

CLIFFS OF MOHER CENTRE DESIGNATED ACTIVITY COMPANY

Child Protection [Safeguarding] Policies



CLIFFS OF MOHER EXPERIENCE

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INTRODUCTION

The Cliffs of Moher Centre Designated Activity Company (COMCDAC) is a Company registered in 2005 with the Companies Registration Office (CRO). It is a wholly owned subsidiary of Clare County Council (CCC) established to operate the Cliffs of Moher Experience on behalf of Clare County Council, including all elements of staff recruitment, training, and staff management of those who work at the Cliffs of Moher.

The Cliffs of Moher Centre Designated Activity Company (COMCDAC) is a company established to operate the Cliffs of Moher Experience on behalf of Clare County Council through the Directorate of Rural Development and West Clare Municipal District.

For the purpose and ease of the Policy and Procedures for the Protection and Safeguarding of Children, all reference to the Cliffs of Moher Centre Designated Activity Company (COMCDAC and or the Cliffs of Moher (COM) where applicable will be referred to as the Cliffs of Moher Experience (COME).

This policy document and associated procedures aims to support the Cliffs of Moher Experience (COME) to create and maintain as safe an environment as possible for children and young people who engage with the Cliffs of Moher Experience. In creating and maintaining this safe environment the Cliffs of Moher Experience will implement specific safeguarding children measures and supports to staff and volunteers that will promote the protection and welfare of children in contact with COME services and in using their facilities.

The guiding principles are as set out in the child safeguarding statement of the Cliffs of Moher Experience. It will be the responsibility of the COME to ensure these principles are followed to safeguard, as far as practicable, children who are attending the Cliffs of Moher Experience facilities.

Actions that will assist implementation and maintenance of the safeguarding children principles are:

- ⦿ Responding without undue delay to protection and welfare concerns in respect of children and following the guidance contained within the Cliffs of Moher Centre Designated Activity Company Policy and Procedures for the Protection and Safeguarding of Children 2021 document.
- ⦿ Reporting child protection or welfare concerns/suspicious to the Designated Liaison Person or the Deputy Designated Liaison Person and following Children First compliant procedures.
- ⦿ Ensuring that mandated staff, if identified, fulfil their responsibilities under the Children First Act 2015.
- ⦿ Ensuring appropriate management, recruitment and supervision of staff, volunteers, Transition Year students and other students is in place and is subject to internal review (reference Appendix 7 – Transition Year students)
- ⦿ Drafting and implementing safeguarding children training plan for all staff/volunteers and a role specific training plan for the safeguarding children post holders.
- ⦿ When the Cliffs of Moher is collaborating with another body in respect of a children's event it is essential that there will be prior agreement on which bodies reporting procedures are to be followed in cases of incidents or suspected child protection or welfare concerns. This includes any outreach work carried out by staff in the community.
- ⦿ Compliance with the Cliffs of Moher Centre Designated Activity Company Data Protection policy in respect of the retention, by the Designated Liaison Person (DLP), of confidential, personal, and sensitive data regarding children and their parents/carers who are subject to protection and/or welfare concerns. Such sensitive personal information must only be shared on a "need to know" basis
- ⦿ Ensuring, when practicable, that parents/carers are informed of any issues of concern regarding their children.
- ⦿ Ensuring groups bringing children on visits confirm they will have appropriate supervision ratios in place, i.e., adults: children ratio.
- ⦿ Ensuring children, parents/guardians, visitors, and guides are aware of the Cliffs of Moher Centre Designated Activity Company Policy and Procedures for the Protection and Safeguarding of Children 2021.

- ⦿ Being inclusive of children and young people with disabilities. A child who has a disability has the same rights as any other child.
- ⦿ Ensuring that all appropriate organisations and the general public are aware of the Cliffs of Moher Centre Designated Activity Company Policy and Procedures for the Protection and Safeguarding of Children 2021 document.
- ⦿ Ensuring that this Policy and Procedures for the Protection and Safeguarding of Children document and appendices are available on the Cliffs of Moher public website and internal intranet.
- ⦿ Ensuring there will be prompt reporting and recording any incidents and/or accidents involving children.
- ⦿ Encouraging children to report any bullying concerns and staff being aware of the dignity at work policy and procedures (**Policy Ref. COM-HR-2020-0030**).
- ⦿ Ensuring a Protected Disclosures ("Speaking Up") policy is in place which reflects the needs of children.
- ⦿ Ensuring that photographing or recording visual images of children or permitting such actions will only take place with the written consent of the parent/guardian.
- ⦿ Not displaying images of children without the written consent of the parent/guardian. This will apply in particular to the Cliffs of Moher website or social media links of the body
- ⦿ Ensuring that safe recruitment practices, are implemented in respect of all relevant Cliffs of Moher Experience staff
- ⦿ Any observed possible breach of the Cliffs of Moher Experience code of behaviour, related to children, by staff or a volunteer, which is observed by a colleague, will be reported without delay to the relevant line manager for appropriate response.
- ⦿ Cliffs of Moher Experience will be responsible for reviewing and updating the Policy and Procedures for the Protection and Safeguarding of Children at a minimum annually or as soon as possible if there has been a material change in any national policy, legislation, or procedural issues.

Note

Working definitions and roles in respect of Cliffs of Moher Experience Policy and Procedures for the Protection and Safeguarding of Children are referenced in Appendix 1

Relevant legislation and guidance are referenced in Appendix 4

Code of Behaviour for staff and volunteers in relation to children

This code of behaviour outlines the conduct the Cliffs of Moher Experience expects from all staff and volunteers in their contact with children. The code applies to all COMVE staff, students on work placements and anyone who is undertaking specific duties for the COMVE, whether paid or unpaid.

The code of behaviour aims, as far as practicable, to assist the Cliffs of Moher Experience in protecting children and young people from abuse or harm. Children may be in work placements such as Transition Year students, be visitors to the facility **or may be attending schools receiving an input from the outreach programme.**

The named person will ensure that everyone involved in the delivery of Cliffs of Moher Experience services has seen this code, understood, and agreed to follow the code of behaviour.

All such persons will sign a declaration that they have read these procedures, associated appendices, and the child safeguarding statement. In signing this declaration, they will also agree to abide fully with the contents of the documents. This includes all tenants that are in lease agreements with Clare County Council and who are working on the Cliffs of Moher Experience Site.

Staff and volunteers will also be made aware of the possible disciplinary and/or criminal consequences of breaching this code of behaviour.

This code of behaviour applies to all staff and volunteers who must interact on a regular and planned basis with children in the performance of their duties and/or may have unplanned contact with children during their work activities.

The code sets out the following guidance for staff and volunteers when in contact with children visiting the Cliffs of Moher Experience:

- ⦿ That a child's welfare and safety is paramount
- ⦿ To treat all children and young people fairly and without prejudice or discrimination
- ⦿ To listen to and respect children
- ⦿ To provide encouragement, support, and praise to children
- ⦿ To use appropriate language with children. If language used may have caused offence to a child, this should be addressed with them in a sensitive manner.
- ⦿ To encourage a positive atmosphere in any engagement with children
- ⦿ To treat all children as individuals

- ⦿ To respect a child's personal space
- ⦿ To be aware of a child's limitations
- ⦿ To use age-appropriate teaching/learning and communication aids when required
- ⦿ To lead by example when interacting with children and young people
- ⦿ To work towards creating an atmosphere of trust with children
- ⦿ To respect and be aware of differences in gender, sexual orientation, culture, race, ethnicity, disability and religious belief systems between yourself and others
- ⦿ If personal information is known in respect of a child, this will be kept confidential and will only be shared on a need-to-know basis.

Staff/volunteers **should not do** the following in respect of their engagement with children:

- ⦿ Allow allegations or concerns in respect of possible abuse or harm to children to go unreported. Reporting includes abusive behaviour being displayed by an adult or child and directed at a child.
- ⦿ Smoke consume alcohol or use illegal substances when interacting with children during working hours.
- ⦿ Spend excessive amounts of time alone with children during working hours or volunteer hours.
- ⦿ Take children, involved with Cliffs of Moher Experience activities, on journeys alone in a vehicle without the consent of the parent/guardian. Except in the case of an emergency.
- ⦿ Be in a one-to-one situation with a child. However, if a child needs to talk separately to an adult this should be done in an open environment in view of others whilst respecting the child's privacy.
- ⦿ Use or allow offensive or sexually inappropriate physical contact and or verbal language with children.
- ⦿ Single out a particular child they have contact with through their work environment for unfair favouritism, criticism, or ridicule.
- ⦿ Hit or physically chastise children.
- ⦿ Socialise inappropriately with children e.g., outside or after the Cliffs of Moher Experience activities they may have been engaged with

- ⦿ If physical contact is an inherent part of an activity to not seek consent of the child/young person in relation to physical contact (excepting an emergency or high-risk situation)
- ⦿ To be involved in horseplay or inappropriate touching of children
- ⦿ Reveal personal information about children where you are not concerned about possible protection or welfare concerns which may require contact with Tusla and/or An Garda Síochána

Staff and volunteers must also ensure that the following actions are also taken to safeguard children:

- ⦿ If a child is left at the Cliffs of Moher Experience after closing time the senior manager on site is to immediately contact the parent/guardian. If no parent/guardian responds or can be contacted, An Garda Síochána are to be informed
- ⦿ Within the Cliffs of Moher Experience facilities if requested to direct a child to the toilet, staff/volunteers should not accompany the child into the toilet, excepting a child that has a disability and may require or request assistance.
- ⦿ In a difficult situation involving a child, try and ensure another member of staff is present.
- ⦿ Do not accompany a child outside of the Cliffs of Moher Experience site in search of a parent. Keep them safe until a parent or carer returns.
- ⦿ Contact An Garda Síochána if you have cause to believe that a child has been abandoned/forgotten or may be at possible risk of harm
- ⦿ Do not make arrangements to directly contact a child in relation to work-based activities either by phone or through electronic or social media.
- ⦿ Do not carry out tasks of a personal nature for a child that the child could do for him/herself
- ⦿ Ensure that clear guidance exists for children and their primary carers to be able to communicate with and access staff if they have a complaint.

Code of behaviour for children and young people

This code of behaviour aims to ensure that children and young people who interact with Cliffs of Moher Experience staff/volunteers during access to the facilities **or through the outreach programme to schools**, are aware of what is expected of them and feel safe, respected, and valued.

The code of behaviour aims to:

- ⦿ Identify acceptable and unacceptable behaviour.
- ⦿ Encourage cooperation, fairness, honesty, and respect.
- ⦿ Encourage children and young people to recognise and respect the rights of others.
- ⦿ Encourage children and young people to take responsibility for their own behaviour.
- ⦿ To assist with conflict resolution and to give clarity as to the outcome if this code is not followed.

The code of behaviour sets out the following guidance for children and young people visiting the Cliffs of Moher facilities in terms of:

- ⦿ Co-operating with others
- ⦿ Listening to others
- ⦿ Treating everyone with respect
- ⦿ Taking responsibility for their own behaviour
- ⦿ Talking to a trusted adult about anything that they may be worried or concerned about
- ⦿ Following this code of behaviour and other guidance, including the law.

Children and young people should not:

- ⦿ Be disrespectful to others.
- ⦿ Bully others whether online or offline.
- ⦿ Behave in an intimidating manner to others.
- ⦿ Be abusive to anyone either verbally or physically.

If children and young people do not follow this code of behaviour the following will apply:

- ⦿ If a child or young person acts inappropriately while accessing the Cliffs of Moher Experience, they will be asked to comply with the code of behaviour.
- ⦿ If this behaviour continues after the first reminder or if it escalates the incident will be recorded and the parent/guardian will be informed.
- ⦿ If the behaviour is repeated on further occasion/s access to the Cliffs of Moher Experience may be restricted. Again, the incident will be recorded, and the parent/guardian will be informed.
- ⦿ When dealing with a disruptive child it is recommended that where possible more than one staff or volunteer is present.

Engaging with a child exhibiting disruptive behaviour – guidance for staff and volunteers

It is important to deal with such situations calmly and quietly and to avoid putting yourself or others in danger. When dealing with a disruptive child it is recommended that where possible more than one staff or volunteer be present. In extreme cases where staff have concerns about their own safety or the safety of a child, it may be necessary to call An Garda Síochána.

Positive behaviour is always expected from children while using the Cliffs of Moher Experience. Parents/guardians, or if in a school group, their teachers, supervisors, and the school which they attend are expected to take responsibility for the behaviour and safety of children while using the Cliffs of Moher facilities.

If a young person continues to behave in an unacceptable manner, they will be asked to leave the Cliffs of Moher Experience immediately where appropriate and safe to do so. This will have regard to the age of the child and level of understanding.

The child's parents/guardians will be phoned (where contact details are available) and a letter will be sent to the child's parents or guardian outlining the incident and confirming why the child was asked to leave the site.

An Garda Síochána should be notified to deal with disruptive children/ young people who refuse to leave the site and continue to be disruptive.

All instances of disruptive behaviour that require the intervention of a staff/ volunteer, and which put at risk the safety and well-being of others, must be documented.

The report of a disruptive incident shall describe:

- ⊗ What happened?
- ⊗ Who was involved?
- ⊗ Where and when it happened?
- ⊗ What was said, if significant?
- ⊗ The duration of the incident?
- ⊗ Any injury to person or property?
- ⊗ How was the situation resolved?

Note

An Incident Report Form shall be completed

The following behaviour will not be accepted "from adults or children" at the Cliffs of Moher Experience:

- ⦿ Behaviour which is disruptive and interferes with the safe use and enjoyment of the facility by others.
- ⦿ Harassment of staff or members of the public by use of abusive, racist, obscene, or threatening language.
- ⦿ Use of violence or threat of violence toward staff/volunteers and/or members of the public
- ⦿ Malicious damage to and/or theft of Cliffs of Moher Experience property
- ⦿ The use of alcohol and illicit drugs while using Cliffs of Moher Experience facilities
- ⦿ Smoking, except in designated areas
- ⦿ Personal property being left unattended while visiting the Cliffs of Moher Experience

Managing abuse or welfare concerns

If a staff/volunteer becomes concerned that a child's behaviour or presentation suggests that there may be child protection or welfare concerns they will follow the Cliffs of Moher Policy and Procedures for the Protection and Safeguarding of Children 2021.

In summary this will involve initially contacting the Designated Liaison Person (DLP) of Cliffs of Moher or the Deputy DLP (DDLDP) who may then need to inform Tusla, Child and Family Agency.

In this situation best, practice would support the parents/guardians being informed, unless to do so could possibly put the child further at risk or if it could interfere with a possible investigation by An Garda Síochána or it is the considered opinion that it could place the person making the report at potential risk from the family.

The Cliffs of Moher has in place a Designated Liaison Person and a Deputy Designated Liaison Person for Children First.

The primary functions of the Designated Liaison Person are:

- ☉ To receive and consider, in consultation with the person making the report, child protection and welfare concerns and to consider if reasonable grounds exist for reporting to Tusla.
- ☉ To ensure that reporting procedures are followed within Cliffs of Moher Experience and such child protection and welfare concerns are referred promptly to Tusla.
- ☉ To ensure that all such concerns and the subsequent actions taken by Cliffs of Moher Experience are recorded. This includes recording those concerns where it is decided reasonable grounds for concern do not exist and the DLP does not make a report to Tusla.
- ☉ To ensure that a secure system is in place to manage and store confidential records of concerns of a child welfare or protection nature.
- ☉ To be available for advice and guidance when someone is unsure about reporting a concern.
- ☉ Where necessary to carry out informal consultation with Tusla duty social work service in respect of a concern
- ☉ To ensure that a working relationship is established with An Garda Síochána and Tusla in respect of liaison arrangements in respect of child protection and welfare concerns.

- ☉ To develop procedures for liaison between the Designated Liaison Person, Deputy Designated Liaison Person, and the mandated persons if applicable in relation to child protection and welfare concerns. This is with particular regard to concerns that come to the notice of mandated persons.
- ☉ Where requested to jointly report with a mandated person.
- ☉ To inform, with the person making the report, the child's parents/guardians that a report is to be submitted to Tusla or An Garda Síochána unless:
- ☉ Informing the parent/guardian is likely to endanger the child or young person.
- ☉ Informing the parents/guardians may place the reporter at risk of harm from the family.
- ☉ The family's knowledge of the report could impair Tusla's ability to carry out an assessment or interfere with a Garda investigation.
- ☉ To provide feedback to the reporter, as appropriate

The necessary elements of managing a concern are:

- ☉ Recognising a concern
- ☉ Responding to a concern
- ☉ Reporting a concern
- ☉ Recording a concern

1. Recognising a concern

Child abuse is categorised as four main types: Neglect, Emotional Abuse/III Treatment, Physical Abuse and Sexual Abuse.

Neglect is where a child is deprived of adequate food, warmth, clothing, hygiene, supervision, safety, or medical care. The threshold of harm for neglect is where a child's health, development or welfare have been or are being seriously affected or are likely to be seriously affected.

III treatment is defined as to abandon or cruelly treat a child, or to cause or procure or allow a child to be abandoned or cruelly treated. Emotional abuse is the systematic emotional or psychological ill treatment of a child as part of the overall relationship between a care giver and a child. The threshold of harm for emotional abuse is reached when a child's health, development or welfare have been or are being seriously affected or are likely to be seriously affected.

Physical abuse is when someone deliberately hurts a child physically or puts them at risk of being physically hurt. This may occur as a single incident or as a pattern of incidents. The threshold of harm for physical abuse is reached when you know, believe, or have reasonable grounds to suspect that a child has been, is being or is at risk of being assaulted and that as a result the child's health, development or welfare have been or are being seriously affected, or are likely to be seriously affected.

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 or exposing the child to sexual activity directly or through pornography. The threshold of harm for sexual abuse is any concern where reasonable grounds for concern exist that a child has been, is being, or is at risk of being sexually abused. In this context the concern must be reported to Tusla under the Children First Act 2015.

Note In cases of serious instances of bullying where the behaviour is regarded as possibly abusive, or poses a serious risk to the health, development or welfare of a child, a report may be made to Tusla and/or An Garda Síochána.

Note that abuse may not always be due to personal contact with a child or young person. Abuse may also occur through use of social media or the use of information and communication technology.

Appendix 5 references, in detail, recognising child protection and welfare concerns.

2. Responding to a concern

- ⦿ The responsibility to safeguard children and to report child welfare or protection concerns, without undue delay, is shared by all Cliffs of Moher Experience staff and volunteers.
- ⦿ Tusla must be informed if a person has reasonable grounds for concern that a child may have been, is being, or is at risk of being abused or neglected.
- ⦿ Unless it is an emergency such reports will not be made without a consultation with a DLP.
- ⦿ If a report is made by a mandated person, the DLP must be informed of the action.

Children First national guidance 2017 lists the following as reasonable grounds for concern:

- ⦿ Evidence, for example of 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 a child being abused.

Responding to a child/young person who discloses abuse.

In responding to a disclosure of abuse by a child the following guidance should be followed:

- ⦿ Remain as calm as possible.
- ⦿ Listen to the child and give them time to share their concerns.
- ⦿ Try not to show any feelings such as anger or disbelief.
- ⦿ Accept the child's story. False disclosures by children are rare.
- ⦿ Reassure the child that they have taken the right step in disclosing.
- ⦿ Avoid asking leading questions.
- ⦿ Advise the child that you cannot guarantee to keep confidentiality as you may need to share information with Tusla and/or An Garda Síochána
- ⦿ Keep a record of the conversation and record the actual words used by the child.
- ⦿ Reflect to child what you think you have heard, and, in the words, they used to you.
- ⦿ Do not make any comments about the alleged abuser.
- ⦿ Do not make any attempt to confront the alleged abuser.
- ⦿ Ensure the child is aware of what may need to happen next in terms of the process.
- ⦿ Inform the DLP immediately with a view to appropriate notifications to the statutory authorities.

Responding to an adult who discloses childhood abuse.

In responding to a disclosure of childhood abuse by an adult the following guidance should be followed:

- ⦿ Establish whether there is any current risk to children from the alleged abuser e.g., is this person still alive and do they have contact with children.
- ⦿ Advise that you cannot guarantee to keep confidentiality as you may need to share information with Tusla and/or An Garda Síochána
- ⦿ Reports of retrospective child abuse are assessed by Tusla.
- ⦿ Inform the DLP immediately with a view to appropriate notifications to the statutory authorities.

Responding to a person who admits abusing a child.

In responding to a person who admits abusing a child the following guidance should be followed:

- ⦿ This information cannot be kept confidential.
- ⦿ Inform the DLP immediately with a view to appropriate notifications to the statutory authorities.

Responding to allegations of child abuse made against a child by another child.

In responding to an allegation of child abuse made against a child by another child the following guidance should be followed:

- ⦿ Note that this type of abuse may be called peer abuse.
- ⦿ Inform the DLP immediately with a view to appropriate notifications to the statutory authorities.
- ⦿ If reports are to be made, they should be made in respect of both children individually.

Responding to allegations of abuse of a child made against staff or volunteers.

The following issues should be taken into consideration when responding to allegations made against staff or volunteers:

- ⦿ The concern may relate to possible harm to a child.
- ⦿ The concern may relate to a possible criminal offence.

- ⦿ An adult's behaviour may suggest that person may pose a risk of harm to a child.
- ⦿ The adult's behaviour may be a breach of the code of behaviour for adults in respect of children.
- ⦿ The behaviour may be contrary to professional practice guidelines.

Note In such cases the reporting system to Tusla is to be followed with the DLP, and the internal HR procedures will also be initiated. The DLP is to ensure that the Director or **their designate** is advised of such concerns.

The key principles to be followed in responding are as follows:

- ⦿ The priority will be to protect the child/young person while at the same time taking account of the staff or volunteer's right to due process. The fact that protective measures may have been taken does not presume guilt.
- ⦿ The same person in the Cliffs of Moher Experience should not have the responsibility for dealing with the child protection reporting procedure and the employment/contractual issues.
- ⦿ The Cliffs of Moher Experience reporting procedures for the reporting of child protection and welfare concerns will be followed by the DLP and/or deputy DLP.
- ⦿ The Cliffs of Moher Experience Director or their designate will oversee procedures relating to employment issues.
- ⦿ Any action taken will consider the applicable employment contract and the rules of natural justice.
- ⦿ It will be to the benefit of everyone concerned that a timely resolution to the allegation is achieved.
- ⦿ The agreed procedures for dealing with allegations of abuse against staff or volunteers should be applied objectively and in a consistent manner.
- ⦿ All elements of the process will be recorded, including any liaison with the statutory agencies.
- ⦿ Cliffs of Moher Experience will ensure that any actions or investigations by them do not compromise or prejudice any statutory investigation by An Garda Síochána or assessment by Tusla
- ⦿ Close liaison will be maintained between Cliffs of Moher Experience, An Garda Síochána and Tusla. The DLP will be the liaison person for the Cliffs of Moher Experience

Responses by the Cliffs of Moher will include:

- ⦿ The DLP will be informed of the allegation, if not previously known
- ⦿ The DLP will inform the Director of the Cliffs of Moher Experience or their delegate of the allegation.
- ⦿ The DLP will follow the agreed procedures for reporting child protection and welfare concerns.
- ⦿ In making an immediate decision about the employee's or volunteer's presence in the work environment the Director /delegate will as a matter of urgency take any measures necessary to protect the child/young person. Such measures should be proportionate to the level of risk to the child/young person and do not presume any finding of guilt.
- ⦿ Any action by Cliffs of Moher Experience will be guided by the agreed internal procedures i.e., Grievance and Disciplinary procedures, the applicable contract of employment and the rules of natural justice, where appropriate
- ⦿ The support contact person and the DLP will inform the staff or volunteer, privately, that an allegation has been made against him/her and the nature of the allegation. The staff or volunteer will be given an opportunity to respond to the allegation both verbally and in writing. The timing of such a meeting and the level of information sharing may be dependent on the status of any criminal investigation by An Garda Síochána or assessment by Tusla in particular.
- ⦿ The Director /delegate should note the response and pass on this information to Tusla via the DLP if making a formal report to that statutory body.
- ⦿ Formal inter agency meetings will be requested by Cliffs of Moher Experience with Tusla and An Garda Síochána to ensure effective liaison takes place in respect of the allegation and the necessary follow up actions.
- ⦿ It should be noted that the requirements of fair procedure and natural justice will result in Tusla not sharing the details of any assessment against an staff or volunteer until he/she has had an opportunity to respond fully to the allegation and any findings or decisions by Tusla.

Responding to a person who is dissatisfied with how their allegation was dealt with by Cliffs of Moher Experience

Cliffs of Moher Experience has a complaints policy in place, within the Customer's Charter, which is available on the Cliffs of Moher website for children and parents to access, as well as staff and volunteers. Any review of a complaint in terms of how a child abuse allegation was processed must involve the DLP of Cliffs of Moher Experience, excepting if that person or their deputy is the subject of the complaint.

This policy may also be accessed by persons who wish to make complaints in respect of children that may not be of a child protection or welfare nature. Examples of such complaints may include breaches of the codes of behaviour which are deemed not to be in respect of child protection or welfare concerns.

If necessary, the DLP will consult with HR and/or Tusla if it is deemed necessary during the management of such a complaint.

3. Reporting child welfare and protection concerns

The following steps will be taken by the Cliffs of Moher Experience in responding to and reporting child protection and welfare concerns:

Step 1

- ⦿ On receipt of a concern a staff or volunteer will immediately report the details to the COMVE DLP
- ⦿ This information should be relayed to the DLP using the Tusla Child Protection and Welfare Report Form. (Appendix 6)
- ⦿ If there is an immediate risk to a child, the safety and welfare of the child is paramount. The DLP in that situation may after consultation with the initial reporter make an immediate report to Tusla or the Gardaí if Tusla are unavailable.

Step 2

- ⦿ The DLP will consult with the person who raised the concern with a view to deciding if reasonable grounds for concern exist to report. Informal consultation can take place between the DLP and Tusla duty social work service. (Such a consultation will be recorded by the DLP) This consultation will be with a view to assisting the DLP in terms of whether reasonable grounds for concern exist to report to Tusla.

Step 3

- ⦿ If reasonable grounds for concern are deemed to exist, the DLP will report the concern to Tusla without any undue delay.

Step 4

- ⦿ If the DLP is of the view that a report should not be made to Tusla then the staff/volunteer must be given a written explanation for this decision. In this situation the staff/volunteer can still make their own report to Tusla or An Garda Síochána if they are of the view that reasonable grounds for concern do exist. They have protections from the Protection of Persons Reporting Child Abuse Act 1998 in making such an independent report in good faith.

Step 5

- ⦿ A confidential file will be created and held securely by the DLP in respect of any child welfare or protection concern/suspicion that comes to the attention of the Cliffs of Moher Experience. This will be a record of all actions taken and all relevant correspondence issued and received by the Cliffs of Moher Experience in respect of the concern.

Step 6

- ⦿ Concerns that do not initially meet reasonable grounds for concern may upon review show patterns or trends which may raise the level of concern to the extent that the DLP may decide that reasonable grounds for concern do now exist and that Tusla should receive a report.

False abuse allegations

In working with or having contact with children, staff and volunteers on some occasions may have been subject to false allegations of abuse. These may be due to a misunderstanding of what took place or a genuine mistake.

It is therefore good practice that any allegation of abuse against a staff member or volunteer is dealt with sensitively. In addition, support should be available for both the alleged abuser and for the person who reported the alleged abuse from Cliffs of Moher.

Throughout the process of responding to the allegation appropriate levels of confidentiality will also be maintained, in the interests of the child/young person and the person against whom the allegation has been made.

Policy Ref. COM-HR-2018-0012: Protected Disclosures (“Speaking Up”)

Staff and volunteers of Cliffs of Moher Experience have guidance available in respect of protected disclosures in “**Speaking up**”. This document provides guidance for staff and volunteers in respect of the internal and external reporting of wrongdoing and the legal protections of reporting under the Protected Disclosures Act 2014.

In the context of safeguarding children, it remains the responsibility of the individual staff member or volunteer to bring matters of concern forward to the appropriate person within the Cliffs of Moher Experience structures. This may prevent a child in particular from remaining in a situation where there is a risk of abuse.

Anonymous reports

Designated Liaison Persons when making a report to Tusla or An Garda Síochána must comply with the requirements of this policy and procedures, thereby not report anonymously. The same principle is applied to the staff or volunteer who makes the initial report to the DLP. Under the Freedom of Information Acts anonymity should never be promised as it cannot be guaranteed.

It is also not possible for mandated persons to submit a report of a mandated concern anonymously as to do so would not discharge the statutory obligations for a mandated person under the Children First Act 2015.

Malicious reports

Malicious reports have the potential to cause harm to the named child/young person and the person/s identified as the alleged abuser/s. The Protection of Persons Reporting Child Abuse Act 1998 has introduced an offence of false reporting of child abuse where a person makes a referral of child abuse to the appropriate authorities “knowing that statement to be false.” In the event that any staff or volunteer is concerned that a report is malicious they should initially bring it to the notice of the DLP.

Reporting concerns in an emergency or where there is an immediate risk to a child

In an emergency where the considered opinion is that there is an immediate risk to a child’s health or welfare and the Designated Liaison Person or their Deputy, or Tusla, cannot be contacted a report should be made directly to An Garda Síochána. Following such an action the standard report (CPWRF) (Appendix 6) should be forwarded to the Designated Liaison Person with a view to submission to Tusla as per normal procedures on the next working day.

The information to be provided to An Garda Síochána by the person making such an emergency report is as follows:

- ⦿ Child's name, address, and age
- ⦿ The names and addresses of parents or guardians.
- ⦿ Name/s, if known, of who is allegedly harming the child or not caring for him/her appropriately.
- ⦿ A detailed account of the grounds for concern (e.g., details of the allegation/s, dates of incidents, location/s of incident/s, description of any injuries or possible bruising)
- ⦿ Names of other children in the household
- ⦿ Name of the school the child attends, if of school age
- ⦿ The name of the person making the report, contact details and relationship, if any, to the child

Talking to parents/guardians about a concern

The Children First Act 2015 does not place a legal responsibility on the person making the report to advise a family that such a report has been made under the legislation to Tusla. However, it is good practice to do so and where possible the person making the report and/or the Designated Liaison Person should tell the family that a report is being made to Tusla and the reasons for doing so.

It is not necessary to inform the family that a report is being made if by so doing the child may be placed at further risk or where the family's knowledge of the report being made could impair Tusla's assessment process. In addition, the family may not be informed if it is the reasonable opinion of the person making the report that they may be at risk of harm from the family if the family were advised of the reporting to Tusla.

Note

If the parents/guardians are to be met to be informed about the fact that a concern has been reported the following guidance should be considered:

- ⦿ Make sure, as far as practicable, that parents/guardians have prior knowledge and awareness of the Cliffs of Moher's Experience guiding principles, procedures, and duties to safeguard children and young people.
- ⦿ In contact with parents/guardians clearly explain the nature of the concern, for example, by using information and records of observations made.
- ⦿ Consider who is best placed to have this conversation with the parents/guardians e.g., good practice would suggest it should be the person making the initial report and the DLP.
- ⦿ Take an approach which is positive and that everyone is working towards what is in the best interests of the child.
- ⦿ Ensure that the approach to the parents/guardians is supportive but also ensure the concern is made clear to all in the discussion.

Reporting mandated concerns of harm

Mandated persons are persons who have ongoing contact with children and/or families and who, because of their qualifications, training and/or employment role, are in a key position to help protect children and young people from harm. Professionals who may not work directly with children, such as those who work in adult counselling or psychiatry, are also mandated persons.

The Children First Act 2015 contains a list of mandated persons. The full list is available in Appendix 3 of this document.

Under this Act mandated persons are required to report any concern that meets or exceeds the threshold for reporting harm to a child under the legislation. If reporting is to be made independent of the Designated Liaison Person, the mandated person should inform the DLP that a report has been made.

The statutory obligation of mandated persons to report under the Children First Act 2015 must be discharged by the mandated person and cannot be discharged by the Designated Liaison Person on their behalf.

The Children First Act 2015 requires that the Cliffs of Moher Experience maintains a list of mandated persons on the staff.

Staff who are mandated persons under this Act should be made aware of their responsibilities at the start of their employment with Cliffs of Moher Centre Designated Activity Company.

Legal obligations of a mandated person

Mandated persons have two main legal obligations under the Children First Act 2015:

- 🕒 To report the harm of children above a defined threshold to Tusla
- 🕒 To assist Tusla, if requested, in assessing a concern which has been the subject of a mandated report.

Mandated reporting

Mandated persons are required to report any knowledge, belief, or reasonable suspicion that a child has been harmed, is being harmed or is at risk of being harmed. They are also required, if requested, to help Tusla in assessing a concern which has been the subject of a mandated report.

The Children First Act 2015 defines harm as:

- a) "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."

Section 14 (1) of the Children First Act 2015 states:

"where a mandated person knows, believes, or has reasonable grounds to suspect, on the basis of information he or she has received, acquired or becomes aware of in the course of his or her employment or profession as such a mandated person, that a child -

- a) has been harmed.
- b) is being harmed, or
- c) is at risk of being harmed.

he or she shall, as soon as practicable, report that knowledge, belief or suspicion, as the case may be, to the Agency" (Tusla)

Section 14 (2) of the Children act 2015 also places legal obligations on mandated persons to report any disclosures made by a child,

"Where a child believes that he or she –

- a) has been harmed.
- b) is being harmed, or
- c) is at risk of being harmed.

and discloses this belief to a mandated person in the course of a mandated person's employment or profession as such a person, the mandated person shall, as soon as practicable, report that disclosure to the Agency" (Tusla)

The threshold of harm for mandated persons reporting for each of the four main types of child abuse is as follows:

Neglect

Neglect is defined as 'to deprive a child of adequate food, warmth, clothing, hygiene, supervision, safety or medical care.'

The threshold of harm at which a mandated person must report to Tusla under the Children First Act 2015, is reached when the mandated person knows, believes, or has reasonable grounds to suspect that a child's needs have been neglected, are being neglected to the point where the child's health, development or welfare have been or are being seriously affected, or are likely to be seriously affected.

Emotional Abuse/ill treatment

Ill-treatment is defined as 'to abandon or cruelly treat the child, or to cause or procure or allow the child to be abandoned or cruelly treated.' Emotional abuse is covered in the definition of ill – treatment in Part 1 section 2 of the Children First Act 2015.

The threshold of harm at which a mandated person must report to Tusla under the Children First Act 2015, is reached when the mandated person knows, believes, or has reasonable grounds to suspect that a child has been, is being, or is at risk of being ill-treated to the point where the child's health, development or welfare have been or are being seriously affected, or are likely to be seriously affected.

Physical Abuse

Physical abuse is covered by the references to assault in the Children First Act 2015.

The threshold of harm at which a mandated person must report to Tusla under the Children First Act 2015, is reached when the mandated person knows, believes, or has reasonable grounds to suspect that a child has been, is being, or is at risk of being assaulted to the point where the child's health, development or welfare have been or are being seriously affected, or are likely to be seriously affected.

Sexual Abuse

Sexual abuse to be reported under the Children First Act 2015 (as amended by Section 55 of the Criminal Law (Sexual Offences) Act 2017) is defined as an offence against the child, as listed in Schedule 3 of the Children First Act 2015.

If the mandated person knows, believes, or has reasonable grounds to suspect that a child has been, is being, or is at risk of being sexually abused, then the mandated person must report this to Tusla under the Children First Act 2015.

Note

As all sexual abuse falls within the category of seriously affecting a child's health, welfare or development, the mandated person must submit all concerns about sexual abuse as a mandated report to Tusla.

The one exception to this is in respect of certain consensual sexual activity. The exemptions in respect of reporting underage consensual sexual activity are set out in detail under Section 14(3) of the Children First Act 2015.

The following steps are to be taken by a mandated person in making a mandated report to Tusla:

1. A concern that a child may have been harmed, is currently being harmed or may be harmed becomes known to the mandated person. The mandated person is of the view that the threshold for making a mandated report is met or exceeded.
2. A child protection and welfare report form is completed in respect of the concern and forwarded to Tusla, as soon as practicable, indicating clearly that this is a mandated report. The mandated person may also first consult with Tusla if the mandated person is in doubt that the concern meets the threshold for a mandated report. Such consultation must be recorded by the mandated person.

The mandated person should receive a response from the authorised person within Tusla formally acknowledging receipt of the report.

Once the report form is received by Tusla a child protection assessment will commence if sufficient risk is identified.

3. The mandated report must be copied internally to the Designated Liaison Person of Cliffs of Moher as per procedure

Note

- ⦿ As stated above, it will be best practice within Cliffs of Moher Experience that mandated reports when made are brought to the attention of the Designated Liaison Person
- ⦿ The statutory obligation of mandated persons to report under the Children First Act 2015 must be discharged by the mandated person and cannot be discharged by the Designated Liaison Person on their behalf.
- ⦿ Mandated persons can make a joint report with the Designated Liaison Person or another person, mandated or otherwise.
- ⦿ If Cliffs of Moher Experience or the DLP do not wish to report to Tusla, the mandated person should still proceed with the report as the defined threshold for reporting has been met or exceeded. In this case the provisions of the Protection for Persons Reporting Child Abuse Act 1998 apply

- ⦿ If the mandated person has a concern that they believe does not reach the threshold for a mandated report they must consider whether the concern meets reasonable grounds for concern. The concern will then be reported to the DLP if the mandated person is of the view that reasonable grounds for concern exist.
- ⦿ The right to report independently is retained by the mandated person should the DLP choose not to report the concern. In this situation the provisions of the Protection of Persons Reporting Child Abuse Act 1998 apply
- ⦿ If a mandated person is in doubt as to whether the concern reaches the legal definition of harm for making a mandated report, the Tusla duty social work service can be approached to give advice in this regard. The decision to report remains the individual responsibility of the mandated person. Any advice received must be recorded on the confidential file
- ⦿ Mandated persons who receive a disclosure of harm from a child/young person which meets or exceeds the thresholds set out in Children First: National Guidance for the Protection and Welfare of Children 2017 are required to make a mandated report to Tusla. It is not required of the mandated person that they would assess the accuracy or credibility of the child's claims.
- ⦿ As noted previously in this document under no circumstances should a child be left in a situation that exposes him or her to harm or risk of harm pending intervention by Tusla. If the mandated person is of the view that the child is in immediate danger and Tusla cannot be contacted, An Garda Síochána should be contacted. A mandated report should then be made to Tusla on the next working day by the mandated person.
- ⦿ The same concern should not be reported more than once. If, however, additional information comes to the attention of the mandated person in respect of the reported concern this should be considered and forwarded to Tusla without undue delay in the form of a further report.
- ⦿ The legal obligation to report under the Children First Act 2015 applies only to information that a mandated person acquires in the course of their professional work or employment. It does not apply to information acquired outside of their employment, or information given to them in respect of a personal rather than a professional relationship.
- ⦿ Reporting requirements under the Children First Act 2015 only apply to information that a mandated person has received or become aware of since the Act came into force, irrespective of whether the harm occurred before or after the commencement of the section related to mandated reporting.

However reasonable concerns about past abuse where information came to the notice of the professional prior to the Act where there is a possible *continuing risk* to children can be reported to Tusla under Children First: National Guidance for the Protection and Welfare of Children 2017

- ⦿ Mandated persons cannot report a concern anonymously and if they do so they are not in compliance with their obligations under the Children First Act

Informing a family that a mandated report is being made.

The Children First Act 2015 does not place a legal responsibility on the person making the mandated report to advise a family that such a report has been made under the legislation to Tusla. However, it is regarded as good practice to do so and where possible the person making the mandated report plus a second person, if it was a joint report, should meet the family to advise them that a report is being made to Tusla and the reasons for doing so.

It is not deemed necessary to inform the family that a mandated report is being made if it is the reasonable opinion of the reporter that by so doing the child may be placed at further risk or where the family's knowledge of the report being made could impair Tusla's assessment process or a criminal investigation by An Garda Síochána. A family may also not be informed if it is the reasonable opinion of the person making the report that they may be at risk of harm from the family if the family were advised of the reporting to Tusla.

Consequences of non-reporting by the mandated person

The Children First Act 2015 does not impose criminal sanctions on mandated persons who fail to make a report to Tusla. However mandated persons should be aware that there are possible consequences for a failure to report. If after an investigation by Tusla it emerges that the mandated person did not make a mandated report and a child was subsequently left at risk and harmed, Tusla may:

- ⦿ Make a complaint to the Fitness to Practice Committee of a regulatory body of which the mandated person is a member.
- ⦿ Pass information about the mandated person's failure to make a report to the National Vetting Bureau of An Garda Síochána. This information can therefore be disclosed to the mandated person's current employer or a future employer when that person is next vetted by the National Vetting Bureau.

Note

- ⦿ The Cliffs of Moher Experience may consider a failure to report a child protection concern as a disciplinary matter for a member of staff.
- ⦿ The Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012 requires that any person who has information about a serious offence against a child, which may result in charges or prosecution, must report this to An Garda Síochána. Failure to report under this Act is a criminal offence. This obligation is in addition to any obligations placed on mandated persons under the Children First Act 2015

Mandated Assisting

As noted earlier, the Children First Act 2015 places a statutory requirement on mandated persons to assist Tusla in the assessment of risk of mandated reports, when requested to do so. Such assistance should be as deemed necessary and proportionate, with a view to assisting Tusla in assessing the risk to a child arising from the mandated report. A mandated person must comply with this request from Tusla, regardless of who made the mandated report.

Mandated assistance may include, for example, a request to provide further information or attend a meeting in relation to a mandated report.

Information may be shared by Tusla with the mandatory reporter to enable their assistance. This information cannot be shared by the mandatory reporter with any third parties, and such disclosure is subject to criminal sanction.

Currently the Cliffs of Moher Experience does not have a mandated person employed as set out in the 2015 Children First Act.

Information sharing

The Data Protection Acts of 1998 - 2018 do not prevent the sharing of information on a reasonable and proportionate basis for the purposes of child protection. Tusla has the authority to share information concerning a child who is undergoing a risk assessment with a mandated person who has been asked to provide assistance. In doing so, Tusla must only share with the mandated person what is necessary and proportionate in the circumstances of each individual case.

Note

Section 17 of the Children First Act 2015 makes it an offence if a mandated person discloses information to a third party which has been shared by Tusla during the course of an assessment, unless Tusla has given the mandated person written permission to do so.

Failure to comply with this section may make the mandated person liable to a fine or imprisonment for up to six months or both. This offence can also be applied to the mandated person's employer.

Protection from civil liability

If a mandated person is required to share information with Tusla when assisting in the assessment of risk to a child, the mandated person is protected from civil liability.

Section 16 (3) of the Children First Act 2015 states:

'If a mandated person furnishes any information (including a report) document or thing to the Agency (Tusla) pursuant to a request made under subsection (1), the furnishing of that information, document or thing shall not give rise to any civil liability in contract, tort or otherwise and nor shall the information, document or thing be admissible as evidence against that person in any civil or criminal proceedings.

Confidentiality

Cliffs of Moher Experience is committed to protecting a person's right to confidentiality.

However, considerations in respect of confidentiality will not overrule a child's right to be protected. It is not a breach of data protection or confidentiality to provide information with the intention of protecting a child. On that basis the Cliffs of Moher Experience undertakes to:

- ⦿ Where child protection and welfare concerns arise, to share personal information on a 'need to know' basis, in the best interests of the child, with the relevant statutory authorities and the parents/guardians. Such sharing may require attendance at formal meetings organised by Tusla e.g. child protection conferences or strategy meetings.
- ⦿ Not to give undertakings regarding secrecy. Those staff and volunteers engaged with or in contact with children should make this clear to parents/guardians and the children themselves.
- ⦿ To provide information on a proportionate basis to the statutory agencies necessary for the protection of a child
- ⦿ To advise children/ young people and parents/guardians that personal information is being shared, unless it is the considered opinion that doing so could put the child/young person at further risk or may place the reporter at risk.

- ⦿ To retain records generated in respect of child protection and welfare concerns in accordance with Data Protection legislation, in a secure setting, managed by the DLP.
- ⦿ To respond to breaches by staff or volunteers in respect of the sharing of confidential information which is not related to child protection or welfare concerns which may be regarded as a disciplinary matter.

Note

The Protection for Persons Reporting Child Abuse Act 1998 provides immunity from civil liability and from possible disciplinary action by an employer to persons who report child protection concerns "reasonably and in good faith" to the authorised persons in Tusla or An Garda Síochána.

Supervision of children

The Cliffs of Moher recommends that organised groups of children visiting the Cliffs of Moher Experience should apply the following adult to child ratios:

- ⦿ 0 to 1 year - 1 staff or volunteer to 3 children
- ⦿ 1 to 2 years - 1 staff or volunteer to 5 children
- ⦿ 2 to 3 years - 1 staff or volunteer to 6 children
- ⦿ 3 to 6 years - 1 staff or volunteer to 8 children
- ⦿ 7 to 12 years - 1 staff or volunteer to 8 children
- ⦿ 13 to 18 years - 1 staff or volunteer to 10 children

(Reference NSPCC.com)

It should be recognised that the above ratios are based as a minimum standard. Taking into account the following factors the number of adults required may increase:

- ⦿ whether the children have special needs or medical requirements
- ⦿ the range of ages of the children
- ⦿ the nature of the activity
- ⦿ the duration of the activity

Organised visits of children to the Cliffs of Moher Experience

The Cliffs of Moher Experience may receive bookings from groups such as schools. Such bodies need to ensure the following measures are in place:

- ⦿ That the body has a Children First compliant protection and safeguarding of children policy and procedures
- ⦿ That a safeguarding children risk assessment has been completed in respect of the activity
- ⦿ That the staff and/or volunteers are appropriately trained, qualified, and vetted.
- ⦿ That they have appropriate and gender balanced supervision in place
- ⦿ That they have appropriate ratios of adults to children to maintain safe supervision levels (see above)
- ⦿ That appropriate insurance is in place.
- ⦿ That the parents/carers have been informed in writing and briefed in respect of the details of the trip and given written consent for their child / young person to participate

Children with special needs or disabilities

Safeguarding standards for children with special needs or disabilities are the same as for all children. They have the same rights to be protected from abuse however there are certain factors that can increase their risk of being abused, these include the following:

- ⦿ Due to their disability some children may be socially isolated and have fewer outside contacts.
- ⦿ They may have a reduced capacity to recognise, resist or avoid abuse.
- ⦿ They can be particularly vulnerable to bullying and intimidation.
- ⦿ They may have communication difficulties which may make it problematic for them to tell staff or volunteers if something is happening to them of an abusive nature.
- ⦿ A possible reluctance to accept that children with disabilities can be abused.
- ⦿ Confusing signs and symptoms of abuse with what may be regarded as behaviour linked with a child's disability and not related to abuse.
- ⦿ In organising activities for children with disabilities higher adult/child ratios may be required to supervise the activity

- ⦿ If a child has specific intimate care needs, they should be assessed prior to involvement in an activity and an agreed action plan be put in place by the relevant body.

Recruitment and selection of staff and volunteers

Cliffs of Moher Experience is committed to the recruitment of staff and volunteers through the application of safe recruitment procedures.

Safe recruitment requires that Cliffs of Moher Experience will:

- ⦿ Ensure that all reasonable steps are taken to ensure that all relevant applicants who may pose a risk to children are identified and that an appropriate HR response is initiated prior to any appointment.
- ⦿ Ensure that persons involved in the recruitment of staff and volunteers are trained appropriately and have the experience to undertake this role.
- ⦿ Ensure that Cliffs of Moher's Experience recruitment procedures are transparent, comply with best practice standards and comply with the principles of natural justice, data protection compliant record keeping and human resource management.
- ⦿ Ensure that the recruitment procedures of Cliffs of Moher Experience are inclusive and treat all applicants as having equal status.

The following procedures will apply to the appointment of Staff:

- ⦿ The relevant interview process, including reference requests will be completed by the Company. This will include a declaration relating to there being no reason why a person would be considered unsuitable to work with or near children and/ or vulnerable persons. This declaration should also be in place for adult volunteers at the Cliffs of Moher.
- ⦿ The successful applicant will be offered employment, post interview, subject to:
 - Appropriate Suitable references
 - Completed relevant interview scoring sheet
 - Signing relevant employment contract of employment
 - Where applicable, proof of qualifications
 - Appropriate Garda vetting, where applicable
 - Positive proof of identification

In terms of other persons providing a relevant service at the Cliffs of Moher Experience from a third-party organisation, that body is responsible for the Garda vetting of those relevant personnel. If the service provider or volunteer is not associated with a body registered with the National Vetting Bureau Garda vetting it may not be possible for the Cliffs of Moher Experience to allow their engagement with children only relevant activities. They may however provide activities to groups where the presence of children is incidental to the presence of people in general for example buskers playing and registered at the Cliffs of Moher Experience.

Recruitment of volunteers and students on work placements

For volunteers and adult students on work placements a statement of suitability to work with children and or vulnerable persons must be secured in respect of each individual person.

External Contractor/Tenant/Musician. (The latter two groups have already been referenced in the policy and procedures.)

The external contractors and tenants are either in lease agreement or agreement with Clare County Council (CCC) and are working on the Cliffs of Moher Experience Site

COMVE shall seek a signed declaration from a contractor/ tenant /musician that they have read and understand the particulars outlined in COMVE's Policy and Procedures for the Protection and Safeguarding of Children.

The signed declaration should confirm that they agree to comply with COMVE's Policy and Procedures for the Protection and Safeguarding of Children.

Garda vetting of such persons will not normally be required as they will tend not to be involved in work or activities, a necessary and regular part of which consists mainly of them having access or contact with children or vulnerable persons.

Safeguarding children training plan

The Cliffs of Moher Experience is committed to the following actions in respect of training staff in respect of safeguarding children:

- ⦿ That all post holders within the safeguarding children structure will receive training commensurate with their roles
- ⦿ That the induction programme for all staff will include a briefing in respect of the Cliffs of Moher Experience Policy and Procedures for the Protection and Safeguarding of Children 2021 plus completion of the Tusla E learning Children First module
- ⦿ That the Cliffs of Moher Policy and Procedures for the Protection and Safeguarding of Children, and the child safeguarding statement will be available on the Cliffs of Moher Experience website to facilitate access by all staff, volunteers, students on work experience, and the general public.
- ⦿ That all staff will be facilitated to access the Tusla Children First E learning module in 2021
- ⦿ That a training needs analysis in respect of safeguarding children training needs for all staff will be initiated with a view to completion by the end of September 2021. This will inform and help to frame any future training plan.
- ⦿ All Transition Year Students (TY) students or students under the age of 18 on work placement and their school, will receive a copy of the Company's Policy and Procedures for the Protection and Safeguarding of Children. Each student will be required to confirm that they have read and will follow the principles that are outlined in it.

Safeguarding children communications plan

Cliffs of Moher Experience is committed to the following actions to ensure that staff, volunteers, and the public are aware of the centre's commitment to safeguarding children:

- ⦿ The child safeguarding statement and the Policy and Procedures for the Protection and Safeguarding of Children will be placed on the Cliffs of Moher website.
- ⦿ All Cliffs of Moher buildings will display a child safeguarding notice which references in particular the contact details for the Designated Liaison Persons and the website link for the child safeguarding statement.
- ⦿ All relevant agencies in County Clare, including statutory bodies, will be given details in respect of the internet links for accessing the child safeguarding statement and the related policy and procedures.

- Feedback systems will be developed with children, parents/guardians, staff volunteers and work experience students to advise the Cliffs of Moher Experience as to whether the safeguarding children communication process is working.

Online safety and social media

Information technology, of some form or another, is now an integral part of the lives of most children. If, however, this technology is used inappropriately it can present possible child safeguarding risks. These risks may lead to abuse concerns both online and offline.

The following are key actions for Cliffs of Moher Experience staff and volunteers to implement in maintaining a safe environment for children when online and when using social media:

- Ensure there are online safety policies and procedures in place as part of creating a safe environment for children.
- Be aware of the signs of online abuse and harm.
- Respond to any concerns immediately and follow the Cliffs of Moher Experience procedures for reporting child protection or welfare concerns.
- Ensure that in any employee's or volunteer's work-based communication with a child/young person, personal accounts should never be used as a form of communication. Any such communication must have secured parental/guardian consent in advance.
- A COMVE mobile phone or tablet must be used if a work-related communication with a young person is necessary.
- Any such communication with a child should include a reference for the young person to unsubscribe to any further communications.
- Ensure that parental controls are on all devices that children may access.
- Ensure that if young people are provided with access to live streaming this can only be done in an open area which can be supervised by staff and with the prior consent of a parent/guardian.

Photography and Children

The following guidelines are to be followed by staff in respect of photography and children:

- If the Cliffs of Moher Experience wishes to use a photograph of a child for promotional publicity, then written permission must be sought from the parents/guardians via the media consent form Appendix 8
- Photographs of children on site will not be taken by staff, using their own cameras, except for specified official reasons
- The names of children whose photographs are used for promotional activity will not be made public
- Inappropriate use of children's images by staff or volunteers will be reported to the DLP and may be considered a breach of the code of practice

General health and safety considerations referenced for children accessing the Cliffs of Moher facilities and services:

- Obligations under the Employment Equality Acts (1998 – 2011) and Equal Status Acts (2000 – 2012) must be taken into consideration. In providing services staff shall not discriminate against any child on the basis of the nine grounds detailed in the Acts.
- Obligations under the Disability Act 2005 shall also be taken into consideration.
- The Cliffs of Moher Experience must ensure there is compliance with the requirements of the relevant fire certificate and any recommendations or requirements of the fire authority and the facility's insurers.
- The Cliffs of Moher Experience must ensure that there is awareness of the facility's first aid arrangements.
- The Cliffs of Moher Experience must ensure there is an awareness of the emergency evacuation procedures relevant to the facility and ensure that children are also aware of what to do if there is an emergency.

Details of personnel to contact if a concern exists in respect of the protection and welfare of a child:

The Designated Liaison Person for the Cliffs of Moher Experience is

MARK O'SHAUGHNESSY

Contact details **065 7086141**.

The Deputy Designated Persons for Cliffs of Moher Experience is

DUTY OPERATIONS MANAGER

Contact details **065 7086141**.

AN GARDA SÍOCHÁNA

Contact details:

Ennis Garda Station

Contact details **065 6848100**

TUSLA

Contact details:

Duty social worker

Contact details **061 588688**

