



Mermaid Arts Centre Child Protection Policy

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1 Child Protection Policy Statement

The Mermaid Arts Centre is committed to a child centred approach to our work with children and young people and vulnerable persons. We undertake to provide a safe environment and experience, where the welfare of the child is central to any activities or performances programmed for young audiences. We adhere to the recommendations of Children First National Guidance for Child Protection and Welfare 2017. We are committed to implementing the following policies and procedures in relation to;

- Code of behaviour for all staff and contractors
- Confidentiality
- Recruitment
- Managing and supervision of staff
- Involvement of primary carers
- Reporting of suspected abuse
- Allegations of misconduct or abuse by staff/contractors
- Reporting of complaints
- Reporting of accidents

The designated member of staff dealing with child protection is Stephanie Casey, Box Office & Front of House Manager.

This policy will be reviewed in September 2021.

Signed:



Julie Kelleher
Artistic Director / CEO

2 Code of behaviour for staff including visiting contractors

Child centred approach

All children and young people are to be:

- Treated equally
- Treated with respect
- Listened to
- Involved in decision making processes as appropriate
- Encouraged and supported
- Welcomed by all staff members

Facilitators and Staff

All facilitators and staff working with young people at the Mermaid Arts Centre are required to:

- Use appropriate language
- Lead by example
- Create an atmosphere of trust
- Respect personal boundaries
- Discuss and establish a mutual code of behaviour to be adhered to during their time at the centre between young people and the staff/visiting contractors.
- Be aware of children's limitations and of any special needs/requirements
- Provide a safe, supervised working environment

- Ensure children are supervised, at all time and ensure all children have been collected safely at the end of the workshops.
- Respect differences of ability, culture, religion and race.

Good practise

- Details of each child participating in any workshop/activity must be registered i.e. name, contact details, and parent/guardian name. A parental consent form must be completed for facilitator with any medical conditions or special requirements noted and a copy held at Mermaid Box Office for the duration of the workshop.
- Parents/ guardians must be made fully aware of by the facilitator/staff of the importance of prompt collection of children following the workshop.
- Productions staged by visiting contractors i.e. school musicals/ children's stage schools must be briefed on their responsibility to provide adequate supervision of all participants during rehearsal, performance and collection times of each show. Mermaid Arts Centre will not be held responsible for supervision. Visiting companies will be encouraged to draft a child protection policy and will also be requested to read and sign the Mermaid Arts Centre's policy.
- All staff and visiting practitioners must be made aware of the centres child protection policy and procedures.
- Any concerns regarding children and or young people must be reported to the designated member of staff.
- Depending on the activity and age of the children we advise a ratio of one adult supervisor to every ten participants. This will include the facilitator and if possible, a representative of Mermaid Arts Centre staff that has been fully briefed on the centres child protection policies. In the case of schools participating in workshops, an artist and school's teacher must be present to facilitate the session.
- The designated member of Mermaid Arts Centre staff will make unannounced visits during the workshop.
- At the beginning of each workshop the designated member of staff will introduce themselves to the children and parents as the Mermaid Arts Centre's children's representative and a contact if they need assistance.
- If the artists are required to document their work with children and young people artists must secure permission from primary carers to take photographs or video.
- All media coverage or publicity photographs (either to be used by the Mermaid Arts Centre of the visiting company/ facilitator) must be cleared in advance by primary carers.
- All artists are required to sign contracts with the Mermaid Arts Centre outlining the terms and conditions of each project.

Inappropriate behaviour

Staff members or facilitators working with children and young people should adhere to the following guidelines:

- Avoid spending time alone with a child. Socialising inappropriately with children outside of structured activity time.
- Check with children/young or vulnerable people about their level of comfort if doing touch exercises through drama or dance.
- Avoid the use of offensive or sexually suggestive physical/ verbal language
- Avoid favouritism, ridicule, criticism
- Avoid physical/verbal chastisement of children
- Avoid horseplay or inappropriate touch. Seek consent of child in relation to physical contact (except in an emergency or dangerous situation)

Health and Safety

- Never leave children unsupervised or unattended
- Do not allow children use any dangerous materials
- Provide appropriate instruction and guidance when using unfamiliar techniques or materials ie art classes.
- Provide a safe environment, ensuring workshop room is clean and floor space is clear

- Limit class size according to activity to avoid overcrowding in the workshops space and to ensure adequate adult supervision
- Ensure a first aid kit is available

Stephanie Casey has been designated as the person to contact if there is an issue or concern about a young person's safety or welfare. It is her responsibility to advise staff and visiting companies intending to work with children about policy and procedures in relation to child protection are followed. It is also the responsibility of the designated person to liaise with the health services executive or Garda where appropriate. Stephanie has completed a Designated Liaison Person Training course with Barnardos Learning and Development Service and has completed a Children First E-Learning training programme. She can be contacted at 01 2724030/086 8626119 or by email at stephanie@mermaidartscentre.ie

Marie Hegarty is designated as Deputy. She can be contacted at 01 2724304 or by email at tech@mermaidartscentre.ie and will complete her training in early 2021.

3 Recording and Reporting Procedures

All incidents, issues or any concerns are to be reported immediately and are to be recorded in an incident logbook. Retrospective allegations or disclosures will be treated in the same manner. This book is kept in the box office and will remain confidential, at all time. Access to the logbook will be restricted to the designated liaison person and deputy designated liaison person.

- When recording an incident, the following details should be recorded; date, time and all persons involved. Information should be factual.
- The nature of the disclosure or concern.
- Any information shared is to be treated with the utmost confidentiality.
- If there are any reasonable grounds for concern the designated person will contact the duty social worker in the HSE for advice and consultation. The duty social worker will determine whether there are reasonable grounds to proceed with the complaint and formally report the incident.
- In case of emergencies outside of HSE working hours, the Garda may be contacted.
- The Designated Liaison Person (DLP) is responsible for reporting to Tusla.

Dealing with Disclosure:

- **The one thing you must not do is nothing.**
- React calmly
- Listen carefully and attentively
- Take the child seriously
- Reassure the child that they have taken the right action in talking to you
- Do not promise to keep anything secret
- Explain the difference between keeping something a secret and keeping something confidential.
- Giving information to others for the protection of a child does not constitute a breach of confidentiality. The requirement to report to the designated person, and through them to the authorities, must be explained in a supportive manner to the child.
- Ask questions for clarification only. Do not ask leading questions
- Check back with the child that what you have heard is correct and understood
- Do not express any opinions about the alleged abuser
- Ensure that the child understands the procedures that will follow
- Make a written record of the conversation as soon as possible, in as much detail as possible
- Treat the information confidentially, subject to the requirements of this policy and legislation.
- Don't start to investigate - that is only the role of Tusla and An Garda Síochána. You have a supportive not investigative role. Judgment about abuse must be left to the professionals.
- Need to know basis - any information provided to Tusla and An Garda Síochána will remain confidential. The official policy is that those receiving such information will only disclose it where the welfare of the child requires it and then only to those with a legitimate "need to know basis".

Dealing with a retrospective allegation

Some adults may disclose abuse that took place during their childhood. Such disclosures may come to light when an adult attends counselling, or is being treated for a psychiatric or health problem. The reporting requirements under the Children First Act 2015 apply only to information that you, as a mandated person, received or became aware of since the Act came into force, whether the harm occurred before or after that point. However, if you have a reasonable concern about past abuse where information came to your attention before the Act and there is a possible continuing risk to children, you should report to Tusla under this Guidance.

4 Confidentiality statement

The Mermaid Arts Centre is committed to ensuring the individuals right to confidentiality.

However, in relation to child protection and welfare we undertake that:

- Information will only be forwarded on a need to know basis in order to safeguard a child
- Giving such information to others for the protection of a child is not a breach of confidentiality
- We cannot guarantee total confidentiality where the best interests of the child are at risk
- Primary carers, children and young people have a right to know if information is being shared

5 Recruitment and selection policy statement

The Mermaid Arts Centre undertake to ensure to the best of their ability that staff are carefully selected, trained (where necessary) and supervised to provide a safe environment for all children by observing the following principles:

- Roles and responsibilities will be clearly defined for each job
- We will endeavour to select the most suitably qualified personnel
- Candidates will be required to submit an up to date c.v and to sign contracts in the event of being offered a position
- Successful candidates will be Garda vetted where required
- Candidates will be required to read and sign our child protection policy
- Candidates will be required to sign our child protection declaration form, declaring their suitability to work with young people and compliance with Garda checks when they become available
- Candidates are required to provide two written references that are recent, independent, and verbally confirmed where necessary
- Permanent staff will be interviewed by a panel of at least two representatives of mermaid arts centre
- No person deemed to constitute a risk to young people will be employed

Exclusions will include:

- Any child related convictions
- Refusal to sign a declaration form
- Insufficient documentary evidence of identification
- Concealing information on one's suitability of working with children
- All staff must give their consent to Garda clearance, and where available this will be sought

6 Managing and supervising staff- policy statement

To protect staff (paid and voluntary) and children will undertake that new staff will:

- Take part in mandatory induction training session
- Be introduced to the organisations code of conduct, child protection procedures, and designated person.
- Undergo a probationary period to be agreed in line with the length of the programme/ activity

All staff will:

- Receive an adequate level of supervision and review of their work practises
- Be expected to have read and signed the child protection policy statement
- Be provided with child protection training

7 Policy Statement on the involvement of primary carers

The Mermaid Arts Centre is committed to being open with all primary carers.

We undertake to:

- Advise primary carers of all activities and child protection policy
- Issue contact/ consent forms where relevant
- Comply with health and safety guidelines
- Operate child centred policies in accordance with best practise
- Adhere to recruitment guidelines
- Ensure as far as possible that activities are age appropriate
- If the centre/ staff have concerns about the welfare of the child, the designated person will: Respond to the needs of the child and inform primary carers on an on-going basis unless this action puts the child at further risk
- Where there are child welfare concerns the designated person is obliged to pass these onto the duty social worker at the HSE and in out of hour's emergency the Garda.
- The designated person will be available for consultation with primary carers in the case of any concern over a child's welfare

8 Procedure for dealing with an allegation against staff

In the event of an allegation against Mermaid Arts Centre staff two separate procedures will be followed. Stephanie Casey will deal with issues relating to the child. Niamh O'Donnell will deal with allegations against the staff member.

In respect of the child:

- Reporting procedures as outlined on page 4 of this document will be followed
- The first priority is to ensure that no child is exposed to unnecessary risk
- If allegations are made against the designated member of staff, the deputy designated person, should be contacted.
- Both the primary carers and the child should be informed of actions planned and taken

In respect of the staff member:

- The staff member will be informed as soon as possible of the nature of the allegation
- The staff member will be given the opportunity to respond
- The chairperson of the centre will be informed
- Any action following an allegation of abuse against an employee should be taken in consultation with the HSE and Garda
- During the reporting and investigation process the staff member may be assigned to alternative duties and have increased supervision
- After consultation the chairperson should advise the person accused and agreed procedures will be followed

9. Complaints and comments procedures

- Complaints or comments received will be responded to within two weeks
- Stephanie Casey has responsibility for directing complaints/comments to the director
- Verbal complaints will be logged and responded to
- A confidential log book will be kept in the director's office with access restricted to the designated person, deputy designated person and director

10. Accidents procedure

In the event of an accident the following procedures must be undertaken:

- Staff trained in first aid must assess the seriousness of the accident and take appropriate action. Medical centre, hospital and local Garda contact numbers are available from the box office
- If the accident is serious i.e. cannot be treated by staff and first aid provisions available at centre, primary carers must be notified, and alternative medical attention must be sought.
- An accident report form must be completed by a staff member that witnessed the event.
- The designated person and the director must be briefed of any accidents that occur at the centre

- An accident logbook is available at the box office
- Events preceding the accident and any other persons involved must be noted along with the actions taken
- A first aid box is available in the green room, dressing rooms, box office, café, and backstage

The following staff members have completed occupational first aid training in May 2018.

- Eoin Fegan- Technical Manager
- Stephanie Casey- Box Office & Front of House Manager
- Megan Robinson Box Office Co-ordinator
- Hannah Golden- Deputy Front of House Manager
- Marie Hegarty- Deputy Technical Manager

11. Types of Child Abuse and how they may be recognised

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 behavior, is abuse or neglect is the impact of that behavior, on the child rather than the intention of the parent/carer.

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

Neglect

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

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

Neglect is associated with poverty but not necessarily caused by it. It is strongly linked to parental substance misuse, domestic violence, and parental mental illness and disability. A reasonable concern for the child's welfare would exist when neglect becomes typical of the relationship between the child and the parent or carer. This may become apparent where you see the child over a period of time, or the effects of neglect may be obvious based on having seen the child once.

The following are features of child neglect:

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

- Lack of protection and exposure to danger, including moral danger, or lack of supervision appropriate to the child's age
- Persistent failure to attend school
- Abandonment or desertion

Emotional abuse

Emotional abuse is the systematic emotional or psychological ill-treatment of a child as part of the overall relationship between a caregiver and a child. Once-off and occasional difficulties between a parent/carer and child are not considered emotional abuse. Abuse occurs when a child's basic need for attention, affection, approval, consistency and security are not met, due to incapacity or indifference from their parent or caregiver. Emotional abuse can also occur when adults responsible for taking care of children are unaware of and unable (for a range of reasons) to meet their children's emotional and developmental needs. Emotional abuse is not easy to recognize because the effects are not easily seen.

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

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

- Rejection, lack of comfort and love
- Lack of attachment, lack of proper stimulation (e.g. fun and play)
- Lack of continuity of care (e.g. frequent moves, particularly unplanned)
- Continuous lack of praise and encouragement
- Persistent criticism, sarcasm, hostility or blaming the child
- Bullying
- Conditional parenting in which care or affection of a child depends on his/her behaviour 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 and developmental underachievement risk taking and aggressive behavior. It should be noted that no one indicator is conclusive evidence of emotional abuse. It is more likely to impact negatively on a child where it is persistent over time and where there is a lack of other protective factors.

Physical abuse

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

Physical abuse can include the following:

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

The Children First Act 2015 includes a provision that abolishes the common law defence of reasonable chastisement in court proceedings. This defence could previously be invoked by a parent or other person in authority who physically disciplined a child. The change in the legislation

now means that in prosecutions relating to assault or physical cruelty, a person who administers such punishment to a child cannot rely on the defence of reasonable chastisement in the legal proceedings. The result of this is that the protections in law relating to assault now apply to a child in the same way as they do to an adult.

Sexual abuse

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

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

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

Examples of child sexual abuse include the following:

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

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

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

In relation to child sexual abuse, it should be noted that in criminal law the age of consent to sexual intercourse is 17 years for both boys and girls. Any sexual relationship where one or both parties are under the age of 17 is illegal. However, it may not necessarily be regarded as child sexual abuse.

Circumstances which may make children more vulnerable to harm

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

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

from home, or children with a parent or parents with problems in their own lives may be more susceptible to harm.

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

Parent or carer factors:

- Drug and alcohol misuse
- Addiction, including gambling
- Parental disability issues, including learning or intellectual
- Mental health issues, including self-harm and suicide
- Communication difficulties
- Trafficked/Exploited
- Previous abuse
- Young carer
- Community factors:
Cultural, ethnic, religious or faith-based norms in the family or community which may not meet the standards of child welfare or protection required in this jurisdiction
- Culture-specific practices, including:
 - o Female genital mutilation
 - o Forced marriage
 - o Honour-based violence
 - o Radicalisation

Environmental factors:

- Housing issues
- Children who are out of home and not living with their parents, whether temporarily or permanently
- Poverty/Begging
- Bullying
- Internet and social media-related concerns Poor motivation or willingness of parents/guardians to engage:
- Non-attendance at appointments
- Lack of insight or understanding of how the child is being affected
- Lack of understanding about what needs to happen to bring about change
- Avoidance of contact and reluctance to work with services
- Inability or unwillingness to comply with agreed plans

You should consider these factors as part of being alert to the possibility that a child may be at risk of suffering abuse and in bringing reasonable concerns to the attention of Tusla.

Bullying

It is recognised that bullying affects the lives of an increasing number of children and can be the cause of genuine concerns about a child's welfare.

Bullying can be defined as repeated aggression – whether it is verbal, psychological or physical – that is conducted by an individual or group against others. It is behaviour that is intentionally aggravating and intimidating, and occurs mainly among children in social environments such as schools. It includes behaviours such as physical aggression, cyberbullying, damage to property, intimidation, isolation/exclusion, name calling, malicious gossip and extortion. Bullying can also take the form of abuse based on gender identity, sexual preference, race, ethnicity and religious factors. With developments in modern technology, children can also be the victims of non-contact bullying, via mobile phones, the internet and other personal devices.

While bullying can happen to any child, some may be more vulnerable. These include: children with disabilities or special educational needs; those from ethnic minority and migrant groups; from the Traveller community; lesbian, gay, bisexual or transgender (LGBT) children and those perceived to be LGBT; and children of minority religious faiths.

There can be an increased vulnerability to bullying among children with special educational needs. This is particularly so among those who do not understand social cues and/or have difficulty communicating. Some children with complex needs may lack understanding of social situations and therefore trust everyone implicitly. Such children may be more vulnerable because they do not have the same social skills or capacity as others to recognise and defend themselves against bullying behaviour.

Bullying in schools is a particular problem due to the fact that children spend a significant portion of their time there and are in large social groups. In the first instance, the school authorities are responsible for dealing with such bullying. School management boards must have a code of behaviour and an anti-bullying policy in place. If you are a staff member of a school, you should also be aware of your school's anti-bullying policy and of the relevant guidelines on how it is handled.

In cases of serious instances of bullying where the behaviour is regarded as possibly abusive, you may need to make a referral to Tusla and/or An Garda Síochána.

12. Relevant Legislation

There are a number of key pieces of legislation that relate to child welfare and protection. The information here gives a brief overview of relevant legislation. It is not intended as legal opinion or advice and, if in doubt, you should consult the original legislation.

Child Care Act 1991

This is the key piece of legislation which regulates child care policy in Ireland. Under this Act, Tusla has a statutory responsibility to promote the welfare of children who are not receiving adequate care and protection. If it is found that a child is not receiving adequate care and protection, Tusla has a duty to take appropriate action to promote the welfare of the child. This may include supporting families in need of assistance in providing care and protection to their children. The Child Care Act also sets out the statutory framework for taking children into care, if necessary.

Protections for Persons Reporting Child Abuse Act 1998

This Act protects you if you make a report of suspected child abuse to designated officers of Tusla, the Health Service Executive (HSE) or to members of the Gardaí as long as the report is made in good faith and is not malicious. Designated officers also include persons authorised by the Chief Executive Officer of Tusla to receive and acknowledge reports of mandated concerns about a child from mandated persons under the Children First Act 2015.

This legal protection means that even if you report a case of suspected child abuse and it proves unfounded, a plaintiff who took an action would have to prove that you had not acted reasonably and in good faith in making the report. If you make a report in good faith and in the child's best interests, you may also be protected under common law by the defence of qualified privilege. You can find the full list of persons in Tusla and the HSE who are designated officers under the 1998 Act, on the website of each agency (www.tusla.ie and www.hse.ie).

Criminal Justice Act 2006

Section 176 of this Act created an offence of reckless endangerment of children. This offence may be committed by a person who has authority or control over a child or abuser who intentionally or recklessly endangers a child by: 1. Causing or permitting the child to be placed or left in a situation that creates a substantial risk to the child of being a victim of serious harm or sexual abuse; or 2. Failing to take reasonable steps to protect a child from such a risk while knowing that the child is in such a situation.

Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012

Under this Act, it is a criminal offence to withhold information about a serious offence, including a sexual offence, against a person under 18 years or a vulnerable person. The offence arises where a person knows or believes that a specified offence has been committed against a child or

vulnerable person and he or she has information which would help arrest, prosecute or convict another person for that offence, but fails without reasonable excuse to disclose that information, as soon as it is practicable to do so, to a member of An Garda Síochána. The provisions of the Withholding legislation are in addition to any reporting requirements under the Children First Act 2015

National Vetting Bureau (Children and Vulnerable Persons) Acts 2012-2016

Under these Acts, it is compulsory for employers to obtain vetting disclosures in relation to anyone who is carrying out relevant work with children or vulnerable adults. The Acts create offences and penalties for persons who fail to comply with their provisions. Statutory obligations on employers in relation to Garda vetting requirements for persons working with children and vulnerable adults are set out in the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012–2016.

Children First Act 2015

The Children First Act 2015 is an important addition to the child welfare and protection system as it will help to ensure that child protection concerns are brought to the attention of Tusla without delay. The Act provides for mandatory reporting of child welfare and protection concerns by key professionals; comprehensive risk assessment and planning for a strong organisational culture of safeguarding in all services provided to children; a provision for a register of non-compliance; and the statutory underpinning of the existing Children First Interdepartmental Implementation Group which promotes and oversees cross-sectoral implementation and compliance with Children First.

Criminal Law (Sexual Offences) Act 2017

This Act addresses the sexual exploitation of children and targets those who engage in this criminal activity. It creates offences relating to the obtaining or providing of children for the purposes of sexual exploitation. It also creates offences of the types of activity which may occur during the early stages of the predatory process prior to the actual exploitation of a child, for example, using modern technology to prey on children and making arrangements to meet with a child where the intention is to sexually exploit the child. The Act also recognises the existence of underage, consensual peer relationships where any sexual activity falls within strictly defined age limits and the relationship is not intimidator or exploitative.