



CLOUGHJORDAN CIRCUS CLUB
Child Protection and Welfare Policy

1. Policy Statement

CloughJordan Circus Club is a youth arts organisation for youth and social circus, located in CloughJordan, (rural North Tipperary). Our aim is to advance the artistic, personal and social development of young people through circus arts. We are committed to creating an imaginative, inclusive learning experience where all young people can reach their full potential.

We work with young people aged 8 – 25 years. We carry out a range of activities including weekly classes, performances, rehearsals, trips and youth exchanges / gatherings. Circus skills taught include juggling, diabolo, hat manipulation, unicycle, tightwire, rola bola, acrobalance and pyramid building as well as clowning and performance skills.

CloughJordan Circus Club is committed to a child-centred approach to our work with children and young people. It is central to the philosophy of CloughJordan Circus Club that children are unconditionally respected and kept safe from harm whilst engaging with staff/volunteers from CloughJordan Circus Club.

This policy is based on the Children First Act 2015 and Children First National Guidance for the Protection and Welfare of Children 2017.

Our aim is to create a safe, creative and fun environment where children and young people can flourish. As a youth circus project that is in contact with young people through projects, classes and workshops we believe:

- The welfare of the child and the young person is paramount.
- All children and young people, whatever their age, culture, ability, gender, language, racial origin, religious beliefs and/or sexual identity have the right to protection from abuse.
- All suspicions and allegations of abuse should be taken seriously and responded to swiftly and appropriately.
- Staff and volunteers should be clear on how to respond appropriately.

We also take account of other relevant legislation including:

- Child Care Act 1991
- Protection for Persons Reporting Child Abuse Act 1998
- Criminal Justice Act 2006
- Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012
- National Vetting Bureau (Children and Vulnerable Persons Acts 2012-2016)]
- Criminal Law (Sexual Offences) Act 2017

- Harassment, Harmful Communications and Related Offences Act 2020

Child Safeguarding Statement and Risk Assessment

The Children First Act 2015 requires organisations that are providers of relevant services to prepare a Child Safeguarding Statement. The Statement includes an assessment of the risk of a child being harmed whilst availing of the service.

- The Child Safeguarding Statement must also specify the procedures that are in place to:

- Manage any risk identified

- Investigate an allegation against any staff member about any act, omission, or circumstance in respect of a child availing of the service and all specified procedures required under legislation can be found in this document.

- Select and recruit staff and volunteers who are suitable to work with children

- Provide information and training to staff and volunteers on child protection and safeguarding issues

- Enable staff members, whether mandated persons or otherwise, to make a report to Tusla

- Maintain a list of persons in the organisation who are mandated persons under the Act

- Appoint a relevant person in the organisation for the purposes of the Act

We have completed a risk assessment in this regard and our Child Safeguarding Statement is displayed in our premises and on our website and is available to anyone on request. We update the Child Safeguarding Statement every 2 years or in line with any changes to national legislation, policy or change to our organisation.

CloughJordan Circus Club will take every reasonable step to ensure that children, young people are protected where:

- Our own staff and volunteers are directly involved in the delivery of projects.
- Our staff recruit or broker relationships with third parties in the delivery of projects.

If a complaint or criminal proceeding occurs as a result of CloughJordan Circus Club's direct or indirect involvement, it will treat the situation with the utmost urgency.

This policy applies to all our staff, freelance tutors, volunteers, students on placement and board members working with children and young people at CloughJordan Circus Club events. Our Child Protection policy, procedures and practice will be reviewed on a regular basis.

2. Promoting Good Practice

It is not always easy to distinguish poor practice from abuse. It is therefore NOT the responsibility of employees or participants in CloughJordan Circus Club to make judgements about whether or not abuse is taking place. However, we do acknowledge that it is our responsibility to identify poor practice and possible abuse and act if we have concerns about the welfare of the child.

Good Practice – Code of Behaviour

All personnel should adhere to the following principles and action:

- Treat all children and young people equally, with respect, dignity and as individuals.
- Always put the welfare of the young person first.
- Listen to and respect children and young people.
- Provide encouragement, support and praise (regardless of ability).
- Offer constructive advice when needed.
- Use appropriate language that is age appropriate and respects the needs and sensitivity of the children present.
- Children's use of inappropriate language must not go unchallenged.
- Give every child the right to participate in all activities regardless of ability, with due regard for safety.
- Ensure that membership forms, consent forms and medical details are complete for all young people under 18 years.
- Make the experience fun and enjoyable by promoting fairness and confronting bullying.
- Encourage a positive atmosphere of trust.
- Always work in an open environment (e.g. avoiding private or unobserved situations and encouraging open communication with no secrets).
- Maintain a safe and appropriate relationship with children (e.g. it is not appropriate for staff or volunteers to have an intimate relationship with a child or to be in contact with them outside of circus activities or to share a room with them).
- Avoid unnecessary physical contact with young people. Where any form of manual/physical support is required it should be provided openly and with the consent of the young person. Physical contact can be appropriate so long as it is neither intrusive nor disturbing and the young person's consent has been given.

- Check with children/young people about their level of comfort when doing touch exercises. This would relate to workshops, such as dance, where there is a lot of contact due to the nature of the art form.
- Ensure that at overnight events, no adults should enter a young person's room, without knocking and having and giving a valid reason for being there (eg medical emergency, unsafe behaviour by young people in room) or invite young people to their rooms.
- Be an excellent role model, this includes using appropriate language, not smoking, drinking alcohol or abusing substances in the company of young people or during circus activities.
- Be aware of accident procedure and follow accordingly.
- Don't 'not do anything' in relation to concerns.

Overnight events:

- Parental/Guardian consent will be sought for overnight events
- A code of behaviour will be agreed with the children/young people for the event
- A code of behaviour will be agreed with the adult leaders for the event
- Only leaders who have been Garda vetted and trained in child protection will take part in overnight events.
- Leaders will refrain from drinking alcohol for the duration of such events
- No leader will enter a young person's bedroom, without knocking and having and giving a valid reason for being there (e.g. medical emergency, unsafe behaviour by young people in room) or invite young people to their bedroom
- Young people transitioning or identifying as non-binary will be accommodated appropriately on a case by case basis.

Bullying

In the case of an observed incident of bullying:

- Separate the children immediately where the bullying incident has been observed.
- Speak to the children/ young people involved and try to resolve the situation as soon as possible
- Observe future interactions between children/young people.
- Notify the designated person or workshop leader if they are not already aware of the situation.

Examples of Poor Practice

The following are regarded as poor practice and should be avoided by all personnel:

- Unnecessarily spending excessive amounts of time alone with young people away from others.
- Taking young people alone in a car on journeys, however short.
- Taking young people to your home.
- Sharing a room with a young person.
- Doing things of a personal nature that the young person can do for themselves.
- Don't allow/engage in inappropriate touching of any form.
- Don't socialise inappropriately with children/young people (e.g. outside of structured organisational activities, either in person or online).
- Making sexually suggestive comments to a young person, even in fun.
- Engaging in rough, physical or sexually provocative games, including horseplay.
- Don't use/allow offensive or sexually suggestive physical and/or verbal language.
- Allowing young people to use inappropriate language unchallenged.
- Reducing a young person to tears as a form of control.
- Don't single out a particular child/young person (for unfair favouritism, criticism or ridicule).
- Don't hit or physically chastise children/young people.
- Don't allow allegations made by a young person to go unchallenged, unrecorded or not acted upon.

When a case arises where it is impractical/impossible to avoid certain situations e.g. transporting a young person in your car in an emergency, the tasks should only be carried out with the full understanding and consent of the parent/carer and the young person involved and the DLP should be notified as soon as possible and a written record completed in relation to the event.

3. Use of Photographic / Filming Equipment at CloughJordan Circus Club Events

CloughJordan Circus Club adheres to the Arts Council's and Dóchas guidelines for taking and using images of children and young people in the arts sector.

- Consideration is given to any risks arising from children and young people being identified in photographs or videos. Parental consent will always be sought in this regard. Where a child /parent has requested not to have their image recorded, arrangements are put in place to adhere to this.
- Consideration is given as to whether the images could be used inappropriately - e.g. adapted or copied for use on child abuse websites
- All children/young people should be dressed appropriately (taking account of ethnic and cultural considerations and what kind of message the image is portraying.)
- Recorded images should focus on an activity and, where possible, feature groups of children/young people rather than individuals.
- Mobile phones/recording equipment will not be used in changing areas/toilets.
- Any complaints or concerns about inappropriate or intrusive images should be reported and recorded in accordance with any other child protection concerns.
- The storage, access and ownership of images is carefully managed in line with GDPR.
- It is understood that photographs and/or film footage taken in these situations will only be used by CloughJordan Circus Club to document the work being done by the organisation and will not be used by other individuals/organisations for any other purpose.
- Images may only be taken by designated CloughJordan Circus Club personnel or by the media (or media collection agencies) with the agreement of the children and with parental/guardian consent
- We ensure that parents/guardians, children and young people are fully aware of where and how images and recordings will be used and have given written consent for same.

4. Safe Use of Technology

In all of its use of technologies in its communication with young people, CloughJordan Circus will:

- Ensure that access to young people's personal contact details is carefully managed and only available to relevant circus personnel.
- Where possible, use group texting (such as WhatsApp) , emailing etc... to contact young people and avoid one to one contact with individual young people
- Communicate with young people with regard to Circus work related information only.
- All information sent to young people should be open, visible and recorded.
- Never use young people's personal contact details for personal use.
- Never accept friendship requests from young people on personal social networking sites.
- All social media platforms used by CloughJordan Circus Club will be moderated to ensure Young People's online presence is safe.
- Respond to and report any inappropriate online behaviour, bullying or child protection concerns to CloughJordan Circus's Designated Liaison Person.
- With regard to the use of WhatsApp, communication with under 16's will take place through the parent/guardian. Parental consent is required for communication with over 16's (and under 18's).

5. Communication with young people

Communication with children and young people takes place through their parents, for those under 16 years, via WhatsApp. Parental consent is required for communication with 16 and 17 year olds via WhatsApp.

Information relating to CloughJordan Circus is posted on Facebook. This is for information purposes only and is not a two-way communication channel. Moderators check to ensure that any inappropriate or offensive comments are removed immediately.

6. Recruitment of Personnel

CloughJordan Circus Club will ensure that staff and volunteers are carefully selected, trained and supervised to provide a safe artistic environment for all children and young people. The following procedures apply:

- All paid and unpaid jobs/roles will be clearly defined
- Applicants will submit CVs and letter of interest / suitability for position
- Applicants will be interviewed
- Potential staff/volunteers must provide two references (from referees to whom they are not related)
- All staff and volunteers involved in relevant work will be Garda vetted.
- All staff and volunteers will receive formal or informal induction during which CloughJordan Circus Club child protection procedures are explained and training needs identified.
- All staff and volunteers will receive training in child protection and will be made aware of their responsibilities in relation to reporting any concerns about suspected poor practice and/or abuse. Staff and volunteers will participate in NYCI's Child Protection Awareness Programme and Board members will participate in NYCI's session for Board members.
- All staff members, volunteers and board members will be made aware of the organisation's Child Protection and Welfare Policy as well as the DLP and their role.

7. What is Child Abuse

Child Abuse can be categorised into four main types: **neglect, emotional abuse, physical abuse and sexual abuse**. Other forms of abuse include **bullying**. 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. It is important to note that no one indicator should be seen as conclusive in relation to abuse and that all signs must be considered in the child's social and emotional context.

The definitions of neglect and abuse presented in this section are not legal definitions nor are they exhaustive. They are intended to describe ways in which a child might experience abuse and how this abuse may be recognised. (Please see Appendix 1)

Neglect

Neglect 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, supervision and safety.

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. 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.

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.

Sexual Abuse

Sexual abuse occurs when a child is used by another person for his or her gratification or sexual 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.

Circumstances which may make children more vulnerable to harm

Some children may be more vulnerable to abuse than others. Also, there may be 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, LGBTQ+ young people, or children with a parent or parents with problems in their own lives may be more susceptible to harm. All adults 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 the statutory agencies.

Other forms of 'Abuse'

Bullying

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; Children and those perceived to be LGBTQ+; and Children of minority religious faiths.

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.

Cyber, text and social media bullying

Cyber bullying can involve unwanted text messages, phone calls, video chats/ recordings or web posts being used to threaten abuse or harm someone. It is similar to physical or verbal bullying, but it uses technology instead. Cyber bullying, like all bullying, is difficult for the victim. It can be hard to



prove and difficult to get the courage to report it. Text bullying or harassment can be texts that frighten, insult, threaten or make the recipient feel uncomfortable. Email, social networks like Facebook/Twitter and phone calls can be used to harass in the same way.

8. Reporting Procedures

Introduction

It is not the responsibility of anyone working in CloughJordan Circus Club in a paid or unpaid capacity to decide whether or not child abuse has taken place. However, there is a responsibility to act on any concerns and pass these on to the appropriate authorities (Tusla/An Garda Síochána) so that they can then make inquiries and take necessary action to protect the young person.

Reasonable grounds for concerns

All suspicions and allegations MUST be reported promptly and appropriately. It is recognised that strong emotions can be aroused particularly in cases where sexual abuse is suspected or where there is misplaced loyalty to a colleague. It is important to understand these feelings but not allow them to interfere with your judgement about any action to take.

Circus personnel should always inform Tusla, using the Standard Reporting Form, when they have reasonable grounds for concern that a child may have been, is being, or is at risk of being abused or neglected. It is not necessary for the individual to prove that abuse has occurred to report a concern to Tusla. All that is required is that the individual have reasonable grounds for concerns. It is Tusla's role to assess concerns that are reported to it.

Reasonable grounds for a Child protection or welfare concern include:

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

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

Recording Concerns:

If abuse is suspected, it is important to establish the grounds for concern by obtaining as much information as possible without investigating. Observations should be recorded and should include dates, times, names, locations, context and any other information that may be relevant. Recording systems regarding child protection procedures should be held separately from other general records and should be accessible only by those who have 'a need to know' - i.e. the reporter and the DLP.

Designated Liaison Person.

The DLP for CloughJordan Circus is Joanna Williams and the Deputy DLP is Margo O'Donnell Roche.

Role of the DLP:

The Designated Liaison Person is responsible for receiving reports of alleged abuse from CloughJordan Circus personnel and ensuring that the correct procedures are followed. The DLP (who is also the mandated person) is registered on Tusla's web portal.

The Designated Liaison Person will be supported to complete appropriate training relevant to the role.

The name and contact details of the Designated Liaison Person and Deputy DLP will be made available to all staff and volunteers working within the Organisation. The Deputy DLP will fulfil the role when the Designated Liaison Person is not available.

The Designated Liaison Person will:

- Have knowledge of the child protection legislation and guidance as well as and statutory requirements
- Have a knowledge of categories and indicators of abuse
- Be familiar with and able to carry out reporting procedures
- Communicate with parents and/or agencies where appropriate
- Ensure that staff and volunteers are adequately trained in child protection and informed about CloughJordan Circus child protection and welfare policy.

- Be aware of local contacts and services in relation to child protection, i.e. principal and duty social workers and their contact details as well as An Garda Síochána.
- Inform the duty social worker in Tusla – Child and Family agency and/ or An Garda Síochána of relevant concerns about individual children, using the Standard Reporting Form,
- Maintain proper records on all concerns, allegations and cases received and reported and to keep them safely and securely.
- Keep a copy of this form securely and ensure acknowledgement of receipt of this form from Tusla.
- Advise the organisation on issues of confidentiality, record keeping and data protection.
- Liaise with the Board on the implementation and review of this policy.

Designated Liaison Persons do not have the responsibility of investigating or validating child protection concerns and have no counselling or therapeutic role. This responsibility lies with the Gardaí and Túsla.

Mandated Persons within CloughJordan Circus

In the Republic of Ireland, the Children First Act 2015, defines certain persons as “Mandated Persons”. Within CloughJordan Circus, the CEO/Artistic Director is deemed a ‘Mandated Person’ under this legislation. The list of mandated persons will be maintained by the Board of CloughJordan Circus who will be responsible for updating it in the event of any personnel change or changes to role/job description. It will also be reviewed in line with the review of this policy document and CloughJordan Circus Child Safeguarding Statement every 24 months or sooner, in the event of any change to national policy or legislation.

Procedure for appointment of relevant person as specified procedure under Children First Act 2015

A Relevant Person is defined by the Children First Act 2015 as amended as “a person who is appointed by a provider of a relevant service to be the first point of contact in respect of the provider’s child safeguarding statement”. CloughJordan Circus is a provider of a relevant service and is required under the Act to appoint a relevant person. The relevant person is the first point of contact in relation to the Child Safeguarding Statement.

Appointment of a Relevant Person

CloughJordan Circus's process for the appointment of a relevant person is as follows:

1. The Board of CloughJordan Circus will propose the relevant person and delegate the function to the Chief Executive Officer.
2. The name of the relevant person will be displayed on CloughJordan Circus' Child Safeguarding Statement

Standard Reporting Procedures

- Where reasonable grounds for concern exist, a report will be made, through the DLP, without delay. The DLP must make the report to the duty social worker in the local area of the child's residence. This report may be by telephone, in writing or in person (but must always be followed up in writing and documented.(please see Appendix 4 for Tusla's Standard Report Form)
- In the case of the DLP making the report, the social worker may wish to talk with the person in CloughJordan Circus Club to whom the disclosure was first made or who has the concern.
- In the event of an emergency or the non-availability of Túsła, the report will be made to An Garda Síochána
- If on receipt of a report from CloughJordan Circus Club personnel, where the DLP concludes that reasonable grounds for concern do not exist and thus does not make a report, the DLP must inform the reporter, in writing, as to this decision and the reporter may decide to report themselves directly to the statutory agencies. The reporter will still be covered under the Protection for Persons Reporting Act.
- When CloughJordan Circus is making a child protection report to Túsła, parents must be informed, unless doing so would put the young person at risk, or would put the reporter at risk or would compromise the statutory investigation.. The DLP will make this decision in conjunction with advice received from Túsła. The basis for a decision not to inform parents will be recorded.
- All action, communication and attempted action and communication in relation to child protection will be promptly and accurately recorded and stored safely by all of those involved.
- If the report/referral receives an appropriate response from Túsła, CloughJordan Circus may continue to work with the child where appropriate (and with advice from Túsła)

- If referral does not receive an appropriate response, the DLP will contact the appropriate Túsła social worker/team leader to seek clarification.
- Supports for young person and staff/volunteers involved need to be considered throughout the process.

Mandated Persons reporting procedure Children First Act 2015

Mandated Persons make mandated reports as per the threshold of harm as defined in Children First Act 2015, which defines 'harm' in a relation to a child as

- Assault, ill-treatment, or neglect of the child in a manner that seriously affects or is likely to seriously affect the child's health, development, or welfare, or
- Sexual abuse of the child, whether caused by a single act, omission or circumstance or a series or combination of acts, omissions, or circumstances, or otherwise

If the Mandated Person is in doubt about whether the concern reaches the legal definition of harm for making a mandated report, guidance from Tusla should be sought. Where a Mandated Person has a concern that they believe does not reach the threshold for a mandated report, they should consider whether the concern meets reasonable grounds for concern and report accordingly. Mandated person can also be mandated to assist Tusla in their assessment of child protection and welfare concerns about children who have been the subject of a mandated report.

9. Dealing with Disclosures of Abuse

We may become aware of possible abuse in various ways. We may see it happening or it may be reported to us by someone else or directly by the young person affected. It is particularly important to respond appropriately. If a young person says or indicates that they are being abused, you should:

- **Stay calm** so as not to frighten the young person.
- **Reassure** the child that they are not to blame and that it was right to tell.
- **Do not promise to keep anything secret.**
- **Listen** to the child, showing that you are taking them seriously.
- Only ask questions to clarify. 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
- **The safety of the child** is paramount. If the child needs urgent medical attention call an ambulance, inform the doctors of the concern and ensure they are made aware that this is a child protection issue.
- **Record** all information as soon as possible, in as much detail as possible.
- **Report** the incident to the Designated Liaison Person within Cloughjordan Circus Club. This person is Circus Project Director, Joanna Williams.
- **Treat the information confidentially, in accordance with the requirements of Children First legislation and guidance.**

If the DLP or Deputy DLP are unavailable, or in the case of an emergency contact the statutory services directly.

10. Allegations of Peer Abuse

Abusive behaviour, which is carried out by children and young people, must be taken seriously and it is important that such cases are referred to Túsla. Child protection procedures are adhered to for both children. If there is any conflict of interest between the welfare of the alleged abuser and the victim, the victim's welfare is of paramount importance.

The standard reporting procedure will be followed, and advice will be sought from the statutory authorities with regard to informing the parents/carers of the young people concerned.

11. Allegations against Employees and Volunteers

In the event of an allegation against an employee/volunteer/student:

- The priority is to ensure that no child or young person is exposed to unnecessary risk
- The reporting procedures should then be followed. Parents/carers and children (age appropriate) should be informed of actions planned and taken

In this event, there are two procedures to be followed. The reporting procedure in respect to the child and the procedure for dealing with the alleged abuser.

Good practice indicates that the same person does not have responsibility for dealing with the reporting issues and the employment/contractual issues.

The DLP will have responsibility for the protection of the young person. The Designated Board Member will have responsibility for dealing with allegations made against the employee/volunteer. It will be necessary for both the Gardaí, Tusla and senior personnel to agree together a strategy for investigation, and to remain in contact throughout the process.

Note: If an allegation is made against the DLP, the Designated Board Member, must handle the procedure. If an allegation is made against the Designated Board Member, The Chairperson must handle the procedure.

Steps to be taken:

- Immediately take appropriate measures to ensure that no child is exposed to unnecessary risk. These measures should not unreasonably penalise the worker, unless necessary to protect children.

- If a decision is made to report the matter to Túsła, the DLP will follow the standard reporting procedure.
- The Designated Board Member will inform the worker/volunteer that an allegation has been made and explain the nature of that allegation. Any response made by the worker/volunteer will be recorded and passed on to Túsła. The employee/volunteer has a right to reply to the allegations made against them. Natural justice principles are to be applied.
- The DLP/Designated Board Member may also inform Túsła of any other organisation working with children, with whom the alleged abuser is involved.
- Following advice from statutory authorities, parents/carers of the young person may be informed, unless doing so is not in the best interest of the child.

The follow-up of an allegation of abuse against a worker will be made in consultation with Túsła and An Garda Síochána. The DLP/ Designated Board Member will take due care to ensure that any action taken by them does not impede any investigations being carried out by Túsła or An Garda Síochána. The person accused may require support pending an investigation. It is advised that external services be provided for the purpose.

12. Retrospective Disclosures

In the case of receiving a retrospective disclosure from an adult, it is very important that consideration is given to the current risk to any child who may be in contact with the alleged abuser. Adult reporters should be encouraged and supported to report their abuse and CloughJordan Circus personnel have a duty to report any concerns they have. Advice should be sought from Túsła on reporting retrospective disclosures. Investigations of disclosures by adult victims of past abuse frequently uncover current incidences of abuse. This is therefore an effective means of stopping the cycle of abuse.

13. Anonymous Reports

If the DLP or any staff/volunteers receive an anonymous report regarding a concern about a child protection and /or welfare concern, they must follow the reporting procedure outlined in this document. It may be more difficult to establish reasonable grounds for concern without having information directly from the reporter who has raised the concern, however, anonymous reports must not be ignored. Advice may be sought from Tusla.

14. Confidentiality

Confidentiality Statement

Giving such information to others for the protection of a child or young person is not a breach of confidentiality.

All information regarding concern or suspicion of child abuse will be shared on 'a need to know' basis in the interests of the child. Giving 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 or young person are at risk. CloughJordan Circus Club expects its members and staff to discuss any concerns they may have about the welfare of a child immediately with the Designated Liaison Person or the person in charge of the service and subsequently to check that appropriate action has been taken.

In all matters of confidentiality, the young person's age and their understanding need to be taken into account. As a general rule, the younger the young person, the greater the need to involve parents/other agencies if their safety or welfare is threatened.

Young people, parents and Circus personnel should be informed of CloughJordan Circus's policy on confidentiality.

In the case of child protection, no undertakings regarding secrecy can be given.

Parent and children have a right to know if personal information about them is being shared, unless doing so would place the child at increased risk. (If this is the case, the basis for this decision not to inform the parents should be recorded.)

15. Recording

All details of concerns, allegations or reported incidents, regardless of whether or not a referral is subsequently made to a statutory agency, will be recorded. This should happen as soon as possible after the observation, disclosure or incident has taken place. Any reports/completed forms should be stored in a safe and secure location and accessed only by the DLP. All information in relation to child protection concerns, allegations and reports should be stored in a secure locked location and

should be marked confidential. With regard to personal or sensitive information on young people or Circus personnel, this information should be held for the duration of the involvement of the particular person in the organisation and for an agreed period of time thereafter. Where cases are closed, files should be transferred to stored securely and retained in perpetuity. They should be filed so as to be easily accessible in the future.

16. General Complaints procedure

CloughJordan Circus is committed to ensuring the safety and welfare of all children/young people with whom we work. We have a complaints procedure (Appendix 5) to cover any situations which may arise, when children/young people or their parents/guardians are not happy with the way their children/young people were treated by CloughJordan Circus. Complaints regarding the safety, welfare and protection of children/young people should be directed to the DLP. All other complaints should be directed to the person with whom the child/young person dealt with.

17. Accident Procedures

- The CloughJordan Circus Club, Code of Practice and Risk Management procedures for teaching each circus skill should be followed at all times, these are written documents and all instructors will be given a copy.
- Staff/volunteers should ensure children and young people are aware of risks of danger in relation to workshops and other appropriate events.
- Keep a written record of any injury that occurs, along with details of any treatment given

18. Record Keeping

- a) All information gathered by CloughJordan Circus Club shall be stored in a secure location with access only by the Designated Liaison Person.
- b) All records shall be maintained in an accurate manner so as to ensure the protection of children and all information shall be recorded.
- c) Records shall be presented so that clear information may be accessed by the Statutory Authorities if necessary.
- d) Records will only be used for the purpose for which they are intended.
- e) Records will only be shared on a need to know basis in the best interest of the child/young person.

- f) Records in relation to child protection will be held securely and in perpetuity.
- g) Garda Vetting applications are stored in a secure location.

19. Data Protection

- a) CloughJordan Circus Club holds all information in accordance with data protection legislation and GDPR.
- b) Information shall not be passed to third parties unless by consent or deemed necessary for the protection and welfare of Children.

Appendix 1

Definitions of Abuse (Taken from Children First National Guidance for the Protection and Welfare of Children 2017)

Neglect

(a) Neglect 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, supervision and safety.

(b) The following are features of Child Neglect:

- i. Children being left alone without adequate care and supervision
- ii. Malnourishment, lacking food, unsuitable food or erratic feeding
- iii. Inadequate living conditions – unhygienic conditions, environmental issues, including lack of adequate heating and furniture
- iv. Lack of protection and exposure to danger, including moral danger, or lack of supervision appropriate to the Child's age
- v. Non-organic failure to thrive, i.e. a child not gaining weight due not only to malnutrition but also emotional deprivation
- vi. Failure to provide adequate care for the Child's medical and developmental needs, including intellectual stimulation

(c) 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.

Emotional Abuse

(a) 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. 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.

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

- i. Rejection
- ii. Lack of comfort and love
- iii. Lack of attachment
- iv. Lack of proper stimulation (e.g. fun and play)
- v. Lack of continuity of care (e.g. frequent moves, particularly unplanned)
- vi. Persistent criticism, sarcasm, hostility or blaming of the Child
- vii. Bullying
- viii. Conditional parenting in which care or affection of a Child depends on his or her behaviours or actions
- ix. Extreme overprotectiveness
- x. Inappropriate non-physical punishment (e.g. locking Child in bedroom)
- xi. Seriously inappropriate expectations of a Child relative to his/her age and stage of development

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

(d) A reasonable concern for the Child's welfare would exist when the behaviour becomes typical of the relationship between the Child and the parent or carer.

Physical Abuse

(a) 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.

(b) Physical abuse can include the following:

- i. Beating, slapping, hitting or kicking
- ii. Pushing, shaking or throwing
- iii. Pinching, biting, choking or hair-pulling

- iv. Use of excessive force in handling
- v. Suffocation
- vi. Physical punishment
- vii. Fabricated/induced illness
- viii. Female genital mutilation
- ix. Deliberate poisoning

(c) 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.

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.

Sexual Abuse

- (a) Sexual abuse occurs when a Child is used by another person for his or her gratification or sexual 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
- (b) 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.
- (c) 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.
- (d) Examples of child sexual abuse include the following:
 - i. Any sexual act intentionally performed in the presence of a Child

- ii. 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
 - iii. Masturbation in the presence of a Child or the involvement of a Child in an act of masturbation
 - iv. Sexual intercourse with a Child, whether oral, vaginal or anal
 - v. Sexual exploitation of a Child, which includes:
 - a. 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]
 - b. Inviting, coercing or inducing a Child to participate in, or to observe, any sexual, indecent or obscene act
 - c. Showing sexually explicit material to children, which is often a feature of the 'grooming' process by perpetrators of abuse
 - d. Exposing a Child to inappropriate or abusive material through information and communication technology
 - e. Consensual sexual activity involving an adult and an underage person
- (e) 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.
- (f) 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.

Other forms of 'Abuse'

(a) Bullying

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.

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.

(b) Cyber, text and social media bullying

Cyber bullying can involve unwanted text messages, phone calls, video chats/ recordings or web posts being used to threaten abuse or harm someone. It is similar to physical or verbal bullying, but it uses technology instead. Cyber bullying, like all bullying, is difficult for the victim. It can be hard to prove and difficult to get the courage to report it. Text bullying or harassment can be texts that frighten, insult, threaten or make the recipient feel uncomfortable. Email, social networks like Facebook/Twitter and phone calls can be used to harass in the same way.



Appendix 2

CloughJordan Parental/Guardian Consent Form

Circus activities cover a wide range of disciplines, some of which include physical contact between participants and between tutor and participant for safety and proper support while they are learning. We always approach this with best practice in relation to child protection, making sure participants are respectful and safe towards each other and that they always have the opportunity to opt out if they are not comfortable with what is required.

This parental consent covers the child/young person's participation in workshops, shows and circus club activities for the duration of their membership. Any exceptional travel or residential trips will require an additional form to be completed by the parent/guardian.

Name of Child / Young Person: _____

Address: _____

Date of Birth: _____

Contact information of child (Teens):

Phone: _____

Email _____

Other Relevant Information

(Please mention any medical conditions, allergies, or additional needs)



This information will be treated confidentially , and it is for your childs safety only. It is very important for your childs safety that we have all the relevant information.

Contact details for parent/guardian

Name(s)

Daytime / Work phone number:

Mobile number:

Email:

Relationship to child:

Second / Emergency contact

Name

Daytime / work phone number

Moblie number

Email

Relationship to child

In case of a medical emergency:

In the event of illness or accident, I give permission for medical treatment to be administered where considered necessary by a suitably qualified medical practitioner and/or hospital. I understand that every effort will be made to contact me as soon as possible.

Signed _____

Collection Policy

All children attending CloughJordan Circus Club activities must be dropped and collected to and from activities by a parent or adult nominated by the parent (please tell the leaders verbally or by text if a different adult from usual will be collecting your child)

If your child is 11 years or over, and you give permission for them to walk home independently please sign here

Signed _____

Communication with Young People (Teen Group)

I give permission for the named young person to be contacted by CloughJordan Circus Club via mobile phone text, email in relation to CloughJordan Circus Club related activities.

Signed _____

Photographs and video

Supervised photos and video may be taken of your child during activities for documentation purposes. We may use this in applications to future funders, promotional material and on our website. All images will be stored on a password protected harddrive. We have a social media and use of image policy which is available on request **Please sign if you give your permission for this.**

Signed _____



Permission for Circus Activities

I agree to allow the child named above to attend workshops and activities of CloughJordan Circus Club. I understand that there will be suitable supervision while the young people are in the care of CloughJordan Circus. I understand that the proceedings may be photographed/videoed and used for promotional purposes.

Signed: _____ Name (block letters) _____



Appendix 3

Incident / Accident Report Form

This form should be fully completed by the person in charge of an event in respect of any incident/accident involving personal injury to any person and damage to the property of such persons.

Date of Incident/Accident _____

Time of Incident / Accident _____

Place where Incident/Accident occurred: _____

Event at which Incident / Accident occurred:

Person in charge:

Contact Details

Witnesses (Details) _____

Name and Contact details of person who was injured or whose property was damaged:



What organisation (if any) is that person a member of?

Person in Charge: _____

Is the person an employee of the organisation:

_____?

Was the injured person taken to hospital? _____

If yes, name of hospital

If not did the person receive treatment from any other source


_____?

Nature and Extent of treatment provided _____

Describe fully nature and extent of damage to property

Was incident reported to anyone else at the time i.e. Gardaí etc. _____

Appendix 4 Standard Report Form Túsla

		An Ghriúnaíocht agus Líonra na n-Teaghlacha Child and Family Agency		FORM NUMBER: CC01:01:01			
STANDARD REPORT FORM <i>(For reporting CP&W Concerns)</i>							
6. Relationships							
Details of Mother			Details of Father				
Name:			Name:				
Address: (if different to child)			Address: (if different to child)				
Telephone No's:			Telephone No's:				
7. Household composition							
Name	Relationship	DOB	Additional Information e.g. School/ Occupation /Other:				
8. Name and Address of other personnel or agencies involved with this child							
	Name	Address					
Social Worker							
PI-N							
GP							
Hospital							
School							
Gardaí							
Pre-School/Crèche/YG							
Other (specify):							
9. Details of person(s) allegedly causing concern in relation to the child							
Relationship to child:		Age:		Male	<input type="checkbox"/>	Female	<input type="checkbox"/>
Name:			Occupation:				
Address:							
10. Details of person completing form							
Name:			Occupation:				
Address:			Telephone				
			No's:				
Signed:			Date:				



Guidance Note to help you fill in the Standard Report Form:

The Child and Family Agency (Tusla) has a statutory responsibility under the Child Care Act 1991 to promote the protection and welfare of children. The Child and Family Agency therefore has an obligation to receive information about any child who is not receiving adequate care and/or protection.

This report form is for use by:

- Any professional, individual or group involved in services to children, including Child and Family Agency and HSE personnel, who becomes aware of a child protection or welfare concern, or to whom a child protection or child welfare concern is reported.
- Professionals and individuals in the provision of child care services in the community who have service contracts with the Child and Family Agency or the HSE.
- Designated persons in a voluntary or community agency.

Please fill in as much information and detail as is known to you. This will assist the Social Work Department in assessing the level of risk to the child or the support services required. If the information requested is not known to you, please indicate this by putting a line through the question. It is likely that a social worker will contact you to discuss your report.

The Child and Family Agency aims to work in partnership with parents. If you are making this report in confidence, you should note that the Child and Family Agency cannot guarantee absolute confidentiality for the following reasons:

- A Court could order the information be disclosed.
- Under the Freedom of Information Acts 1997 and 2003, the Freedom of Information Commissioner may order that information be disclosed.

You should also note that in making a 'bona fide report', you are protected under the Protection for persons Reporting Child Abuse Act 1998.

If you are unsure if you should report your concerns, please telephone your local Child and Family Agency duty social worker and discuss your concerns with them (click [here](#) for contact details - www.tusla.ie/services/child-protection-welfare/contact-a-social-worker).

An MSWord version of the Standard Report Form may be accessed [here](#) – (www.tusla.ie/services/child-protection-welfare/children-first)

Appendix 5

Complaints Procedure in relation to working with children/young people

CloughJordan Circus Club is committed to ensuring the safety and welfare of all children/young people with whom we work. We also try to ensure that children/young people have a positive and enjoyable experience when involved with CloughJordan Circus Club.

This complaints procedure aims to cover any situation which may arise, when children/young people or their parents/guardians are not happy with the way the children/young people were treated while they were involved with CloughJordan Circus Club.

Who can make a complaint?

Complaints can be made by:

Children/young people involved with CloughJordan Circus Club;

Their parents/guardians;

Other advocates on behalf of children/young people.

How to make a complaint

1. If the complaint is in relation to the safety and welfare of children/young people the complaint should be made to the DLP in CloughJordan Circus Club.

2. Other complaints should be made to the person with whom the child/young person dealt with. If preferable, you can make this complaint to Linda Austin, Designated Board Member and Deputy DLP.

Information complainant needs to provide

Complaints can be made orally or in writing. By providing the following information you can help to speed up the investigation of your complaint.

The name and address of the child/young person affected and the project which they were working on;

If the complaint is being made by a parent/guardian or other adult, the name and address of the parent/guardian or other adult;

Details of exactly what you are dissatisfied with;

The name of the CloughJordan staff/volunteer who dealt with you.

If your complaint is complicated, it is preferable to put it in writing so that no important detail is overlooked. Remember to send us copies of all relevant documentation/correspondence that you may have.

If you are concerned or unsure as to how to make a complaint, please let us know and we will make every effort to assist you.

Standards for dealing with complaints

If the complaint relates to the safety and welfare of a child/young person, it will be examined in accordance with good practice in relation to the safety and welfare of children/young people;

We will treat your complaint properly, fairly and impartially and in the best interests of the child/young person;

We will ensure that making a complaint will have no implications for your dealings with CloughJordan Circus Club

An official other than those originally involved will examine your complaint;

We will examine and review your complaint and send a reply to you within 20 working days of the receipt of your complaint. Where it is not possible to meet this target, we will inform you and continue to do so until the matter is resolved;

We will apologise for any mistreatment of the child/young person, explain what happened and put it right wherever possible;

We will change the way we do things to avoid making the same mistake in future.

Appeals Procedure

If you are unhappy about the outcome of the complaint, you can appeal the matter to the Chairperson of CloughJordan Circus Club within a month of the review.