



*Listowel
Writers' Week*

**Listowel Writers' Week
24 The Square, Listowel, Co. Kerry**

**Child Protection Policy and Child
Safeguarding Statement (updated March
2021)**

CONTENTS

Contents

• Introduction		3
• Child Safeguarding Statement		5
• Code of Practice for Staff and Volunteers		8
• Workshops and Outdoor Activities		9
• Guidelines for Photographing Children		10
• Role of the Designated Liaison Person		11
• Types of Child Abuse and How they May be Recognised		11
• Disclosure of Child Abuse		13
• Responsibility to Report Suspected or Actual Child Abuse		14
• Reporting Procedure in Respect of Child Abuse		14
• Confidentiality		16
• Staff, Volunteers and Service Providers Allegation Procedures		17
• Accident Procedures		17
• Complaints Procedures for Staff, Parents and Children		18
Appendix 1	Definition and recognition of Child Abuse	19-22
Appendix 2	Additional Protection Measures	22
Appendix 3	Procedures for dealing with accidents, missing persons, and disruptive behaviour	23
Appendix 4	Protection of persons reporting child abuse	24
Appendix 5	Allegation against a staff member: Protective measures	25
Appendix 6	Staff Declaration Form (all staff)	26
Appendix 7	Self-declaration form (new staff)	27
Appendix 8	Standard Tulsa Report form	28

Child Protection Policy and Child Safeguarding Statement (updated March 2021)

Introduction

We, at Listowel Writers' Week, are committed to a child centered approach to our work with children and young people. Listowel Writers' Week (LWW) has a statutory responsibility to create a culture of safety that promotes the welfare and protection of children and young people attending our festival activities throughout the year. This policy document deals with the recognition, reporting and management of child safety concerns and will assist anyone working on behalf of LWW in having due regard for the rights and interests of children. This policy applies to staff and those working on behalf of LWW in delivering our festival programme.

The Children First Act (2015) places specific statutory obligations on organisations which provide 'Relevant Services' to children and young people. The definition of 'relevant services' in Schedule 1 of the Act includes 'any work or activity which consists of the provision of educational, research, training, cultural, recreational, leisure, social or physical activities to children'. LWW interacts with young people through the provision of workshops, author meet and greet, talks, parades and other festival activities.

As the provider of a relevant service, and in line with 'Children First – National Guidance for the Protection and Welfare of Children' (2017), Listowel Writers' Week (LWW) is obliged to prepare a Child Safeguarding Statement. This is a written statement that specifies the services provided by the LWW and the principles and procedures to be observed to ensure, as far as practicable, that a child availing of these services is safe from 'harm'.¹ It also includes an assessment of risk of 'harm' to a child while availing of our service and specifies the procedures in place to manage the identified risks.

(1. Section 11(1) (a) of the Children First Act (2015) defines harm as follows: "harm means in relation to a child – Assault, ill-treatment or neglect of the child in a manner that seriously affects or is likely to seriously affect the child's health, development or welfare, or (b) Sexual abuse of the child, whether caused by a single act, omission or circumstance or a series or combination of acts, omissions or circumstances or otherwise.)

LWW publicly displays its Child Safeguarding Statement and makes it available to parents and guardians, Tusla and members of the public upon request.

LWW endorses and complies with The Arts Council's compliance with their obligation to put in place suitable child protection policies and procedures through the Service Level Agreement process and through the oversight Committee on Child Protection. Given the wider societal concerns in relation to child protection, it is essential that strong guidelines regarding child protection are in place to support all staff and those supported by the Arts Council and LWW who may interact with children in any capacity and to ensure protection of any child in our care. For the purposes of this document a child is defined as anyone under 18 years of age who is not or has not been married.

The Department of Children and Youth Affairs published the current version of Children First: National Guidance for the Protection and Welfare of Children in 2017, which revises and replaces the 2011 edition of the Children First Guidance. It is available on the

website of the Department of Children and Youth Affairs at www.dcy.gov.ie. The guidelines which follow have been developed for LWW against this background.

All staff members of LWW, both permanent and temporary, have been given a copy of this Child Protection Policy and Child Safeguarding Statement. New staff members and service providers who deal directly with children will be briefed on the policy and their responsibilities at induction. Staff members dealing directly with children on a regular basis must sign a copy of the Staff Declaration Form at **Appendices 7**.

Everyone working and volunteering on behalf of LWW should complete the online child welfare and protection e-learning programme prepared by Tusla and available free of charge at www.tusla.ie.

CHILD SAFEGUARDING STATEMENT

Listowel Writers' Week Mission Statement

The ultimate goal of Listowel Writers' Week Literary Festival is to engage the world-wide community in a celebration of the written word and to encourage discussion, at all age levels, of literature in its many forms. It serves to foster the professional development of writers, to promote communication throughout the literary community, and to help create an environment in which literature can be appreciated by the widest possible audience.

Key Events:

5 Day inclusive literary festival aimed at general adult audience.

4 day National Children's Literary Festival aimed at children from 0-14 years

1 Day Young Adult BookFest aimed at Transition and 5th Year Students.

Listowel Writers' Week curate a number of key cultural events linked with the National Strategy on Arts, Heritage and Culture and also with the Arts Council Strategy Making Great Art Work - for example Culture Night, World Book Day, Poetry Day Ireland, Cruinniu Na Casca, Cruinniu na N'Og, Irish Book Awards etc).

PRINCIPLES TO SAFEGUARD CHILDREN FROM HARM:

LWW operates according to the key principle that the welfare of children is of paramount importance. It is our policy that any person, group or organisation that attends LWW and /or provides services to children must comply with the LWW's child protection policy and procedures. LWW is committed to ensuring, so far as is possible, that children are protected from harm while in the company of LWW staff, volunteers or with those working on behalf of LWW. In order to foster a culture of safety that promotes the welfare and protection of children, LWW has put in place a standard reporting procedure for dealing with disclosures, concerns or allegations of child abuse. The safety and well-being of the child must take always priority. LWW undertakes to fulfill its statutory obligations under the Children First Act 2015 and to adhere to the Children First: National Guidance for the Protection and Welfare of Children.

RISK ASSESSMENT

LWW has carried out an assessment of any potential for harm to a child while availing of our services.

Below is a list of the areas of risk identified and the list of procedures for managing these risks.

<u>RISK IDENTIFIED</u>	<u>PROCEDURE TO MANAGE RISK</u>
1. Unsanctioned recirculation of photographs featuring children, without parental consent.	The LWW Child Protection Policy includes clear procedures for taking and circulating photographs of children. Staff and those working on behalf of LWW, are required to sign a Staff Declaration Form certifying that that have read and will abide by our Child Protection policies and procedures.
2. Inability of staff members to properly recognise ‘harm’.	LWW will provide, and relevant staff will participate in, recognised and appropriate Child Protection Training and be familiar with the HC Child Protection Policy and Child Safeguarding Statement.
3. Incident of inappropriate behaviour by a member of staff	Staff members dealing with children must be garda vetted and declare in writing that they will adhere to the LWW’s code of practice.
4. Inadequate supervision of children	When making a booking, schools are required to confirm that ‘the class teacher will be present at all times and that LWW staff will not be left alone at any time with the pupils.’ Mandatory adult/child ratios outlined in the Child Protection Policy must be adhered to by all staff.
5. On line events	In regard to online events we will make participants aware that it is not permitted to take photos/screenshots or recordings or make copies of other names that may be visible off of the screen, at home, when the event is running. Staff, families and children will be expected to behave in an appropriate, safe and respectful manner while online. Permission of the parent/guardian for the child to attend the event is presumed once the child is online. LWW cannot accept responsibility for the security of online platforms in the event that they are compromised.

PROCEDURES

Our Child Safeguarding Statement has been developed in line with requirements under the Children First Act 2015, the Children First: National Guidance, and Tusla's Child Safeguarding: A Guide for Policy, Procedure and Practice. In addition to the procedures listed in our risk assessment, the following procedures support our intention to safeguard children while they are availing of our service: All procedures listed are available upon request.

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

This Child Safeguarding Statement will be formally approved by the Board of Listowel Writers' Week as soon as is practicable after this review of 21st February 2021

A handwritten signature in black ink, appearing to read 'David Browne', is written over a long, thin horizontal line that extends across the page.

SIGNED _____

DAVID BROWNE
Chairman Listowel Writers Week
24 The Square,
Listowel, Co. Kerry
Telephone 068-21074

CODE OF PRACTICE FOR STAFF AND VOLUNTEERS

Staff and volunteers of LWW will observe the following good work practices to ensure that every child remains safe.

- Always put the child's welfare and safety first
- Treat all children and young people equally and as individuals, with respect and dignity
- Involve children and young people in decision-making, as appropriate
- Use appropriate language and 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
- Respect a child's or young person's personal space
- Lead by example and create an atmosphere of trust
- Be cognisant of a child's or a young person's limitations, due to a medical condition for example
- Give children encouragement, support and enthusiastic and constructive feedback rather than negative criticism
- Ensure any dangerous behaviour is avoided or stopped
- Ensure that any personal details relating to children are kept confidential
- Keep a written record of any injury that occurs to a child, along with details of treatment given
- Ensure there are clear channels of communication and access to staff/teachers if parents/guardians or children/young people wish to voice their concerns if there is something they are not happy about.

All LWW staff and volunteers:

- Should not take one young person alone on outings such as car journeys. Where this is unavoidable, it should be with the full consent and knowledge of the parents/guardians.
- Should not work on a one to one basis with a child or young person.
- Should not spend excessive amounts time alone with an individual child/young person.
- Should, where an adult needs to meet with a child/young person alone, leave the door open and another adult informed of the meeting.
- Should ensure that there is no unnecessary physical contact between a staff member and a young person although there are times when for example, placing a hand on a distressed child/young person's shoulder to comfort him/her would be appropriate.
- Adhere to the practice that physical contact should only be in response to the needs of the child and should be appropriate to the age and the level of development of the child.

- Generally, seek the consent of the child in relation to physical contact (except in an emergency or a dangerous situation).
- Should not communicate with children they have met through their workplace using text messages, or any forms of social media. Phone calls on personal mobiles should also be avoided.

In addition, anyone working or volunteering on behalf of LWW will never engage in the following inappropriate behaviour;

- Will not use or allow offensive or sexually suggestive physical and/or verbal language
- Will not single out a particular child/young person for unfair favouritism, criticism, ridicule, unwelcome focus or attention
- Will not allow/engage in inappropriate touching of any form
- Will not hit or physically chastise children/young people
- Will not leave children unattended or unsupervised

A breach of any of the above will be seen as a breach of the Code of Practice and could give rise to both disciplinary and criminal proceedings. Anyone working on behalf of LWW or volunteering at LWW should report concerns they note about any inappropriate behaviour with regards to a child/children in writing where relevant to the Chairman of Listowel Writers' Week.

WORKSHOPS AND OUTDOOR ACTIVITIES

LWW conducts workshops, author meet and greet and occasionally outdoor activities for children during the annual festival. These are attended by schools and children accompanied by parents. Some events are held in the Listowel Library and Listowel Community Centre.

All schools, Listowel Library and Listowel Community Centre have their own child protection policies in place. When visiting a school LWW is subject to the child protection policies of the school that has booked the event.

All authors and service providers hired by LWW during the festival have to sign the Declaration Form as set in Appendix 6 and 7, certifying that they have read LWW Policy, they agree to abide by it and that there is no reason why they should be considered unsuitable for working with children/young people.

All new staff recruited and volunteers, either on a permanent or temporary basis, whose work involves contact with children must fill out the Self Declaration form at Appendix 7.

Garda vetting will be required for volunteers and staff whose role primarily involves working with children. LWW will assist with the provision of training for relevant personnel.

GUIDELINES FOR PHOTOGRAPHING CHILDREN

There is some evidence that photographs of children can be used inappropriately. Therefore, the following guidelines will be observed by anyone working on behalf of LWW.

- Permission will be sought from primary guardian/teacher/parent and the child/children if it is desired to take individual photographs.
- If LWW wishes to use the photograph of any child for promotional or publicity reasons, they will first contact the child's parents and obtain written permission.
- Anyone working on behalf of LWW will not take photographs of children for any reason other than specified official reasons. No child appearing in any promotional photograph will be named.
- Some events or shows may be filmed or photographed. Buying a ticket affirms consent to the filming, sound recording or photographing of the audience.
- Photography and recordings are strictly forbidden without permission of the Listowel Writers' Week Literary Festival Management.
- Only images of children in suitable dress can be considered for use.
- Inappropriate use of images of children must be reported to the DLP (Designated Liaison Person: Miriam Slemon-Griffin), it will be considered as a breach of LWW's Code of Practice and could give rise to both disciplinary and criminal proceedings.
- In regards to online events LWW will make parents/guardians/children aware that it is not permitted to take photos/screenshots or recordings or copies of other names that may be visible off of the screen at home when the event is running.

Staff, families, guests and children are expected to behave in an appropriate, safe and respectful manner while online.

The permission of the parent for the child to attend the event is presumed once the child is online.

LWW cannot accept responsibility for the security of online platforms in the event that they are compromised.

Parents/guardians who wish to share photos of attendance at events or participation in competitions will be encouraged to use their own media accounts using the hashtags provided. Encourage them to take their own pics and send them to us if they are ok with them to be seen on the page.

ROLE OF THE DESIGNATED LIAISON PERSON

The ultimate responsibility for the implementation of the Child Protection Policy is the Treasurer and Governance Co-Coordinator of LWW Rose Wall (06821074)

However, in compliance with legislation (Children First Act, 2015) LWW has appointed a Designated Liaison Person and a Deputy Liaison Person who will ensure that the Child Protection Policy of the Council is promoted and will support the implementation of the policy. It is also the responsibility of the Designated Liaison Persons (DLP) to liaise with

the Child and Family Agency or An Garda Síochána where appropriate. The DLP shall ensure that the standard reporting procedure is followed so that suspected cases of child neglect or abuse are referred promptly to the designated person in Tusla, or in the event of an emergency, and in the unavailability of the Tusla to An Garda Síochána.

Miriam Slemon Griffin (Chairperson of National Children’s Literary Festival Committee 087/4024971) is Designated Liaison Person and Mairead Slemon (National Children’s Literary Festival 06821074) is Deputy Designated Liaison Person either of whom should be contacted about issues or concerns about any aspect of a child’s or young person’s safety and welfare or if a child discloses information regarding abuse during LWW events.

TYPES OF CHILD ABUSE AND HOW THEY MAY BE RECOGNISED

Child abuse occurs when the behaviour of someone in a position of greater power than a child causes the child harm. As children can be abused in a number of ways, sometimes at the same time, it is not always easy to categorise it, but four broad definitions can be considered and may be briefly summarised as neglect, emotional abuse, physical abuse and sexual abuse.

Definitions of the four types of abuse and how to recognise abuse are included in Appendices 1 and 2, which are based on Children First – National Guidance for the Protection and Welfare of Children. However, no one indicator should be seen as conclusive in itself of abuse. It may indicate conditions other than child abuse. All signs and symptoms must be examined in the context of the child’s situation and family circumstances.

The following examples would constitute reasonable grounds of concern (taken from Children First: National Guidelines for the Protection and Welfare of Children, Section 2.2):

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

The ability to recognise child abuse can depend as much on a person’s willingness to accept the possibility of its existence as it does on their knowledge and information. There are commonly three stages in the identification of child abuse:

(A) Considering the possibility,

(B) Looking out for signs of abuse,

(C) Recording of information.

(A) CONSIDERING THE POSSIBILITY OF CHILD ABUSE

The possibility of child abuse should be considered if a child appears to have suffered a suspicious injury for which no reasonable explanation can be offered. It should also be considered if the child seems distressed without obvious reason or displays persistent or new behavioural problems. The possibility of child abuse should also be considered if the child displays unusual or fearful responses to parents/guardians.

(B) LOOKING OUT FOR SIGNS OF ABUSE

Signs of abuse can be physical, behavioural or developmental. They can exist in the relationship between children and parents/guardians, between children and other family members/other persons and amongst their peers. A cluster or pattern of signs is likely to be more indicative of abuse. Children who are being abused may hint that they are being harmed and sometimes make direct disclosures. Disclosures should always be believed. Most signs of abuse are non-specific and must be considered in the child's social and family context. It is important to always be open to alternative explanations for physical or behavioural signs of abuse. Sometimes a specialist assessment may be required to clarify if particular concerns constitute abuse.

(C) RECORDING OF INFORMATION

If abuse is suspected, it is important to establish the grounds for concern by obtaining as much detailed information as possible. Observations should be accurately recorded and should include dates, times, names, locations, context and any other information that may be relevant. This information should be communicated to the DLP as soon as possible and without delay. The DLP will take any necessary follow-up action. Records will be maintained centrally by the DLPs.

If a staff member has any concerns that are not, as a once off, sufficient to provide reasonable grounds for concern but which taken with other factors over time may lead to a child protection or welfare concern, they should contact one of LWW's DLPs, who will maintain the records and review in consultation with the Child and Family Agency as necessary. With regard to an event provider contracted by LWW, the same applies and any concerns must be communicated as above to the DLP officer of the school, Library or Community Centre where the visit is being undertaken who has primary responsibility for children's welfare in the school.

DISCLOSURE OF CHILD ABUSE

In Listowel Writers' Week we are most likely to become aware of a case of abuse if a child should disclose it to us. It is essential that this is dealt with sensitively and professionally by anyone carrying out work on behalf of LWW. The following are guidelines to support the worker in this: LWW | Child Protection Policy 2018 12
DISCLOSURE OF CHILD ABUSE

- React calmly- give the child time to say what he/she wants
- Listen carefully and attentively; take the young person seriously
- Reassure the young person that they have taken the right action in talking to you and they are not to blame
- Aim to ensure 'observed confidentiality', where you are witnessed speaking to the child, but cannot be overheard
- Do not be judgmental
- Do not promise to keep anything secret; or make any other promises
- Ask questions for clarification only and do not ask leading questions
- Do not speculate or make assumptions
- Check back with the child/young person that what you have heard is correct and understood using their own words
- Do not express any opinions about the alleged abuser
- Record the conversation as soon as possible, in as much detail as possible.
- Sign and date the record
- Ensure that the child/young person understands the procedures which will follow
- Be honest with the child about what we can and cannot do
- Tell them that we cannot keep secrets and inform them what will happen next
- Do not confront the individual who is alleged to be responsible
- Pass the information to the Designated Liaison Person. It is important that LWW Staff do not attempt to deal with the problem alone. All of the above steps should be carried out without undue delay whilst not compromising the thoroughness of the process.

WHERE ABUSE IS SUSPECTED OR DISCLOSED THE ONE THING YOU MUST NOT DO IS NOTHING.

RESPONSIBILITY TO REPORT SUSPECTED OR ACTUAL CHILD ABUSE

Any person who has reasonable grounds for concern that a child may have been, is being, or is at risk of being abused, has a responsibility and a duty of care to report their concerns to the Tusla - the Child and Family Agency, either directly or through the Designated Liaison Persons. A concern about a potential risk to children posed by a specific person, even if the children are unidentifiable, should also be communicated to the to the Child and Family Agency, either directly or through the Designated Liaison

Persons. If you ignore what may be symptoms of abuse, it could result on ongoing harm to the child.

It is not necessary for you to prove that abuse has occurred to report a concern to Tusla. All that is required is that you have reasonable grounds for concern. It is Tusla's role to assess concerns that are reported to it. If you report a concern, you can be assured that your information will be carefully considered with any other information available and a child protection assessment will be carried out where sufficient risk is identified.

The guiding principles in regard to reporting child abuse is that the safety and wellbeing of the child or young person must take priority. No child must be exposed to unnecessary risk and reports of concerns should be made without delay to Tusla. In LWW, suspicions of abuse will be reported immediately to either of the Designated Liaison Persons listed below (please see Section 6).

Miriam Slemon Griffin Chairperson of LWW Children's Committee (068-21074) is Designated Liaison Person and Mairead Slemon (National Children's Literary Festival 06821074) is Deputy Designated Liaison Person for LWW.

REPORTING PROCEDURE IN RESPECT OF CHILD ABUSE

LWW has put in place a standard reporting procedure for dealing with disclosures, concerns or allegations of child abuse. The safety and well-being of the child must take priority. The standard reporting procedure for dealing with disclosures, concerns or allegations of child abuse is that set out in the Children First: National Guidance for the Protection and Welfare of Children document.

1. Any LWW staff member, volunteer or LWW service provider who has received a disclosure of child abuse or who has concerns of abuse should bring it to the attention of the Designated Liaison Person immediately.
2. The LWW person who has received a disclosure of child abuse or who has concerns of abuse should bring it to the attention of one of LWW's two Designated Liaison Persons immediately.
3. It is important that all those working on behalf of LWW are aware that the person who first encounters a case of alleged or suspected abuse is not responsible for deciding whether or not abuse has occurred. That is a task for the Child and Family Agency and An Garda Síochána. Under no circumstances should any LWW staff member attempt to deal with the problem of abuse alone.
4. That LWW employee, volunteer or LWW service provider who initially expresses concern will be required to complete a report, in consultation with the appropriate Designated Liaison Persons, outlining the situation, including the date, time and people involved. The report should be factual. Any opinions should be stated as such and supported by factual information. A Standard Report Form should be used when reporting child welfare and protection concerns to Tusla. This standard form is in Appendix 8.

5. The Designated Liaison Person will review the information that has been provided to ensure that all relevant information has been gathered. They will contact the Child and Family Agency for informal advice without delay relating to the allegation, concern or disclosure, when necessary.
6. The Designated Liaison Person will then take one of two actions:
 - EITHER**
Report the allegation, concern or disclosure formally to the Child and Family Agency
 - OR**
Not make a formal report to the Child and Family Agency but keep a record of the concerns on file. The reasons for not reporting the allegation, concern or disclosure will be clearly recorded. The LWW employee who made the initial report will be informed in writing if a formal report is not being made to the Child and Family Agency and it is open to him/her to make a formal report themselves, directly to the relevant authority if they feel this is necessary. Provisions of the Protection for Persons Reporting will apply.

It is important that reports are made to the Child and Family Agency without delay.

7. Where a formal report is made, it is likely that the Child and Family Agency will want to speak to the person who first made the report to clarify facts and the circumstances of the report.
8. **In an emergency, out of hours, a report should be made directly to An Garda Síochána.** In making a report on suspected or actual child abuse, the individual must ensure that the first priority is always for the safety and welfare of the young person and that no young person is ever left in an un-safe situation. Parents/guardians of the child will be informed of the allegation, concern or disclosure unless doing so is likely to endanger the child.

Any reasonable concern or suspicion of abuse or neglect must elicit a response. Ignoring the signals or failing to intervene may result in ongoing or further harm to the child. Failure to act may result in incurring criminal charges under Section 176 of the Criminal Justice Act 2006 which introduced the criminal charge of reckless endangerment of children.

RETROSPECTIVE DISCLOSURES BY ADULTS

An increasing number of adults are disclosing abuse that took place during their childhoods. Where the identity of the alleged perpetrator or alleged victim is known the service should always consult with the Child and Family Agency to discuss whether a report should be made. Where appropriate, reports should be made to the Child and Family Agency without delay either directly or through the Designated Liaison Persons.

CONFIDENTIALITY

Considerations of confidentiality will not be allowed to over-ride the right of the child to protection. The welfare of the child will be paramount. It is not a breach of confidentiality or data protection to give information which supports the protection of a child.

Therefore, in matters of child abuse, a LWW employee should never promise to keep secret any information which is divulged. It should be explained to the young person that this information cannot be kept secret but only those who need to know will be told. It is essential in reporting any case of alleged/suspected abuse that the principle of confidentiality applies. The information should only be shared on a 'need to know' basis and the number of people that need to be informed should be kept to a minimum.

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

Records in relation to child protection and welfare concerns will be kept securely and maintained by the Designated Liaison Persons. The Department will co-operate with the Child and Family Agency on the sharing of their records where a child welfare or protection issue arises. The Department is committed to attend and share information, as required, at formal child protection and welfare meetings as organised by the Child and Family Agency i.e. Child Protection Conferences and Strategy Meetings.

The Protections for Persons Reporting Child Abuse Act, 1998

This Act provides immunity from civil liability and from penalisation by an employer to persons who report child abuse 'reasonably and in good faith' to the Designated Officers in the Child and Family Agency or An Garda Síochána.

LWW STAFF, VOLUNTEERS AND SERVICE PROVIDERS ALLEGATION PROCEDURES

In the event of allegations being made against anyone working on behalf of the LWW staff member suspects another member of staff of inappropriate behaviour towards or abuse of a child, the protection of the child/young person is the first and paramount consideration. The first priority is to ensure that no child is exposed to unnecessary risk LWW should as a matter of urgency take any necessary protective measures (Appendix 5). The measures should be proportionate to the level of risk and should not unreasonably penalise anyone carrying out work on behalf of LWW, financially or otherwise, unless necessary to protect children. Where protective measures penalise it is important that early consideration be given to the case.

Where there is a complaint of abuse against a member of staff, procedures will take on two strands.

The reporting of the child abuse will be the same as above (LWW staff member/Designated Liaison Person/Tusla). However, there will also be an investigation into the alleged abuse. In fact, there may be three investigations:

1. Internal investigation by the Schools or LWW as relevant
2. Investigation by the Child and Family Agency investigation and possibly
3. Criminal investigation by the Gardaí.

ACCIDENT PROCEDURES

If an accident happens to a child (or adult) while in the care of LWW it is important not only to treat the situation competently, but also to report and record it correctly. The following steps should be observed:

- If at all possible, two adults should remain with the injured child. However, other children may need to be removed from the scene, and it may not always be possible to have two adults present.
- First Aid as appropriate should be administered if a competent person is available and should as best practice be carried out in the presence of another adult.
- If necessary, an ambulance should be requested (dial 999 or 112). Insofar as possible, the person dialling for help will need to convey as much concise information as possible to the emergency services such as nature of the injury and medical history if known.
- They should stay beside the phone to await a return call confirming the request. LWW Staff must be aware of the nearest phone at all times. If moving far from a phone, either a mobile phone or a radio should be carried.
- Once the casualty is stabilised and/or removed by ambulance, the parents / guardians must be contacted
- Immediately after the incident, a detailed report must be filed with LWW office.

COMPLAINTS PROCEDURE FOR STAFF, PARENTS AND CHILDREN

If a member of staff, teacher, a parent or child has any complaints with how LWW's Child Protection Policy is being implemented or if it is perceived that the Code of Practice has been breached by a LWW staff, volunteer or service provider, a complaint can be made, preferably in writing, to one of the LWW's Designated Liaison Persons. In the case of a complaint by a child, this can be done orally to any LWW member of staff who will then contact the Designated Liaison Person in writing regarding the particulars of the complaint.

The complaint will be handled by the Designated Liaison Person who will consult with management/ Tusla as necessary. The complaint will be dealt with promptly and sensitively and complainants will be kept informed at all stages of the process.

Designated Liaison Person

Miriam Slemon Griffin,
Chairperson
National Children's Literary Festival
Listowel Writers' Week

068-21074

Deputy Designated Liaison Person

Mairead Slemon
National Children's Literary Festival
Listowel Writers' Week

068-21074

APPENDIX 1

DEFINITION AND RECOGNITION OF CHILD ABUSE

(Children First; National Guidance for the Protection and Welfare of Children 2017)

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

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

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

NEGLECT

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

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

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

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

The following are features of child neglect:

- Children being left alone without adequate care and supervision

- Malnourishment, lacking food, unsuitable food or erratic feeding
- Non-organic failure to thrive, i.e. a child not gaining weight due not only to malnutrition but also emotional deprivation
- Failure to provide adequate care for the child's medical and developmental needs, including intellectual stimulation
- Inadequate living conditions – unhygienic conditions, environmental issues, including lack of adequate heating and furniture
- Lack of adequate clothing
- Inattention to basic hygiene
- Lack of protection and exposure to danger, including moral danger, or lack of supervision appropriate to the child's age
- Persistent failure to attend school
- Abandonment or desertion

EMOTIONAL ABUSE

Emotional abuse is the systematic emotional or psychological ill-treatment of a child as part of the overall relationship between a caregiver and a child. Once-off and occasional difficulties between a parent/guardian and child are not considered emotional abuse. Abuse occurs when a child's basic need for attention, affection, approval, consistency and security are not met, due to incapacity or indifference from their parent or caregiver. Emotional abuse can also occur when adults responsible for taking care of children are unaware of and unable (for a range of reasons) to meet their children's emotional and developmental needs. Emotional abuse is not easy to recognise because the effects are not easily seen when observing the relationship between the child and the parent or guardian. This may become more apparent where you see the child over a period of time, or the effects of neglect may be obvious based on having seen the child once.

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

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

- Rejection
- Lack of comfort and love
- Lack of attachment
- Lack of proper stimulation (e.g. fun and play)
- Lack of continuity of care (e.g. frequent moves, particularly unplanned)
- Continuous lack of praise and encouragement
- Bullying
- Conditional parenting in which care or affection of a child depends on his or her behaviours or actions
- Extreme overprotectiveness
- Inappropriate non-physical punishment (e.g. locking child in bedroom)

- Ongoing family conflicts and family violence
- Seriously inappropriate expectations of a child relative to his/her age and stage of development

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

It should be noted that no one indicator is conclusive evidence of emotional abuse. Emotional abuse is more likely to impact negatively on a child where it is persistent over time and where there is a lack of other protective factors. A reasonable concern for the child's welfare would exist when the behaviour becomes typical of the relationship between the child and the parent or guardian.

PHYSICAL ABUSE

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

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

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

SEXUAL ABUSE

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

directly or through pornography. Child sexual abuse may cover a wide spectrum of abusive activities. It rarely involves just a single incident and in some instances occurs over a number of years. Child sexual abuse most commonly happens within the family, including older siblings and extended family members. Cases of sexual abuse mainly come to light through disclosure by the child or his or her siblings/friends, from the suspicions of an adult, and/or by physical symptoms.

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

Examples of child sexual abuse include the following

- Any sexual act intentionally performed in the presence of a child
- An invitation to sexual touching or intentional touching or molesting of a child's body whether by a person or object for the purpose of sexual arousal or gratification
- Masturbation in the presence of a child or the involvement of a child in an act of masturbation
- Sexual intercourse with a child, whether oral, vaginal or anal
- Sexual exploitation of a child, which includes: » Inviting, inducing or coercing a child to engage in prostitution or the production of child pornography [for example, exhibition, modelling or posing for the purpose of sexual arousal, gratification or sexual act, including its recording (on film, videotape or other media) or the manipulation, for those purposes, of an image by computer or other means).
- Inviting, coercing or inducing a child to participate in, or to observe, any sexual, indecent or obscene act
- Showing sexually explicit material to children, which is often a feature of the 'grooming' process by perpetrators of abuse
- Exposing a child to inappropriate or abusive material through information and communication technology
- Consensual sexual activity involving an adult and an underage person
- An Garda Síochána will deal with any criminal aspects of a sexual abuse case under the relevant criminal justice legislation. The prosecution of a sexual offence against a child will be considered within the wider objective of child welfare and protection. The safety of the child is paramount and at no stage should a child's safety be compromised because of concern for the integrity of a criminal investigation.
- In relation to child sexual abuse, it should be noted that in criminal law the age of consent to sexual intercourse is 17 years for both boys and girls. Any sexual relationship where one or both parties are under the age of 17 is illegal. However, it may not necessarily be regarded as child sexual abuse. Details on exemptions for mandated reporting of certain cases of underage consensual sexual activity can be found in Chapter 3 of Children First: National Guidance for the Protection and Welfare of Children.

APPENDIX 2

GENERAL GUIDELINES:

- The child's welfare and safety will always be put first.
- Staff will ensure, to the best of their ability; that every child remains safe and experiences our festival positively.
- All young people will be treated with dignity and respect.
- LWW staff will have a complete First Aid kit nearby them at all times when in the company of any programme participants.
- LWW staff will keep a written record of any incident that occurs to a child, along with an outline of any action taken by them.

DEFINITION OF 'RESPONSIBLE ADULTS'

For the purpose of this policy document 'responsible adults' are teachers, parents, guardians, or volunteers who accompany groups of children or individual children participating in any LWW activities. These responsible adults have the primary responsibility for the welfare and behaviour of each child in their care and on whose behalf the appropriate registration forms were signed by them. The responsible adults (e.g. teachers, parents, guardians,) who accompany groups of children or individual children participating in LWW activities have the duty to make the LWW staff aware of any medical or other condition of any participant that they "need to know" of in the interests of the child and the group.

APPENDIX 3

Procedures additional to those set out in the Child Protection Policy

ACCIDENT /INCIDENT

Note: It must be remembered that the "Responsible Adult" is primarily responsible for the welfare and behaviour of each child in their care and on whose behalf the appropriate registration forms were signed.

- If at all possible two adults (one of whom must be a "Responsible Adult" other than the LWW staff member) will remain with the injured child. If one adult is with the child, at least one other adult should remain at the scene.
- The appropriate emergency service should be contacted if necessary as soon as possible (Dial 999 or 112). The person making the contact will need to give location of incident and outline of incident and any injury detected. The contact person must await confirmation that the information given has been received.
- First aid is to be administered as appropriate by a competent person who holds a valid First Aid Certificate.
- LWW staff member should inform the office manager of the incident as soon as possible and keep them updated.

- If there is a casualty, parents / guardians must be notified as soon as possible via the school personnel.
- Immediately after the incident an incident report sheet must be completed, dated and signed LWW staff member present.

LOST/MISSING PERSON(S)

Please see the section ‘Procedures for dealing with Lost / Missing Children’ above

DEALING WITH CHALLENGING OR DISRUPTIVE BEHAVIOUR

The safety and welfare of the children and young people is a priority and LWW staff will deal sensitively and professionally with any difficult issues that may arise. Where instances of challenging or disruptive behaviour occur with children/young people, a record will be kept of this where the instance requires the intervention of LWW staff member or where the safety and well-being of others are at risk. LWW Staff members who are present at the time, should complete an incident/accident report form.

APPENDIX 4

PROTECTION FOR PERSONS REPORTING CHILD ABUSE

PROTECTION FOR PERSONS REPORTING CHILD ABUSE ACT 1998

The Protection for Persons Reporting Child Abuse Act 1998 provides immunity from civil liability to persons who report child abuse “reasonably and in good faith” to Tusla or An Garda Síochána. This means that even if a reported suspicion of child abuse proves unfounded a plaintiff who took action would have to prove that the reporter had not acted reasonably and in good faith in making the report.

This protection applies to organisations and to individuals. It is considered therefore that organisations should assume full responsibility for reporting suspected child abuse to the appropriate authorities. Reports to the Tusla and to the Garda Síochána should be made as per the LWW’s policy and guidelines.

THE DEFENCE OF QUALIFIED PRIVILEGE

A person who makes a report in good faith and in the child’s best interests may also be protected under common law by the defence of qualified privilege.

The Common Law provides a defence, in particular circumstances, to individuals who make 31 verbal or written statements of a kind, which could expose their author to a claim of defamation” if such statements were made in different circumstances.

In general, the privilege covers situations where the maker of the statement has a duty to speak or is obliged to protect some interest. The duty in question does not have to be a strictly legal one: a moral or social duty to make a statement or report is sufficient. The

recipient of the statement must have a corresponding duty to receive the statement. The defence only applies where the individual who makes the statement is not motivated by malice in making this statement.

In circumstances where an individual has a duty to speak and does so without malice, he can be assured that the defence of the qualified privilege will protect him from any defamation claim to which his statement could possibly give rise. The defence will apply, for example, when an employee reports to his line manager (or some specially designated person), his bona fide suspicion that a fellow employee may have committed an act of abuse in the course of the latter's employment.

APPENDIX 5

Allegation against a staff member: Protective Measures

Pending the outcome of the investigation LWW should take whatever protective measures necessary to ensure that children are not exposed to unacceptable risk. These protective measures are not disciplinary measures, and may include:

- Providing an appropriate level of supervision
- Reassigning duties where the accused will not have contact with children/young people
- Putting the staff member off duty

Putting the staff member off duty pending the outcome of the investigation should be reserved for exceptional circumstances. It should be explained to the staff member concerned that the decision to put him/her off duty is a precautionary measure and not a disciplinary sanction. The views of the staff member concerned will be taken into consideration when determining the appropriate protective measures to take. However, the final decision will rest with the Chairman of the Board of Directors of LWW.



Listowel
Writers' Week

Listowel Writers' Week
24 The Square, Listowel, Co. Kerry

**APPENDIX 6
STAFF, VOLUNTEER or CONTRACTED SERVICE PROVIDER
DECLARATION FORM**

CHILD PROTECTION POLICY DECLARATION

NAME.....

DATE OF BIRTH

ADDRESS

.....

CONTACT NUMBER

WORK LOCATION

POSITION

I have received a copy of the LWW child protection policy and child safeguarding Statement

I have read and understand the particulars outlined in the Child Safeguarding Statement, the policy and in the Code of Practice, and I agree to follow the guidelines on procedures and practices contained within them.

Signed
Name of Employee /volunteer or Contracted Service Provider

Date

This declaration must be signed and returned to:
Sharon Hartnett, LWW Office, 24 The Square, Listowel, Co Kerry



Listowel
Writers' Week

Listowel Writers' Week
24 The Square, Listowel, Co. Kerry

APPENDIX 7 Self-Declaration Form

This post involves substantial access to children and young people. LWW is committed to the welfare and protection of children and young people, and therefore must ask you to declare the following information to us. The information you provide on this declaration is treated as strictly confidential.

FORENAMES: SURNAME:
(BLOCKCAPITALS)

Any other name(s) by which you were previously known (if applicable)

.....
(BLOCKCAPITALS)

Have you ever been convicted of a criminal offence?	YES	NO
Have you ever been the subject of a caution?	YES	NO
Have you ever been the subject of a bound over order?	YES	NO

If you answered yes to any of the above questions, please state the nature and date(s) of the offence(s):

NATURE OF OFFENCE

DATE OF OFFENCE

.....

.....

IMPORTANT: You must sign and date this declaration below.

In the event that you are offered a position you may be subject to a Garda Vetting inquiry. If the Garda vetting inquiry discloses any information to us which contradicts the information you have provided on this declaration, it will result in your immediate dismissal.

SIGNED..... DATED.....

APPENDIX 8

Standard Form for Reporting Child Protection and/or Welfare Concerns to Tusla

This form, together with the Retrospective Abuse Form and all Tusla Support Documents are available to download from www.tusla.ie