



Child Protection Policy and Procedures

June 2013

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INTRODUCTION

RTÉ has written this policy to ensure the safety of all children that we engage with across all aspects of our business. It has been developed in line with the requirements of “*Children First National Guidance for the Protection and Welfare of Children 2011*”.

For the purposes of clarity the following definitions will be used:

“Child” - a child means a person under the age of 18 years, excluding a person who is or has been married. In the context of child protection, children and young people refers to anyone under 18 years of age. For the purposes of this policy, young people can be regarded as children between the ages of 15 and 18 years of age.

“Designated Liaison Person” (DLP) – The Health and Safety Manager will act as a liaison with outside agencies and a resource person to any staff member or volunteer who has child protection concerns. The DLP is responsible for reporting allegations or suspicions of child abuse to the HSE Children and Family Services or to An Garda Síochána.

Adopting the following principles in RTÉ will help to promote and facilitate the full participation of children and young people in our work where appropriate. We aim to create a safe and healthy environment for children we work with and are committed at all times to ensuring their safety and welfare.

The guiding principles are:

- Treat children and young people with care, dignity and respect;
- Recognise that those working for RTÉ will be perceived by children and young people as trusted persons;
- All children and young people, regardless of age, disability, gender, racial or ethnic origin, religious belief and sexual identity have a right to protection from harm or abuse;
- Ensure that communication with children and their parents is unambiguous;
- Adopt the safest possible practices to minimise the possibility of harm or accidents happening to children and protect workers from the necessity to take risks and leave themselves open to accusations of abuse;
- Adopt and consistently apply clearly defined methods of recruitment
- Develop procedures for responding to complaints
- Provide child protection training for relevant workers. This should clarify the responsibilities of both organisations and individuals, and clearly show the procedures to be followed

This policy establishes the responsibilities of all who work for RTÉ including contractors with regard to the protection of children and young people when working

with or when brought into contact with, children and young people and will be brought to their attention during their induction programme to the organisation.

Given the nature of broadcasting and the interaction which takes place with various people such as staff, members of the public, contractors, freelancers, independent companies and visitors these guidelines will apply to all concerned. While it is not possible to legislate for every eventuality in this policy; RTÉ staff should be aware that the spirit of the policy as set out in the Child Protection Policy Statement as well as the wording of the detailed processes and procedures should be observed at all times. It should be noted editorial programme content will not be affected by this policy.

CHILD PROTECTION POLICY STATEMENT

RTÉ is committed to a child-centred approach to our work with children and young people. It is central to the philosophy of RTÉ that children are unconditionally respected and kept safe from harm while in our care. It is important to ensure that normal practices and behaviour within our organisation actively promote the delivery of a safe engaging environment, where the welfare of the child/young person is paramount. This Policy and guidelines assist RTÉ in adhering to the principles as set out in the “*Children First National Guidelines for the Protection and Welfare of Children*”, as issued by the Department of Children and Youth Affairs.

RTÉ undertakes to:

- Treat children and young people with care, respect and dignity
- The welfare of the child or young person should be at the heart of the RTÉ production
- Recognise that those working in RTÉ will be perceived by children and young people as trusted persons and therefore all staff must comply with this policy
- Ensure communication with children and young people is open and clear
- Assess the risks posed to children when undertaking activities. This process should form part of the overall programme risk assessment
- We recognise that all children and young people, regardless of age, disability, gender, racial or ethnic origin, religious belief and sexual identity have a right to protection from harm or abuse
- Children have a right to be heard, listened to and taken seriously
- Respond to any concern/report/disclosures in an appropriate manner in order to ensure the Safety, Health and Welfare of children involved in all RTÉ programme activities, all use of any programme material will be subject to the terms and conditions of the original arrangement or contract
- Ensure best practice in the recruitment of staff or volunteers, which includes good HR practices in interviewing, induction training, probation, taking up of references, Garda vetting (where required), and ongoing supervision and management
- It is the responsibility of all staff in RTÉ including contractors to promote the protection of children and young people and to comply with this policy.

Employees are always expected to maintain a sense of proportion, apply common sense to situations and protect the child's welfare as a priority.

Review this policy at least every two years based on RTÉ's experience of its operation and in light of any legislative changes which arise in the area of Child Protection.

Signed: 

Date: 24/6/13.

Noel Curran
Director General

SECTION 1 – RTÉ’S Child Protection Guidelines

Introduction

Since its establishment RTÉ has involved children and young people in our work wherever appropriate on various productions. The following guidelines endeavour to outline the approach RTÉ takes to Child Protection. Everyone who works with children and young people have a duty of care to them. These guidelines aim to provide information and promote good practice for those involved in working with children and young people.

Good Practice Guidelines:

In order to ensure mutual protection, staff / volunteers / guest artists / contributors, contractors and other organisations working with RTÉ need to be familiar with the following:

- Senior managers must ensure that the behavioural requirements of this policy are communicated to, and clearly understood by those working with children and vulnerable adults. This will include all those staff who as part of their work is involved with students on placement, members of the public, and all crew members.
- Children and young people involved in our work are informed of our procedures and standards of behaviour relating to their participation;
- Parents of children and young people are fully informed of the requirements of this policy
- An appropriate ratio of adults to young people is in place for the event / filming / recording. The ratio may vary depending on the particular situation, age of the participants and their needs, see appendix 7 for guideline ratios
- When organising events or filming / recording involving children and young people the following documentation will be requested as required:
 - Parental consent. It’s normal practice that the consent should be provided by both parents / legal guardians; however there may be limited circumstances where this may not be possible. In this situation, the issue should be discussed with a senior manager in the respective programme area and the circumstances recorded and kept on file by the programme team.
 - Contact details for parent / guardians; including contact numbers,
 - Any relevant medical information relating to medical conditions or allergies, including permission relating to the provision of medical intervention (if required)
 - Information relating to any special need requirements such as access, diet, transport arrangements etc

CODE OF BEHAVIOUR: CHILD CENTRED APPROACH

Treat all children and young people equally with respect for their age and individuality

- Use age appropriate language (physical and verbal) and temper language to the needs and sensitivity of the children present
- Respect a child's/ young person's personal space (i.e. going to the toilet or dressing). In the absence of a parent or appointed chaperone, tasks of a personal nature should only be carried out for a young child in an emergency or accident situation
- Where physical contact is an inherent part of an activity, it is important to seek consent of child/young person in relation to physical contact (except in an emergency or a dangerous situation); avoid horseplay or inappropriate touch; check with child/young person about their level of comfort surrounding for example; applying make-up / attaching a microphone or getting a child to hit 'marks' for filming. it is about ensuring that this is done openly and within safe and comfortable limits for the child or young person;
- Ensure it is acceptable to a distressed or hurt child if offering physical comfort
- Those staff with responsibility for children on the day must identify themselves to the children at the earliest time.
- Do not give any medication to a child under any circumstances, unless approved by parent / guardian in advance in writing
- Have emergency procedures in place and make sure all staff are aware of these
- Report/ record any incidents and accidents (see Appendix 4)
- Keep parents/ guardians informed of any issues that concern their children
- Ensure proper supervision ratios
- Do not let a problem get out of control.

CODE OF BEHAVIOUR: INAPPROPRIATE BEHAVIOUR

- Avoid spending excessive amounts of time alone with children/ young people
- Do not use/ allow offensive or sexually suggestive physical and/ or verbal language
- Avoid the use of bad, foul or age inappropriate language
- Do not single out a particular child/ young person (for unfair favouritism, criticism or ridicule)
- Do not allow/ engage in unnecessary physical contact
- Do not hit or physically chastise children/ young people
- Do not socialise inappropriately with children/young people (e.g. outside of structured organisational activities).

CODE OF BEHAVIOUR: HEALTH AND SAFETY

A full health and safety risk assessment must be completed before bringing any child onto a location or set. Where a child or young person is involved, the risk assessment must take account of their particular vulnerabilities, which will include child protection. The programme producer must sign off on the risk assessment before the production commences. Where Operational staff play key roles in the programme production such as in studios and on EFP (Electronic Field Production), the relevant supervisors will take responsibility for ensuring staff compliance with health and safety codes.

The risk assessment should also set out what arrangements are in place for their care and supervision, e.g. by a school, parent, guardian or chaperone and how these arrangements will be communicated to the appropriate parties. RTÉ will always work within any licensing requirements and statutory hours allowed for working with children; tutoring will be provided in line with current legislation as required. Particular attention will be given to scheduling in regular rest breaks and ensuring that refreshments are provided.

Production will endeavour to provide, where reasonable clothing and facilities appropriate to the conditions involved for filming, i.e. warm, dry shelter if filming in cold weather; water/ sunscreen/ shaded shelter from sun if filming in hot weather.

- Do not leave children unattended/ unsupervised
- Manage any dangerous materials
- Provide a safe environment
- Be aware of accident procedure and follow accordingly
- Be aware of evacuation/ access/ egress procedures.

To ensure accidents/incidents are dealt with properly:

- Emergency numbers are prominently displayed and available to those in charge of the children
- Everyone knows where the nearest phone is
- Someone has knowledge and/or training to deal with foreseeable medical and Accidents / Incidents
- The location of First-Aid boxes and services are known to those in charge
- Accident reports are completed in accordance with the regulations (see details on Health & Safety page on Marconi)

Behaviour of Children during filming/recording

RTÉ's primary responsibility is to ensure the safety, health and welfare of children we come into contact with while carrying out our business. Where incidents or difficulties arise with these relationships, RTÉ reserves the right to contact parents/guardians and seek the removal (temporarily or permanently) of a child so that other

children may continue to engage in the activity uninterrupted. In the first instance, however, if a child is misbehaving or uncomfortable or ill at ease or simply not participating appropriately with the scheduled activity, staff will undertake to:

- Talk to the child and find out what the problem is
- Suggest methods to deepen their engagement in the activity
- If there is no improvement in the behaviour and disruption to the rehearsal or performance is likely to continue, take the child from the rehearsal area/ auditorium/ studio (ensuring some staff members are present) while their parent/ guardian is asked to collect the child

In the case of a live event which is ‘in progress’:

- Make eye contact with the child/children to indicate that they must be quiet
- If the disruption continues, approach child/children **in a non aggressive manner** and request that they be quiet
- If the disruption continues, approach the parent/ guardian and request that they assist in asking the child/ children to stop disrupting the performance
- If the disruption continues, ask the parent/ guardian to take the child out of the studio/ auditorium.

Misconduct or inappropriate behaviour:

In the case of an observed incident of either of the above types of behaviour involving a child, staff are asked to respond as follows:

- Separate the children the instant the behaviour has been observed
- The child involved in the behaviour may be asked to explain his/ her actions and to apologise where appropriate
- Observe further interactions between the parties involved
- Notify local line manager if they are not already aware of the problem
- Give the child an opportunity to talk about the incident to a member of staff if s/he wants to
- The local line manager must record the incident and inform the HR manager in the IBD of the incident without delay
- The local line manager must inform parents/ guardian of the incident at the end of the rehearsal/ performance

For the protection of all parties, and in all cases where a child’s behaviour is described as singular and disruptive, ensure that a written report is completed by the programme producer or other senior manager present. It is essential that the following procedures are adhered to where such situations arise

- More than one staff member must be present when singular or out of the ordinary behaviour is being dealt with

- The programme producer or senior manager present must write a report of the incident outlining the following:
 - The programme or activity which was happening at the time;
 - Date of Incident;
 - A record of what happened;
 - Details of who was involved;
 - Details of where and when it happened;
 - A record of any significant comments;
 - A record of any injury to person or property;
 - Details of how the situation was resolved or left.

- This record is forwarded to the RTÉ Designated Liaison Person without delay. The decision to follow up on such a report will be taken by the Group Head of Human Resources

- In all cases, if there is an event which is out of the ordinary, which may have a negative effect on a child, any parent/ guardian collecting the child will be informed of the event and any action/s taken.

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| CODE OF BEHAVIOUR: CHILDREN OF RTÉ EMPLOYEES |
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Employees should not bring their children to their own workplace for childcare purposes. It is recognised that there may be exceptional circumstances when this may be necessary. In such cases the permission of the line manager must be sought and the children must remain under the direct supervision of their parent at all times.

SECTION 2 - CHILD WELFARE: TRANSPORT AND ATTENDING ON SITE

Due to the nature of RTÉ's programme making activities, it is often necessary for children to attend RTÉ's premises and for RTÉ personnel to be in the company of children at locations outside of RTÉ. This section sets-out specific procedures to be followed based on a number of different scenarios involving children attending RTÉ's premises.

Transport

Children and young person's participating in RTÉ output (and their accompanied parent, teacher or guardian) will report to their RTÉ contact at a pre-arranged location (normally an RTÉ reception). The following principles must be observed:

- Where children and young persons are being transported on behalf of RTÉ they must be accompanied by a parent, guardian, chaperone or teacher.
- Young persons who are transition year students and young person's between 15 and 18, may come to and leave the RTÉ premises unaccompanied, unless late at night (after 9pm) when they can be sent unaccompanied in a taxi providing parental / guardian consent has been secured in advance
- Other than the exception above, it is not permitted to transport, on behalf of RTÉ, one or a number of unaccompanied children/ young persons in a taxi
- Avoid giving a lift to a child/ young person. In exceptional circumstances, if this is required, make sure that the parent/ guardian is informed in advance and that a child seat is available where required. Another individual must accompany you if you are transporting a single child or young person.

At no time should a child be left alone or unattended while waiting for transportation or after being transported to RTÉ.

On site at RTÉ's premises

Irrespective of the nature of the visit to RTÉ, as a general rule, the following procedures should be observed while a child or young person is on RTÉ's premises:

- Avoid private interaction on your own with a child. If this is not possible then it should be in an open environment with the full knowledge and consent of parents/ guardians
- Maintain awareness around language and comments made. If you think that something you said may have caused offence or upset, then try to address in a sensitive manner as soon as possible
- Boundaries on behaviour and related sanctions will be discussed with children/ young people and parents/ volunteers
- Avoid the occurrence of rough physical games among children

- Be aware of a child/ young person's time limitations (e.g. school/ exams) when scheduling rehearsals/activities
- Be apprised of the necessary medical information (information or limitations which could arise from same)
- Respect differences of ability, culture, religion, race and sexual orientation
- Provide appropriate training for staff, and non RTÉ staff engaged on our behalf
- If you require clarification or guidance always ask a senior member of staff for help or your immediate line manager. The HR manager in your own IBD can offer guidance and advice.

Children as Audience Participants

Children should normally be part of a studio audience **only** for a children's programme and the recording of such programmes should be completed no later than 9pm.

Children attending as part of such an audience should be accompanied to the studio by a parent, guardian, teacher or other responsible adult. Tickets for audiences attending such shows should preferably be distributed through schools, youth clubs, etc., or at the request of parents or guardians. Tickets should not normally be issued on a casual basis to children.

Children should not normally be admitted into the audience for programmes that are not wholly made for children e.g. talk / entertainment shows or other shows being recorded or being broadcast post 9pm. Where exceptions arise, these must be approved by the relevant Commissioning Editor or the Director of Programmes, Television/ Heads of Station, Radio. Children attending as part of such an audience should be accompanied to the studio by a parent, guardian, teacher or other responsible adult.

No child "in arms" or very young children should be admitted into a studio audience unless for some particular purpose approved of by the relevant Commissioning Editor, Director of Programmes or the Managing Director of Television or the Managing Director of Radio. This particular circumstance must be identified as part of the programme risk assessment.

Children as participants in programme output

- Before every programme commences the producer will explain the processes involved so as the Parents / Guardians fully understand the nature of what is involved by the participation of their child in the particular programme activity e.g. games or other physical activity
- The participation of the child in programme output can only proceed with the prior consent of a parent / guardian

Chaperones:

- Where it is not possible for a child's parent or guardian to accompany the child while on RTÉ's premises, RTÉ will appoint a chaperone who will be a suitable and competent person by virtue of their experience of such work, and having complied with the requirements of any Garda vetting / Police clearance checks. The chaperone may change within the course of the day depending on availability.
- The chaperone will supervise the welfare and discipline of the child on the RTÉ complex at all stages during the production process, up to and including the point at which the child is brought to a pre-arranged meeting point to be transported from RTÉ
- The chaperone will provide the child with food and drink. Children should be offered nutritious and balanced meals, having due regard for any medical or dietary conditions
- Create appropriate break time or downtime within performances/ rehearsals in line with recommended best practice as outlined in RTÉ Programme Standard and Guidelines specifically those relating to time and work restrictions.

Accommodation

No child will be allowed stay overnight for an RTÉ production unless accompanied by parent, teacher or chaperone agreed in advance, and in writing, by the parent / guardian.

- A list of 'ground rules' will be developed for the event and will be distributed to all of the participants prior to the event;
- There will be appropriate gender based supervision at the event;

Visits by RTÉ production/programme personnel to schools / youth clubs/ events involving young people etc.

The principles outlined in this policy document also applies to RTÉ when off site as well as on site.

RTÉ productions and events involving visits to schools should contact, preferably in writing, the school or event organisers concerned to advise that RTÉ has a Child Protection Policy in place and advise them that:

- RTÉ individuals who attend are in compliance with this policy
- RTÉ individuals will not ask for personal details or contact details directly from the child. All information will be given by the parent/ guardian.
- RTÉ individuals must not be placed in a caring or supervisory position without the express agreement of all parties which has been made in advance of the visit/ event

- RTÉ individuals who, through the course of their work become concerned about the welfare of a child will share that concern with the schools Designated Liaison Person or Deputy Designated Liaison Person.

Social Media

Social media and broadcasting are powerful partners. Social media allows viewers to enjoy our content in many ways, and on many levels. It connects us with audiences and is a platform to develop new communities who share a common connection: RTÉ. RTÉ has developed a Social Media Policy which has taken cognisance of the requirements of the Child Protection Policy

SECTION 3 - REPORTING PROCEDURES AND RESPONSIBILITIES

Standard Reporting Procedure

The guiding principles in regard to reporting child abuse or neglect are summarised as follows:

- The safety and well-being of the child or young person must take priority
- Reports should be made without delay to the Designated Liaison person who may then report to the HSE
- While the basis for concern must be established as comprehensively as possible, children or parents should not be interviewed in detail about the suspected abuse.

The reporting procedure for dealing with disclosures, concerns or allegations of child abuse is outlined in the following steps:

- The staff member who has received a disclosure of child abuse or who has concerns of abuse, should bring it to the attention of the Designated Liaison person immediately. The Group Head Human Resources will be informed of situation.
- The Designated Liaison person will receive and consider the information and decide if reasonable grounds for a concern exist. The Designated Liaison person may contact the HSE Duty Social Worker for informal advice relating to the allegation, concern or disclosure.
- The Designated Liaison person will then take one of two actions:
 - Report the allegation, concern or disclosure to the HSE, using the HSE Standard Report Form;
 - Not make a formal report to HSE but keep a record of the concerns on file. The reasons for not reporting the allegation, concern or disclosure will be clearly recorded. The individual who made the initial report will be informed if a formal report is not being made to the HSE and it is open to them to make a formal report themselves, directly to the relevant authority if they feel this is necessary.

Where a formal report is made the HSE, It is likely that the HSE will want to speak to the person who first made the report to clarify facts and the circumstances of the report.

In an emergency where the HSE Duty Social Worker is not available and there is a concern for the safety of a child then a report should be made directly to An Garda Síochána.

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 or young person.

Parents / legal guardians of the child will be informed of the allegation, concern or disclosure unless doing so is likely to endanger the child.

All records of whatever nature relating to any incident relating to this policy will be retained in a locked cabinet under the control of the Group Head of Human Resources. The Designated Liaison Person will have access to relevant records when required. The retention of records will be in accordance with standard HR practice.

In cases where there is prime facie evidence of a breach of these requirements against a staff member this will be dealt with in accordance with the HR procedures in the RTÉ Policy and Procedures

If a person is not satisfied with the decision of RTÉ not to report the issue to the HSE following the completion of decision making process, then any person who wishes to report a child abuse or neglect concern can contact the HSE Children and Family Services directly. A report can be made in person, by telephone or in writing. Contact numbers for all HSE offices nationwide are given in Appendix 2 (Children First) and are also available on the:

HSE website (www.hse.ie) or by calling the HSE LoCall Tel: 1850 241850

Information required when making a report

The more information which is provided on the report, the easier it will be to assess an allegation, concern or disclosure of abuse.

If a person is unsure about the case, it may be useful to talk over the issue with the RTÉ Designated Liaison person or with a HSE Duty Social Worker before making an official report.

The ability of the HSE Children and Family Services to assess and investigate suspicions or allegations of child abuse or neglect will depend on the amount and quality of information conveyed to them by the people reporting concerns. As much as possible of the following detail should be provided:

- the name, address and age of the child (or children) for whom the report is being made;
- the name and contact details of the person reporting concerns;
- details of the alleged abuse or concern;
- Any other relevant information.

Confidentiality

All information regarding concern or disclosure of child abuse or neglect should be shared in the interests of the child with the relevant statutory authorities

No undertakings regarding secrecy can be given. Those having contact with a child and family should make this clear to all parties involved, although they can be assured that all information will be handled taking full account of legal requirements

The Protections for Persons Reporting Child Abuse Act, 1998

The Protections for Persons Reporting Child Abuse Act 1998 makes provision for the protection from civil liability of persons who have communicated child abuse 'reasonably and in good faith' to designated officers of the HSE (*see Appendix 10*) or to any member of An Garda Síochána. This protection applies to organisations as well as to individuals. This means that even if a communicated suspicion of child abuse proves unfounded, a plaintiff who took an action would have to prove that the person who communicated the concern had not acted reasonably and in good faith in making the report.

It must be remembered that staff or contractors may be subjected to erroneous or malicious allegations. Therefore, any abuse allegation must be dealt with sensitively, and support and, if necessary, counselling may be provided. While the primary goal must be to protect the child, care must be taken to ensure that the individual is treated fairly. It is critical that a proportionate response is taken to each and every case that arises specifically because of the nature and type of abuse which could be the subject of the allegation. (See appendix 1).

The provision of information to the statutory agencies for the protection of a child is not a breach of confidentiality or data protection.

Dealing with a Disclosure

If a member of staff has a concern for the Health, Safety or Welfare of a child they are duty bound to report that concern to the Designated Liaison Person. In circumstances where a child or adult discloses a case of abuse to a staff member s/he should strive to act as follows:

- Be calm and natural as possible, do not panic or show distaste or shock
- Listen to the child sympathetically
- Aim to ensure that you are witnessed speaking to the child, but cannot be overheard
- Reassure the child that s/he was right to tell and is not to blame
- Do not be judgmental
- Do not speculate or make assumptions
- Do not make negative comments about the alleged abuser
- Do not make promises to the child
- Be honest with the child about what we can and cannot do. Tell them that we cannot keep secrets and inform them what will happen next

- Do not confront the individual who is alleged to be responsible
- As soon as you have finished talking to the child, make a detailed written note of all that was said, including as far as possible, the exact words used by the child and pass the information on as soon as possible to the RTÉ Designated Liaison Person where the decision for a referral to the HSE will be taken. The Group Head Human Resources will be informed of situation.

RECOMMENDED PROCEDURES FOR PERSONS ALLEGED TO HAVE BREACHED GUIDELINES

If you are accused of abuse, and subject to the procedures above, it is recommended that you observe the following points:

- Make notes of all your contacts/ actions with the child in question as soon as possible
- Seek access to advice on your own behalf.

SECTION 4 – RECRUITMENT, SELECTION & CHILD PROTECTION

New appointments

This section outlines an approach to safe recruitment and selection practices where the role might involve contact with children. The actual procedures may vary according to the requirements of particular posts but the following key processes should be included:

- i. **Clear definition of the role of employees or volunteers:** This means clarifying and agreeing expectations regarding the role of a new worker, and involves identifying the minimum level of personal qualities and skills required to fill the post.
- ii. **Application Form:** An application form, with a clear job description and information about the organisation should be supplied. The form should be designed, as far as possible, to collect all relevant information about the applicant, including past experience of working with children. (See sample Application Form attached)
- iii. **Declaration:** All applicants should be required to sign a declaration stating that there is no reason why they would be unsuitable to work with young people, and declaring any past criminal convictions or cases pending against them. The organisation must have a clear policy regarding the type of factors that would exclude applicants. (See sample Declaration form attached)
- iv. **Interview:** All applicants should be interviewed by a panel comprising of at least two representatives of the organisation. Interviewers should explore the information stated on the application form and assess the applicant's suitability for the post. The information supplied by the applicant and any other information supplied on their behalf should only be seen by persons directly involved in the recruitment procedure.
- v. **References:** An applicant should be expected to supply the names of two referees (not family members) who will testify as to their character, their suitability to the role of employee/volunteer, or any other issues which may affect their ability to perform the tasks required of them. At least one referee should have firsthand knowledge of the applicant's previous work or contact with children. An acceptable reference will indicate that the person is known to the referee and is considered suitable by them to work with young people. All references should be received in writing and later confirmed by telephone, letter or personal visit. Any additional information should be attached to the application form.
- vi. **Identification:** The organisation should ensure that the identity of the applicant is confirmed against some documentation (ID card, driving licence

or passport) which gives his or her full name, address together with a signature or photograph. This should be compared with the written application.

An Garda Síochána provide Garda Vetting service for organisations registered with the Central Garda Vetting Unit which have staff positions which involve unsupervised access to children. This enables employers to make more thorough recruitment and selection checks for positions which involve working with children and young people. Accordingly, RTÉ will seek Garda Vetting for such new appointments. When seeking approval to hire such staff, the Line Manager will also indicate on the Request to Hire Form that Garda Vetting should be sought. Corporate HR will manage this process The Senior Human Resources Manager Michael O'Brien is the nominated liaison person with the Central Garda Vetting Unit known as the Authorised Signatory and all requests must come through through him.

Current staff

RTÉ staff engaged in positions which do not usually entail working with children will, on occasions where an assignment involves supervised contact with children, be required to complete a RTÉ Child Protection Personal Disclosure Form. This form will be available on Marconi and must be completed by the individual and signed by the local senior line manager. The completed form must be returned to Senior Human Resources Manager, Corporate HR, who will manage the process. Staff who disclose that they have been convicted of any offence relating to children or young people; and/ or subject to any disciplinary action or sanction relating to children, will not be permitted to work on any production/ project which involves contact with children.

In cases, which should be exceptional, where the position is going to entail unsupervised access to children work, i.e. regularly caring for, training, supervising or being in sole charge with children and young people, a Garda Vetting Disclosure will be sought in advance through the above mentioned liaison person from the Central Garda Vetting Office

APPENDIX 1

Key Principles and Definitions of Abuse as issued by the Department of Children and Youth Affairs 2011

Key Principle

“THE WELFARE OF CHILDREN IS OF PARAMOUNT IMPORTANCE” (Children First, 1.1 Principles of Best Practice in Child Protection)

It is important that everyone working, participating, volunteering or conducting RTÉ events is aware of the forms of Child Abuse that they may encounter, which is why RTÉ includes the definitions in the main body of our Child Protection Policy Guidelines. Under the Children First Guidelines it is the responsibility and duty of everyone working and engaging with children to ensure that the protection and welfare of children is paramount. Therefore, the significance of understanding the following forms of abuse and the signs and symptoms is vital. If all our codes of behaviour, policies and procedures are constantly put into practice, the likelihood of children being vulnerable to abuse should not arise.

Definitions of Child Abuse (taken from Children First)

This can take any of the following forms:

1. Neglect
2. Emotional abuse
3. Physical abuse
4. Sexual abuse.

Neglect

Neglect can be defined in terms of an omission, 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.

Emotional abuse

Emotional abuse is normally to be found in the *relationship* between a parent/carer and a child rather than in a specific event or pattern of events. It occurs when a child's developmental need for affection, approval, consistency and security are not met. Unless other forms of abuse are present, it is rarely manifested in terms of physical signs or symptoms. Examples may include:

- the imposition of negative attributes on a child, expressed by persistent criticism, sarcasm, hostility or blaming;

- conditional parenting in which the level of care shown to a child is made contingent on his or her behaviours or actions;
- emotional unavailability of the child's parent/carer;
- unresponsiveness of the parent/carer and/or 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 himself or herself in a certain way;
- under- or over-protection of the child;
- failure to show interest in, or provide age-appropriate opportunities for, the child's cognitive and emotional development;
- use of unreasonable or over-harsh disciplinary measures;
- exposure to domestic violence;
- exposure to inappropriate or abusive material through new technology.

Emotional abuse can be manifested in terms of the child's behavioural, cognitive, affective or physical functioning. Examples of these include insecure attachment, unhappiness, low self-esteem, educational and developmental underachievement, and oppositional behaviour. The *threshold of significant harm* is reached when abusive interactions dominate and become *typical* of the relationship between the child and the parent/carer.

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;
- pinching, biting, choking or hair-pulling;
- terrorising with threats;
- observing violence;
- use of excessive force in handling;
- deliberate poisoning;
- suffocation;
- fabricated/induced illness
- Allowing or creating a substantial risk of significant harm to a child.

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. Examples of child sexual abuse include:

- exposure of the sexual organs or any sexual act intentionally performed in the presence of the 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 the involvement of the child in an act of masturbation;
- sexual intercourse with the child, whether oral, vaginal or anal;
- Sexual exploitation of a child, which includes inciting, encouraging, propositioning, requiring or permitting a child to solicit for, or to engage in, prostitution or other sexual acts. Sexual exploitation also occurs when a child is involved in the exhibition, modelling or posing for the purpose of sexual arousal, gratification or sexual act, including its recording (on film, video tape or other media) or the manipulation, for those purposes, of the image by computer or other means. It 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.

As far as is possible and consistent with the safety of the child, confidentiality will be respected where such suspicions are raised.

APPENDIX 2

Minors Consent and Emergency Contact Form

The information requested on this page is confidential and for emergency use only. In the event of an emergency, this information will be used by RTÉ staff and emergency personnel

SECTION 1: MINORS BASIC CONTACT INFORMATION

Full Name: _____

Date of Birth: _____

Address: _____

SECTION 2: EMERGENCY CONTACT INFORMATION

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. In an emergency I can be contacted at the following telephone numbers.

Emergency Contact Name:

Relationship to Minor:

Address:

Contact Numbers: Telephone 1: _____ Telephone 2: _____

SECTION 3: SPECIAL REQUIREMENTS

Do you have any medical/mobility/ dietary concerns of which we should be aware? Y/N

Please provide details:

SECTION 4: PARENTAL/GUARDIAN PERMISSION

I hereby consent to the minor arriving at and leaving the RTÉ Campus unaccompanied while attending the RTÉ campus. I understand that they will be in a supervised environment while on the RTÉ campus.

Parent/Guardian: _____

Parent/Guardian: _____

Date: _____

APPENDIX 3

Purpose of Engagement Statement

This document must be signed by a parent / guardian and is for the purpose of granting permission for their child to participate in the agreed programme activity. Your signature confirms your acceptance and understanding of RTÉ's child protection policy and procedures.

This form is available from the Programme Producer copies of which can be downloaded from Marconi.

Name of child:

Age of child:

Name of Parents / Guardians:

Programme Title:

Location:

Date:

Signature:

Signature:

APPENDIX 4

The existing Programme Risk Assessment forms available on Marconi must be completed prior to any production commencing involving children, in accordance with current Health & Safety Regulations. The programme producer is responsible for this task and must ensure it is completed correctly. In the event of an accident / incident arising, the producer, relevant operational supervisor or senior manager present must ensure that the correct Accident Report Form available on Marconi is completed. All staff members have a responsibility to ensure they comply with all relevant Health and Safety legislation and with specific RTÉ policies as they relate to the workplace.

Appendix 5 - GUIDANCE FOR RECOGNISING CHILD PROTECTION AND WELFARE CONCERNS

The ability to recognise child abuse can depend as much on a person's willingness to accept the possibility of its existence as it does on their knowledge and information. There are commonly three stages in the identification of child neglect or abuse:

1. considering the possibility;
2. looking out for signs of neglect or abuse;
3. Recording of information.

Stage 1: Considering the possibility:

The possibility of child abuse should be considered if a child appears to have suffered a suspicious injury for which no reasonable explanation can be offered. It should also be considered if the child seems distressed without obvious reason or displays persistent or new behavioural problems. The possibility of child abuse should also be considered if the child displays unusual or fearful responses to parents/carers or older children. A pattern of ongoing neglect should also be considered even when there are short periods of improvement.

Stage 2: Looking out for signs of neglect or abuse:

Signs of neglect or abuse can be physical, behavioural or developmental. They can exist in the relationships between children and parents/carers or between children and other family members/other persons. A cluster or pattern of signs is more likely to be indicative of neglect or abuse. Children who are being abused may hint that they are being harmed and sometimes make direct disclosures. Disclosures should always be taken very seriously and should be acted upon, for example, by informing the HSE Children and Family Services. The child should not be interviewed in detail about the alleged abuse without first consulting with the HSE Children and Family Services. This may be more appropriately carried out by a social worker or An Garda Síochána. Less obvious signs could be gently explored with the child, without direct questioning. Play situations, such as drawing or story-telling, may reveal information. Signs of neglect or abuse can be physical, behavioural or developmental. They can exist in the relationships between children and parents/carers or between children and other family members/other persons. A cluster or pattern of signs is more likely to be indicative of neglect or abuse. Children who are being abused may hint that they are being harmed and sometimes make direct disclosures. Disclosures should always be taken very seriously and should be acted upon, for example, by informing the HSE Children and Family Services. The child should not be interviewed in detail about the alleged abuse without first consulting with the HSE Children and Family Services. This may be more appropriately carried out by a social worker or An Garda Síochána. Less obvious signs could be gently explored with the child, without direct questioning. Play situations, such as drawing or story-telling, may reveal information.

Some signs are more indicative of abuse than others. These include:

- i. disclosure of abuse by a child or young person;
- ii. age-inappropriate or abnormal sexual play or knowledge;
- iii. specific injuries or patterns of injuries;
- iv. absconding from home or a care situation;
- v. attempted suicide
- vi. underage pregnancy or sexually transmitted disease;
- vii. signs in one or more categories at the same time. For example, signs of developmental delay, physical injury and behavioural signs may together indicate a pattern of abuse.

Stage 3: Recording of information:

If neglect or abuse is suspected and acted upon, for example, by informing the HSE Children and Family Services, it is important to establish the grounds for concern by obtaining as much information as possible.

Observations should be accurately recorded and should include dates, times, names, locations, context and any other information that may be relevant. Care should be taken as to how such information is stored and to whom it is made available.

Confidentiality

All information regarding concern or assessment of child abuse or neglect should be shared on ‘a need to know’ basis in the interests of the child with the relevant statutory authorities.

No undertakings regarding secrecy can be given. Those working with a child and family should make this clear to all parties involved, although they can be assured that all information will be handled taking full account of legal requirements

The provision of information to the statutory agencies for the protection of a child is not a breach of confidentiality or data protection.

Legal protection:

The Protections for Persons Reporting Child Abuse Act 1998 makes provision for the protection from civil liability of persons who have communicated child abuse ‘reasonably and in good faith’ to designated officers of the HSE (*see Appendix 10, Children First*) or to any member of An Garda Síochána. This protection applies to organisations as well as to individuals. This means that even if a communicated suspicion of child abuse proves unfounded, a plaintiff who took an action would have to prove that the person who communicated the concern had not acted reasonably and in good faith in making the report.

Children with additional vulnerabilities

Certain children are more vulnerable to abuse than others. Such children include those with disabilities, children who are homeless and those who, for one reason or another, are separated from their parents or other family members and who depend on others for their care and protection. The same categories of abuse – neglect, emotional abuse, physical abuse and sexual abuse are applicable, but may take a slightly different form.

For example, abuse may take the form of deprivation of basic rights, harsh disciplinary regimes or the inappropriate use of medications or physical restraints

| |
|---------------------------------------|
| Reasonable Grounds for Concern |
|---------------------------------------|

The following examples would constitute reasonable grounds for concern:

1. A specific indication from a child that s/he was abused
2. An account from a person who saw the child being abused
3. Evidence such as injury or behaviour, which is consistent with abuse and is unlikely to have been caused in any other way
4. An injury which is consistent both with abuse and with an innocent explanation but where there is corroborative indicators supporting the concern that this may be abuse
5. A case of abuse e.g. a pattern of injuries, an implausible explanation, other indicators of abuse, dysfunctional behaviour.

APPENDIX 6

RTÉ Child Protection Personal Disclosure Form

Name:

Department/IBD:

Job Title:

Immediate Senior Line Manager:

Date of Birth:

Address:

I, the undersigned, have at no time been convicted of any offence relating to children or young persons; and/ or subject to any disciplinary action or sanction relating to children or any sanction which restricts me from working with children.

Signed:

Dated:

APPENDIX 7

Ratios

Due to the number of potential variables, it is not possible to recommend “one size fits all” guidance to cover all activities involving children and young people. There are, however, a number of key principles that are recommended as good practice:

- Productions / programmes are recommended to make sure that there is sufficient help available for activities. When dealing with group members of mixed sex, it is important that there are sufficient adults of both sexes to properly manage all activities and areas of any premises in use.
- The minimum adult/young person ratio in any group should ideally be one adult per group of eight plus one other adult, and allowing an additional adult for each group of eight thereafter. Local circumstances, the ages of the children, the experience of the workers should be taken into consideration. Safety, ability/disability of young people and the nature of the activities being undertaken may require that these ratios be lower.

General Guidance:

- For children aged 1- 4 years of age, these must be accompanied by their own parents or legal guardians
- For children aged 5 – 8 years of age, a ratio of 1:6 is advisable
- For children aged 8 – 11 years of age, a ratio of 1:8 is advisable
- For children aged 12 – 15 years of age, a ratio of 1:10 is advisable
- Between 15 and 18 years of age, ratios can be agreed following assessment of the activities involved.

Audience / performing groups must supply their own adequate level of supervision for groups attending RTÉ;

In relation to child / young people employed as actors on productions – one to one chaperone may be required (where necessary following assessment). Chaperone can be parent / legal guardian / person nominated by the parent. Where the chaperone is provided by RTÉ or external agency, the person must be a Garda vetted individual.