP		
Hospital		
School		
Gardaí		
Pre-School/Crèche/YG		
Other (specify):		

9. Details of person(s) allegedly causing concern in relation to the child

Relationship to child:		Age		Male	<input type="checkbox"/>	Female	<input type="checkbox"/>
Name:			Occupation				
Address:							

10. Details of person completing form

Name:		Occupation:	
Address:		Telephone No's:	
Signed		Date:	



Guidance Note to help you fill in the Standard Report Form:

The Child and Family Agency (Tusla) has a statutory responsibility under the Child Care Act 1991 to promote the protection and welfare of children. The Child and Family Agency therefore has an obligation to receive information about any child who is not receiving adequate care and/or protection.

This report form is for use by:

- Any professional, individual or group involved in services to children, including Child and Family Agency and HSE personnel, who becomes aware of a child protection or welfare concern, or to whom a child protection or child welfare concern is reported.
- Professionals and individuals in the provision of child care services in the community who have service contracts with the Child and Family Agency or the HSE.
- Designated persons in a voluntary or community agency.

Please fill in as much information and detail as is known to you. This will assist the Social Work Department in assessing the level of risk to the child or the support services required. If the information requested is not known to you, please indicate this by putting a line through the question. It is likely that a social worker will contact you to discuss your report.

The Child and Family Agency aims to work in partnership with parents. If you are making this report in confidence, you should note that the Child and Family Agency cannot guarantee absolute confidentiality for the following reasons:

- A Court could order the information be disclosed.
- Under the Freedom of Information Acts 1997 and 2003, the Freedom of Information Commissioner may order that information be disclosed.

You should also note that in making a 'bona fide report', you are protected under the Protection for persons Reporting Child Abuse Act 1998.

If you are unsure if you should report your concerns, please telephone your local Child and Family Agency duty social worker and discuss your concerns with them (click [here](#) for contact details - www.tusla.ie/services/child-protection-welfare/contact-a-social-worker).

An MSWord version of the Standard Report Form may be accessed [here](#) – (www.tusla.ie/services/child-protection-welfare/children-first)

Appendix 4

Relevant legislation

Child Care Act 1991

The main provisions of the Act are:

- the placing of a statutory duty on the HSE to promote the welfare of children who are not receiving adequate care and protection up to 18 yrs
- the strengthening of the powers of the HSE to provide child care and family support services
- the revisions of provisions to enable the courts to place children who have been assaulted, ill-treated, neglected or sexually abused or who are at risk, in the care of or under the supervision of regional health boards
- Section 12 of the Act provides for an Garda Síochána to remove a child to safety if the Garda has reasonable grounds for believing that the child may be at immediate risk to their health or welfare
- The Child Care Act 1991 defines a child as any person under the age of 18 years, excluding a person who is or who has been married

Child Trafficking and Pornography Act 1998

The [Child Trafficking and Pornography Act 1998](#), which is amended by [Section 6 of the Criminal Law \(Sexual Offences\) \(Amendment\) Act 2007 \(pdf\)](#), deals with a number of offences involving children under the age of 17. These include:

- Child trafficking and taking a child for sexual exploitation; the maximum penalty is life imprisonment
- Meeting a child for the purpose of sexual exploitation; the maximum penalty is 14 years imprisonment
- Allowing a child to be used for child pornography; the maximum penalty is a fine of up to €31,000 and/or 14 years imprisonment
- Producing, distributing, printing or publishing child pornography; the maximum penalty for a summary offence is a [class C fine](#) and/or a year's imprisonment; if charged on indictment, the maximum penalty is an unlimited fine and/or 14 years imprisonment. [View further information on the censorship of video and telecoms recordings here](#)
- Possession of child pornography; the maximum penalty for a summary offence is a class C fine and/or a year's imprisonment; if charged on indictment, the maximum penalty is €6,350 and/or five years imprisonment

Protection for Persons Reporting Child Abuse Act 1998

The main provisions of the 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 health boards* 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 an offence of false reporting of child abuse where 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

Criminal Justice Act (reckless endangerment) 2006

Section 176 of the Criminal Justice Act 2006 introduced the criminal charge of reckless endangerment of children as a result of recommendations from the Ferns Inquiry. 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. C.F. 2011, 3.2.7

Withholding of Information on Offences against Children and Vulnerable Persons 2012

- The Act applies to everyone
- It creates an obligation to notify the Gardaí if a person "knows or believes" (i.e. has evidence) that a "serious offence" has been committed against a child or vulnerable person
- There is no obligation to report rumours, innuendo or unsubstantiated information
- There is also no obligation in that Act to report lesser offences such as common assault or neglect of a child. These matters would be covered separately by child protection guidelines and policies
- There are potential defences which can cover victims who do not want information disclosed, parents, professionals acting in best interest of child/vulnerable adult.

National Vetting Bureau (Children and Vulnerable Persons) Act 2012 – commenced April 2016

The purpose of the Act is to provide a legislative basis for the mandatory vetting of persons who wish to undertake certain work or activities relating to children or vulnerable persons or to provide certain services to children or vulnerable persons. It is now a criminal offence to employ a person without vetting them. A relevant organisation shall not permit any person to undertake **relevant work or activities** on behalf of the organisation unless the organisation receives a vetting disclosure from the National Vetting Bureau in respect of that person.

Relevant work or activities is defined as any work or activity which is carried out by a person, a necessary and regular part of which consists mainly of the person having access to, or contact with, children or vulnerable adults. The Act shall not apply where a person gives assistance on an occasional basis at a school, sports or community event or activity, **other than where such assistance includes the coaching, mentoring, counselling, teaching or training** of children or vulnerable persons. Each relevant organisation will have to assess each position involved in accordance with the Act. Proof of identity and confirmation of current address is now required for each person requesting vetting before vetting can commence.

There is a provision in the Act for re-vetting, however no time frame has been set as yet. Organisations are advised to continue with their current practice in this regard. With regard to **Retrospective Vetting** organisations who have people who have not been vetted to date and who fall within the definition of relevant work or activities for their organisations must submit an application for vetting not later than **31st December 2017**.

The Garda Central Vetting Unit is now called National Vetting Bureau of the Garda Síochána.

Children First Act 2015

The Children First Act 2015 puts elements of the Children First: National Guidance for the Protection and Welfare of Children (2011,) on a statutory footing. The Act provides a number of key child protection measures which include:

- A requirement on organisations providing services to children to keep children safe and to produce a Child Safeguarding Statement
- A requirement on defined categories of persons (mandated persons) to report child protection concerns over a defined threshold to the Child and Family Agency (Túsla). Paid youth workers have been defined as mandated persons, volunteers are not and will continue to report under the provisions of the Children First National Guidance document
- A requirement on mandated persons to assist Túsla and “to give to the Agency such information and assistance as it may reasonably require” in the assessment of a child protection risk
- To provide for the abolition of the common law defence of reasonable chastisement and, for that purpose, to amend the Non-Fatal Offences Against the Person Act 1997. (This section has been commenced and from 11th December 2015 a person who administers corporal punishment to a child will no longer be able to rely of the defence of reasonable chastisement in the courts).
- Placing the Children First Interdepartmental Group on a statutory footing

This legislation will operate in tandem with Children First: National Guidance for the Protection and Welfare of Children (2017).

The Criminal Law (Sexual Offences) Act 2017

The Act enhances and updates laws to combat the sexual exploitation and sexual abuse of children, including new offences relating to child sexual grooming and new and strengthened offences to tackle child pornography. Offences concerning sexual acts with under age children have been restated and strengthened in this Act. However, the Act also recognises the reality of under age, consensual peer relationships through the introduction of a 'proximity of age' defence. Under this provision, a person charged with an offence of engaging in a sexual act with a person between the ages of 15 and 17 years can rely on a defence where the act is consensual, on-exploitative and the age difference is no more than two years.

The Act also criminalises the purchase of sexual services, introduces new provisions regarding the giving of evidence by victims in sexual offence trials and introduces a new offence addressing public indecency. Other provisions include maintaining the age of consent to sexual activity at 17 years of age and for a new "proximity of age" defence as well as a statutory statement of the law as regards consent to sexual acts. New offences relating to the sexual exploitation of persons with disabilities, where the nature of that disability is such to render the individual incapable of consenting to a sexual act are also introduced and replace the existing offence under the Criminal Law (Sexual Offences) Act 1993 relating to the protection of mentally impaired persons.

For more information, please follow the link below.

<http://www.rcni.ie/wp-content/uploads/RCNI-Criminal-Law-Sexual-Offences-Act-2017-Briefing-Substantive-Law-Changes-April-2017.pdf>

Appendix 5

DESIGNATED LIAISON PERSON REPORTING CHECKLIST

Pre-reporting stage

HAVE YOU:

Action	Action taken	Action not taken	Comments
Assessed the situation			
Received all of the facts, i.e. where, when, who etc...			
Spoken to the young person (if appropriate)			
Spoken to parents (if appropriate)			
Consulted internally in your organisation (if appropriate)			
Received a factual report from the reporter			
Sought advice from the HSE			
Referred to your organisational child protection policy			
Established reasonable grounds for concern			
Informed young person/ reporter/parents/ manager <i>if appropriate</i> of intention to report			
Taken any other action which is appropriate to the situation			

Reporting stage**HAVE YOU:**

Action	Action taken	Action not taken	Comments
Identified appropriate local office and contact details of duty social worker			
Completed standard HSE reporting form			
Phoned to inform that you are sending in report			
Sent report via fax or registered post			
Kept and filed delivery receipt of fax or registered post			
Kept a copy of report and store in a secure location			
Requested acknowledgement of receipt of report from duty social work office			
Taken any other action which is appropriate to the situation			

Post - reporting stage**HAVE YOU:**

Action	Action taken	Action not taken	Comments
Confirmed that the report has been received by the relevant personnel in the HSE			
Kept a record of all action and attempted action taken			
Kept a record of all relevant material in a secure location			
Checked which social worker has been assigned the case			
Informed young person/ reporter/parents/ management <i>if appropriate</i> of the status of the report			
Followed up on non-response from HSE with senior social worker			
Maintained confidentiality on 'a need to know' basis			
Reviewed child protection policy, procedure and training programmes			
Ensured there are support structures in place for the young person and all others involved.			
Taken any other action which is appropriate to the situation			

Please note: The purpose of this checklist is for information only, the sequence of events may vary depending on the situation/context.

NCH

NATIONAL
CONCERT
HALL \ AN
CEOLÁRAS
NÁISIÚNTA

BEARTAS UM
CHOSAINT LEANAÍ

Mír 1 – Ráiteas Beartais um Chosaint Leanaí

Ráiteas Beartais um Chosaint Leanaí

Táimid, an Ceoláras Náisiúnta, tiomanta do chur chuige leanbhliárnach i leith ár n-oibre le leanaí* agus daoine óga. Tugaimid faoi thimpeallacht agus eispéireas sábháilte a sholáthar, ina dtugtar tús áite do leas an linbh/an duine óig. Cloífidimid le moltaí *Tús Áite do Leanaí: Treoir Náisiúnta maidir le Cosaint agus Leas Leanaí*, a d'fhoilsigh an Roinn Leanaí agus Gnóthaí Óige. Chuireamar nósanna imeachta i bhfeidhm a chuimsíonn an méid seo a leanas:

- Cód iompair don fhoireann
- Mí-úsáid amhrasta nó a nochtar a thabhairt le fios; san eagraíocht agus taobh amuigh di
- Rúndacht
- Earcaíocht agus roghnú foirne
- An Fhoireann a Bhainistiú agus a Mhaoirsiú
- An bhaint a bhíonn ag príomhchúramóirí
- Líomhaintí i leith mí-iompair nó mí-úsáide ag an bhfoireann
- Gearáin agus barúlacha
- Teagmhais agus timpistí
- Treoirlínte chun faisnéis a roinnt le leanaí/daoine óga, tuismitheoirí/caomhnóirí agus gníomhaireachtaí eile
- Ról agus freagrachtaí Aidan Quinn
- Taifid a choimeád, rochtain ar agus stóráil faisnéise
- Treoirlínte d'oibriú Idirghníomhaireachta

Déanfar athbhreithniú ar an mbeartas seo gach 2 bliain. Coimeádtar athruithe ar an reachtaíocht chun an beartas a nuashonrú go huathoibríoch.

Duine Ainmnithe Idirchaidrimh _____

Dáta: 12/04/2018

*Sainmhínítear san Acht um Chúram Leanaí, 1991 leanbh mar `duine faoi aois 18 mbliana seachas duine atá nó a bhí pósta (Alt 2.1).

Aidhm an Bheartais:

Is í aidhm an bheartais seo chun treoir a sholáthar do phearsanra an Cheolárais Náisiúnta maidir lena bhfreagrachtaí maidir le cosaint leanaí.

Cuspóirí:

Is iad cuspóirí an bheartais seo chun treoir a sholáthar do phearsanra an Cheolárais Náisiúnta maidir leis an méid seo a leanas:

- An cód iompair
- Nósanna imeachta tuairiscithe (taobh istigh agus amuigh den eagraíocht)
- Rúndacht
- Earcaíocht agus roghnú foirne
- Bainistíocht agus maoirseacht foirne
- Baint príomhchúramóirí
- Déileáil le líomhaintí in aghaidh na foirne
- Nós imeachta chun gearáin a dhéanamh
- Nós imeachta maidir le timpistí
- Oibriú idirghníomhaireachta

Scóip:

Baineann an beartas seo le bainistíocht, foireann, bord, baill, éascaitheoirí anuas ar ealaíontóirí ar conradh an CÁN atá ag oibriú go díreach le leanaí agus daoine óga. Baineann sé, chomh maith, le haon ghníomhaíochtaí agus le gach gníomhaíocht faoina dtugtar le leanaí agus daoine óga in ainm an Cheolárais Náisiúnta.

Mír 2 - Cód Iompair don Fhoireann

Déantar an cód iompair a chatagóiriú faoi na teidil seo a leanas:

- Cur chuige leanbhlánach
- Dea-chleachtas
- Iompar míchuí
- Teagmháil fhisiciúil
- Sláinte agus Sábháilteacht

Cur Chuige Leanbhlánach

- Caitheamh le gach leanbh agus duine óg go cothrom
- Éisteacht le agus meas a léiriú ar gach leanbh agus duine óg
- Leanaí agus daoine óga a thabhairt san áireamh sa chinnteoireacht, faoi mar is cuí
- Spreagadh, tacaíocht agus moladh a thabhairt
- An friotal cuí a úsáid (fhisiciúil agus ó bhéal)
- Spraoi a bheith acu agus atmaisféar dearfach a spreagadh
- Léirmheastóireacht chuiditheach a chur ar fáil nuair a theastaíonn
- Caitheamh le gach leanbh agus duine óg mar dhaoine aonair
- Meas a léiriú ar spás pearsanta linbh nó duine óig
- Plé a dhéanamh ar theorainneacha maidir le hiompar agus iarmhairtí/ smachtbhannaí gaolmhara, faoi mar is cuí, le leanaí agus daoine óga agus lena bpríomhchúramóirí
- Comhaontú a dhéanamh ar ‘theagmhálaí’ grúpa sula dtosaítear seisiúin
- Aiseolas a spreagadh ón ngrúpa
- Áiseanna agus ábhair aoisoiriúnacha mhúinteoireachta a úsáid
- Ceannaireacht a thabhairt le dea-shampla
- Aird a thabhairt ar shrianta linbh nó duine óig, mar gheall ar riocht sláinte, mar shampla
- Atmaisféar iontaoibhe a chruthú
- Meas a léiriú ar dhifríochtaí cumais, cultúir, creidimh, cineáil agus gnéaschlaonta

Dea-Chleachtas

- Gach Príomhchúramóir (Tuismitheoir nó Múinteoir) a chlárú, faoi mar is cuí
- Príomhchúramóirí, leanaí/daoine óga, cuairteoirí agus éascaitheoirí a chur ar an eolas ar na nósanna imeachta agus an Beartas um Chosaint Leanaí
- Nósanna imeachta éigeandála a bheith i bhfeidhm agus an fhoireann go léir a chur ar an eolas ar na nósanna imeachta seo
- Leanaí agus daoine óga a bhfuil riachtanais speisialta acu a chuimsiú
- Pleanáil agus bheith ullamh a dhóthain, go meabhrach agus go fisiciúil araon
- Aon buarthaí a chur in iúl don Duine Ainmnithe Idirchaidrimh agus cloí leis na nósanna imeachta tuairiscithe
- A chinntiú go bhfuil an pearsanra go léir a oibríonn le leanaí/daoine óga ar an eolas ar Bheartas Frithbhulaíochta agus an CÁN. Leanaí agus daoine óga a spreagadh chun aon bhulaíocht, buarthaí nó imní a thabhairt le fios agus bheith ar an eolas ar an mbeartas frithbhulaíochta
- Cloí leis an bhfeisteas agus an t-iompar cuí
- Meastóireacht a dhéanamh ar chleachtais oibre ar bhonn rialta
- Oiliúint chuí a chur ar an bhfoireann agus ar oibrithe deonacha
- Aon teagmhais agus timpistí a thabhairt le fios
- Beartais agus nósanna imeachta a athbhreithniú agus a nuashonrú go rialta;
- Príomhchúramóirí a chur ar an eolas ar aon saincheisteanna a bhaineann lena leanaí
- Maoirseacht cheart a chinntiú bunaithe ar chóimheasa leordhóthanacha de réir aoise, cumais agus gníomhaíochtaí a bhíonn i gceist
- Gan bheith éighníomhach maidir le buarthaí, i.e., gan `rud ar bith a dhéanamh';
- Ná lig d'fhadhb dul as smacht
- Ná glac le seisiún leat féin
- Ná tabhair síob do leanbh/duine óg riamh
- Bheith feasach i gcónaí ar an bhfríotal agus barúlacha a nochtar. Má cheapann tú go bhféadfadh rud éigin a dúradh bheith ina ábhar maslaithe nó suaite, déan iarracht dul i ngleic leis ar bhealach íogair

Iompar Míchúí

- Ná caith am leat féin le leanaí/daoine óga
- Ná húsáid nó ná ceadaigh úsáid a bhaint as friotal fisiciúil agus/nó ó bhéal atá maslach nó a chuireann cúrsaí gnéis in iúl
- Ná díriigh ar leanbh/dhuine óg ar leith ar mhaithe le fabhraíocht, cáineadh, ceap magaidh a dhéanamh de/di, nó chun fócas nó aird nach bhfáiltítear roimhe a dhíriú air/uirthi
- Ná ceadaigh/ná tabhair faoi lámh mhíchúí a leagan ar dhuine, d'aon fhoirm
- Ná buail nó ná cuir pionós fisiciúil ar leanaí/daoine óga
- Ná déan sóisialú míchúí le leanaí/daoine óga e.g., lasmuigh de ghníomhaíochtaí struchtúracha an Cheolárais Náisiúnta
- Ná déan teagmháil le daoine óga trí láithreáin líonraithe shóisialta
- Ná déan aon teagmháil le daoine óga ar an nguthán, trí theachtaireacht téacs, ar ríomhphost, gan toiliú tuismitheora
- Ná cuir nó ná freagair glaonna/teachtaireachtaí téacs príobháideacha fad a bhíonn gníomhaíocht á héascú/maoirsiú agat
- Ná cuir leanbh a bhfuil tú ag oibriú leis/léi le do chuid cairde ar Facebook nó ar mheán líonra shóisialta eile

Teagmháil Fhisiciúil

- Lorg toiliú linbh/duine óig maidir le teagmháil fhisiciúil, mar shampla, b'fhéidir go mbeadh teagmháil fhisiciúil ag teastáil maidir le roinnt gníomhaíochtaí oideachais ba cheart go mbeadh an leanbh/duine óg feasach ar chineál agus cuspóir na teagmhála siúd (seachas i gcás éigeandála nó contúirteach)
- Seachain pleidhcíocht nó lámh a leagan go míchúí ar dhuine

Sláinte agus Sábháilteacht

- Ná fág leanaí gan duine ina mbun nó gan bheith faoi mhaoirseacht
- Bainistigh aon ábhair chontúirteacha
- Cuir timpeallacht shábháilte ar fáil
- Bí ar an airdeall ar an nós imeachta timpiste agus lean é dá réir
- Bí ar an airdeall ar nósanna imeachta aslonnaithe éigeandála

Cuimsítear breis faisnéise faoi nósanna imeachta sláinte agus sábháilteachta agus aslonnaithe i Lámhleabhar na Foirne, atá ar fáil ag [\\srv-fs\HR](#)

Mír 3 - Nósanna Imeachta Tuairiscithe

Baineann an mhír seo leo siúd ar cheart teagmháil a dhéanamh leo faoi shaincheistean a bhaineann le cosaint agus leas leanaí.

Sannadh Aidan Quinn, Bainisteoir an Tí (Duine Ainmnithe Idirchaidrimh), mar an duine a bhfuil teagmháil le déanamh leis má bhíonn saincheist agat nó buairt ort faoi aon ghné de shábháilteacht agus leas linbh nó duine óig. Tá an duine seo freagrach as tacú le agus comhairle a chur ar an bhfoireann faoi bheartas agus nósanna imeachta maidir le cosaint leanaí agus lena chinntiú go leantar nósanna imeachta. Tá an tOifigeach Ainmnithe freagrach, chomh maith, as idirchaidreamh a dhéanamh le Tusla (an Ghníomhaireacht um Leanaí agus an Teaghlach) nó le Gardaí, sa chás gur cuí.

Is féidir teagmháil a dhéanamh leis an Duine Ainmnithe Idirchaidrimh trí ghlaó 01 4170077.

Sannadh **Kevin Shaw, Leas-Bhainisteoir an Tí**, mar an Leas-Duine Ainmnithe Idirchaidrimh agus is féidir teagmháil a dhéanamh leis trí ghlaó ar 01 4170077.

Ról an DAI

Déanfaidh an Duine Ainmnithe Idirchaidrimh (an DAI) an méid seo a leanas:

- a. oibriú laistigh de na treoirlínte a leag na húdaráis chuí amach agus iad siúd a d'fhaomh an CÁN
- b. bheith ar fáil agus breithniú a dhéanamh ar bhuarthaí um chosaint leanaí agus amhras agus líomhaintí i leith mí-úsáid leanaí a thabhairt le fios do na húdaráis reachtúla, i.e. Tusla nó an Garda Síochána
- c. idirchaidreamh a dhéanamh idir an eagraíocht, daoine óga, fostaithe agus na húdaráis reachtúla, nuair is gá
- d. naisc a chruthú agus a choimeád le húdaráis reachtúla agus le gníomhaireachtaí agus grúpaí acmhainní ábhartha eile agus dul i gcomhairle go neamhfhoirmiúil agus comhairle a lorg ó Tusla i ndáil le hatreorú
- e. soláthar tacaíochta a éascú d'aon duine a dhéanann nochtadh nó ar mian leo atreorú a dhéanamh leis na húdaráis reachtúla
- f. comhairle a chur ar an CÁN nó ar fhostaithe faoi chásanna aonair laistigh de theorainneacha na rúndachta
- g. taifid chearta a choimeád ar na cásanna go léir a atreoraíodh chuige/chuici ar bhealach slán agus rúnda
- h. comhairle a chur ar dhea-chleachtas
- i. oiliúint agus ceardlanna a eagrú ar Chosaint Leanaí
- j. coimeád cothrom le dáta maidir le forbairtí reatha i ndáil le soláthar, cleachtas, seirbhísí tacaíochta, oibleagáidí/ceanglais dhlíthiúla agus beartas.
- k. idirchaidreamh a dhéanamh leis an gCeann Oibríochtaí/POF maidir le cur i bhfeidhm an bheartais seo

Nóta: Féach **Aguisín 5** chun teacht ar an seicliosta Tuairiscithe don Duine Ainmnithe Idirchaidrimh

Nóta tábhachtach maidir leis an Acht um Cheartas Coiriúil (Faisnéis faoi Chionta in aghaidh Leanaí agus Daoine Leochaileacha a Shiarchoinneáil), 2012.

Faoin **Acht um Cheartas Coiriúil, (Faisnéis faoi Chionta in aghaidh Leanaí agus Daoine Leochaileacha a Shiarchoinneáil), 2012**, is cion coiriúil é má theipeann ar aon duine faisnéis a nochtadh do na Gardaí maidir le cionta áirithe sonraithe in aghaidh leanaí agus daoine leochaileacha. Faoin Acht, beidh duine ciontach i gcion sna cásanna seo a leanas:

- is eol dó/di nó creideann sé/sí go ndearna duine eile aon chinn de na cionta a shonraítear san Acht in aghaidh linbh nó duine leochaileach, agus
- tá faisnéis aige nó aici is eol dó/di nó a gcreideann sé/sí a bhféadfadh bheith ina chúnamh ábhartha chun gabháil, ionchúiseamh nó ciontú an duine eile sin don chion sin a bhaint amach, agus
- teipeann air/uirthi gan leithscéal réasúnta chun an fhaisnéis sin a nochtadh a luaithe is indéanta amhlaidh a dhéanamh do chomhalta de na Gardaí

Leagtar amach sonraí faoi na cionta sonracha lena mbaineann na tAcht seo i **Sceideal 1** agus **Sceideal 2** den Acht. Tá freagracht phearsanta ar gach duine aonair chun cloí le forálacha an Achta. Is tábhachtach a thabhairt faoi deara, chomh maith, nach mbaintear a n-oibleagáid dhlíthiúil chun faisnéis a nochtadh do na Gardaí faoin Acht seo díreach mar gheall gur dhéileáil comhalta foirne den Cheoláras Náisiúnta le buairt faoi chosaint leanaí i gcomhréir leis na nósanna imeachta a shonraítear sa cháipéis seo, sa chás go bhfuil faisnéis ag comhalta foirne a thagann faoi raon an Achta.

Nóta: Cuimsítear in **Aguisín 4** faisnéis bhreise faoi phíosáí eile reachtaíochta ábhartha

Saincheisteanna a bheadh ina n-údar réasúnta le buairt

- Tugann an leanbh nó an duine óg le fios go sonrach gur baineadh mí-úsáid as/aisti;
- Tugann duine a chonaic mí-úsáid á baint as an leanbh/duine óg cuntas
- Fianaise, ar nós gortú nó iompair, atá comhsheasmhach le mí-úsáid agus nach dóchúil go bhfuil rud éigin eile ina chúis leis
- Gortú nó iompar atá comhsheasmhach le mí-úsáid agus le míniú saonta ach sa chás gurb ann do tháscairí comhthacaíochta a thacaíonn leis an mbuairt a thugann le fios go bhféadfadh gur cás mí-úsáide atá ann (mar shampla, patrún gortuithe míniú nach féidir é a chreidiúint, rudaí eile a thugann mí-úsáid le fios, iompar mífheidhmiúil)

Buarthaí a chur i dtaifead

Má bhítear in amhras ar mhí-úsáid, is tábhachtach na forais le haghaidh buartha a dheimhniú trína mhéid faisnéis mhionsonraithe agus is féidir a fháil gan imscrúdú a dhéanamh. Ba cheart breathnóireacht a chur i dtaifead go cruinn agus ba cheart dátaí, amanna, ainmneacha, comhthéacs agus aon fhaisnéis eile a d'fhéadfadh bheith bainteach a áireamh leis. Ní hionann córais taifeadta i ndáil le nósanna imeachta um chosaint leanaí agus taifid ghinearálta eile agus ní bhíonn teacht orthu ach acu siúd 'ar bhonn riachtanais', i.e., an duine aonair atá bainteach leis an DAI.

Nóta: Féach **Aguisín 3** chun teacht ar shainmhínithe ar mhí-úsáid

Ba cheart don fhoireann an fhaisnéis seo a leanas a chur i dtaifead maidir le leanaí agus daoine óga agus an taifead seo a sheoladh ar aghaidh chuig an DAÍ:

- Amhras
- Buarthaí
- Breathnóireacht atá ina hábhar buartha
- Athruithe iompraíochta
- Gníomhartha agus torthaí

Déileáil le nochtadh

- Fan socair agus éist leis an leanbh/duine óg, tabhair dóthain ama dó/di leis an méid a theastaíonn uaidh/uaithi a rá
- Ná húsáid ceisteanna treoracha nó sonraí leide
- Cuir an leanbh/duine óg ar a suaimhneas ach ná geall chun aon rud a choimeád faoi rún
- Ná iarr ar an leanbh/duine óg chun na sonraí a lua arís gan ghá
- Míinigh don leanbh/duine óg an chéad rud eile a tharlóidh (ba cheart go mbeadh an míniú aoisoiriúnach)
- Ba cheart don duine a thugann buairt le fios tuairisc chomhaid a chomhlánú, ina dtugtar cuntas ar an gcás, an dáta, an t-am agus na daoine atá i gceist, ba cheart go mbeadh an tuairisc fíriciúil. Ba cheart aon tuairimí a lua amhail atá siad, agus ba cheart go dtacódh faisnéis fhíriciúil leo
- Ba cheart an cheist a thabhairt ar aird an Duine Ainmnithe Idirchaidrimh nó an Leas-Duine Ainmnithe Idirchaidrimh ansin, mura bhfuil fáil air/uirthi
- Déanfaidh an Duine Ainmnithe Idirchaidrimh an cinneadh chun plé a dhéanamh ar an mbuairt nó dul i gcomhairle le príomhchúramóirí. Ba cheart tuismitheoirí, cúramóirí nó daoine fásta freagracha a chur ar an eolas ar thuairisc a rinneadh le Tusla mura dóchúil go gcuirfidh sé baol breise roimh an leanbh/duine óg
- Féadfaidh an tOifigeach Ainmnithe teagmháil a dhéanamh le Rannóg Oibre Sóisialta Tusla le haghaidh comhairliúcháin neamhfhoirmiúil sula ndéantar an tuairisc
- Déanfar faisnéis a roinnt 'ar bhonn riachtanais' dian
- Más ann d'fhorais réasúnta le haghaidh buartha faoi mar a dtugtar cuntas air thuas, déanfaidh an tOifigeach Ainmnithe teagmháil leis an Oibrí Sóisialta Dualgais i limistéar Tusla trí úsáid a bhaint as an bhfoirm thuairiscithe atá ar fáil ó Tusla. Is féidir tuairiscí a dhéanamh leis an Oibrí Sóisialta Dualgais i dtosach báire agus is féidir foirm chaighdeánach thuairiscithe a úsáid ina dhiaidh sin. Ba cheart tuairiscí a dhéanamh le Tusla gan mhoill
- Mura bhfuil fáil ar an Oifigeach Ainmnithe nó an Leas-Oifigeach Ainmnithe, déan teagmháil le hOibrí Sóisialta Dualgais Tusla go díreach;
- I gcás éigeandálaí lasmuigh d'uaireanta Rannóg Oibre Sóisialta FSS, déan teagmháil leis na Gardaí. I gcásanna a bhagraíonn do shábháilteacht dhíreach linbh/duine óig, b'fhéidir gur gá teagmháil a dhéanamh leis na Gardaí

Cásanna nach dtugtar le fios do Tusla nó an Garda Síochána

Sna cásanna siúd ina gcinneann an DAI gan buarthaí a thabhairt le fios do Tusla nó an Garda Síochána, tabharfar ráiteas scríofa soiléir don fhostaí aonair a thug an bhuairt chun solais ar na cúiseanna nach bhfuil an CÁN ag dul i mbun an ghnímh sin. Cuirfear an fostaí ar an eolas, má bhíonn siad buartha go fóill faoin gcás, is fúthu atá sé mar dhaoine aonair chun dul i gcomhairle le Tusla nó an Garda Síochána nó tuairisc a dhéanamh leo. Bíonn forálacha an Achta um Chosaintí do Dhaoine a Thuairisceoidh Drochúsáid Leanaí, 1998 bainteach a luaithe a dhéantar cumarsáid `réasúnta agus le dea-intinn` Tús Áite do Leanaí 2011

Nochtadh siarghabhálach ag daoine fásta

Tá mí-úsáid á nochtadh ag líon daoine fásta atá ag dul i méid a thit amach fad a bhí siad ina leanaí. Is buntábhachtach a dheimhniú cé acu an bhfuil nó nach bhfuil aon riosca reatha roimh aon leanbh a bhféadfadh teagmháil a bheith aige/aici leis an mí-úsáideoir líomhnaithe a nochtar sa nochtadh siúd.

Má mheastar gurb ann d'aon riosca roimh leanbh a bhféadfadh teagmháil a bheith aige/aici le mí-úsáideoir líomhnaithe, ba cheart don chomhalta foirne an líomhain a chur in iúl do Tusla gan mhoill. Más ann d'aon éiginnteacht, ba cheart comhairle a lorg ó Tusla maidir conas ba cheart leanúint ar aghaidh.

Líomhaintí i leith Mí-Úsáid Piara

Caithefear caitheamh go tromchúiseach le hiompar drochídeach, a bhíonn ar bun ag leanaí agus daoine óga, agus is tábhachtach go n-atreoraítear na cásanna siúd chuig Tusla. Cloítear le nósanna imeachta um chosaint leanaí don bheirt leanaí. Más ann d'aon choinbhleacht leasa idir leas an mhí-úsáideora líomhnaithe agus an t-íospartach, tugtar tús áite do leas an íospartaigh. Cloítear leis an nós imeachta caighdeánach tuairiscithe, agus lorgófar comhairle ó na húdaráis reachtúla i dtaobh thuismitheoirí/chúramóirí na ndaoine óga atá i gceist a chur ar an eolas.

Tuairiscí le Tríú Páirtithe

Sonraítear sa Lámhleabhar Cleachtais um Chosaint agus Leas Leanaí, (FSS 2011) gur gá amhras i leith mí-úsáid/leas leanaí a chuireann tríú páirtí in iúl, a thabhairt le fios gan aird ar aon bhreithniú maidir le rúndacht, do Tusla, a dhéanfaidh measúnú ar na buarthaí ansin. Murab ann d'fhorais réasúnta le haghaidh buartha, caithefear cloí le nós imeachta Tuairiscithe Chomhairle Náisiúnta na nÓg (CNÓ) agus ba cheart an fhaisnéis a chur faoi bhráid Tusla, gan aird ar cé acu an mian nó nach mian leis an bhfoinse go sainaitheofar é/í. Caithefidh an fhoinse a bheith ar an eolas go dtabharfar an fhaisnéis le fios.

Taifid a choimeád, Rochtain ar agus Stóráil Faisnéise

Táthar le caitheamh le gach taifead ar bhuarthaí, nochtadh nó líomhaintí i leith cosaint leanaí mar fhaisnéis íogair agus coimeádfar iad le chéile go slán. Ní roinnfear an fhaisnéis ach leo siúd a dteastaíonn sí uathu chun an leanbh a chosaint. Stórálfar taifid um chosaint leanaí i gcaibinéad comhad slán (i.e. faoi ghlas), nach mbeidh teacht air ach ag an Duine Ainmnithe Idirchaidrimh nó an Leas-Duine Ainmnithe Idirchaidrimh.

Mír 4 – Ráiteas Rúndachta

Tá sinne, sa Cheoláras Náisiúnta, tiomanta do chearta daoine i leith rúndachta a chinntiú. Maidir le cosaint agus leas leanaí, áfach, geallaimid an méid seo a leanas:

- Ní sheolfar faisnéis ar aghaidh ach chucu siúd ‘ar bhonn riachtanais’ chun an leanbh/duine óg a chosaint
- Ní hionann an fhaisnéis siúd a thabhairt do dhaoine eile chun leanbh nó duine óg a chosaint agus sárú ar rúndacht
- Tá an ceart ag príomhchúramóirí, leanaí agus daoine óga a bheith ar an eolas má tá faisnéis phearsanta á roinnt agus/nó má tá tuairisc á déanamh le Tusla, mura gcuirfeadh amhlaidh a dhéanamh baol breise roimh an leanbh/duine óg
- Ní úsáidfear íomhánna de leanbh/duine óg ar aon chúis gan toiliú an tuismitheora/ an chúramóra (ní féidir linn a chinntiú, áfach, nach n-úsáidfear ceamaraí/físeáin ag léiriú poiblí)
- Tá nósanna imeachta i bhfeidhm maidir le híomhánna de leanaí/dhaoine óga a úsáid; sa chás gur féidir teacht orthu seo
- Tá nósanna imeachta i bhfeidhm chun faisnéis a thairgeadh agus a stóráil ar aon dul lenár mbeartas rúndachta. Cá féidir teacht orthu seo?

Mír 5 – Earcú agus roghnú foirne

Ráiteas Beartais Earcaíochta agus Roghnaithe

Cinnteoimid go roghnaítear an fhoireann go cúramach, go gcuirtear oiliúint orthu agus go ndéantar iad a mhaoirsiú chun timpeallacht shábháilte a sholáthar do gach leanbh agus duine óg, trí chloí leis na príonsabail seo a leanas:

- Déanfar ról agus freagrachtaí a shainiú go soiléir do gach post
- Fógrófar poist go himheánach agus go seachtrach araon faoi mar is cuí
- Déanfaimid dícheall an pearsanra is mó atá cáilithe go hoiriúnach a roghnú
- Beidh ar iarrthóirí foirm iarratais a chomhlánú
- Iarrfar ar iarrthóirí chun foirm dhearbhair a shíniú
- Beidh ar a laghad dhá theistiméireacht scríofa ag teastáil a rinneadh le déanaí, a bhaineann le hábhar, atá neamhspleách agus a dheimhnítear ó bhéal
- Roghnóidh painéal ar a laghad beirt ionadaithe (nó níos mó) an fhoireann trí phróiseas agallaimh
- Cuirfeadh oiliúint ionduchtúcháin ar an bhfoireann go léir atá oiriúnach dá ról
- Beidh tréimhse phromhaidh uasta sé mhí ann
- Beidh ar an bhfoireann go léir toiliú a thabhairt do ghrinnfhiosrúchán an Gharda Síochána, agus lorgófar seo

Cuimsítear faisnéis bhreise ar earcú agus roghnú foirne sa lámhleabhar foirne. [\srv-fs\HR](#)

Mír 6 – An Fhoireann a Bhainistiú agus a Mhaoirsiú

Ráiteas beartais um bainistíocht foirne

Chun an fhoireann agus leanaí/daoine óga araon a chosaint, geallaimid an méid seo a leanas:

I dtaobh na foirne nua:

- Tabharfaidh siad faoi sheisiúin oiliúint ionduchtúcháin
- Cuirfear ar an eolas iad ar bheartas um chosaint leanaí na heagraíochta, an cód iompair, na nósanna imeachta um chosaint leanaí, aitheantas agus ról an DAI agus an Leas-DAI ina measc
- Tabharfaidh siad faoi thréimhse phromhaidh uasta sé mhí

I dtaobh na foirne go léir:

- Cuirfear leibhéal leordhóthanach maoirseachta agus d'athbheithniú ar a gcleachtais oibre ar fáil dóibh
- Beifear ag súil leis gur léigh agus gur shínigh siad an Ráiteas Beartais um Chosaint Leanaí
- Cuirfear oiliúint um chosaint leanaí orthu

Mír 7 - Baint príomhchúramóirí / Faisnéis a roinnt le tuismitheoirí/ caomhnóirí agus leanaí

Ráiteas Beartais maidir le baint príomhchúramóirí:

Táimid tiomanta do bheith oscailte le gach príomhchúramóir.

Geallaimid an méid seo a leanas a dhéanamh:

- Príomhchúramóirí agus scoileanna a chur ar an eolas ar ár mbeartas um chosaint leanaí
- Príomhchúramóirí agus scoileanna a chur ar an eolas ar gach gníomhaíocht agus gníomhaíocht fhéideartha
- Foirmeacha teagmhála?/toilithe a eisiúint sa chás gurb iomchuí
- Cloí le cleachtais sláinte agus sábháilteachta
- Beartais leanbhlárnacha a oibriú i gcomhréir le dea-chleachtas;
- Cloí lenár dtreoirlínte earcaíochta
- Baint tuismitheora/tuismitheoirí, caomhnóra/caomhnóirí nó cúramóra/cúramóirí a spreagadh sa chás gur cuí

Má bhíonn buarthaí orainn faoi leas an linbh/an duine óig, déanfaimid an méid seo a leanas:

- Freagairt ar riachtanais an linbh nó an duine óig
- Na príomhchúramóirí a chur ar an eolas ar bhonn leanúnach mura gcruthaíonn an ghníomhaíocht seo riosca breise don leanbh nó don duine óg
- Sa chás gurb ann do bhuarthaí faoi chosaint agus leas leanaí, tá oibleagáid orainn iad seo a chur faoi bhráid an Oibrí Shóisialta Dualgais agus, i gcás éigeandála, na nGardaí
- Sa chás go ndéantar gearán in aghaidh comhalta foirne, cinnteoidimid láithreach sábháilteacht an linbh/duine óig agus cuirfimid na príomhchúramóirí ar an eolas, faoi mar is cuí

Mar eagraíocht leanbhliárnach, táimid tiomanta do thús áite a thabhairt do leas an linbh/duine óig. Chuige sin, déanfaimid an méid seo a leanas:

- Teagmháil a dhéanamh le Tusla agus na Gardaí, sa chás gurb ann do bhuairt leasa um chosaint leanaí
- Príomhchúramóirí a spreagadh chun oibríú as lámh linn faoi na treoirlínte a leag ár n-eagraíocht amach le sábháilteacht leanaí a chinntiú
- DAÍ a bheith ar fáil chun dul i gcomhairle le príomhchúramóirí i gcás go mbíonn aon bhuairt faoi leas linbh nó duine óig

Mír 8 - Déileáil le líomhaintí in aghaidh na foirne

Sa chás go ndéantar líomhain in aghaidh fostaí, is é cosaint an linbh/duine óig an rud a dtugtar tús áite dó agus an rud is tábhachtaí.

Tá défhreagracht ar an gCeoláras Náisiúnta i dtaobh an linbh/duine óig agus an fhostaí araon. Níor cheart go mbeadh freagracht ar an duine céanna as déileáil le saincheisteanna leasa an linbh/duine óig agus le saincheisteanna fostaíochta na foirne.

Ba cheart measúnú a dhéanamh ar líomhain in aghaidh fostaí go pras agus go cúramach. Más ann d'fhorais réasúnta do bhuairt, déanfar tuairisc fhoirmiúil le Tusla. Cloífeá leis na nósanna imeachta tuairiscithe a dtugtar cuntas orthu i Mír 3 de na treoirlínte seo. Coimeádfaidh an eagraíocht idirchaidreamh dlúth le Tusla agus na Gardaí.

Cloífeá le nósanna imeachta lena comhaontaíodh i gcomhthéacs an chonartha infheidhme fostaíochta agus rialacha an cheartais aiceanta. Rachaidh an Ceoláras Náisiúnta i mbun bearta cosanta atá oiriúnach don leibhéal of riosca gan pionós míréasúnta a ghearradh ar an oibrí - murach gur riachtanach an leanbh/duine óg a chosaint. Is éard a d'fhéadfadh bheith i gceist le bearta cosanta maoirseacht mhéadaithe, dualgais éagsúla a shannadh, nó cur ar fionraí. Cloífidh an Ceoláras Náisiúnta lena Chód Cleachtais Chasaoide agus Disciplíneach.

Déileáil le líomhain in aghaidh na foirne

Caithefear cloí le dhá nós imeachta ar leith:

1. I dtaca leis an leanbh/duine óg, déileálfaidh an DAI le saincheisteanna a bhaineann leis an leanbh/duine óg.

2. I dtaca leis an leanbh/duine óg a ndéantar an líomhain ina leith, déileálfaidh Barry Walsh, ceann an Phearsanra agus Oibríochtaí, le saincheisteanna a bhaineann leis an gcomhalta foirne.

- Is é an chéad rud a dtugtar tús áite dó a chinntiú nach nochtar aon leanbh nó duine óg do riosca neamhriachtanach
- Má dhéantar líomhain in aghaidh an DAI, ba cheart teagmháil a dhéanamh le Barry Walsh, Ceann an Phearsanra agus Oibríochtaí
- Má dhéantar líomhain in aghaidh Cheann an Phearsanra agus Oibríochtaí, ba cheart teagmháil a dhéanamh leis an POF
- Cloífead leis na nósanna imeachta tuairiscithe a dtugtar cuntas orthu i Mír 3 de na treoirlínte seo
- Déileálfar leis na príomhchúramóirí agus an leanbh/duine óg araon ar bhealach aoisoiriúnach
- Cuirfead an comhalta foirne ar an eolas a luaithe agus is féidir ar chineál na líomhna agus tabharfar an deis dó/di chun freagra a thabhairt

Cuirfead Cathaoirleach agus Príomhoifigeach Feidhmiúcháin an Cheolárais Náisiúnta ar an eolas a luaithe agus is féidir, agus tabharfar an aird mar is cuí ar rúndacht agus aon coinbhleacht leasa fhéideartha.

Rachfar i mbun aon ghnímh i ndiaidh go ndéantar líomhain i leith mí-úsáide in aghaidh fostaí i gcomhairle le Tusla agus na Gardaí.

I ndiaidh comhairliúcháin, cuirfidh Cathaoirleach agus/nó Príomhoifigeach Feidhmiúcháin an Cheolárais Náisiúnta an duine a cúisíodh ar an eolas agus cloífead le nósanna imeachta lena comhaontaíodh.

Mír 9 - Nósanna imeachta chun gearáin a dhéanamh

Tá nós imeachta ginearálta an Cheolárais Náisiúnta chun gearáin a dhéanamh ar fáil ag [\\srv-fs\HR...](#)

Mír 10 – Nós Imeachta maidir le Timpistí

Tá Ráiteas Sábháilteachta ag an gCeoláras Náisiúnta. Cuireadh nósanna imeachta atá le leanúint i gcás timpiste le chéile agus is féidir teacht orthu trí [\\srv-fs\HR](#)

Nós Imeachta maidir le Timpistí

- Cláróidh an Ceoláras Náisiúnta sonraí teagmhála Príomhchúramóirí uile leanaí/daoine óga a fhreastalaíonn ar ghníomhaíochtaí/chláir sa Cheoláras Náisiúnta
- Déanfar sonraí leanaí/daoine óga a chrostagairt idir leabhar agus comhad na dteagmhas
- Tá boscaí garchabhrach ar fáil agus déantar iad a athstocáil go rialta
- Tá an fhoireann ar an eolas ar láthair na mboscaí garchabhrach
- Tá an fháil ar gharchabhair i gcomhréir le Treoirlínte Sláinte agus Sábháilteachta an Cheolárais Náisiúnta
- Cuirfear leanaí agus daoine óga ar an eolas ar na rioscaí i leith ábhar contúirteach, tabharfaidh an Ceoláras Náisiúnta, áfach, faoi ábhair atá saor ó riosca a úsáid ina chuid gníomhaíochtaí/clar do leanaí/daoine óga

Oibriú Idirghníomhaireachta

Sa chás go bhfuil baint ag an CÁN in obair idirghníomhaireachta le heagraíocht/heagraíochtaí eile, ina ndéantar teagmháil le leanaí/daoine óga, déanfar comhaontú ar shocruithe agus nósanna imeachta idir na heagraíochtaí sula mbíonn aon ghníomhaíocht ar bun, agus cuirfear an méid seo a leanas i gcuntas:

- Malartú beartas um chosaint leanaí agus cosúlachtaí agus/nó difríochtaí a shainaithint ina dhiaidh sin ar nósanna imeachta
- Comhaontú ar chomhnósanna imeachta, cód iompair, nósanna imeachta tuairiscithe inmheánacha agus seachtracha, freagrachtaí nó DALanna eagraíochtúla, nósanna imeachta grinnfhiosrúcháin agus roghnaithe, nósanna imeachta chun déileáil le líomhaintí, nósanna imeachta chun gearáin a dhéanamh, nósanna imeachta sláinte agus sábháilteachta, meicníochtaí taifeadta agus aon limistéir ábhartha bhuartha eile

Uimhreacha Gutháin Teagmhála Áisiúla

Príomhoibrí Sóisialta Oibrí Sóisialta Dualgais Ionad Carnegie 21-25 Sráid an Tiarna Éadbhard Baile Átha Cliath 2	Guthán 01 6486500	Facs 01 6799303
Stáisiún Gardaí Shráid an Phiarsaigh Stáisiún Gardaí Ardán Fhearchair	Guthán 01 6669000 Guthán 01 6669500	
Ospidéal Naomh Uinseann Mater Misericordiae	Guthán 01 2214000 Guthán 01 8032000	

Sampla Foirm Thoilithe Ghrianghrafadóireachta / Mheán

FAISNÉIS

Go raibh maith agat as comhaontú le páirt a ghlacadh i ngairm grianghraf an lae inniu a sheol an Clár Foghlama agus Rannpháirtíochta le haghaidh 2017 / 2017. Scaoilfear le híomhánna a glacadh inniu leis na Meáin Náisiúnta.

Ansin b'fhéidir gur mian leis an gCeoláras Náisiúnta na grianghraif seo a úsáid ar mhaithe le cuspóirí cartlainne nó poiblíochta, i dtaispeáintí, foilseacháin nó cuir i láthair. Toilím, leis seo, go mbaileofar agus go n-úsáidfear m'íomhánna pearsanta trí ghrianghrafadóireacht nó fístaifeadadh.

Aithním gur féidir iad seo a úsáid ar láithreán gréasáin an Cheolárais Náisiúnta agus/nó ar leathanaigh Facebook agus/nó Twitter.

Déanfaimid ábhar nach dteastaíonn a athbhreithniú go rialta agus a scrios, agus ní lorgóimid le híomhánna a úsáid a d'fhéadfadh bheith mar chúis náire nó suaite.

Tuigim, chomh maith, gur féidir mo thoiliú a aistarraingt ag aon tráth i scríbhinn leis an bhFeidhmeannacht Foghlama agus Rannpháirtíochta ag education@nch.ie.

FOIRM THOILITHE

Tugaimse, _____ (Ainm an duine a thugann toiliú agus tuismitheoir/caomhnóir, má táthar faoi bhun 18 mbliana d'aois)

Ainm an Linbh: _____

Toiliú le húsáid a bhaint as grianghraif a úsáidfear ar láithreán gréasáin agus/nó leathanaigh Facebook agus/nó Twitter an Cheolárais Náisiúnta, agus lena scaoileadh leis na meáin náisiúnta.

Tuigim gur féidir grianghraif a úsáid ar chuspóirí poiblíochta eile agus tugaim toiliú don úsáid sin. Tuigim, sa mhullach air sin, gur féidir liom an toiliú seo a aistarraingt ag aon tráth, ar fhógra scríofa a thabhairt.

Tugaim an toiliú seo go saorálach.

Síniú an duine a thugann toiliú
mbliana d'aois

Síniú an tuismitheora/chaomhnóra má táthar faoi 18

Dáta _____

Foirm Thoilithe Ghinearálta

Tugaim/tugaimid, tuismitheoir(i)/caomhnóir(i) _____

A rugadh an _____/_____/_____, cead, leis seo, go nglacfaidh mo/ár leanbh páirt i ngach gníomhaíocht a eagraíonn agus a reáchtálann _____ an Ceoláras Náisiúnta ó Údaraím/údaraímid go mbeidh _____ údarás ag na héascaitheoirí agus/nó foireann an Cheolárais Náisiúnta ar mo/ár leanbh agus go mbeidh an ceart acu treoracha dleathacha a thabhairt do mo/ár leanbh a mhéid agus a d'fhéadfaimis féin a dhéanamh.

Toiliú do na Meáin

Gné thábhachtach de is ea físeáin de na léiritheoirí a tháirgeadh. Ní shainaitheofar riamh leanáí i ngrianghraif nó físeáin. Is féidir leis an gCeoláras Náisiúnta grianghraif agus físeáin a úsáid ar chuspóirí poiblíochta agus cáipéisíochta sna meáin chlóite agus ar líne.

An dtugann tú cead agus toiliú gur féidir grianghraif agus/nó físeáin a ghlacadh ina bhféadfadh do leanbh a bheith le feiceáil, agus go bhféadfaí iad seo a úsáid ar an mbealach a dtugtar cuntas air thuas?

Tugann _____ Ní thugann _____

Toiliú Leighis / Sonraí Leighis

Tuigim/tuigimid, i gcás go dteastaíonn aird leighis ó mo/ár leanbh go ndéanfar gach iarracht réasúnta chun teagmháil a dhéanamh liom/linn (nó an Teagmhálaí Malartach Éigeandála mura féidir teagmháil a dhéanamh liom/linn) ar na huimhreacha teagmhála a sholáthraítear ar an bhfoirm seo.

I gcás go dtugann breoiteacht nó go ngortaítear mo/ár leanbh i rith thréimhse an toilithe seo, tugaim/tugaimid toiliú leis seo chun aon chóir leighis éigeandála a chur air/uirthi a d'fhéadfadh bheith riachtanach i gcás nach féidir teagmháil a dhéanamh liom/linn ar mhaithe le toiliú a thabhairt ag tráth na cóireála. Údaraím/údaraímid, leis seo, na héascaitheoirí agus/nó foireann an Cheolárais Náisiúnta chun mo/ár dtoiliú a chur in iúl d'aon lia-chleachtóir cóireála.

Deimhním/deimhnímid go bhfuil na sonraí leighis maidir le mo/ár leanbh i gceart.

Seo sonraí leighis mo/ár linbh. Má fhreagraíonn tú TÁ ar aon chinn de cheisteanna 1-4 nó NÍL ar cheist 5, iarrtar ort níos mó sonraí a thabhairt sa spás thíos.

1. An bhfuil aon bhreiteacht thromchúiseach ar do leanbh? Tá _____ Níl _____
2. An bhfuil aon chógais á nglacadh ag do leanbh go rialta? Tá _____ Níl _____
3. An bhfuil aon chógais ann a bhfuil ailléirge ar do leanbh leo? Tá _____ Níl _____
4. An bhfuil aon ailléirgí ar do leanbh? Tá _____ Níl _____
5. An bhfuil vacsaíniú iomlán faighte ag do leanbh (3/5 in 1, MMR etc.)? Tá _____ Níl _____

Má theastaíonn comhalta foirne uait chun cógais a bhainistiú nó a thabhairt, déan teagmháil, le do thoil, le comhalta de na héascaitheoirí nó le foireann an Cheolárais Náisiúnta.

Breis faisnéise:

Sonraí faoin Tuismitheoir/Caomhnóir:

Ainm(neacha): _____

Uimhir/Uimhreacha T(h)eagmhála: _____

Seoladh: _____

Ríomhphost: _____

Teagmhálaí Malartach Éigeandála

Ainm: _____ Guthán: _____

Síniú an Tuismitheora/na dTuismitheoirí/an Chaomhnóra/na gCaomhnóirí

Síniú/Sínithe _____

Dáta ____/____/____ ____/____/____

FOIRM THOILITHE TIMPISTE/TEAGMHAIS

Ba cheart don duine atá i gceannas ar imeacht an fhoirm seo a chomhlánú go hiomlán maidir le haon trí/teagmhas ina ndéantar díobháil phearsanta d'aon duine agus ina ndéantar damáiste do mhaoin na ndaoine siúd.

Dáta na Timpiste/an Teagmhais: _____ Am: _____

Ainm: _____ Guthán: _____

Seoladh: _____

Láthair na Timpiste/an Teagmhais: _____

Imeacht: _____

An gortú a rinneadh: _____

Ar theastaigh aird leighis? Theastaigh Níor theastaigh

Cé a thug an aird? _____

Uimhir Ghutháin: _____

Cineál agus méid na hairde a tugadh

Ar theastaigh aird ospidéil? Theastaigh Níor theastaigh

Ospidéal: _____ Trí: Otharcharr Gluaisteán

Déan cur síos iomlán ar an timpiste/teagmhas:

Ar seiceáladh an láthair go hiomlán? Seiceáladh Níor seiceáladh

(tabhair cúis, le do thoil) _____

An comhalta foirne a bhí i láthair na timpiste/an teagmhais: _____

Finnéithe (sonraí)

Ar cuireadh na Gardaí ar an eolas? Cuireadh Níor cuireadh
Stáisiún:

Ainm an Gharda: _____ Uimhir an Gharda _____

Ar cuireadh Bainisteoir an Tí ar an eolas láithreach? Cuireadh Níor cuireadh

(tabhair cúis, le do thoil) _____

Bainisteoir an Tí a bhí ar dualgas: _____

Cé a chuaigh in éineacht leis an bpátrún? _____

Uimhir Ghutháin _____

Déan cur síos iomlán ar chineál agus méid na díobhála a rinneadh do mhaoin:

Aon fhaisnéis eile

Sínithe: _____ Dáta: _____

Ainm: _____

Comhshínithe: _____ Dáta: _____

Ainm: _____

Tuismitheoirí curtha ar an eolas ag an gcomhalta foirne: _____

Dáta: _____

Aguisín 1

Foirm Theistiméireachta Taitní Oibre

Léirigh _____ spéis i dtabhairt faoi thaitní oibre leis an gCeoláras Náisiúnta agus tugadh d'ainm mar mholtóir.

Bíonn rochtain shubstainteach i gceist leis an bpost seo ar leanaí agus mar eagraíocht atá tiomanta do leas agus cosaint leanaí, iarraidimid ort an bhfuil aon chúis agat, dá laghad, le bheith buartha faoi theagmháil á déanamh ag an iarratasóir seo le leanaí agus daoine óga.

Tá _____ Níl _____ (Cuir tic le ceann amháin, le do thoil)

Má d'fhreagar tú 'Tá', déanfaimid teagmháil leat faoi rún.

Má tá tú sásta an teistiméireacht seo a chomhlánú, coimeádfar an fhaisnéis go léir atá ar an bhfoirm faoi rún agus ní roinnfear í ach le maoirseoir an iarratasóra, sa chás go ndéantar post a thairiscint dóibh. Ba mhór againn dá ndéanfá meastóireacht an-fhírinneach ar an duine seo.

Cé chomh fada atá aithne agat ar an duine seo? _____

Saghas na haithne? _____

Cén tréithe atá ag an duine seo a cheapann tú a dhéanann duine oiriúnach díobh do thaitní oibre?

Cén cur síos a dhéanfá ar a bpearsantacht? _____

Rátáil an duine seo, le do thoil, ar an méid seo a leanas

	Lag	Measartha	Maith	An-Mhaith	Sármhaith
Freagracht					
Aibíocht					
Féinspreagadh					
Spreagadh daoine eile					
Fuinneamh					
Iontaobh					
Iontaofacht					

Sínithe: _____ Dáta: _____

Gairm Bheatha: _____

Aguisín 2

Foirm Dhearbhaithe:

Faoi Rún

Foirm dhearbhaithe dóibh siúd go léir atá ag oibriú le leanaí agus daoine óga

Sloinne _____ Céadainm _____

Dáta Breithe _____ Áit Bhreithe _____

Seoladh: _____

Uimhir Ghuthán: _____ Uimhir Ghuthán Póca: _____

Aon ainm(neacha) eile ar tugadh air/uirthi roimhe seo: _____

An bhfuil aon chúis ann go gceapfaí go bhfuil tú mí-oiriúnach chun oibriú le leanaí agus daoine óga? Tá _____ Níl _____ (Cuir tic le ceann amháin, le do thoil)

Má tá, tabhair cuntas air, le do thoil:

Ar ciontaíodh riamh thú i gcion coiriúil a bhain le leanaí? Ciontaíodh _____ Níor ciontaíodh _____ (Cuir tic le ceann amháin, le do thoil)

Má ciontaíodh, luaigh thíos, le do thoil, cineál agus dáta(í) an chionta/na gcionta:

Sínithe: _____ Dáta: _____

Aguisín 3

Sainmhínte ar mhí-úsáid

Tá ceithre phríomhchatagóir de mhí-úsáid ann, faoi mar a dtugtar cuntas air in *Tús Áite do Leanaí: Treoir Náisiúnta maidir le Cosaint agus Leas Leanaí*. Seo a leanas achoimre ar an bhfaisnéis a chuimsítear sa cháipéis sin. Chun teacht ar na sainmhínte iomlán, féach, le do thoil, *Tús Áite do Leanaí: Treoir Náisiúnta maidir le Cosaint agus Leas Leanaí* 1993 (lch 32-34 atá ar fáil san Aonad Acmhainní Daonna).

1. Faillí

“Is é an sainmhíniú is féidir a thabhairt ar fhaillí nuair a bhíonn leanbh thíos le díobháil nó lagú suntasach forbartha mar gheall ar bhia, éadach, teas, sláinteachas, spreagadh intleachtúil, maoirseacht agus sábháilteacht a choimeád uaidh/uaithe, baint le agus cion a fháil ó dhaoine fásta, cúram leighis... Baintear tairseach na díobhála suntasaí amach nuair a dhéantar faillí ar riachtanais an linbh a mhéid sin go ndéantar difear trom dá f(h)olláine agus/nó dá f(h)orbairt.” (*Tús Áite do Leanaí lch 31*)

2. Mí-úsáid mhothúchánach

Is gnách go ndéantar mí-úsáid mhothúchánach nuair is ann do ghaol idir cúramóir agus leanbh, seachas mar theagmhas nó teagmhais sonracha/shonracha.

“Murab ann d’fhoirmeacha eile de mhí-úsáid eile, is annamh a bhíonn sé le sonrú i dtaobh comharthaí nó siomptóim fhisiciúla.” (*Tús Áite do Leanaí lch 31*)

Ina ionad sin, féadfaidh sé a bheith le sonrú in iompar nó feidhmiú fhisiciúil an linbh. I measc samplaí díobh seo, d’fhéadfadh ceangal ‘imníoch’, míshonas, lagmheas, tearcghnóthachtáil oideachais agus forbartha agus iompar neamhchomhoibritheach nó doicheallach.

“Baintear tairseach na díobhála suntasaí amach nuair a bhíonn idirghníomhú drochídeach den chuid is mó agus nuair a bhíonn seo i gceist go tipiciúil leis an gcaidreamh idir an leanbh agus an tuismitheoir/cúramóir.” (*Tús Áite do Leanaí lch 32*)

I measc samplaí de mhí-úsáid mhothúchánach i leanaí, tá an méid seo a leanas:

- Saintréithe diúltacha a cheangal le leanaí, a léiríonn cáineadh, searbhas, doicheall nó milleán a chur
- Mothúcháin ar bith a bheith ar fáil ag tuismitheoir/cúramóir an linbh
- Neamhfhreagúlacht, bheith ag súil le rudaí neamh-chomhsheasmhacha nó míchuí ón leanbh
- Freagracht a leagan ró-luath ar an leanbh
- Bheith ag súil le rudaí neamhréalaíocha nó míchuí de chumas an linbh chun rud éigin a thuiscint nó chun iompar a chur ar bun agus smacht a ghlacadh air/uirthi féin ar bhealach áirithe
- An leanbh a chosaint an-iomad nó gan é/í a chosaint a dhóthain
- Disciplín ró-dhian a úsáid
- Nochtadh d’fhoréigean baile

3. Mí-Úsáid Fhísiciúil

Is ionann mí-úsáid fhísiciúil agus aon foirm de dhíobháil neamhthimpisteach nó de dhíobháil a bhíonn mar thoradh ar theip thoiliúil nó fhaillitheach chun leanbh a chosaint. Áirítear le samplaí de dhíobháil fhísiciúil an méid seo a leanas:

- Creathadh
- Fórsa iomarcach a úsáid nuair a bhíonn leanbh á láimhseáil
- Nimhiú d'aon turas
- Plúchadh
- Riosca substainteach i leith díobháil shuntasach fhísiciúil a dhéanamh do leanbh a cheadú nó a chruthú

4. Drochúsáid ghnéasach

Is éard a bhíonn i gceist le drochúsáid ghnéasach ná úsáid á baint as leanbh ag duine ar mhaithe lena sásamh féin nó le sásamh daoine eile nó lena spreagadh gnéasach féin nó daoine eile.

Ar shamplaí de dhrochúsáid ghnéasach, tá an méid seo a leanas:

- Na horgáin ghnéis a nochtadh nó aon ghníomh gnéasach a dhéantar d'aon turas i láthair linbh
- Lámh a leagan ar chorp linbh nó corp linbh a ainteagmháil cé acu ag duine nó ag earra ar mhaithe le spreagadh nó sásamh gnéasach
- Glacaireacht i láthair an linbh nó baint a bheith ag an leanbh i ngníomh glacaireachta
- Caidreamh collaí a bheith le leanbh cé acu ó bhéal, faighne nó anasach;
- Teach i dtír gnéasach ar leanbh....féadtar a áireamh leis seo, chomh maith, ábhar gáirsiúil a thaispeáint do leanaí ar gnách go mbíonn sé ina ghné den phróiseas 'mealltóireachta' ag déantóirí mí-úsáide
- Gníomhaíocht chomhthoiliúil ghnéasach ina mbíonn duine fásta agus duine faoi-aois bainteach

5. Buairt faoi Leas Leanaí

Sonraítear i FSS Lámhleabhar Cleachtais um Chosaint agus Leas Leanaí FSS gurb ionann buairt faoi leas leanaí agus fadhb a mbíonn leanbh nó teaghlach linbh thíos leis go díreach ar dealraitheach go n-imríonn sé tionchar diúltach ar leas nó forbairt an linbh ach a bhféadfadh nó nach bhféadfadh freagairt um chosaint leanaí a bheith ag teastáil uaidh.

STANDARD REPORT FORM

(For reporting CP&W Concerns)

A. To Principal Social Worker/Designate: _____

1. Date of Report

2. Details of Child

Name:		Male	<input type="checkbox"/>	Female	<input type="checkbox"/>
Address:		DOB	<input type="text"/>	Age	<input type="text"/>
		School	<input type="text"/>		
Alias		Correspondence address (if different)	<input type="text"/>		
Telephone		Telephone	<input type="text"/>		

3. Details of Persons Reporting Concern(s)

Name:		Telephone No.	<input type="text"/>
Address:		Occupation	<input type="text"/>
		Relationship to client	<input type="text"/>
Reporter wishes to remain anonymous	<input type="checkbox"/>	Reporter discussed with parents/guardians	<input type="checkbox"/>

4. Parents Aware of Report

Are the child's parents/carers aware that this concern is being reported	- Mother	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	- Father	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Comment	<input type="text"/>		

5. Details of Report

(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.)

STANDARD REPORT FORM

(For reporting CP&W Concerns)

6. Relationships

Details of Mother		Details of Father	
Name:		Name:	
Address: (if different to child)		Address: (if different to child)	
Telephone No's:		Telephone No's:	

7. Household composition

Name	Relationship	DOB	Additional Information e.g. School/ Occupation/Other:

8. Name and Address of other personnel or agencies involved with this child

	Name	Address
Social Worker		
PHN		
GP		
Hospital		
School		
Gardaí		
Pre-School/Crèche/YG		
Other (specify):		

9. Details of person(s) allegedly causing concern in relation to the child

Relationship to child:		Age		Male	<input type="checkbox"/>	Female	<input type="checkbox"/>
Name:			Occupation				
Address:							

10. Details of person completing form

Name:		Occupation:	
Address:		Telephone No's:	
Signed		Date:	



Guidance Note to help you fill in the Standard Report Form:

The Child and Family Agency (Tusla) has a statutory responsibility under the Child Care Act 1991 to promote the protection and welfare of children. The Child and Family Agency therefore has an obligation to receive information about any child who is not receiving adequate care and/or protection.

This report form is for use by:

- Any professional, individual or group involved in services to children, including Child and Family Agency and HSE personnel, who becomes aware of a child protection or welfare concern, or to whom a child protection or child welfare concern is reported.
- Professionals and individuals in the provision of child care services in the community who have service contracts with the Child and Family Agency or the HSE.
- Designated persons in a voluntary or community agency.

Please fill in as much information and detail as is known to you. This will assist the Social Work Department in assessing the level of risk to the child or the support services required. If the information requested is not known to you, please indicate this by putting a line through the question. It is likely that a social worker will contact you to discuss your report.

The Child and Family Agency aims to work in partnership with parents. If you are making this report in confidence, you should note that the Child and Family Agency cannot guarantee absolute confidentiality for the following reasons:

- A Court could order the information be disclosed.
- Under the Freedom of Information Acts 1997 and 2003, the Freedom of Information Commissioner may order that information be disclosed.

You should also note that in making a 'bona fide report', you are protected under the Protection for persons Reporting Child Abuse Act 1998.

If you are unsure if you should report your concerns, please telephone your local Child and Family Agency duty social worker and discuss your concerns with them (click [here](#) for contact details - www.tusla.ie/services/child-protection-welfare/contact-a-social-worker).

An MSWord version of the Standard Report Form may be accessed [here](#) – (www.tusla.ie/services/child-protection-welfare/children-first)

Aguisín 4

Reachtaíocht ábhartha

An tAcht um Chúram Leanaí, 1991

Is iad príomhfhórála an Achta:

- dualgas reachtúil a leagan ar FSS chun leas leanaí a chur chun cinn nach bhfuil cúram agus cosaint leordhóthanach á soláthar dóibh a mhéid le 18 mbliana d'aois
- neartú chumhachtaí FSS chun cúram leanaí agus seirbhísí tacaíochta teaghlach a sholáthar
- athbheithnithe a dhéanamh ar fórála lena chur ar chumas na cúirte chun leanaí a rinneadh a ionsaí, ar caitheadh go dona leo, a ndearnadh faillí orthu nó ar baineadh drochúsáid ghnéasach astu nó atá i mbaol, i gcúram nó faoi mhaoirseacht boird réigiúnacha sláinte
- Foráiltear in Alt 12 den Acht go mbainfidh an Garda Síochána leanbh agus é/í a thabhairt chun sábháilteachta má bhíonn forais réasúnta ag an nGarda lena chreidiúint go bhféadfadh baol láithreach i leith a sláinte nó a leasa a bheith roimh an leanbh
- Sainmhíneáil san Acht um Chúram Leanaí, 1991 leanbh mar dhuine ar bith faoi aois 18 mbliana, seachas duine atá nó a bhí pósta

An tAcht um Gháinneáil ar Leanaí agus Pornagrafaíocht Leanaí, 1998

Déileáiltear san [Acht um Gháinneáil ar Leanaí agus Pornagrafaíocht Leanaí, 1998](#), lena leasaítear ag [Alt 6 den Acht um an Díl Coiriúil \(Cionta Gnéasacha\) \(Leasú\), 2007 \(pdf\)](#), le roinnt cionta ina mbíonn baint go leanaí faoi aois 17 mbliana. Áirítear leo seo:

- Gáinneáil ar leanaí agus leanbh a ghlacadh ar mhaithe le teacht i dtír gnéasach; is é an pionós uasta príosúnacht saoil
- Casadh le leanbh ar mhaithe le teacht i dtír gnéasach; is é an pionós uasta príosúnacht 14 bliana
- A cheadú leanbh a úsáid ar mhaithe le pornagrafaíocht leanaí; is é an pionós uasta fíneáil a mhéid le €32,000 agus/nó príosúnacht 14 bliana
- Pornagrafaíocht leanaí a tháirgeadh, a dháileadh, a chlóg nó a fhoilsiú; is é an pionós uasta do chion achomair [fíneáil aicme C](#) agus/nó príosúnacht bhliana; má chúisítear an té ar díotáil, is é an pionós uasta fíneáil neamhtheoranta agus/nó príosúnacht 14 bliana. [Féach ar fhaisnéis bhreise ar chinsireacht taifeadtaí físeáin agus teileachumarsáide anseo](#)
- Pornagrafaíocht leanaí a shealbhú; is é an pionós uasta do chion achomair fíneáil aicme C agus/nó príosúnacht bhliana; má chúisítear an té ar díotáil, is é an pionós uasta fíneáil €6,350 agus/nó príosúnacht cúig bliana

An tAcht um Chosainí do Dhaoine a Thuairisceoidh Drochúsáid Leanaí, 1998

Is iad príomhfhórála an Achta:

- (i) díolúine a sholáthar ó dhliteanas sibhialta d'aon duine a thugann mí-úsáid leanaí le fios *`go réasúnta agus le dea-intinn'* d'oifigigh ainmnithe bhord sláinte* nó aon chomhalta den Gharda Síochána

- (ii) cosaintí suntasacha a sholáthar d'fhostaithe a thugann mí-úsáid leanaí le fios. Cumhdaíonn na cosaintí seo na fostaithe go léir agus gach foirm d'ídirdealú a mhéid le dífhostú agus dífhostú san áireamh
- (iii) cion a chruthú ina ndéantar tuairisciú bréagach ar mhí-úsáid leanaí nuair a thugann duine mí-úsáid leanaí le fios do na húdaráis chuí 'nuair is eol dóibh go bhfuil an ráiteas sin bréagach'. Cion coiriúil é seo atá in ainm is daoine neamhchiontacha a chosaint ó thuairiscí mailíseacha

An tAcht um Cheartas Coiriúil (Leanaí a chur i mBaol go meargánta), 2006

Tugadh isteach in Alt 176 den Acht um Cheartas Coiriúil, 2006 cúiseamh coiriúil leanaí a chur i mbaol go meargánta mar thoradh ar mholtaí ó Fhiosrúchán Ferns. Luaitear ann:

'Aon duine ag a bhfuil údarás nó smacht ar leanbh nó ar dhroch-úsáideoir agus a chuireann leanbh i mbaol go hintinneach nó go meargánta –

- (a) trína chur faoi deara, nó trína ceadú, aon duine a chur nó a fhágáil i riocht lena gcruthaítear baol substaintiúil don leanbh go dtiocfaidh sé nó sí chun bheith ina íospartach nó ina híospartach díobhála tromchúisí nó droch-úsáide gnéasaí, nó
- (b) trí mhainneachtain bearta réasúnacha a dhéanamh chun leanbh a chosaint ar bhaol den sórt sin agus a fhios aige nó aici go bhfuil leanbh i gcás den sórt sin, táthar ciontach i gcion.'

Is é an pionós a ghearrfar ar dhuine a dheimhnítear atá ciontach an cion seo a dhéanamh fineáil (uasteorainn ar bith) agus/nó príosúnacht ar feadh téarma nach faide ná 10 bliana. C.F. 2011, 3.2.7

An tAcht um Cheartas Coiriúil (Faisnéis faoi Chionta in aghaidh Leanaí agus Daoine Leochaileacha a Shiarchoinneáil), 2012

- Baineann an tAcht le gach duine
- Cruthaítear ann oibleagáid chun na Gardaí a chur ar an eolas "más eol nó má chreideann" duine (i.e. má bhíonn fianaise ag duine) go ndearnadh "cion tromchúiseach" in aghaidh linbh nó duine leochaileach
- Níl aon oibleagáid chun ráflaí, claontagairt nó faisnéis gan chruthú a thabhairt le fios
- Níl aon oibleagáid, chomh maith, san Acht sin chun cionta níos lú a thabhairt le fios, ar nós ionsaí coiteann nó faillí a dhéanamh ar leanbh. Chumhdófaí na ceisteanna seo ar leithligh le treoirlínte agus beartais um chosaint leanaí
- Tá cosaintí féideartha ann a d'fhéadfadh íospartaigh a chumhdach nach mian leo go nochtfar faisnéis, tuismitheoirí, gairmithe a ghníomhaíonn chun sárleasa linbh/duine fhásta leochailigh

An tAcht um an mBiúró Náisiúnta Grinnfhiosrúcháin (Leanaí agus Daoine Soghonta), 2012 – tosach feidhme in Aibreán 2016

Is é cuspóir an Achta chun bonn reachtaíochta a sholáthar chun grinnfhiosrúchán éigeantach a dhéanamh ar dhaoine ar mian leo tabhairt faoi obair nó gníomhaíochtaí áirithe a bhaineann le leanaí nó daoine leochaileacha nó seirbhísí áirithe a sholáthar do leanaí nó daoine leochaileacha. Cion coiriúil atá ann anois chun duine a fhostú gan grinnfhiosrúchán a dhéanamh orthu. Ní cheadódh eagraíocht ábhartha aon duine chun tabhairt faoi **obair nó gníomhaíochtaí ábhartha** thar ceann na heagraíochta

mura bhfaigheann an eagraíocht nochtadh grinnfhiosrúcháin ón mBiúró Náisiúnta Grinnfhiosrúcháin i dtaca leis an duine sin. Is é an sainmhíniú a thugtar ar **obair nó gníomhaíochtaí ábhartha** aon obair nó gníomhaíocht faoina dtugann duine, ina bhfuil rochtain ag an duine ar, nó teagmháil ag an duine le, leanaí nó daoine fásta leochaileacha mar chuid riachtanach agus rialta de. Ní bheidh feidhm ag an Acht nuair a thugann duine cúnamh ar bhonn ócáideach ag imeacht nó gníomhaíocht scoile, spóirt nó phobail, **seachas nuair a áirítear leis an gcúnamh sin cóitseáil, meantóireacht, comhairleoireacht, múinteoireacht nó oiliúint** a chur ar leanaí nó daoine leochaileacha. Beidh ar gach eagraíocht ábhartha measúnú a dhéanamh ar gach post a bhíonn i gceist i gcomhréir leis an Acht. Teastaíonn cruthúnas aitheantais agus deimhniú i leith seoladh reatha anois do gach duine a iarrann ar ghrinnfhiosrúchán sular féidir tús a chur le grinnfhiosrúchán.

Tá foráil san Acht le haghaidh athghrinnfhiosrúcháin, ach níor leagadh aon amfhráma amach go fóill, áfach. Moltar d'eagraíochtaí leanúint lena gcleachtas reatha ina leith seo. I dtaca le **grinnfhiosrúchán siarghabhálach**, caithfidh eagraíochtaí nach ndearnadh grinnfhiosrúchán orthu go dtí seo agus a thugann faoi chuimsiú an tsainmhínithe ar obair nó gníomhaíochtaí ábhartha dá n-eagraíochtaí iarratas a sheoladh ar aghaidh ar ghrinnfhiosrúchán tráth nach déanaí ná an **31 Nollaig 2017**.

Tugtar anois Biúró Náisiúnta Grinnfhiosrúcháin an Gharda Síochána ar Láraonad Grinnfhiosrúcháin an Gharda Síochána.

An tAcht um Thús Áite do Leanaí, 2015

Cuirtear san Acht um Thús Áite do Leanaí, 2015 bonn reachtúil faoi ghnéithe de Thús Áite do Leanaí: Treoir Náisiúnta um Chosaint agus Leas Leanaí (2011). Foráiltear san Acht do roinnt príomhbhearta um chosaint leanaí, lena n-áirítear:

- Ceanglas ar eagraíochtaí a sholáthraíonn seirbhísí do leanaí chun leanaí a choimeád sábháilte agus chun Ráiteas um Chosaint Leanaí a chur le chéile.
- Ceanglas ar chatagóirí sainithe daoine (daoine faoi shainordú) chun buarthaí um chosaint leanaí a thabhairt le fios a sháraíonn tairseach shainithe don Ghníomhaireacht um Leanaí agus an Teaghlach (Tusla). Rinneadh oibríthe óige íoctha a shainmhíniú mar dhaoine faoi shainordú, ní hionann oibríthe deonacha agus daoine faoi shainordú agus leanfaidh siad le tuairisciú a dhéanamh faoi fhorálacha na cáipéise Tús Áite do Leanaí: Treoir Náisiúnta
- Ceanglas ar dhaoine faoi shainordú chun cabhrú le Tusla agus "chun an fhaisnéis agus an cúnamh sin a thabhairt don Ghníomhaireacht a d'fhéadfadh bheith ag teastáil uathu go réasúnta" nuair a dhéantar measúnú ar riosca um chosaint leanaí
- Soláthar a dhéanamh do dheireadh a chur leis an gcosaint faoin dlí coiteann lena mbaineann cáineadh réasúnta agus, chun na críche sin, chun an tAcht um Chionta Neamh-Mharfacha in aghaidh an Duine, 1997 a leasú. (Cuireadh tús leis an alt seo agus ón 11 Nollaig 2015, ní bheidh duine a chuireann pionós corpartha ar leanbh in ann brath a thuilleadh ar chosaint cáinte réasúnta sna cúirteanna)
- Bonn reachtúil a chur faoi Ghrúpa Idir-Roinne Tús Áite do Leanaí.

Oibreofar an reachtaíocht seo ar aon dul le Tús Áite do Leanaí: Treoir Náisiúnta maidir le Cosaint agus Leas Leanaí (2017).

An tAcht um an Dlí Coiriúil (Cionta Gnéasacha), 2017

Déantar san Acht dlíthe a bharrfheabhsú agus a nuashonrú chun teacht i dtír gnéasach agus drochúsáid ghnéasach leanaí a chomhrac, cionta nua ina measc a bhaineann le mealltóireacht ghnéasach leanaí agus cionta nua agus neartaithe chun pornagrafaíocht leanaí a chomhrac. Rinneadh cionta a bhaineann le gníomhartha gnéasacha le leanaí faoi aois a athshonrú agus a threisiú san Acht seo. Aithnítear san Acht, chomh maith, áfach, réadúlacht caidreamh píaraí comhthoiliúil faoi aois trí chosaint 'gaireacht aoise' a thabhairt isteach. Faoin bhforáil seo, féadfaidh duine a cúisíodh i leith ciona inar tugadh faoi ghníomh gnéasach le duine idir aois 15 agus 17 mbliana brath ar chosaint nuair a bhíonn an gníomh comhthoiliúil, nuair nach ndéanann sé dúthshaothrú agus nuair nach mbíonn an difríocht aoise níos mó ná dhá bhliain.

Déanta coir san Acht, chomh maith, as seirbhísí gnéasacha a cheannach, tugtar isteach ann forálacha nua maidir le fianaise a bheith á tabhairt ag íospartaigh i dtrialacha ciona ghnéasaigh agus tugtar isteach ann cion nua a théann i ngleic le mígheanas poiblí. Áirítear le forálacha eile aois an toilithe a choimeád chun toiliú do ghníomhaíocht gnéasach ag 17 mbliana d'aois agus cosaint nua "gaireacht aoise" anuas ar ráiteas reachtúil an dlí maidir le toiliú do ghníomhartha gnéasacha. Chomh maith leis sin, tugtar cionta nua isteach a bhaineann le teacht i dtír gnéasach ar dhaoine faoi mhíchumas, nuair nach bhfuil an duine aonair in ann toiliú do ghníomh gnéasach mar gheall ar chineál an mhíchumais sin agus cuirtear iad in ionad an chiona reatha faoin Acht um an Dlí Coiriúil (Cionta Gnéasacha), 2017 a bhaineann le daoine ar a bhfuil lagú meabhrach a chosaint.

Chun teacht ar bhreis faisnéise, lean an nasc thíos, le do thoil.

<http://www.rcni.ie/wp-content/uploads/RCNI-Criminal-Law-Sexual-Offences-Act-2017-Briefing-Substantive-Law-Changes-April-2017.pdf>

Aguisín 5

SEICLIOSTA TUAIRISCITHE DON DUINE AINMNITHE IDIRCHaidRIMH

Céim réamhthuariscithe

AN BHFUIL AN MÉID SEO A LEANAS DÉANTA AGAT?:

Gníomh	Rinneadh an gníomh	Ní dhearnadh an gníomh	Nótaí Tráchtá
Measúnú ar an gcás			
Na fíricí go léir a fháil, i.e. cá, cathain, cé etc...			
Labhairt leis an duine óg (más cuí)			
Labhairt leis na tuismitheoirí (más cuí)			
Imithe i gcomhairle go himmheánach le d'éagraíocht (más cuí)			
Tuarascáil fhíriciúil faighte ón tuairisceoir			
Comhairle a lorg ó FSS			
Tagairt déanta do bheartas um chosaint leanáí d'éagraíochta			
Forais réasúnta deimhnithe le bheith buartha			
An duine óg/tuairisceoir/tuismitheoirí/bainisteoir a chur ar an eolas, <i>más cuí</i> , go bhfuil sé ar intinn agat tuairisciú a dhéanamh			
Aon ghníomh eile a dhéanamh a bhaineann go cuí leis an gcás			

Céim an tuairiscithe**AN BHFUIL AN MÉID SEO A LEANAS DÉANTA AGAT?:**

Gníomh	Rinneadh an gníomh	Ní dhearnadh an gníomh	Nótaí Tráchtá
Oifig áitiúil agus sonraí cuí teagmhála an oibrí shóisialta dualgais sainaitheanta			
Foirm thuairiscithe chaighdeánach FSS comhlánaithe			
Glaó gutháin curtha lena chur ar an eolas go mbeidh tuairisc á seoladh ar aghaidh agat			
Tuairisc seolta trí fhacs nó sa phost cláraithe			
Fálta seachadta an fhasc nó an phoist chláráithe coimeádta agus comhdaithe			
Cóip coimeádaithe den tuairisc agus í a stóráil in áit shlán			
A iarraidh go n-aithníonn oifig an oibrí shóisialta dualgais go bhfuarthas an tuairisc			
Aon ghníomh eile a dhéanamh a bhaineann go cuí leis an gcás			

I ndiaidh tuairisciú a dhéanamh

AN BHFUIL AN MÉID SEO A LEANAS DÉANTA AGAT?:

Gníomh	Rinneadh an gníomh	Ní dhearnadh an gníomh	Nótaí Tráchtá
Deimhnithe go bhfuair an pearsanra ábhartha in FSS an tuairisc			
Taifead coimeádta ar an ngníomhaíocht go léir agus an ghníomhaíocht go léir a rinneadh iarracht a dhéanamh			
Taifead coimeádta ar an ábhar ábhartha go léir i láthair shlán			
Seiceáilte cén t-oibrí sóisialta ar sannadh an cás dóibh			
An duine óg/tuairisceoir/tuismitheoirí/bainisteoir a chur ar an eolas, <i>más cuí</i> , ar stádas na tuairisce			
Neamhfhreagairt ó FSS a fhiosrú arís le hoibrí sóisialta sinsearach			
Rúndacht a choimeád 'ar bhonn riachtanais'			
Athbhreithniú déanta ar an mbeartas, um chosaint leanáí, nós imeachta agus cláir oiliúna			
A chinntiú go bhfuil struchtúir thacaíochta i bhfeidhm don duine óg agus do gach duine eile a bhíonn bainteach.			
Aon gníomh eile a dhéanamh a bhaineann go cúí leis an gcás			
Aon gníomh eile a dhéanamh a bhaineann go cúí leis an gcás			

Tabhair faoi deara, le do thoil: Níl sé i gceist ag an seicliosta seo ach faisnéis amháin a sholáthar, d'fhéadfadh an tsraith imeachtaí bheith éagsúil, ag brath ar an gcás/gcomhthéacs.