

# **Child Protection Policy**

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## Overview

Sample-Studios is committed to providing a safe environment and a positive experience for all children and young people with whom we interact.

This statement is drafted in accordance with the legal framework in the Children First Act, 2015 and the “Children First National Guidance for the Protection and Welfare of Children”, 2017. Sample-Studios (Est. 2011) is an artist-led initiative providing studios in Cork City. We support 28 studios and over 60 working artists, designers and arts practitioners with shared production facilities for performance development, print/textiles, darkroom and video/digital manipulation. Our visual arts programme TACTIC has been using a pop-up exhibition model and we have secured 2 city buildings for community-orientated exhibition and activities. Facilitating community engagement with the arts is a core aspect of our strategic vision. Sample-Studios recognises the statutory obligations as a relevant service in the Children First Act, 2015 including the requirement to:

- Keep children safe from harm while they are using our service
- carry out a risk assessment to identify whether a child or a young person could be harmed while receiving our services
- Develop a child safeguarding statement that outlines the policies and procedures that are in place and manage the risks that have been identified.
- Appoint a relevant person to be the first point of contact in respect of the organisation's child safeguarding statement.

Sample-Studios is a relevant service under the Children First Act, 2015 in the category of *“any work or activity which involves providing:*

*Educational, research, training, cultural, recreational, leisure, social or physical activities to children”.*

Procedures and policies, in accordance with guidelines outlined in Children First, National Guidelines for the Protection and Welfare of Children have been implemented as follows:

- Code of behaviour for staff and members
- Undertaking a risk assessment which considers the potential for harm to come to children while they are in our organisation's care
- Sample-Studios Policy Statement
- Reporting of suspected or disclosed abuse
- Confidentiality statement
- Staff recruitment, training and management policy

- Policy Statement on the involvement of primary carers
- Procedures to deal with allegations of misconduct or abuse by staff
- Policy Statement on Circulating information to staff and complainants
- Procedures for the recording of incidents and accidents.

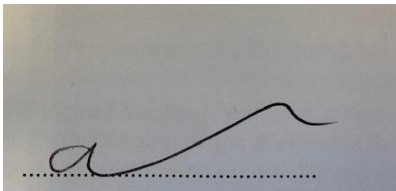
Any issues or concerns regarding the safety and welfare of children or young people at Sample-Studios should be reported to the:

**Relevant Person for the Safeguarding Statement and Designated Liaison Person:**

Aoibhie McCarthy, Artistic Director

**Deputy Relevant Person for the Safeguarding Statement and Deputy Designated Liaison Person:** Sinéad Barrett

This policy will be reviewed annually in December.



Signed:

Carl Dixon, Chairperson of the Board, Sample-Studios

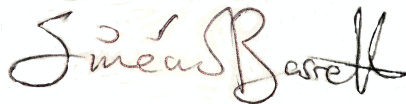
Date: 19th March 2021



Signed:

Aoibhie McCarthy, Designated Liaison Person (DLP)

Date: 19th March 2021



Date: 19 March 2021

Signed \_\_\_\_\_ Deputy Designated Liaison Person

Date:

## **Statement of Risk**

Sample-Studios maintains a risk register that contains a statement of risk with regard to child safe guarding and child protection.

Sample-Studios does not usually work directly with children in the course of delivery on its primary remit but does engage with children and young people during its Education and Outreach Programming. Sample-Studios liaises with schools and other organisations that work directly with children and young people as part of its exhibitions and community engagement programming.

The Child Safeguarding statement identifies procedures to follow to mitigate the risks that may present in following identified scenarios:

- Where children are at the events which Sample-Studios organises, for example schools workshops, public workshops in exhibition venues and its child and youth programmes.

### **Code of behaviour for Staff at Sample-Studios**

The following code of behaviour for all staff at Sample-Studios has been drawn up to ensure a positive experience for children and young people taking part in Sample-Studios workshops or events. The Code of behaviour includes:

- Child-centred Approach,
- Best Practice,
- Inappropriate Behaviour,
- Physical Contact
- Health & Safety

#### **Child-centred Approach**

- Create and encourage a friendly, welcoming and positive atmosphere at all times;
- Listen to and respect children and young people;
- Use appropriate physical and verbal language at all times.
- Respect a child's or young person's personal space;
- Treat all children and young people equally and as individuals;
- Respect differences of ability, culture, religion, race and sexual orientation.
- Observe appropriate dress and behaviour.

#### **Best Practice**

- Make primary carers, children/young people, visitors and facilitators aware of the Child Protection Policy and procedures;
- Keep primary carers informed of any issues that concern their children;
- Staff should report and record any incidents and accidents;
- Staff should report any concerns to the Designated Child Protection Officer;
- Be inclusive of children and young people with special needs;
- Be cognisant of a child or young person's limitations (for example due to a medical condition);
- Use age-appropriate teaching aids and materials;
- Proper supervision based on adequate ratios according to age, abilities and activities will be maintained at all times;
- A register of children/young people attending Sample-Studios run workshops will be kept detailing name, address, phone, special requirements and emergency contact details;
- Provide encouragement, support and praise regardless of ability;
- Offer constructive criticism when needed;

- Plan and be sufficiently prepared, both mentally and physically;
- Avoid spending excessive amounts of time alone with children/young people;
- Avoid if at all possible giving a lift to a child/young person unless you are
- Accompanied by another primary carer or trained staff member. If you do then make sure that primary carers are informed;
- Encourage children and young people to report any bullying, concerns or worries;
- Ensure all children attending programmes or workshops are collected from within the building;
- Ensure that all Sample-Studios events involving children/young people take place in venues that have a child protection policy and that both Sample-Studios and the hosting venue adhere to both Child Protection policies for the event.

### **Inappropriate behaviour**

- Don't single out a particular child/young person for unfair favouritism, criticism, ridicule, or unwelcome focus or attention;
- Don't use or allow offensive or sexually suggestive physical and/or verbal language;
- Don't socialise inappropriately with children/young people, e.g., outside of structured organisational activities.

### **Physical contact**

- Don't allow/engage in any inappropriate touching;
- Don't hit or physically chastise children/young people;
- Seek consent of child/young person in relation to physical contact except in an emergency or a dangerous situation;
- Avoid horseplay;
- Check with children/young people about their level of comfort when doing touch exercises.

### **Health and safety**

- In the event of an emergency staff must be aware of and follow the venue
- emergency procedures in place;
- Primary carers and children should be informed of emergency evacuation procedures;
- Staff will facilitate entry and exit of school groups to events to assist teachers in keeping groups together;

- Don't leave children unattended or unsupervised;
- Manage any dangerous materials and/or equipment;
- Staff should be aware of the health and safety procedure and follow accordingly.

Signed:

Role: Tutor/Volunteer/Staff

Date:

This Code of Behaviour is signed by all staff/tutors/volunteers and held on each personnel file along with Garda Vetting.



## **Child Protection and Safeguarding Policy Statement**

Sample-Studios, for the benefit of young people (under 18 years), abides by the guidelines of the State for the Child Protection, as outlined in *Children First, National Guidelines for the Protection and Welfare of Children*, published in 2017. We will provide venues and organisations that we work with a copy of our Child Safeguarding Statement. We will work within the following guidelines:

- No more than 1,000 children should be at a Sample-Studios event at any one time. We will keep a record of all participants of the event who are under 18 years of age for events and workshops run by Sample-Studios. When we work with partner organisations/schools etc., we will ask them to supply a full list of attendees.
- For paid attendance screenings, attendance is recorded.
- Children will be supervised at all times.
- Children should always be collected by parents or guardians at the front door at the entrance of workshop space or building. At least one supervisor must be present at this point to monitor the collection of young children by the appropriate parent or guardian.
- Cameras, camera phones or other recording devices are not permitted in screens or any other areas in use by children.
- Events for, or incorporating children may not be recorded. Parents must be informed in advance by the organiser that photographs may not be taken during performances. Permission will be sought in advance for filming and photography for official documentation.
- We will ensure that all personnel and volunteers working with children are suitable to that role and are made aware of their responsibilities and have undergone any necessary training.

### **Reporting Procedures at Sample-Studios**

Aoibhie McCarthy is the Designated Liaison Person (DLP) and is the designated contact if you have an issue or concern about any aspect of a child's or young person's safety and welfare. Reference to the definitions of abuse can be found later in this document.

**Report a concern to DLP  
Aoibhie McCarthy  
Phone: 0863509668**

According to *Children First: National Guidelines for the Protection and Welfare of Children* the following would constitute reasonable grounds for concern:

- Specific indication from the child or young person that s/he has been abused or neglected (**full definition and explanations regarding Physical Abuse, Emotional Abuse, Sexual Abuse and Neglect are in the Appendix to the rear of this document**)\*;
- An account by a person who saw the child/young person being abused;
- Evidence, such as an injury or behaviour, which is consistent with abuse and unlikely to be caused another way;
- An injury or behaviour which is consistent both with abuse and with an innocent explanation but where there are corroborative indicators supporting the concern that it may be a case of abuse (an example of this would be a pattern of injuries, an implausible explanation, other indications of abuse, dysfunctional behaviour);
- Consistent indication, over a period of time that a child is suffering from emotional or physical neglect.

### **Dealing with a disclosure**

- Stay calm and listen to the child/young person, as overreacting may alarm the young person and compound feelings of anxiety and guilt
- Listen carefully and attentively; take the young person seriously;
- Reassure the young person that they have taken the right action in telling;
- Don't use leading questions or prompt details;
- Reassure the child/young person but do not make false promises,

- particularly regarding secrecy
- Don't make the child/young person repeat the details unnecessarily;
- Check with the young person to ensure that what has been heard and understood by you is accurate;
- Ask questions only for the purpose of clarification. Be supportive, but do not ask leading questions or seek intimate details beyond those volunteered by the child. Detailed investigative interviews will, if necessary, be carried out by CFA/Tusla staff or members of an Garda Síochána;
- Do not express any opinions about the alleged abuser;
- Record the conversation as soon as possible, in as much detail as possible. Sign and date the report;
- Explain to the child/young person what will happen next (explanation should be age-appropriate)
- Pass the information to the Child Protection Officer/designated person, who will in turn report it to CFA/Tusla and/or An Garda Síochána
- Treat the information confidentially, sharing it only with persons who have a right to hear it.

## **Recording procedures**

- Any incidents involving children will be recorded in the Child Protection Incident Book held by the Designated Officer.
- Any accidents involving children will be recorded in the incident book located in the Sample-Studios office and with the partner organisation where appropriate.
- Staff or primary carers should report any concerns to the Designated Child Protection Officer or the Deputy Child Protection Officer.
- All details, including the date, time and people involved in the concern or disclosure will be recorded on an incidents report form. Information recorded should be factual. Any opinions should be supported by facts.
- The Child Protection Officer may contact the Health Service Executive Duty Social Work Department or Tusla for an informal consultation prior to making a report.
- If there are reasonable grounds for concern the Child Protection Officer will contact Tusla or the Duty Social Worker in the Health Service Executive area verbally initially and then using the standard reporting form available from the Health Service Executive.
- Any person who expresses concern will be involved and kept informed.
- Parents, carers or responsible adults will be made aware of a concern or report to the Health Service Executive unless it is likely to put the child/young person at further risk.

- Information will be shared on a strictly 'need to know' basis (see confidentiality statement).

### **Confidentiality Statement**

We in Sample-Studios are committed to ensuring peoples' rights 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 the child/young person.
- Giving such information to others for the protection of a child or young person is not a breach of confidentiality.
- We cannot guarantee total confidentiality where the best interests of the child or young person are at risk.
- Primary carers, children and young people have a right to know if personal information is being shared and/or a report is being made to the Health Service Executive, unless doing so could put the child/young person at further risk.
- Images of a child/young person will not be used for any reason without the consent of the parent/carers (However, we cannot guarantee that cameras/videos will not be used at public exhibitions and performances).
- Procedures will be put in place in relation to the use of images of children/ young people.
- The incident book and any records or statements involving children will be held in a secure location by the Designated Officer.

### **Staff Recruitment, Training and Management Policy**

#### **Staff Recruitment**

We will ensure that staff are carefully selected, trained and supervised to provide a safe environment for all children and young people, by observing the following principles:

- Roles and responsibilities will be clearly defined for every job (paid or voluntary).
- We will endeavour to select the most suitably qualified personnel.
- Candidates will be required to complete an application process.
- Staff will be selected by a panel of at least two (or more) representatives through an interview process.
- Hired staff will be made aware of our Child Protection Policy and

code of behaviours.

- An appropriate probationary period for all newly-employed staff will be implemented.

No person who would be deemed to constitute a 'risk' will be employed. Some of the exclusions would include:

- Any child-related convictions;
- Refusal to sign application form and declaration form;
- Insufficient documentary evidence of identification;
- Concealing information on one's suitability to working with children.

All staff will be required to consent to Garda vetting, and where available, this will be sought.

### **Staff Management**

To protect both staff and children/young people, we undertake that:

New staff working with children and young people will:

- Take part in a mandatory induction training session
- Be made aware of the organisation's code of conduct, child protection procedures, and the identity and role of who has been designated to deal with issues of concern
- Undergo a probationary or trial period
- Obtain a Garda Vetting Clearance

All staff will:

- Receive an adequate level of supervision and review of their work practices
- Be expected to have read and signed the Child Protection Policy Statement

All staff working directly with children/young people will be provided with the necessary child protection training.

### **Policy Statement on the Involvement of Primary Carers**

Sample-Studios is committed to cooperating with all primary carers in an open and constructive manner to ensure that the interests and welfare of the child are paramount at all times. To that end we:

- Encourage primary carers to work in partnership with us under the guidelines set out by our organisation to ensure the safety of their children;
- Have a designated Child Protection Officer available for consultation with primary carers in the case of any concern over a child or young person's welfare.

We undertake to:

- Provide primary carers attending our event a copy of our child protection policy, on request;
- Inform primary carers and schools of all activities and potential activities;
- Comply with health and safety practices;
- Operate child-centred policies in accordance with best practice;
- Issue contact/consent forms for all children's workshops operated by Sample-Studios;
- Adhere to our recruitment guidelines;
- Ensure as far as possible that the activities are age-appropriate;
- Encourage and facilitate the involvement of parent(s), carer(s) or responsible adult(s), where appropriate. If we have concerns about the welfare of the child/young person, we will:
  - Respond to the needs of the child or young person;
  - Inform the primary carers on an on-going basis unless this action puts the child or young person at further risk;
  - Contact local Health Service Executive, CFA/Tusla and Gardaí where appropriate;
- In the event of a complaint against a member of staff, we will immediately ensure the safety of the child/young person and inform primary carers as appropriate.

### **Policy Statement on Dealing with Allegations Against Staff**

In respect of the child/young person the Child Protection Officer will deal with issues related to the child/young person.

In respect of the person against whom the allegation is made the CEO will deal with issues related to the staff member.

- Our first priority is to ensure that no child or young person is exposed to unnecessary risk;
- Reporting procedures as outlined in our Child Protection Policy must be followed;
- If allegations are made against the Designated Person, then the Deputy Designated Person should be contacted;
- Both the primary carers and child/young person will be informed of actions planned and taken;
- The child/young person will be dealt with in an age-appropriate manner;
- The staff member will be informed as soon as possible of the nature of the allegation and will be given the opportunity to respond;
- The chairperson/head of the organisation will be informed of any allegation against a staff member as soon as possible;
- Any action following an allegation of abuse against an employee will be taken in consultation with Health Service Executive, CFA/Tusla and An Garda Síochána;
- After consultation, the chairperson/head of organisation will advise the person accused and agreed procedures will be followed.

### **Complaints and Comments Procedures**

Sample-Studios recognises that primary carers, children/young people and staff have a right to make a complaint if they are not satisfied with the action taken in relation to any incident reported and to have that complaint addressed.

#### **Complaints or comments will be dealt with as follows:**

- Complaints or comments will be responded to within four weeks.
- The Designated Officer has responsibility for directing complaints/comments to the board of Directors of Sample-Studios;
- All verbal complaints will be logged and responded to;
- In relation to an allegation against staff an appeals procedure is available by way of the board of directors of Sample-Studios.

### **Accidents Procedures at Sample-Studios**

Sample-Studios has a comprehensive Health and Safety Statement which is reviewed annually:

- A risk assessment of every programme is carried out;
- External organisations with whom we work must provide proof that they have public liability insurance;
- First-aid boxes are located at Sample-Studios premises. When working at external venues, Sample-Studios staff will liaise with the venue staff regarding the location of the venue's first-aid boxes. The location of first-aid boxes will be made known to all staff on duty;
- The location of the first-aid box is known to all staff;
- The accident book is located in the Sample-Studios office and is known to staff;
- Children and young people must be advised of risks of dangerous material;
- There are procedures in place in the event of an accident.

In situations that threaten the immediate safety of a child/ young person, it may be necessary to contact the Gardaí.



## Risk Assessment for Child Safeguarding Statement

Risk	Risk Owner	Probability	Impact	Ranking	Tolerance
Sample-Studios could recruit a staff member who may have abused children in the past	Director	Unlikely (2)	Significant (4)	Low (8)	Low
<b>Control</b>					
Rigorous recruitment and selection process in line with relevant HR policies in place.					

Risk	Risk Owner	Probability	Impact	Ranking	Tolerance
An allegation of abuse may be made about a Sample-Studios staff member	Director	Unlikely (2)	Moderate (3)	Low (6)	Low
<b>Control</b>					
Training and information to raise staff awareness of child protection and safeguarding issues Child protection and safeguarding policy Guidance document Protected Disclosure policy Code of conduct					

Risk	Risk Owner	Probability	Impact	Ranking	Tolerance
Staff members may not report a suspicion of abuse about a colleague or a child.	Director	Unlikely (2)	Significant (4)	Low (8)	Low
<b>Control</b>					
Child Safeguarding statement Child Protection and Safeguarding policy Investigating allegations of abuse against staff members standard operating procedure Reporting concerns of abuse to Tusla standard operating procedure Training and information on child protection and safeguarding issues provided to staff Protected disclosure Regular staff supervision meetings					
Risk	Risk Owner	Probability	Impact	Ranking	Tolerance
There is a reputational risk to Sample-Studios if safeguarding practice is poor	Director	Rare (1)	Moderate (3)	Very low (3)	Low
<b>Control</b>					

Child Safeguarding statement Child Protection and Safeguarding policy Training and information on child protection and safeguarding issues provided to staff.
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<b>Risk</b>	<b>Risk Owner</b>	<b>Probability</b>	<b>Impact</b>	<b>Ranking</b>	<b>Tolerance</b>
Specific Events for Children may provide an opportunity for abuse: <ul style="list-style-type: none"> <li>• Schools Programming</li> <li>• Exhibition Events/ Workshops</li> <li>• Education and Outreach Programming</li> <li>• TY Work Experience</li> </ul>	CEO	Rare (1)	Moderate (3)	Very low (3)	Low
<b>Control</b>					
Child Safeguarding Statement Child Protection and Safeguarding policy Training and information on child protection and safeguarding issues provided to staff. Ensure that the appropriate supervision levels are adhered to Ensure that a manager/supervisor is present who is trained in child protection policy of Sample-Studios and is in possession of Garda Vetting Clearance					

## **Appendix 1**

### **Definitions of Abuse**

There are four main categories of abuse as outlined in *Children First: National Guidelines for the Protection and Welfare of Children*. The following is a synopsis of the information contained in that document. For the full definitions please refer to *Children First: National Guidelines for the Protection and Welfare of Children 2017*.

#### **1. Neglect**

“Neglect can be defined as being where the child suffers significant harm or impairment of development by being deprived of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, attachment to and affection from adults, medical care....The threshold of significant harm is reached when the child’s needs are neglected to the extent that his or her well-being and/or development are severely affected.” (Children First p.31)

*Examples of Neglect:*

- Abandonment or desertion
- Persistently being left alone without adequate care and supervision
- Malnourishment, lacking food
- Persistent failure to attend school
- Failure to provide adequate care for a child’s medical problems

*Significant Harm:*

Harm can be defined as the ill treatment or the impairment of the health or development of a child. Whether it is significant is determined by the child’s health and development as compared to that which could reasonably be expected of a child of a similar age. Neglect generally becomes apparent in different ways over a period of time rather than at one specific point.

#### **2. Emotional abuse**

Emotional abuse usually happens where there is a relationship between a carer and a child rather than as a specific incident or incidents.

“Unless other forms of abuse are present, it is rarely manifested in terms of physical signs or symptoms.” (Children First p.31)

Rather, it can manifest in the child's behaviour or physical functioning. Examples of these include 'anxious' attachment, unhappiness, low self-esteem, educational and developmental underachievement and uncooperative or hostile behaviour. "The threshold of significant harm is reached when interaction is predominantly abusive and become typical of the relationship between the child and the parent/ carer." (Children First p.32)

Examples of emotional abuse in children include:

- Imposition of negative attributes on children, expressed by persistent criticism,
- Sarcasm, hostility or blaming;
- Conditional Parenting
- Emotional unavailability by the child's parent/carer;
- Unresponsiveness, inconsistent or inappropriate expectations of the child
- Premature imposition of responsibility on the child;
- Unrealistic or inappropriate expectations of the child's capacity to understand something or to behave and control him/herself in a certain way;
- Under or over-protection of the child;
- Failure to show interest in, or provide age appropriate opportunities for a child's cognitive and emotional development;
- Use of unreasonable or over harsh disciplinary measures;
- Exposure to domestic violence.

### **3. Physical Abuse**

Physical abuse of a child is that which results in actual or potential physical harm from an interaction, or lack of interaction, which is reasonably within the control of a parent or person in a position of responsibility, power or trust. There may be single or repeated incidents. Physical abuse can involve:

- Severe physical punishment
- Beating, slapping, hitting or kicking
- Pushing, shaking or throwing
- Terrorising with threats
- Observing violence
- Deliberate poisoning
- Allowing or creating a substantial risk of significant harm to a child

#### **4. Sexual Abuse**

Sexual abuse involves the use of a child for gratification or sexual arousal by a person for themselves or others. Examples of sexual abuse include:

- Exposure of the sexual organs or any sexual act intentionally performed in the presence of a child;
- Intentional touching or molesting of the body of a child whether by a person or object for the purpose of sexual arousal or gratification;
- Masturbation in the presence of the child or involvement of the child in an act of masturbation;
- Sexual intercourse with a child whether oral, vaginal or anal;
- Sexual exploitation of a child may also include showing sexually explicit material to children which is often a feature of the 'grooming' process by perpetrators of abuse;
- Consensual sexual activity involving an adult and an underage person. In relation to child sexual abuse, it should be noted that, for the purposes of the criminal law, the age of consent to sexual intercourse is 17 years for both boys and girls

#### **Other factors in relation to child abuse:**

- Peer abuse
- Organised abuse
- Child abuse online

## **Appendix 2:**

### **The Health Service Executive's Contact Details**

**Maureen Crowley**

HSE, (Nth. & Sth. Lee),

[Maureen.crowley@mailp.hse.ie](mailto:Maureen.crowley@mailp.hse.ie)

Ellis House

Ballyvolane Commercial Park

Ballyvolane, Cork

**Telephone:** 021-4529010

**Email:**

**Bridewell Garda Station**

Kyrl's Street,

Cork

**Telephone:** 021-4270681

**Health Service Executive 'Keeping Safe' Information and Advice Person**

Edwina Flavin / Jan Perrin

Children & Families Training & Development Unit

Crumlin

Co Dublin

**Telephone:** 01-415 6961

### **Tusla - Child and Family Agency**

Tusla Child and Family Agency, Block 36,

St. Finbarr's Campus, Douglas Road,

Cork.

**Telephone:** 021 4923493

The Brunel Building

Heuston South Quarter S

Saint John's Road West

Dublin 8

D08 X01F

**Telephone:** 01-771 8500

### **The HSE National Counselling Service**

Free Counselling Service for Cork/ Kerry Region

**Telephone:** 1800 234 116

