



**Cork  
Counselling  
Services**  
Est. 1982

## **Child Protection Policy**

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<b>Document Owner</b>	<i>Head Of Clinical</i>
<b>Policy Author</b>	<i>Laura Maybury, Debbie Hegarty, Betty Quinlan</i>
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<b>Amendments to Policy or Procedures</b>	<i>First draft. No history.</i>

## Scope of this policy

Cork Counselling Services is actively committed to the safeguarding of children and young people who encounter our service. In line with the UN Convention on the Rights of the Child, The Child Care Act 1991 and The National Children's Strategy in Ireland, Cork Counselling Services, defines a child as;

*'Anyone under the age of 18 years'*

Our policy and procedures to safeguard children reflect national policy and legislation and are underpinned by Children First: National Guidance for the Protection and Welfare of Children 2017, the Tusla Children First - Child Safeguarding Guide 2017, and the Children First Act 2015. Our policy declaration applies to all "relevant stakeholders": employees, placement counsellors, students, contractors, board members and volunteers with our organisation. All relevant stakeholders must abide by the policies, procedures and guidance encompassed by this policy declaration and our safeguarding policy and accompanying procedures. All Cork Counselling Services Training Institute students should also familiarise themselves with their placement provider's Child Protection Policy.

## Definitions of Abuse

Abuse may be defined as "*any act, or failure to act, which results in a breach of a vulnerable person's human rights, civil liberties, physical and mental integrity, dignity or general well-being, whether intended or through negligence, including sexual relationships or financial transactions to which the person does not or cannot validly consent, or which are deliberately exploitative. Abuse may take a variety of forms.*" (Health Information and Quality Authority [HIQA], 2013).

There are several forms of abuse, any or all of which may be perpetrated as the result of deliberate intent, negligence or lack of insight and ignorance. A child may experience more than one form of abuse at any one time.

The following are the main categories/types of abuse:



**Physical abuse** - includes hitting, slapping, punching, kicking, misuse of medication, restraint or inappropriate sanctions.



**Sexual abuse** - includes rape and sexual assault or sexual acts to which the vulnerable person has not consented, or could not consent, or into which he or she was compelled to consent.



**Psychological abuse** - includes emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks.



**Financial or material abuse** - includes theft, fraud, exploitation, pressure in connection with wills, property, inheritance or financial transactions.



**Neglect and acts of omission** - including ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life such as medication, adequate nutrition and heating.

## What is Child Safeguarding?

Safeguarding is the action that is taken to promote the welfare of children and protect them from harm. While protecting children from abuse is one part of safeguarding, children also need safeguarding for them to grow, develop and achieve their full potential.

## Statement of Guiding Principles

Cork Counselling Services have an obligation to provide children with the highest possible standard of care to promote their well-being and safeguard them from abuse. We recognise the dignity and rights of all children and are committed to their protection and support. We will work to do all in our power to create safe environments for children to make sure that any child who is receiving our services is treated with dignity and respect. We will ensure that our relevant stakeholders are trained to be vigilant in relation to children's protection.

Our guiding principles for safeguarding children from harm under the Children First Act 2015 are as follows:

1. Safeguarding is everyone's responsibility.
2. The best interest of the child is paramount.
3. Safeguarding should be founded on an approach where the child is at the heart of all decisions and actions.
4. Cork Counselling Services has a 'zero tolerance' approach to any form of abuse.
5. Cork Counselling Services complies fully with the Children First: National Guidance for the Protection and Welfare of Children (2017), the Tusla Children First - Child Safeguarding Guide (2017), and the Children First Act (2015), and provides information, instruction and training to relevant stakeholders. Certification of successful completion is required.
6. In relation to the selection or recruitment of staff and their suitability to work with children, Cork Counselling Services adheres to the statutory vetting requirements of the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016 and to the wider duty of care guidance set out in relevant Garda vetting and recruitment circulars. References will be checked.
7. The duty to report safeguarding concerns rests with the person who has the concern. However, the Designated Liaison Person will oversee the process of reporting to Tusla.
8. It is necessary to ensure the immediate safety of the child at risk of abuse.
9. There should be no delay in implementing a Safeguarding Protection Plan.
10. There should be no delay in reporting a safeguarding concern.
11. Considerations of capacity and consent are central to child safeguarding. The right of a person to make decisions and remain in control of their life must be respected.

12. Good collaborative working is central to safeguarding. All parties should share relevant information that is known to them within the rules of data protection and client confidentiality.
13. Reports will be made to Tusla without delay should a staff member have reasonable grounds to suspect that a child is at risk of abuse or harm.
14. Cork Counselling Services will co-operate with the relevant statutory authorities in relation to child protection and welfare matters.
15. The counsellor/placement counsellor already known to the child at risk of abuse, will be involved in the management of the concern, where possible and appropriate.

### **Mandated Persons**

The Children First Act 2015 places a legal obligation on certain people, many of whom are professionals, to report child protection concerns at or above a defined threshold to Tusla - Child and Family Agency. These mandated persons must also assist Tusla, on request, in its assessment of child protection concerns about children who have been the subject of a mandated report. Mandated persons are people who have contact with children and/or families who, by virtue of their qualifications, training, and experience, are in a key position to help protect children from harm. Schedule 2 of the Children First Act (2015) specifies that psychotherapists/counsellors registered with one of the voluntary professional bodies are considered Mandated Persons for the purposes of the Act.

Responsibility for reporting concerns lies with the person who has the concern. This remains the case even when the concerned person is a trainee psychotherapist/ counsellor. In instances where the concerned person is an undergraduate or pre-accredited counsellor any report made to external bodies (e.g. Tusla) will be co-signed by the relevant clinical supervisor. In all cases, the process will be overseen by the Designated Liaison Person with the guidance of the relevant clinical supervisor/(s) and The Clinical Team. It is expected that the person reporting the concern will see the matter through to its natural conclusion.

### **Reporting a concern**

In an emergency, where a person is at immediate risk, you should call An Garda Síochána or the Emergency Services on 112 or 999.

In any case where a person has concerns about the welfare of a child, the following should be recorded:

- Name of child
- Age
- Any special factors
- Parent/Guardian names
- Home address/telephone number
- Who is this concern in relation to?
- What has prompted reporting of concerns (i.e., dates, times, specific incidents, behavioural or physical signs, etc)?
- Has child been spoken to?
- Have parents been contacted?
- Details of alleged abuser
- Has anyone else been consulted? If so, who?

Cork Counselling Services relevant stakeholders who have genuine concerns about risks to children in the course of their work should report these concerns without fear of penalisation in their employment, work or training. The person with the concern should report their concerns to the Designated Liaison Person without delay. Where the Designated Liaison Person is unavailable the person with the concern should contact the Clinical Lead or any other member of the Clinical Team. Counsellors should also discuss their concerns with their clinical supervisor.

Where a child is at immediate risk of harm, please call the emergency services first then the Designated Liaison Person for guidance. In accordance with Children First: National Guidance for the Protection and Welfare of Children 2017, the Tusla Children First - Child Safeguarding Guide 2017, and the Children First Act 2015, Cork Counselling Services has appointed a Designated Liaison Person who is responsible for:

1. Overseeing the reporting of concerns or allegations of abuse regarding children.
2. Ensuring the collation of basic relevant information.
3. Ensuring that the Management Team and Board of Directors is informed.
4. Ensuring necessary actions are identified.
5. Ensuring all reporting obligations are met (internally to the service and externally to the statutory authorities).
6. Ensuring that appropriate records are maintained.

**Cork Counselling Services Designated Liaison Person:**

Laura Maybury

Office: 021 4274951

**and/or**

**Clinical Lead**

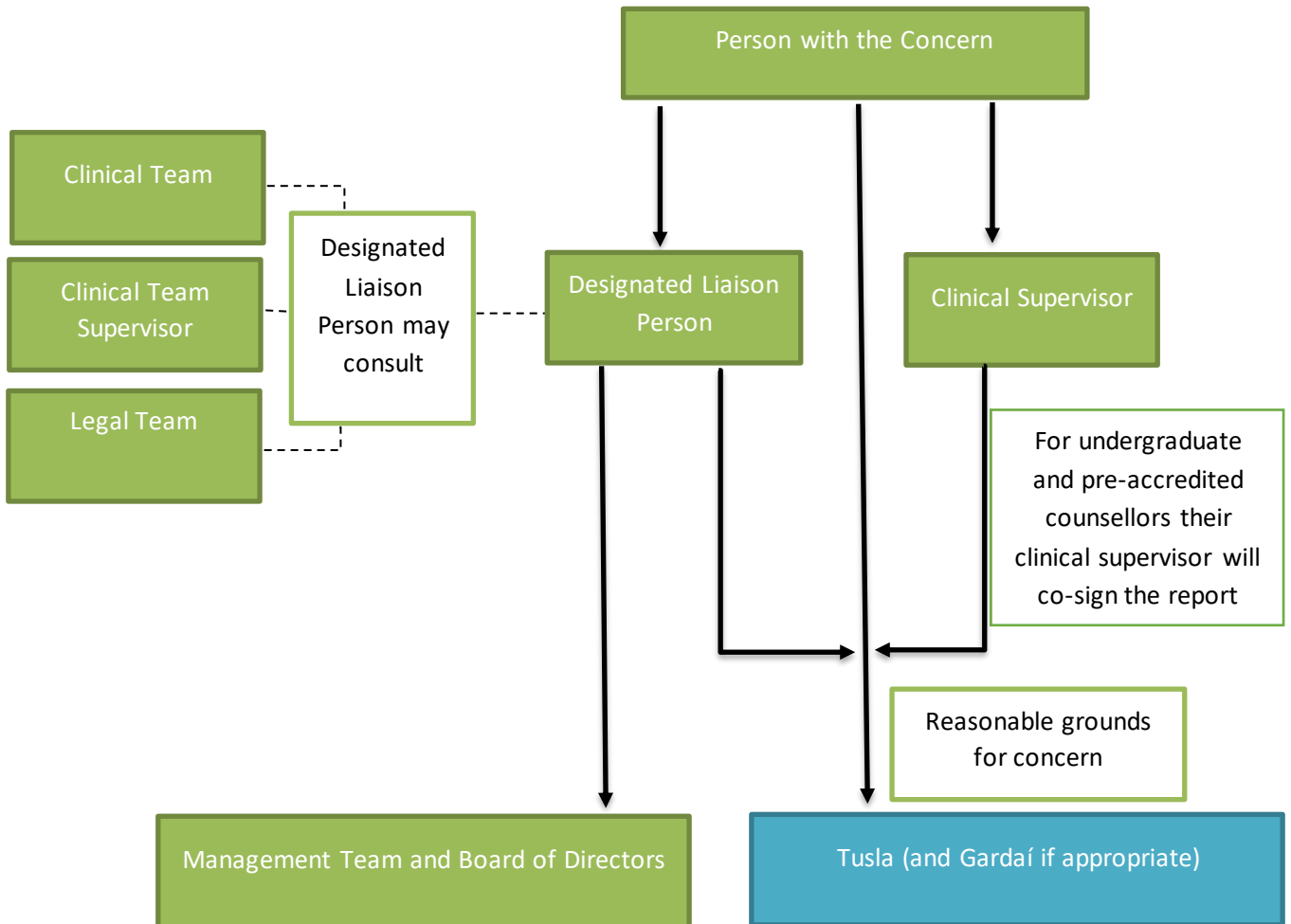
One member of the Clinical Team holds this role each day

Available onsite or Office: 021 4274951

**and/or**

Tell any other member of the Cork Counselling Services Clinical Team without delay

**Reporting Procedures**



## Safety Protection Planning

It is of utmost importance that a disclosure is treated in a sensitive and discreet manner. When the Designated Liaison Person receives a report about suspected or actual abuse, s/he will decide in collaboration with the person reporting the concern, the clinical team, and the clinical supervisor, if there are reasonable grounds for reporting to the statutory authorities. A full written record of all decisions will be maintained by the Designated Liaison Person.

Waiting for an allegation or complaint to appear in writing is not an adequate response and could be negligent.

**Failure to record, disclose and share information in accordance with this policy is considered a failure to discharge a duty of care. As a result, relevant stakeholders may be subject to Cork Counselling Services' complaints and/or disciplinary proceedings and sanctions up to and including dismissal, termination of contract, termination of training, termination of placement and/or removal from post as applicable. Counsellors and students may also be subject to relevant Professional Suitability and Fitness to Practise proceedings.**

## Guidance for Cork Counselling Services as an employer dealing with an allegation of abuse of a child

If an allegation of abuse is made against a relevant stakeholder within Cork Counselling Services, we are committed to ensuring that everyone involved receives an appropriate response. This involves making sure that two separate procedures are followed:

- The reporting procedure in respect of the child
- The relevant complaint procedure, professional suitability and fitness to practise policy and procedure and/or disciplinary procedure in respect of the relevant stakeholder

When an allegation of abuse is received against a relevant stakeholder, it will be assessed promptly and carefully. To ensure that these issues are managed independently of each other, two separate people will be nominated: The Designated Liaison Person will manage the reporting procedure in respect of the child, and the head of the relevant department (training or business) will oversee the complaint process. If an allegation is made against the Designated Liaison Person, then another member of the management team, the Safeguarding Co-ordinator, or a qualified individual that the aforementioned persons nominate, will manage the reporting procedure.



Action taken in reporting an allegation of the abuse of a child against a relevant stakeholder should be based on an opinion formed reasonably and in good faith. This decision should be based on reasonable grounds for concern, as outlined earlier in this policy document. The priority is to ensure that no child is exposed to unnecessary risk. Cork Counselling Services, as an employer and as a training institute, will take any necessary protective measures. These measures will be proportionate to the level of risk and will not unreasonably penalise the employee or placement counsellor financially or otherwise, unless necessary to protect children. Where protective measures penalise the employee or placement counsellor, it is important that early consideration be given to the case. Any action taken will be guided by specified complaint procedures, professional suitability and fitness to practise procedures, applicable employment or training contracts, and principles of natural justice. Relevant stakeholders may be subject to Cork Counselling Services' complaints and/or disciplinary proceedings and sanctions up to and including dismissal, termination of contract, termination of training, termination of placement and/or removal from post as applicable. Furthermore, counsellors and students may be subject to relevant professional suitability and fitness to practise proceedings.

The relevant stakeholder has a right to know the following:

- That an allegation has been made against him/her
- The nature of the allegation

The relevant stakeholder will be given an opportunity to respond. They will also be given a copy of written records relating to the allegation. The Designated Liaison Person or other suitably qualified person will note the response and pass this information, if making a formal report, to Tusla as per the Children First guidelines. The Designated Liaison Person reserves the right to seek legal advice regarding responding to any allegation of abuse.

### **Child Protection Risk Assessment**

Cork Counselling Services has endeavoured to identify the risks of harm that are relevant to this organisation and to ensure that adequate procedures are in place to manage all risks identified. While it is not possible to foresee and remove all risk of harm, Cork Counselling Services has in place the procedures listed in this Child Protection Risk Assessment to manage and reduce risk to the greatest possible extent.

There are several contexts in which Cork Counselling Services has contact with children. These are listed below:

- Cork Counselling Services provides counselling and support services to children.
- Cork Counselling Services also has contact with family or friends who choose to accompany the child or who choose to attend counselling themselves.
- Cork Counselling Services collaborates with second level students in relation to a suicide prevention programme, and fundraising.

In accordance with the Children First Act 2015, Cork Counselling Services has carried out an assessment of any potential for harm to a child while attending the service or participating in service activities (See Appendix III).

## **Record Keeping**

- Records should be factual and include details of contacts, consultations and any actions taken.
- Records should only be used for the purpose for which they are intended.
- Cork Counselling Services will cooperate in the sharing of records with Tusla where a child protection or welfare issue arises.
- Records will only be shared on a need-to-know basis in the best interests of the child.
- We will ensure that records on child protection concerns, allegations and disclosures are kept securely and safely within the organisation.
- Child protection records will be stored in the relevant client's file, or by the Designated Liaison Person in the instance where the child has no client file.
- Records relating to allegations of abuse against a relevant stakeholder will be stored by the Head of Business in a designated file with controlled access available to the management team only.
- The records will be kept for at least seven years or seven years from the child's 18<sup>th</sup> birthday, whichever is the latter. Records will be kept longer if required by law.
- Child protection and welfare records should be updated as required and reviewed regularly by the Designated Liaison Person.

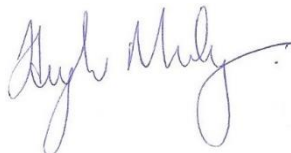
- Processing of personal data is performed and permitted where it is necessary under the Child and Family Agency Act (2013), the Children First Act (2015) and the Child Care Act (1991).

## Implementation and review

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

This Statement will be reviewed every 2 years or as soon as practicable after there has been a material change in any matter to which the statement refers.

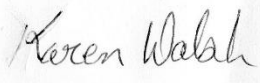
This statement has been published on the service website and is displayed in the service. It has been provided to all relevant stakeholders of Cork Counselling Services. It is readily accessible to parents and guardians on request. A copy of this statement will be made available to Tusla if requested.



**Signed:** \_\_\_\_\_

**Date:** 19<sup>th</sup> October 2021

**Hugh Morley, Head of Business**



**Signed:** \_\_\_\_\_

**Date:** 19th October 2021

**Karen Walsh, Head of Training**

**Signed:** Laura Maybury

**Date:** 19th October 2021

**Laura Maybury, Head of Clinical Practice**



**Signed:** \_\_\_\_\_

**Date:** 19th October 2021

**Eamon Kiely, Chairperson**



## **Appendix I: Code of Behaviour when Interacting with Children**

Cork Counselling Services ensures that relevant stakeholders exercise vigilance in their relationship with children, ensuring that the appropriate balance between the needs of the child and the discharge of professional responsibility is reached. No physical contact will take place unless it is acceptable to all parties concerned.

### **Cork Counselling Services and its Personnel will:**

- ensure it treats all children equally as defined under the Equal Status Act 2000 to 2004
- respect a child's dignity and their right to privacy
- if necessary, discuss boundaries on behaviour with children
- ensure that relevant stakeholders are vigilant to the signs of abuse as outlined by Children First guidelines and report such concerns as well as any concerns regarding a colleague's behaviour with regard to a child or children

### **Cork Counselling Services and its Personnel will not:**

- develop sexual, or inappropriately intimate, relationships with children
- spend excessive time alone with a child
- socialise with children outside of structured Cork Counselling Services or interagency activities
- permit relevant stakeholders to favour one child or children over others
- engage in sexually provocative activities, jokes or make suggestive comments
- shame, humiliate or single-out a child in a degrading way
- hit, physically chastise or verbally abuse children

### **Cork Counselling Services and its Personnel will:**

- ensure that at Cork Counselling Services sponsored events and activities involving children, an appropriate staff supervision ratio is maintained
- ensure that a parental/guardian consent form has been completed and returned for all participating children
- ensure that at events, being organised by other agencies, in which Cork Counselling Services is participating, that those organisations have in place adequate child protection procedures to which Cork Counselling Services representatives can adhere and that representatives of the Cork Counselling Services are made aware of their

obligations to report any child protection concerns using the procedures of that organisation.

**In the case of a child disclosing abuse, it is important to:**

- Listen to the child, rather than interrogate
- Use open ended questions, taking care not to lead the child
- Offer the child reassurance without making promises
- Take what the child says seriously
- Do not over-react
- Explain what you will do next
- Record the discussion accurately as soon as possible
- Contact the Designated Liaison Person
- Contact your clinical supervisor
- Record any subsequent discussions

## Appendix II: Relevant Legislation

There are several pieces of legislation relevant to the safeguarding of children. The following indicative list is not intended to be comprehensive but rather to give a sense of the breadth and wide array of relevant legislation.

- Child and Family Agency Act 2013
- Child Care Act 1991
- Children Act 2001
- Children First Act 2015
- Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012
- Criminal Justice Act 2006, Section 176: Reckless Endangerment of Children
- Data Protection Acts 1988 and 2003, General Data Protection Regulation 2018 (GDPR)
- Domestic Violence Act 1996
- Education (Welfare) Act 2000
- Education Act 1998
- Freedom of Information Act 2014
- National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016
- Non-Fatal Offences against the Person Act 1997
- Protected Disclosures Act 2014
- Protections for Persons Reporting Child Abuse Act 1998

### Appendix III: Cork Counselling Services Child Protection Risk Register

In accordance with the Children First Act 2015, Cork Counselling Services has carried out an assessment of any potential for harm to a child while attending the service or participating in service activities. A written assessment, setting out the areas of risk identified and the service procedures for managing those risks, is summarised below:

Risk Identified		Procedures in place to manage risk
1.	It may come to the attention of a Cork Counselling Services employee or placement counsellor that children may be at risk from a known offender during a disclosure of retrospective abuse from an existing client.	For all cases in which it is the professional judgement of the clinical team together with their clinical supervisor, that an identifiable child may be at risk from a known offender, the person with the concern, supported by the Designated Liaison Person will notify Tusla. Clients will be encouraged to report the offender to Tusla themselves if there is an identified child at risk from a known offender. Cork Counselling Services will also file a report to Tusla. Under the <i>Children First</i> guidelines, Cork Counselling Services will report such cases/concerns even when the client is over 18 years of age and/or does not consent. The safety of the child is paramount.
2.	Exceptional circumstances, where there is an immediate threat to a child's safety and/or where a person discloses sexual abuse which is occurring at the time of disclosure.	All details will be immediately reported to An Garda Síochána. Tusla will also be notified. In making a report on suspected or actual child abuse the individual must ensure that the first priority is always for the safety and welfare of the child and that no child is ever left in an un-safe situation. Parents/guardians of the child will be informed of the allegation, concern or disclosure unless doing so is likely to endanger the child. The person with the concern will also notify the Designated Liaison Person and their clinical supervisor.
3.	The potential for harm or abuse by existing staff members who have contact with children who attend Cork Counselling Services.	All Cork Counselling Services workers, including volunteers and placement counsellors are recruited using a stringent process and are vetted by the Garda Central Vetting Unit (GCVU) before receiving a position within Cork Counselling Services.  In the case of an allegation of abuse against an employee, placement counsellor, student, contractor, board member and volunteer the Designated Liaison Person, on receiving the complaint, will immediately ensure that no child is or continues to be exposed to unnecessary risk. The Designated Liaison Person reserves the right to seek legal advice. Two procedures will ensue, one to manage the reporting of abuse, and the other to manage the complaints process.



		<p>If an allegation is made against the Designated Liaison Person, then another member of the management team, the Safeguarding Co-ordinator, or a qualified individual that the aforementioned persons nominate, will carry out the above steps.</p>
4.	<p>If a child displays consistent signs of neglect, physical or emotional abuse.</p>	<p>The person with the concern will discuss their concerns with the Designated Liaison Person and clinical supervisor. The person with the concern, supported by the Designated Liaison Person will notify Tusla. Cork Counselling Services will also file a report to Tusla. Under the <i>Children First</i> guidelines, Cork Counselling Services will report such cases/concerns even when the client does not consent. The safety of the child is paramount.</p> <p>Where there is immediate concern for a child's safety, all details will be immediately reported to An Garda Síochána. Tusla will also be notified. In making a report on suspected or actual child abuse the individual must ensure that the first priority is always for the safety and welfare of the child and that no child is ever left in an un-safe situation. Parents/guardians of the child will be informed of the allegation, concern or disclosure unless doing so is likely to endanger the child.</p>
5.	<p>Where a client admits that they have abused a child or are currently abusing a child.</p>	<p>The person with the concern, supported by the Designated Liaison Person will notify Tusla. Cork Counselling Services will also file a report to Tusla. Under the <i>Children First</i> guidelines, Cork Counselling Services will report such cases/concerns even when the client does not consent. The safety of the child is paramount.</p> <p>Where there is immediate concern for a child's safety, all details will be immediately reported to An Garda Síochána. Tusla will also be notified. In making a report on suspected or actual child abuse the individual must ensure that the first priority is always for the safety and welfare of the child and that no child is ever left in an un-safe situation. Parents/guardians of the child will be informed of the allegation, concern or disclosure unless doing so is likely to endanger the child.</p>
6.	<p>Where a person discloses that they have witnessed the abuse of a child.</p>	<p>Cork Counselling Services will encourage the person with the concern to file a report with Tusla. Cork Counselling Services' Designated Liaison Person or the person receiving the allegations of abuse will also notify Tusla. Under the <i>Children First</i> guidelines, Cork Counselling Services will report such cases/concerns even when the client does not consent. The safety of the child is paramount.</p> <p>Where there is immediate concern for a child's safety, all details will be immediately reported to An Garda Síochána. Tusla will also be notified. In making a report on suspected or actual child abuse the individual must ensure that the first priority is always for the safety and welfare of the child and that no child is ever left in an un-safe situation. Parents/guardians of the child will be informed of the allegation, concern or disclosure unless doing so is likely to endanger the child.</p>

7.	<p>Risk of harm not being recognised by relevant stakeholders.</p> <p>Risk of harm not being reported properly and promptly by employees or placement counsellors.</p>	<p>Cork Counselling Services has provided each employee, placement counsellor, student, contractor, board member and volunteer with a copy of our Child Safeguarding Statement and Policy. The management team will ensure that all new personnel are provided with a copy of the Child Safeguarding Statement. All employees and placement counsellors must successfully completed the Tusla Introduction to Children First E-learning programme. Certification of successful completion is required. All students receive Children First training as part of their induction day. Cork Counselling Services further encourages relevant stakeholders to avail of relevant training.</p>
8.	<p>One-to-one contact between counsellor and child</p>	<p>Cork Counselling Services endeavours to protect the child from any type of potential for abuse by the following measures:</p> <ul style="list-style-type: none"> <li>• All counsellors and placement counsellors must have current Garda vetting.</li> <li>• Counsellors must adhere strictly to the relevant professional body code of ethics and practice.</li> <li>• Keeping clear, confidential notes of all counselling sessions.</li> <li>• Ensuring parents/guardians are aware of their responsibilities throughout the counselling process and that mutual written consent from both parents is sought prior to commencement of counselling.</li> </ul> <p>All client work with children should be approved by the Head of Clinical Practice and the relevant clinical supervisor prior to commencement.</p> <p>Employees, counsellors and placement counsellors shall not make unnecessary physical contact with a child. There may be instances where physical contact is appropriate, such as providing comfort and reassurance to a distressed child.</p> <p>In all cases, physical contact should only take place with the consent of the child.</p> <p>Parents/ guardians-</p> <ul style="list-style-type: none"> <li>• Written consent must be obtained from both parents/guardians prior to counselling with a minor.</li> <li>• Will receive information regarding Cork Counselling Services work, our child protection policy and the name of a contact person whom they can contact in the event of concerns/complaint.</li> <li>• Will be informed of confidentiality and limits to confidentiality.</li> </ul>
9.	<p>Attending secondary schools to facilitate the Suicide Prevention Programme</p>	<p>Cork Counselling Services only permit those who have been vetted and trained to attend secondary schools. Two facilitators attend each school together. The facilitators adhere to school specific health and safety guidelines, and guidelines around child safeguarding.</p>