

TÚSLA

An Ghníomhaireacht um
Leanaí agus an Teaghlach
Child and Family Agency

Children First National Guidance 2011 Presentation

TÚSLA - Child and Family Agency

Services provided:

- Child Welfare and Protection services, including family support services.
- Family Support Agency responsibilities.
- Educational Welfare Services.
- Early Years (Pre-school) Inspection Service.
- Domestic, sexual and gender-based violence services.

Aim of the Presentation

- To promote the safety and well-being of children.
- To provide an overview of the Children First National Guidance for the Protection & welfare of Children 2011 & the Child Protection & Welfare Practice Handbook 2011.

Setting the Context

- Inquiries into child abuse
- Principles of best practice
- Legislation
- Policy & Procedures

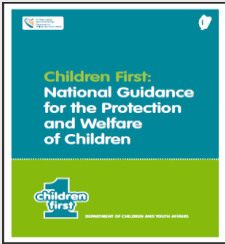
Key Principles of Best Practice in Child Protection and Welfare

- Welfare of children paramount – child-centred
- Children: right to be heard, listened to and taken seriously.
- Parents/carers: right to respect and consultation
- Early intervention and family support should be available
- Child's gender, religion, culture and developmental stage should be considered when taking protective action.
- When working with adults, consider impact of adult's behaviour on a child and act in the child's best interests
(*Children First* 1.1. (paraphrased))

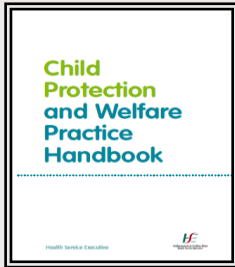
Legislation

- Child Care Act 1991
- Protection for Persons Reporting Child Abuse Act 1998
- Criminal Justice Act 2006 – Reckless Endangerment
- Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012
- Freedom of Information Act 2014 and Data Protection Acts 1988 & 2003
- National Vetting Bureau Act 2012 (not yet commenced)
- Children First Bill 2014

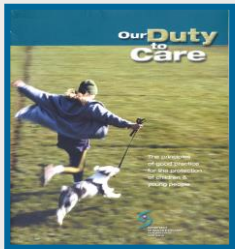
Policy Context



- Children First: National Guidance for the Protection and Welfare of Children (2011)



- Child Protection and Welfare Practice Handbook (2011)



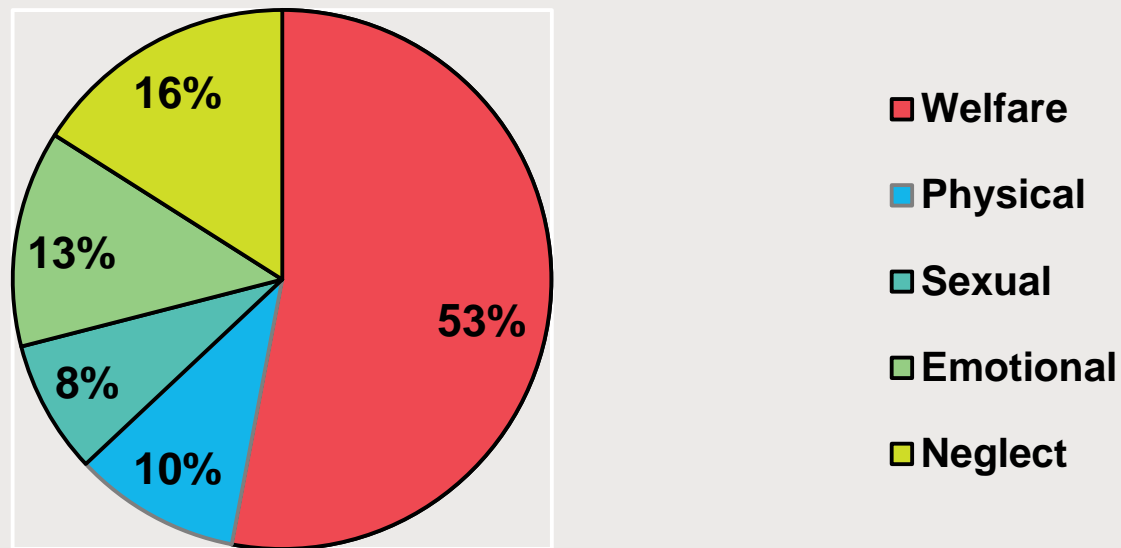
- Our Duty to Care (2002)
- Your own service's Child Protection and Welfare policy

Recognising Abuse & Welfare Concerns

- Child welfare concern
- Types of child abuse
- Risk factors
- Additional vulnerabilities

Percentage of cases reported to HSE 2013

(National Performance Activity Report)



Child Welfare Concern

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, which warrants assessment and support.

(Child Protection and Welfare Practice Handbook, Section 1.3)

Types of Child Abuse

- Neglect
- Emotional Abuse
- Physical Abuse
- Sexual Abuse

Neglect

‘An omission, 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 affection from adults, medical care.’

Threshold of significant harm

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*, Section 2.2.1/2.2.4)

Emotional Abuse

‘Emotional abuse is normally to be found in the relationship between a parent/carer and a child rather than in a specific event or pattern of events. It occurs when a child’s developmental need for affection, approval, consistency and security are not met.’

Threshold of significant harm

‘The *threshold of significant harm* in emotional abuse is reached when abusive interactions dominate and become *typical* of the relationship between the child and the parent/carer.’ (*Children First*, Section 2.3.1/2.3. 2)

Physical Abuse

‘Physical Abuse is that which results in actual or potential physical harm from an interaction or lack of interaction, which is reasonably within the control of a parent or person in a position of responsibility, power or trust.’

(Children First, Section 2.4.1)

Sexual Abuse

‘Sexual abuse occurs when a child is used by another person for his or her gratification or sexual arousal or for that of others.

(*Children First*, Section 2.5.1)

Risk Factors in Child Protection

Some known risk factors include:

- Age of the child
- Domestic and Sexual Violence
- Parental Mental Health
- Parental Substance Misuse

(Child Protection and Welfare Practice Handbook 3.2)

Children with Additional Vulnerabilities

- Children in a residential setting
- Children in the care of the State – foster care, relative care and residential care
- Children who are homeless
- Children with disabilities
- Separated children seeking asylum
- Children being trafficked

(Children First Section 8.1)

Basis for Reporting Concerns & Standard Reporting Procedure

- Tusla should always be informed when a person has **reasonable grounds for concern** that a child may have been, is being or is at risk of being abused or neglected.
- Child protection concerns should be supported by evidence that indicates the possibility of abuse or neglect
(Children first 2011, 3.2. (paraphrased),

Reasonable Grounds for Concern

- An injury or behaviour that is consistent both with abuse and an innocent explanation, but where there are corroborative indicators supporting the concern that it may be a case of abuse.
- Consistent indication over a period of time that a child is suffering from emotional or physical neglect.
- Admission or indication by someone of an alleged abuse.
- A specific indication from a child that he or she was abused.
- An account from a person who saw the child being abused.
- Evidence (e.g. injury or behaviour) that is consistent with abuse and unlikely to have been caused in any other way.
(Child Protection & Welfare Practice Handbook 2.3)

Designated Liaison Person

Person

- Senior staff/volunteer
- Working knowledge of organisation
- Listening and communication skills
- An understanding of abuse
- Available

Role

- Provide information and advice
- Receive and consider child protection concerns
- Informal consultation with Tusla
- Make a formal referral – standard report
- Inform parents/carers

PROCEDURES FOR REPORTING

Staff/Volunteer



Line Manager/Designated Liasion Person



Social Worker

For informal consultation or to make standard report

OR

An Garda Síochána

if a child is in immediate danger and social worker cannot be reached

Record-keeping

Record-keeping is of critical importance in this area of work. Unless accurate records are maintained, the ability to adequately protect vulnerable children may be severely curtailed. It is essential that professionals keep contemporaneous records of all reported concerns in a safe place. These should include details of contacts, consultations and any actions taken.

(Children First 5.21)

Confidentiality

- Information shared on ‘a need to know’ basis
- No undertakings regarding secrecy can be given
- The provision of information to the statutory agencies for the protection of a child is not a breach of confidentiality or data protection
- Organisations should have a written policy in this regard

(Children First 3.9)

Role in speaking to parents

‘Any **professional** who suspects child abuse should inform the parents/carers if a report is to be submitted to [Tusla], or to An Garda Síochána, unless doing so is likely to endanger the child.’

Children First, Section 3.2.9

Retrospective Disclosures by Adults

- Consideration must be given to current risk to any child, including unidentified children, from the alleged abuser.
- Record the information.
- Follow your organisation's child protection and welfare reporting procedure.

Interagency Cooperation

- Ensuring provision of comprehensive response
- Pooling of resources and skills
- Avoiding gaps, especially where information might be concealed or unknown
- Mutual support for professionals in complex cases

(Children First, 4.3.1)

Organisations working with children and families

- Corporate duty and responsibility to safeguard the children in your care.
- Obligation to provide the highest possible standard of care in order to promote their well-being and safeguard them from abuse.

Responsibilities of Organisations

- Promote general welfare, health development, safety of children;
- Raise awareness in the organisation about potential risks to children's safety/welfare;
- Develop policy of partnership and cooperation with parents, and listening to children

Child Protection & Welfare Policy, Procedures and Practice

- Child protection and welfare policy statement
- Definitions of Abuse
- Reporting Procedure-DLP
- Confidentiality statement
- Record keeping
- Safe recruitment & management procedures
- Information Sharing & involvement of parents & children
- Complaints procedures
- Code of Behaviour for workers
- Procedures for allegations of child abuse against workers
- Trips away
- Accident and incident procedures

Further Information

- Children First National Guidance for the Protection and Welfare of Children 2011
- Our Duty to Care 2002
- Child Protection and Welfare Practice Handbook 2011
- Tusla Standard Report Form
- Information on Advice, Guidance and Support are all available to access at

www.tusla.ie

National Adult Counselling Service

- National Counselling Service:
1800 235 234 (office hours) and www.hse-ncs.ie
- CONNECT:
1800 477 477 (Wed. – Sun. 6pm – 10pm)

For anyone over 18 who has experienced
abuse as a child

Thank you