



today, tomorrow, together

RTÉ

Child Safeguarding Statement | Effective Date: 08/11/2021

Contents

	Introduction	2
1	Definitions	5
2	Purpose of the Child Safeguarding Statement	6
3	RTÉ Child Safeguarding Statement	7
3.1	Applicability of the Statement	7
3.2	Name of Service Being Provided	7
3.3	Nature of Service Being Provided	7
3.4	Principles to Safeguard Children from Harm	7
3.5	Risk Assessment	7
4	Risk Assessment and Procedures for Managing Risks	9
4.1	Child Safeguarding Risk Assessment	9
4.2	Procedure for the Management of Allegations of Abuse or Misconduct against Staff/ Contractors Involving a Child Encountered in the Course of their Employment	17
4.3	Procedure for the Safe Recruitment of Staff/Contractors	18
4.4	Procedure for the Provision of and Access to Child Safeguarding Training, Including Identification of the Occurrence of Harm	18
4.5	Procedure for Reporting child Protection Concerns	18
4.6	Procedure for Appointing the Designated Liaison Person	19
4.7	Role of the Designated Liaison Person	19
5	Reporting Framework	20
5.1	Mandated Reporting Under the 2015 Act	20
5.2	The Criminal Justice (Withholding of Information on Offences Against Children and Vulnerable Persons) Act 2012	21
5.3	Decision not to Report a Concern to the Child and Family Agency	21
5.4	Internal Oversight	21

Table of Contents

6	How to Deal with a Disclosure of Suspected Child Abuse	22
7	Programme Making Involving Children	23
8	Confidentiality and Record Keeping	24
8.1	Managements of Records	24
8.2	Informing Parents	25
9	Implementation & Review	26
10	Useful Contacts	26
11	Appendices	28
1	Signs and symptoms of child abuse; Children First National Guidance for the Protection and Welfare of Children 2017	29
2	Schedule 3 to the Children First Act 2015	35
3	RTÉ Garda Vetting Policy	36
4	RTÉ Child Management Policy	37
5	RTÉ's Internal Child Safeguarding Incident Report Form	40
6	RTÉ's Step-by-Step Guide to Reporting	42
7	Mandated Persons - Section 14 and Schedule 2 of the 2015 Act	44
8	Tusla Child Protection and Welfare Report Form	47
9	Tusla Retrospective Abuse Report Form	47
10	Offences under the Criminal Justice (Withholding of Information on Offences Against Children and Vulnerable Persons) Act 2012	47
11	RTÉ Data Protection Individual Rights Guide and RTÉ Data and Document Retention Policy	48
12	RTÉ Journalism Guidelines 2020 and RTÉ Social Media Guidelines	48
13	RTÉ Privacy Policy	48

Introduction

RTÉ is committed to promoting and facilitating the participation of children, in broadcasting and across our range of services where appropriate. There are many ways in which RTÉ maintains a strong connection to young people; through the RTÉ Young People's Department, which commissions and creates content for children; through the RTÉ choirs, RTÉ Cór na nÓg and RTÉ Cór Linn; and through ongoing content such as RTÉ news2day and *The Late Late Toy Show*. Children are routinely involved in our productions, and take part in national events at which RTÉ has a presence. Young people also gain work experience through RTÉ's Transition Year Access Programme. Children, therefore, regularly participate in various aspects of our business.

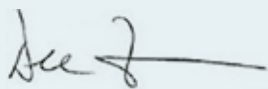
In this vein, RTÉ aims to create a healthy environment for all children who are involved in and contribute to our services. At all times, children should be treated with care, dignity and respect, and their safety and welfare is our priority. Adopting a child-centred approach is at the heart of our philosophy, and the wellbeing of children in our care is the most important consideration for RTÉ.

This document contains RTÉ's Child Safeguarding Statement. It sets out the principles and procedures that should be followed by RTÉ's servants and/or agents to ensure that children are safe from harm throughout their involvement with RTÉ and across all aspects of our business. Crucially, this statement ensures that RTÉ's servants and/or agents adhere to the statutory obligations as contained in the Children First Act 2015, as well as to the principles that are set out in the Department of Children and Youth Affairs *Children First National Guidance for the Protection and Welfare of Children 2017*.

This statement shall be observed by RTÉ's servants and/or agents at all times. As it is not possible to make provision for every eventuality herein, it is intended that the spirit of the statement shall be followed in all circumstances that arise.

RTÉ's Child Safeguarding Statement is displayed prominently on the RTÉ website and within our various premises. In compliance with the 2015 Act, a copy of this statement is provided to RTÉ's servants and/or agents by being made available on the RTÉ intranet (the RTÉ Hub), and the statement will be provided freely to any member of the public upon request.

RTÉ's Child Safeguarding Statement has been approved by the Director-General of RTÉ.



Dee Forbes

Director-General, RTÉ



Section 1

Definitions

Assault, in relation to a child, means 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. Please refer to Appendix 1 of this Child Safeguarding Statement ("the Statement") where an extract from Chapter 2 of the "Children First National Guidance for the Protection and Welfare of Children 2017" ("2017 Guidance") is reproduced. The 2017 guidance, published by the Department of Children and Youth Affairs, is reproduced in this statement for the purpose of providing context and for guidance purposes only.

Child means a person under the age of 18 years of age.

Designated Liaison Person means the person appointed by RTÉ who has primary responsibility for ensuring that the organisation and/or its servants or agents comply with this Child Safeguarding Statement, and who is the first point of contact in respect of the statement and/or any child protection concerns within the organisation. In this capacity, they act as a resource to servants or agents who have a child protection concern, and they are responsible for ensuring that reporting procedures are followed correctly and promptly; they also act as a liaison person within the organisation in respect of child protection concerns and/or with third parties and state agencies. For the purpose of this statement, the Designated Liaison Person is the RTÉ Health and Safety Manager. The Deputy Designated Liaison Person is a Senior Human Resources Manager.

Harm means, in relation to a child –

- a. 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
- b. 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.

Ill-treatment means, in relation to a child, to abandon or cruelly treat the child, or to cause or procure or allow the child to be abandoned or cruelly treated. Please refer to Appendix 1 of the Statement where an extract from Chapter 2 of the 2017 guidance is reproduced. This extract outlines the categories of child abuse and/or ill-treatment and details how they may be recognised.

Neglect means, in relation to a child, to deprive the child of adequate food, warmth, clothing, hygiene, supervision, safety or medical care. Please refer to Appendix 1 of the statement where an extract from Chapter 2 of the 2017 guidance is reproduced. This outlines the categories of child abuse and details how they may be recognised.

Physical Abuse in this statement has the same meaning as assault. Please refer to Appendix 1 of the statement where an extract from Chapter 2 of the 2017 guidance is reproduced. This outlines the categories of child abuse, including physical and sexual abuse, and details how they may be recognised.

Relevant Person means the first point of contact in respect of this Child Safeguarding Statement. For RTÉ, the relevant person is the Designated Liaison Person, that is, the RTÉ Health and Safety Manager.

Sexual Abuse, in relation to a child, covers a wide spectrum of abusive activities. 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. Please refer to Appendix 1 of this Child Safeguarding Statement ("the Statement") where an extract from Chapter 2 of the "Children First National Guidance for the Protection and Welfare of Children 2017" ("2017 Guidance") is reproduced. This extract outlines examples of child sexual abuse. Please also refer to Appendix 2 of this Child Safeguarding Statement where Schedule 3 to the Children First Act 2015, which defines sexual abuse in relation to a child, is reproduced.

The **2015 Act** refers to the Children First Act 2015, as amended.

The **2017 Guidance** refers to "Children First: National Guidance for the Protection and Welfare of Children". Welfare in relation to a child, includes the moral, intellectual, physical, emotional and social welfare of the child.


Welfare in relation to a child, includes the moral, intellectual, physical, emotional and social welfare of the child.

Section 2

Purpose of the Child Safeguarding Statement

The purpose of this document is to identify and address any risk of harm to children arising from and during RTÉ activities. It seeks to:

- a. Ensure compliance with applicable legal frameworks;
- b. Ensure compliance with the Children First Act 2015;
- c. Ensure compliance with non-statutory best practice, including the 2017 Children First Guidance;
- d. List the procedures that are in place in RTÉ to keep children safe from harm;
- e. Ensure that children are safe from harm while partaking in RTÉ-related activities and attending at RTÉ premises;
- f. Ensure that children are safe when taking part in RTÉ programming content;
- g. Provide information for all servants and/or agents of RTÉ to build awareness of the categories of child abuse and neglect, and their signs, in order to ensure staff are equipped with the necessary knowledge to identify such harm;
- h. Set out a clear procedure for RTÉ servants and/or agents to adopt in ensuring child abuse and neglect are reported to the Child and Family Agency and/or An Garda Síochána;
- i. Put in place procedures to ensure:
 - adequate training of staff members/contractors;
 - appropriate displaying of the RTÉ Child Safeguarding Statement and the risk assessment included herein;
 - review of the potential for harm;
 - management of risk as identified in the risk assessment;
 - safe selection and recruitment of any person as a member of staff/contractor having regard to that person's suitability to work with children;
 - appointment of a mandated person if any is appointed by RTE in the future;
 - review of the Statement pursuant to section 11(7) of the 2015 Act.
- j. Set down procedures concerning the interaction between RTÉ and any servant or agent of RTÉ who is the subject of any investigation in relation to any act, omission or circumstance regarding a child;
- k. Ensure the safe selection and recruitment of any person as a servant or agent of RTÉ with regard to that person's suitability to work with children;
- l. Ensure the provision of information and, where necessary, instruction and training, to servants and/or agents of RTÉ in relation to the identification of the occurrence of harm;
- m. Enable the reporting to the Child and Family Agency of any harm or ill-treatment of a child as defined earlier in this Statement;
- n. Provide contact details for the Designated Liaison Person, and/or the Deputy Designated Liaison Person, relevant person and/or other relevant individuals.



The purpose of this document is to identify and address any risk of harm to children arising from and during RTÉ activities

Section 3

RTÉ Child Safeguarding Statement

3.1 Applicability of the Statement

- 3.1.1** The statement applies to all those who are engaged by RTÉ, including employees, volunteers and independent contractors, and it is their duty to comply with this statement. All employees, volunteers and independent contractors employed by or engaged by RTÉ are also obligated to familiarise themselves with the RTÉ Garda Vetting and Child Management policy documents (set out at Appendices 3 and 4 of this Statement respectively).

3.2 Name of Service being Provided

- 3.2.1** RTÉ is Ireland's national public service media organisation, constituted by statute, and is regulated by the Broadcasting Authority of Ireland in relation to its obligations as a public-service broadcasting corporation.

3.3 Nature of Service being Provided

- 3.3.1** The functions of RTÉ are governed by the Broadcasting Authority Act 1960 and the Broadcasting Acts 2001-2009. As a public service broadcasting organisation, RTÉ does not provide services to children. In the process of creating content and in the content itself, RTÉ and/or its servants or agents engage with children either directly or indirectly. This may involve children being present on RTÉ properties and/or under the supervision or direction of servants and/or agents of RTÉ in a wide range of circumstances including, but not limited to, attending to partake in a programme or as an audience member of a programme; attending "The Late Late Toy Show" rehearsals and the live show; attending Cór na nÓg events; partaking in a work experience placement; and as visitors to RTÉ for any other reason. Children may also be visible in RTÉ in the course of its programme making.

3.4 Principles to Safeguard children from harm

- 3.4.1** This statement is intended to ensure compliance with RTÉ's legal obligations and to ensure that allegations of child abuse and neglect are reported in accordance with best practice, and with this statement. It provides a clear framework for managing such reports to assist and support RTÉ servants and/or agents.
- 3.4.2** RTÉ wishes to maintain the highest possible standards to meet its responsibility to protect and safeguard children, and will uphold the key principle that the welfare of the child is paramount. Our statement is informed by the Children First Act 2015; the 2017 *Children First: National Guidance for the Protection and Welfare of Children*; the 1989 United Nations Convention on the Rights of the Child; and related legislation such as the Child Care Acts 1991 to 2015, the Protections for Persons Reporting Child Abuse 1998, the National Vetting Bureau Acts 2012 to 2016 and the Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012, regardless of whether those legal instruments and legislation place duties and/or obligations on RTÉ or not.
- 3.4.3** The principles in this statement apply to everyone working at RTÉ and to any volunteers, contractors or interns. It will be reviewed every year, or sooner if necessary, due to service changes or if there are any material changes in legislation or national policy.

3.5 Risk Assessment

RTÉ has developed the statement having assessed the risks that may arise to the safety of children whilst participating in or interacting with RTÉ activities. The Risk Assessment is set out in section 4 of the Statement. It operates as follows:

- a. to examine all circumstances in which RTÉ interacts with or provides services to children in order to establish whether there are any features which may have the potential to put children at risk; and
- b. to outline the policies and procedures which are in place to manage the risks which have been identified.

The Risk Assessment thus considers in detail the various activities in which children may be involved with the business of RTÉ, the risks that may consequently arise, and the procedures and policies which operate to mitigate those risks. As part of the regular review of this Statement, RTÉ will continue to consider any areas or practices of its business that would have the potential to cause a risk of harm to children and in this way the Risk Assessment will be updated accordingly.



Section 4

Risk Assessment and Procedures for Managing Risks

RTÉ's Risk Assessment is set out in section 4.1. In addition to the procedures listed in the Risk Assessment, the procedures included at paragraphs 4.2 – 4.7 inform and support RTÉ's intention to safeguard children when they are encountered.

4.1 Child Safeguarding Risk Assessment

Children on RTÉ Campuses	9
Interacting with Children while Creating Content	11
Programme Making	12
Cór na N-Óg/Cór Linn	12
RTÉ Websites	13
User Generated Content	13
Social Media	14
RTÉ Player	14
Reporting Procedures	14
Communications	14
General Risk of Harm	15
Recruitment	15
RTÉ Events	15

Potential Risk of Harm to Children	Guidance Document/Mitigation Procedures	Responsibility for Risk	Further Action Required
Children on RTÉ Campuses			
Harm to children arising from interaction with RTÉ staff and/or contractors or failure to provide reasonable supervision of children while attending as participants/audience members in television programming	<ul style="list-style-type: none"> Child Management Policy Garda Vetting Policy Child Safeguarding Training for relevant staff/contractors RTÉ Security Staff Training 	Production or Programme/ Editorial/ Management Team	Ongoing review
Harm to children arising from interaction with RTÉ staff and/or contractors or failure to provide reasonable supervision of children while attending as participants/audience members in radio programming	<ul style="list-style-type: none"> Child Management Policy Garda Vetting Policy Child Safeguarding Training for relevant staff/contractors 	Production or Programme/ Editorial/ Management Team	Ongoing Review
Harm to children arising from interaction with RTÉ staff and/or contractors or failure to provide reasonable supervision of children while attending for Cór na n-Óg/Cór Linn rehearsal sessions	<ul style="list-style-type: none"> Child Management Policy Garda Vetting Policy Child Safeguarding Training for relevant staff/contractors 	Most Senior onsite Cór na n-Óg Team Member	Ongoing review
Harm to children arising from interaction with RTÉ staff and/or contractors or failure to provide reasonable supervision of children while attending privately run childcare facility situated on RTÉ campus in Donnybrook	<ul style="list-style-type: none"> Creche has its own Child Safeguarding Statement in compliance with Children First 	N/A	Ongoing review

Section 4

Risk Assessment and Procedures for Managing Risks Continued

Potential Risk of Harm to Children	Guidance Document/Mitigation Procedures	Responsibility for Risk	Further Action Required
Children on RTÉ Campuses (continued)			
Harm to children arising from interaction with RTÉ staff and/or contractors or failure to provide reasonable supervision of children while missing or found on site	<ul style="list-style-type: none"> • Garda Vetting Policy • Child Safeguarding Training for relevant staff/contractors • RTÉ Security Staff Training 	Head of Security	Ongoing review
Harm to children arising from interaction with RTÉ staff and/or contractors or failure to provide reasonable supervision of children while acting in RTÉ produced dramas on campus/off campus	<ul style="list-style-type: none"> • Child Management Policy • Garda Vetting Policy • Child Safeguarding Training for relevant staff/contractors • Children are allocated separate changing rooms if required • Adherence to legislative requirements that pertain to child actors such as the Protection of Young Persons (Employment) Act • Child actors are not used in press to promote dramas 	Production or Programme/ Editorial/ Management Team	Ongoing review
Harm to children arising from interaction with RTÉ staff and/or contractors or failure to provide reasonable supervision of children while attending on campus for work experience purposes, e.g. transition year students	<ul style="list-style-type: none"> • Child Management Policy • Garda Vetting Policy • Child Safeguarding Training for relevant staff/contractors 	Head of Human Resources Relevant IBD HR Department	Ongoing review
Harm to children arising from interaction with RTÉ staff and/or contractors or failure to provide reasonable supervision of children while working at RTÉ in casual summer employment	<ul style="list-style-type: none"> • Child Management Policy • Garda Vetting Policy • Child Safeguarding Training for relevant staff/contractors 	Head of Human Resources Relevant IBD HR Department	Ongoing review
Harm to children arising from interaction with RTÉ staff and/or contractors or failure to provide reasonable supervision of children while trespassing on RTÉ campus without parental supervision	<ul style="list-style-type: none"> • Child Safeguarding Training for relevant staff/contractors • 24-hour security at the campus • Access by appointment only to the Donnybrook campus • Access Control – Cotag access control for all areas at the Donnybrook campus 	Head of Security	Ongoing review

Potential Risk of Harm to Children	Guidance Document/Mitigation Procedures	Responsibility for Risk	Further Action Required
Interacting with Children while Creating Content			
<p>Harm to children arising from interaction with RTÉ staff and/or contractors or failure to provide reasonable supervision of children while filming/recording children for the purpose of broadcasting</p> <p>Delay to informing DLP if suspicion of harm occurs whilst programming is made offsite</p>	<ul style="list-style-type: none"> • Risk assessment carried out on the partaking of the child in the proposed broadcast to include engagement with parents and school if appropriate • Psychological assessment of child undertaken if subject matter of the broadcast warrants one • Parental Consent obtained • Codes and Standards of the Broadcasting Authority of Ireland • RTÉ Journalism Guidelines • Child Management Policy • Garda Vetting Policy • Child Safeguarding Statement • Child Safeguarding Training for relevant staff/contractors 	Relevant head of division Production or Programme/ Editorial/ Management Team	Ongoing review
Harm to children arising from interaction with RTÉ staff and/or contractors or failure to provide reasonable supervision of children while broadcasting a programme featuring children	<ul style="list-style-type: none"> • Parental consent obtained • Post broadcast engagement with children where necessary • Social media monitored post broadcast 	Production or Programme/ Editorial/ Management Team	Ongoing review
Harm to children arising from incidental interaction with RTÉ staff and/or contractors or failure to provide reasonable supervision of children while attending national events at which RTÉ has a presence	<ul style="list-style-type: none"> • Codes and Standards of the Broadcasting Authority of Ireland • RTÉ Journalism Guidelines • Child Management Policy • Garda Vetting Policy • Child Safeguarding Training for relevant staff/contractors 	Production or Programme/ Editorial/ Management Team	Ongoing review
Harm to children arising in the course of obtaining information from a child which gives rise to child safety concerns	<ul style="list-style-type: none"> • Child Safeguarding Statement available on internal intranet • Child Safeguarding Training for relevant staff/contractors 	<p>Relevant head of division</p> <p>Production or Programme/ Editorial/ Management Team / and the Health and Safety Manager</p>	Ongoing review

Section 4

Risk Assessment and Procedures for Managing Risks Continued

Potential Risk of Harm to Children	Guidance Document/Mitigation Procedures	Responsibility for Risk	Further Action Required
Programme Making			
Harm to children arising from interaction with RTÉ staff and/or contractors or failure to provide reasonable supervision of children while filming/recording children for the purposes of transmission	<ul style="list-style-type: none"> Codes and Standards of the Broadcasting Authority of Ireland RTÉ Journalism Guidelines Child Management Policy Garda Vetting Policy Child Safeguarding Training for relevant staff/contractors 	Production or Programme/ Editorial/ Management Team	Ongoing review
Harm to children arising from broadcasting material relating to identifiable children	<ul style="list-style-type: none"> Codes and Standards of the Broadcasting Authority of Ireland RTÉ Journalism Guidelines 	Production or Programme/ Editorial/ Management Team	Ongoing review
Harm to children arising from reporting on sexual and other offences in Ireland involving minors	<ul style="list-style-type: none"> Adherence to statutory legal restrictions BAI Code RTÉ Journalism & Content Guidelines 	Production or Programme/ Editorial/ Management Team	Ongoing review
Broadcasting material that might cause harm to children	<ul style="list-style-type: none"> BAI Guidance RTÉ Journalism & Content Guidelines Provision of programme classification information 	Relevant head of division Production or Programme/ Editorial/ Management Team	Ongoing review
Cór na N-Óg/Cór Linn			
Harm to children arising from interaction with RTÉ staff and/or contractors or failure to provide reasonable supervision of children while attending annual auditions/weekly choir practice	<ul style="list-style-type: none"> Garda Vetting Policy Obligation to complete Child Safeguarding Training Child Management Policy 	Choral Administrator	Ongoing review
Harm to children arising from interaction with RTÉ staff and/or contractors or failure to provide reasonable supervision of children while singing at events	<ul style="list-style-type: none"> Garda Vetting Policy Obligation to complete Child Safeguarding Training Child Management Policy 	Choral Administrator	Ongoing review
Harm to children arising from interaction with RTÉ staff and/or contractors or failure to provide reasonable supervision of children while engaging in online rehearsals	<ul style="list-style-type: none"> Youth Choirs Online Rehearsal Code of Conduct May 2020 	Choral Administrator	Ongoing review

Potential Risk of Harm to Children	Guidance Document/Mitigation Procedures	Responsibility for Risk	Further Action Required
RTÉ Websites			
Harm to children arising from accessing inappropriate material on RTÉ websites	<ul style="list-style-type: none"> RTÉ Journalism & Content Guidelines No advertising permitted on webpages which are targeted at children No user generated comments allowed 	Digital/Online & Social Media Team/ Management	Ongoing review
Harm to children arising from accessing inappropriate material on RTÉ social media accounts	<ul style="list-style-type: none"> RTÉ has a partnership with Facebook, Twitter, You Tube and other social media platforms to ensure that any questionable content can be removed expeditiously Comments are disabled on all social media accounts which are focused on children and their parents Posted material is moderated 	Social Media Administration Teams Head of Communications & Corporate Engagement	Ongoing review
User Generated Content			
Harm to children arising from submitting images and videos to RTÉ for the purposes of auditions/competitions/ programmes	<ul style="list-style-type: none"> Images and videos only sent to a centralised repository, Form Builder, where only relevant and necessary staff can access the images and videos Parental consent sought before broadcast and images/videos are verified Images and videos are deleted after twelve months Garda Vetting Policy Child Safeguarding Statement available on RTÉ Intranet for all staff Child Safeguarding Training for relevant staff/contractors 	Production or Programme/ Editorial/ Management Team	Ongoing review
Harm to children arising from the use of images of children in user generated content	<ul style="list-style-type: none"> Child Safeguarding Statement available on RTÉ Intranet for all staff Child Safeguarding Training for relevant staff/contractors 	Production or Programme or Digital/ Editorial/ Management Team	Ongoing review
Harm to children arising from user generated content on RTÉ platforms such as social media and online	<ul style="list-style-type: none"> Messages and other user contributions on children's sites will be checked by a moderator before publication Child Safeguarding Statement available on RTÉ Intranet for all staff Child Safeguarding Training for relevant staff/contractors 	Production or Programme or Digital/ Editorial/ Management Team	Ongoing review

Section 4

Risk Assessment and Procedures for Managing Risks Continued

Potential Risk of Harm to Children	Guidance Document/Mitigation Procedures	Responsibility for Risk	Further Action Required
Social Media			
Harm to children arising from risk of identity theft, misuse of personal data, peer discrimination, cyberbullying, grooming etc on social media	<ul style="list-style-type: none"> Data Protection Policy RTÉ Social Media Guidelines RTÉ has a partnership with Facebook, Twitter, You Tube and other social media platforms to ensure that any questionable content can be removed expeditiously 	Head of Online Head of Communications & Corporate Engagement	Ongoing review
Harm to children arising from breach of Data Protection protocols	<ul style="list-style-type: none"> Data Protection Policy Journalism Guidelines Parental Consent Forms 	Head of Online	Ongoing review
RTÉ Player			
Harm to children arising from children accessing inappropriate material	<ul style="list-style-type: none"> Kids mode function Parental PIN capabilities Mature adult warning Confirmation of over 18 age required Journalism Guidelines 	Head of RTÉ Player	Ongoing review
Reporting Procedures			
Harm to children arising from delays in reporting due to lack of knowledge of organisational and statutory reporting procedures	<ul style="list-style-type: none"> Child Safeguarding Statement available on internal intranet Child Safeguarding Training for relevant staff/contractors 	DLP and HR and RTÉ Training	Ongoing review
Harm to children arising from concerns of abuse or harm not being reported to the DLP	<ul style="list-style-type: none"> Reporting procedures/policy Child Safeguarding Training 	DLP and HR and RTÉ Training	Ongoing review
Harm to children arising from lack of clarity around who children should talk to or report concerns to	<ul style="list-style-type: none"> Name of the DLP is available on the RTÉ intranet and in the CSS 	DLP and HR and RTÉ Training	Ongoing review
Communications			
Harm to children arising from no communication of the Child Safeguarding Statement to staff/contractors	<ul style="list-style-type: none"> Child Safeguarding Statement available on RTÉ intranet Obligatory child safeguarding training for relevant staff/personnel 	DLP and HR and RTÉ Training Corporate Communications Manager	Ongoing review
Harm to children arising from an inadequate Risk Assessment	<ul style="list-style-type: none"> Meetings held regularly with relevant stakeholders to ensure all potential risks to children are identified and dealt with 	DLP	Ongoing review

Potential Risk of Harm to Children	Guidance Document/Mitigation Procedures	Responsibility for Risk	Further Action Required
Communications (continued)			
Harm to children arising from a lack of awareness of risk of “harm” to children by staff/contractors	<ul style="list-style-type: none"> Child Safeguarding Statement available on RTÉ intranet Obligatory child safeguarding training for relevant staff/personnel 	DLP / Commissioning Editors	Ongoing review
Harm to children arising from inappropriate use of social media and communications with children	<ul style="list-style-type: none"> Child Safeguarding Statement available on RTÉ intranet Obligatory child safeguarding training for relevant staff/personnel 	DLP	Ongoing review
Harm to children arising from unauthorised photography and recording of activities	<ul style="list-style-type: none"> BAI Code RTÉ Journalism Guidelines RTÉ Data Protection Policy 	DLP	Ongoing review
General Risk of Harm			
Harm to children arising from harm not being recognised	<ul style="list-style-type: none"> Child Safeguarding Statement Child Safeguarding Training 	DLP	Review reporting process Informal consultation with Tusla
Harm to children caused by: <ul style="list-style-type: none"> child to child staff member/contractor to child 	<ul style="list-style-type: none"> Child Safeguarding Statement Child Safeguarding Training Garda Vetting Policy Child Management Policy 	DLP	Child protection reporting process to Tusla, and/or An Garda Síochána
Recruitment			
Harm to children arising from the unsafe recruitment and selection of personnel where there is engagement with children and young people	<ul style="list-style-type: none"> Garda Vetting Policy Phone vetting by human resources of two referees Mandatory probation periods Obligation to complete Child Safeguarding Training 	Head of Human Resources	Ongoing review
RTÉ Events			
Harm to Children arising from attendance and participation at events such as JEP, BTYSTE, Ploughing, Junk Kouture etc.	<ul style="list-style-type: none"> Garda Vetting Policy Obligation to complete Child safeguarding Training Child Management Policy 	Event Co-ordinator Corporate Marketing Manager	Ongoing Review



Section 4

Risk Assessment and Procedures for Managing Risks Continued

4.2 Procedure for the management of allegations of abuse or misconduct against servants or agents of RTÉ involving a child encountered in the course of their employment

- 4.2.1** Those who work at or are contractually engaged by RTÉ have a responsibility to safeguard children, and to report any concern they may have for the protection or welfare of a child, where there is an allegation of abuse or misconduct against an RTÉ staff member or contractor involving a child encountered in the course of their employment.
- 4.2.2** If an allegation is made against an RTÉ staff member or contractor, the colleague to whom the allegation was made to (the "Reporter"), will follow the procedures outlined at paragraphs 4.2.3 to 4.2.7 of this Statement and, in so doing, will take account of the principles of natural justice.
- 4.2.3** The Designated Liaison Person shall be informed by the Reporter as a matter of urgency where there is an allegation of abuse or misconduct against an RTÉ staff member or contractor involving a child encountered in the course of their employment. The Reporter shall then complete RTÉ's Internal Child Safeguarding Incident Report Form and provide a copy of this Form to the DLP. RTÉ's Internal Child Safeguarding Incident Report Form is set out at Appendix 5 hereto.
- 4.2.4** The primary consideration is the protection of children, and the Designated Liaison Person shall, as a matter of urgency, report to the Child and Family Agency, where reasonable grounds for concern exist. RTÉ, in conjunction with directions and/or advice given by the Child and Family Agency, shall take any necessary protective measures, including, where necessary, immediately placing the servant/or agent on administrative leave. These measures should be proportionate to the level of risk and should not unduly penalise the staff member, financially or otherwise, unless necessary to protect children.
- 4.2.5** Any allegation must be dealt with sensitively and with a presumption of innocence (until the contrary is proven) and the servant or agent treated fairly. This includes the right not to be judged in advance of a full and fair enquiry. The Director of Human Resources should advise the person against whom the allegation of child abuse is being made of the following:
- a. the fact that an allegation has been made against him/her; and
 - b. the available details of the nature of the allegation; and
 - c. his/her right to seek legal advice before making any further comment; and
 - d. if a report has or will be made to AGS or Tusla.
- 4.2.6** The servant or agent should be afforded the opportunity to respond to the Director of Human Resources in accordance with relevant procedures. The Director of Human Resources should note the response and pass on this information if making a report to the Child and Family Agency pursuant to this Statement.
- 4.2.7** RTÉ will endeavour to ensure that its actions do not undermine or frustrate any investigations/assessments conducted by the Child and Family Agency and/or An Garda Síochána.

Section 4

Risk Assessment and Procedures for Managing Risks Continued

4.3 Procedure for the safe recruitment of staff/contractors

4.3.1 RTÉ follows a clear process to ensure that only suitable people are recruited to work in the organisation.

4.3.2 In respect of any role in the organisation, RTÉ creates job descriptions, person specifications, interviews applicants, checks successful applicants' references, qualifications, experience and/or gaps in their curriculum vitae as part of its thorough recruitment process and procedures. Staff are subject to a six or nine-month probation period after which a review is held with their line manager.

4.3.3 RTÉ is acutely aware of, and complies with, the statutory obligations on employers in relation to Garda vetting requirements for persons working with children and vulnerable adults, as are set out in the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012–2016, and undertakes vetting of current and prospective employees where necessary and in accordance with the RTÉ Garda Vetting Policy (See Appendix 3).

4.3.4 RTÉ shall ensure that Police vetting will take place in respect of those current and prospective employees who have spent periods of 6 or more months outside of the jurisdiction of Ireland.

4.3.5 Vetting shall be renewed for employees after 3 years of employment.

4.3.6 Where RTÉ engages with contractors or other organisations in the course of its business for the purpose of a collaboration, it is RTÉ's position that this Child Safeguarding Statement shall apply to all activities involved in any collaborations which concern children. This will be clearly communicated to the relevant contractor/organisation at the outset of any engagement. To ensure compliance, the contractor/organisation shall be provided with a copy of the Statement in advance of the commencement of any activity. Therein, the contractor/organisation is provided with the contact details for RTÉ's Designated Liaison Person and Deputy Designated Liaison Person. Where, however, RTÉ commissions work which is independently produced by a third party contractor/organisation, this Child Safeguarding Statement shall not apply thereto and the said third party contractor/organisation must have their own Child Safeguarding Statement in operation. This will be clearly communicated to the relevant contractor/organisation at the outset of any commission.

4.4 Procedure for the provision of and access to child safeguarding training, including identification of the occurrence of harm

4.4.1 RTÉ will make a copy of this Child Safeguarding Statement, together with the Garda Vetting Policy and the Child Management Policy, available on the RTÉ Hub (intranet). It will issue a notification to all staff when this is done.

4.4.2 RTÉ will make a copy of the Statement available to all new staff members/contractors/volunteers.

4.4.3 RTÉ will ensure that all relevant staff/contractors/volunteers will avail of training and in particular complete the online course provided by the Child and Family Agency – "Tusla's Universal E-learning Programme – An Introduction to Children First" by no later than 3 months after the date of the Statement issuing.

4.4.4 RTÉ undertakes to ensure that access to training will be provided to staff/contractors, including those who may not work with children on a regular basis, in order to ensure that staff have the necessary familiarity with relevant legislation, official guidance, and the Statement, as well as providing focused training to any staff who have regular contact with children.

4.5 Procedure for reporting child protection concerns

4.5.1 Servants and/or agents of RTÉ are obligated to report any reasonable grounds for suspicion that a child has been harmed, is being harmed or will be harmed to the Designated Liaison Person as soon as is reasonably practicable after the suspicion arose.

4.5.2 In the event that the Designated Liaison Person is unavailable, on annual leave, absent from work or for any other reason uncontactable, the Deputy Designated Liaison Person will take on the role and responsibilities of the Designated Liaison Person and all allegations and/or reasonable suspicions should be directed to him/her in the first instance.

4.5 Procedure for reporting child protection concerns (continued)

- 4.5.3** In the unlikely eventuality that it has not been possible to make contact with the Designated Liaison Person, or Deputy Designated Liaison Person, within a reasonable period of time, the servant and/or agent should inform the relevant Head of Department of his/her reasonable suspicion, whose responsibility it will be, in this instance, to report the allegation to the Child and Family Agency.
- 4.5.4** If a servant or agent has a reasonable suspicion that a child is at an immediate risk of harm to a child, that servant or agent should bypass the Designated Liaison Person and make contact with the Child and Family Agency and An Garda Síochána immediately. The servant or agent should advise the DLP as soon as possible once the report to the CFA and AGS has been made.
- 4.5.5** The servant and/or agent should then make a written record of the suspicion, concern, allegation, incident or disclosure of harm by completing RTÉ's Internal Child Safeguarding Incident Form, which is set out at Appendix 5. A copy of this Form shall be provided to the Designated Liaison Person. The Designated Liaison Person then makes a determination whether or not to report the matter to the Child and Family Agency, as set out below at 4.7.1.
- 4.5.6** Please refer to Appendix 6, where RTÉ's Step-By-Step Guide to Reporting provides a helpful guide to reporting for all servants and/or agents.

Investigations Unit

- 4.5.7** In the specific circumstances where the RTÉ Investigations Unit (IU) is undertaking an investigation in the public interest into a company, organisation and/or service in relation to poor standards concerning children, for instance a crèche or sporting body, a suitable undercover researcher will be placed within that company, organisation and/or service and an external independent expert will be engaged by the RTÉ IU to advise on the project protocols, evidence gathered, and reporting to the relevant authorities. The undercover researcher shall monitor activity and report daily to his or her production team. Where child protection concerns appear to arise, the production team will provide all evidence/footage to the Editor of the IU, who in turn will liaise with Director of News and Current Affairs and the external independent expert. Where appropriate, the Director of News and Current Affairs shall make the necessary report to the DLP. While individuals employed or engaged by RTÉ may not be mandated persons under Schedule 2 of the 2015 Act as a consequence of their contractual relationship with RTÉ, the undercover researcher or external expert may be a mandated person in circumstances where he or she has entered into a contractual relationship with the relevant third party service (as defined by Schedule 1 of the 2015 Act) in their undercover role, and where he or she is classified as any of the persons listed at Schedule 2 of the 2015 Act. If this arises, the obligations set out at section 14 of the Act apply to him/her through his/her relationship with the said third party service. In that capacity, he/she has certain legal obligations regarding reporting independent of his/her role with RTÉ and the undercover researcher shall familiarise himself or herself with same. Where he/she has a reasonable suspicion or reasonable grounds to suspect that a child may have been abused or neglected, is being abused or neglected, or is at risk of abuse or neglect, he/she shall, as soon as is reasonably practicable, report this to the Designated Liaison Person of that third party directly.

4.6 Procedure for appointing the Designated Liaison Person

- 4.6.1** RTÉ has appointed the Health and Safety Manager as the Designated Liaison Person. They should be the first point of contact in respect of this Statement. The Deputy Designated Liaison Person shall assume responsibility if the Designated Liaison Person is unavailable to do so.

4.7 Role of the Designated Liaison Person

- 4.7.1** The Designated Liaison Person (DLP) is responsible for ensuring that reporting procedures within RTÉ are followed, so that child protection concerns are referred to the Child and Family Agency in a prompt manner. Servants and/or agents of RTÉ will report their child protection concern to the DLP, who will then determine what to do with this report. The DLP is to record all concerns, allegations and/or disclosures regarding child abuse made to him or her and a record must be kept of the actions taken in relation to each report. If the DLP holds a reasonable concern that the child the subject matter of a report has been harmed and/or is at risk of being harmed, he or she shall refer the matter to the Child and Family Agency. If the Designated Liaison Person is satisfied that the reported concern does not meet the threshold of a reasonable suspicion, the DLP may not refer the concern to the CFA, but he or she must follow the steps outlined at 5.3.1.

Section 5

Reporting Framework

RTÉ will follow the guiding principles on reporting child abuse or neglect contained in the Children First Guidelines, insofar as they are applicable to RTÉ as a national public broadcasting organisation, namely:

- The safety and well-being of the child must take priority over concerns about adults against whom an allegation may be made; and
- Reports of concerns should be made as soon as reasonably practicable to the Child and Family Agency.

There are four different categories of child abuse:

- a. neglect;
- b. emotional abuse;
- c. physical abuse; and
- d. sexual abuse.

A child may be subjected to one or more forms of abuse at any given time. Abuse and neglect can occur within the family, in the community or in an institutional setting. The abuser may be someone known to the child or a stranger and can be an adult or another child. In a situation where abuse is alleged to have been carried out by another child, it is a child welfare and protection issue for both children, and child protection procedures should be followed for both the victim and the alleged abuser.

The important factor in deciding whether the behaviour is abuse or neglect is the impact of that behaviour on the child rather than the intention of the abuser.

5.1 Mandated reporting under the Children First Act 2015

5.1.1 RTÉ acknowledges that mandated persons have a statutory obligation under section 14 of the Act to make a report to the Child and Family Agency in certain circumstances. Schedule 2 of the Act lists the classes of persons that are specified as mandated persons for the purposes of the 2015 Act. Please refer to Appendix 7 of the Statement where section 14 and Schedule 2 of the 2015 Act are reproduced.

5.1.2 While individuals employed or engaged by RTÉ may not be mandated persons as a consequence of their contractual relationship with RTÉ, such persons may be a mandated person, as defined by Schedule 2 of the 2015 Act, while engaged by RTÉ, in circumstances where they are hired as an undercover reporter or researcher. In circumstances where such individuals enter into a contractual relationship with a relevant (third party) service, as defined by Schedule 1 of the 2015 Act and are classified as any of the persons listed at Schedule 2 of the 2015 Act, the obligations set out at section 14 of the Act apply to him/her through his/her relationship with the said third party service. In that capacity, he/she has certain legal obligations independent of his/her role with RTÉ.

5.1.3 In the event that RTÉ were to employ a designated child protection officer, that person would become mandated under Schedule 1 of the 2015 Act.

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

- 5.2.1** The Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012 requires that any person who has information about a serious offence against a child, which may result in charges or prosecution, must report this to An Garda Síochána. Failure to report under the Act is a criminal offence under that legislation. Please see Appendix 10 for a full copy of the 2012 Act.
- 5.2.2** In addition, to comply with this Statement, servants and/or agents should also ensure they comply with obligations falling under the Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012, and report concerns to An Garda Síochána in the circumstances mandated by that Act and/or where appropriate to do so.
- 5.2.3** Guidance may be sought from the Designated Liaison Person in respect of any duties or obligations arising from this legislation.

5.3 Decision not to report a concern to the Child and Family Agency

- 5.3.1** Only in exceptional circumstances will the Designated Liaison Person not refer a reported concern to the Child and Family Agency, and he or she must be satisfied and have a certain view that the reported concern does not meet the threshold of a reasonable suspicion. Where doubt exists regarding the threshold of a reasonable suspicion, the Designated Liaison Person should liaise with the Child and Family Agency. In circumstances where the Designated Liaison Person does not refer a reported concern to the Child and Family Agency, he or she will ensure that they have:
- Sought legal advice, where appropriate and/or necessary from the Director of Legal Affairs and/or whoever she delegates to provide legal advice;
 - Recorded the reasons for not referring the concern to the Child and Family Agency;
 - Recorded any actions taken as a result of the report;
 - Provided the person who reported the concern with a clear written explanation of the reasons why the concern was not reported to the Child and Family Agency;
 - Advised the staff member, contractor, volunteer or third party that reported the concern, that if he/she remains concerned and/or maintains that he/she has grounds for reasonable suspicion that a child has been harmed or may be harmed, he/she is free to make a report to the Child Family Agency and An Garda Síochána.

5.4 Internal Oversight

- 5.4.1** The Designated Liaison Person shall inform the Director of Legal Affairs in respect of any disclosure or child protection and/or welfare concern made to him/her which resulted in the Designated Liaison Person forming the opinion that there were reasonable grounds to suspect a child had been harmed or that he/she was at risk of harm, and the action(s) that were taken on foot of that disclosure.
- 5.4.2** Where an allegation of neglect or abuse is made against a servant or agent of RTÉ in relation to a child, the Director of Human Resources shall be informed. Information in this regard shall be shared on a 'need-to-know' basis only in the best interests of the child.

Section 6

How to Deal with a Disclosure of Suspected Child Abuse

A child or young person may disclose to a staff member/contractor that they have been or are being harmed or abused. Children will often have different ways of communicating that they are being abused. If a child indicates or informs a staff member/contractor that they are being harmed by someone, be it a parent, another adult or by another child (peer abuse), it should be treated in a sensitive manner.

The following approach is suggested as best practice for dealing with these disclosures.

- React calmly.
- Listen carefully and attentively.
- Take the child seriously.
- Reassure the child that he/she has taken the right action in talking to you.
- Do not promise to keep anything secret.
- Ask questions for clarification only.
- Do not ask leading questions.
- Check back with the child that what you have heard is correct and understood.
- Do not express any opinions about the alleged abuser.
- Ensure that the child understands the procedures that will follow.
- Make a written record of the conversation as soon as possible, in as much detail as possible.
- Complete the RTÉ Internal Child Safeguarding Incident Report Form.
- Treat the information confidentially, subject to the requirements of this Statement.
- The recipient of the disclosure should inform the Designated Liaison Person as soon as possible. The Designated Liaison Person will deal with the matter and, if appropriate report it to the Child and Family Agency and/or An Garda Síochána, following procedures outlined in this Statement.
- Where an adult makes a disclosure in relation to abuse which took place during his/her childhood, the servant and/or agent to whom that disclosure was made shall report this disclosure to the Designated Liaison Person as soon as is reasonably practicable. The Designated Liaison Person shall then report the matter to the Child and Family Agency if the Designated Liaison Person holds a reasonable concern about this past abuse and there is a possible continuing risk to children in accordance with the 2017 Guidance. The Designated Liaison Person shall complete Tusla's Retrospective Abuse Report Form, which is set out at Appendix 9.

Section 7


Programme Making Involving Children

Programme makers have a duty of care to children taking part in RTÉ generated content under the Broadcasting Code and the RTÉ Editorial Guidelines.

All programme makers who encounter or may encounter children in the course of their work will have as their first priority to ensure that no child is exposed to unnecessary risk.

In the context of programme making where a staff member or contractor who in the course of his/her work on that programme identifies or suspects child abuse/neglect, he/she shall as soon as is reasonably practicable report this to the Designated Liaison Person. At that stage, the Designated Liaison Person should assess whether there are reasonable grounds to suspect that a child has been harmed or is at risk of harm and, if such reasonable grounds exist, report same to the Child and Family Agency.

In relation to programmes that are independently produced for RTÉ, independent production companies shall be required to ensure that they have a Child Safeguarding Statement, which outlines procedures that are compliant with all relevant legislation and guidance.



All programme makers who encounter or may encounter children in the course of their work will have as their first priority to ensure that no child is exposed to unnecessary risk.

Section 8

Confidentiality and Record Keeping

Where child protection and/or welfare concerns arise, information must be shared on a 'need-to-know' basis in the best interests of the child with the relevant statutory authorities and with parents/guardians.

No undertakings regarding secrecy can be given to any person disclosing an allegation of child abuse.

The proportionate provision of information to the statutory agencies necessary for the protection of a child is not a breach of confidentiality or data protection. RTÉ shall retain personal information relating to allegations/suspensions/concerns or disclosures of harm made to its servants and/or agents in person, by phone, e-mail or otherwise in writing, in order to be able to report such information to the appropriate authorities as specified in the 2017 Guidance.

Parents/guardians and children have a right to know if personal information is being shared, unless doing so could put the child at further risk or may put the reporter at risk.

Where the Designated Liaison Person is assisting the Child and Family Agency to carry out an assessment, he/she may not share this information with a third party, save in accordance with the law, or unless the Child and Family Agency authorises in writing the disclosure of information, subject to conditions (if any) as the Child and Family Agency considers appropriate and specifies in the authorisation.

The RTÉ Data Protection Individual Rights Guide and the RTÉ Data and Document Retention Policy, both contained in Appendix 11, govern the protection and retention of data in accordance with the General Data Protection Regulation (GDPR).

8.1 Management of Records

- 8.1.1** When child abuse or neglect is suspected, it is essential that a written record of all the information available is completed. This written record shall be compiled by way of completing the RTÉ Internal Child Safeguarding Incident Report Form, which is set out at Appendix 5. Therefore, staff members/contractors reporting a concern to the Designated Liaison Person shall be expected to complete the Form, providing a detailed account of the following:
- a. the grounds for the concerns (e.g. details of the allegation, dates of incidents, and description of injuries);
 - b. any comment by the child concerned, or by any other person, about how an injury occurred shall be recorded, preferably quoting words actually used, as soon as possible after the comment has been made;
 - c. the names, if known, of who is allegedly harming the child or not caring for him/her appropriately should also be recorded.
- 8.1.1** The Internal Child Safeguarding Incident Report Form must be completed in a factual and objective manner. The name, contact details, and relationship to the child of the person bringing the concerns must be included therein.
- 8.1.3** The form shall be signed and dated. It must then be passed onto the Designated Liaison Person, along with any other written records compiled by the Reporter.
- 8.1.4** The Designated Liaison Person must keep all written records, notes and e-mail correspondence relating to child protection concerns and reports, including a copy of the RTÉ Internal Child Safeguarding Incident Report Form. It is the responsibility of the DLP to ensure that records on child protection concerns, allegations and disclosures are kept securely and safely within the organisation and are shared on a need-to-know basis in the best interests of the child. Such records are retained in line with RTÉ's Data and Document Retention Policy (see Appendix 11), taking into account legislative principles set out in Data Protection and Freedom of Information legislation. No other persons or staff members shall be permitted to access this information.

- 8.1.5** The Designated Liaison Person shall retain such information relating to child protection concerns, allegations or disclosures in order to allow a report to be made to the appropriate authorities, as is specified in the 2017 Guidance. The DLP shall share such information as is required with the Child and Family Agency when assisting with an assessment of risk to a child.
- 8.1.6** Footage in relation to child protection concerns, allegations or disclosures shall similarly be retained by the DLP securely and safely within the organisation and shared on a need-to-know basis only. No other persons or staff members shall be permitted to view such footage. It shall be shared with the appropriate authorities as required in accordance with the 2017 Guidance.
- 8.2 Informing Parents**
- 8.2.1** If a report is submitted to the Child and Family Agency or An Garda Síochána under the Statement, RTÉ will inform the parent/legal guardian of the child that a report is being made and the reasons for the decision to report. However, it is not necessary to inform a parent/legal guardian that a report is being made:
- a. if by doing so, the child will be placed at further risk; or
 - b. where the family's knowledge of the report could impair the Child and Family Agency's ability to carry out a risk assessment; or
 - c. if the reporter has a reasonable belief that by doing so it may place the reporter at risk of harm from the family.
- 8.2.2** A record shall be made, by the Designated Liaison Person, of the information communicated to the parent/legal guardian. A decision not to inform a parent/legal guardian shall be recorded, by the Designated Liaison Person, together with the reasons for not doing so.
- 8.2.3** Where the Designated Liaison Person has any doubt as to whether or not to inform a parent/legal guardian that a report is being made, he or she shall seek the advice of the Child and Family Agency.



The RTÉ Data Protection Individual Rights Guide and the RTÉ Data and Document Retention Policy govern the protection and retention of data in accordance with the General Data Protection Regulation (GDPR).

Section 9

Implementation and Review

- 9.1.1

RTÉ recognises that implementation is an on-going process. RTÉ is committed to the implementation of this Statement and the procedures set out herein, which support its intention to keep children safe from harm.
- 9.1.2

The Child Safeguarding Statement will be reviewed on an annual basis, or as soon as practicable after there has been a material change in any matter to which the Statement refers.

Section 10

Useful Contact Numbers

Designated Liaison Person and Relevant Person: Colm Byrne	(01) 208 3319
Deputy Designated Liaison Person: Angela McEvoy	(087) 1322243
Director of Human Resources: Eimear Cusack	(01) 208 3254
Director of Legal Affairs: Paula Mullooly	(01) 208 2631
Garda Station Donnybrook	(01) 666 9200

Appendices

1	Signs and symptoms of child abuse; Children First National Guidance for the Protection and Welfare of Children 2017	29
2	Schedule 3 to the Children First Act 2015	35
3	RTÉ Garda Vetting Policy	36
4	RTÉ Child Management Policy	37
5	RTÉ's Internal Child Safeguarding Incident Report Form	40
6	RTÉ's Step-by-Step Guide to Reporting	42
7	Mandated Persons - Section 14 and Schedule 2 of the 2015 Act	44
8	Tusla Child Protection and Welfare Report Form	47
9	Tusla Retrospective Abuse Report Form	47
10	Offences under the Criminal Justice (Withholding of Information on Offences Against Children and Vulnerable Persons) Act 2012	47
11	RTÉ Data Protection Individual Rights Guide and RTÉ Data and Document Retention Policy	48
12	RTÉ Journalism Guidelines 2020 and RTÉ Social Media Guidelines	48
13	RTÉ Privacy Policy	48

Appendix 1

Signs and Symptoms of Child Abuse; *Children First National Guidance for the Protection and Welfare of Child 2017*

1

Signs and symptoms of neglect

Child neglect is the most common category of abuse. A distinction can be made between 'wilful' neglect and 'circumstantial' neglect. 'Wilful' neglect would generally incorporate a direct and deliberate deprivation by a parent/carer of a child's most basic needs, e.g. withdrawal of food, shelter, warmth, clothing, contact with others. 'Circumstantial' neglect more often may be due to stress/inability to cope by parents or carers.

Neglect is closely correlated with low socio-economic factors and corresponding physical deprivations. It is also related to parental incapacity due to learning disability, addictions or psychological disturbance.

The neglect of children is 'usually a passive form of abuse involving omission rather than acts of commission' (Skuse and Bentovim, 1994). It comprises 'both a lack of physical caretaking and supervision and a failure to fulfil the developmental needs of the child in terms of cognitive stimulation'.

Child neglect should be suspected in cases of:

- abandonment or desertion;
- children persistently being left alone without adequate care and supervision;
- malnourishment, lacking food, inappropriate food or erratic feeding;
- lack of warmth;
- lack of adequate clothing;
- inattention to basic hygiene;
- lack of protection and exposure to danger, including moral danger or lack of supervision appropriate to the child's age;
- persistent failure to attend school;
- non-organic failure to thrive, i.e. child not gaining weight due not only to malnutrition but also to emotional deprivation;
- failure to provide adequate care for the child's medical and developmental problems;
- exploited, overworked.

2

Characteristics of neglect

Child neglect is the most frequent category of abuse, both in Ireland and internationally. In addition to being the most frequently reported type of abuse, neglect is also recognised as being the most harmful. Not only does neglect generally last throughout a childhood, it also has long-term consequences into adult life. Children are more likely to die from chronic neglect than from one instance of physical abuse. It is well established that severe neglect in infancy has a serious negative impact on brain development.

Neglect is associated with, but not necessarily caused by, poverty. It is strongly correlated with parental substance misuse, domestic violence and parental mental illness and disability.

Neglect may be categorised into different types (adapted from Dubowitz, 1999):

- **Disorganised/chaotic neglect:** This is typically where parenting is inconsistent and is often found in disorganised and crises-prone families. The quality of parenting is inconsistent, with a lack of certainty and routine, often resulting in emergencies regarding accommodation, finances and food. This type of neglect results in attachment disorders, promotes anxiety in children and leads to disruptive and attention-seeking behaviour, with older children proving more difficult to control and discipline. The home may be unsafe from accidental harm, with a high incident of accidents occurring.
- **Depressed or passive neglect:** This type of neglect fits the common stereotype and is often characterised by bleak and bare accommodation, without material comfort, and with poor hygiene and little if any social and psychological stimulation. The household will have few toys and those that are there may be broken, dirty or inappropriate for age. Young children will spend long periods in cots, playpens or pushchairs. There is often a lack of food, inadequate bedding and no clean clothes. There can be a sense of hopelessness, coupled with ambivalence about improving the household situation. In such environments, children frequently are absent from school and have poor homework routines. Children subject to these circumstances are at risk of major developmental delay.

Appendix 1

Signs and Symptoms of Child Abuse; *Children First National Guidance for the Protection and Welfare of Child 2017* Continued

2 Characteristics of neglect (continued)

- **Chronic deprivation:** This is most likely to occur where there is the absence of a key attachment figure. It is most often found in large institutions where infants and children may be physically well cared for, but where there is no opportunity to form an attachment with an individual carer. In these situations, children are dealt with by a range of adults and their needs are seen as part of the demands of a group of children. This form of deprivation will also be associated with poor stimulation and can result in serious developmental delays.

The following points illustrate the consequences of different types of neglect for children

- inadequate food – failure to develop;
- household hazards – accidents;
- lack of hygiene – health and social problems;
- lack of attention to health – disease;
- inadequate mental health care – suicide or delinquency;
- inadequate emotional care – behaviour and educational; inadequate supervision – risk-taking behaviour;
- unstable relationship – attachment problems;
- unstable living conditions – behaviour and anxiety, risk of accidents;
- exposure to domestic violence – behaviour, physical and mental health;
- community violence – anti social behaviour.

3 Signs and symptoms of emotional neglect and abuse

Emotional neglect and abuse is found typically in a home lacking in emotional warmth. It is not necessarily associated with physical deprivation. The emotional needs of the children are not met; the parent's relationship to the child may be without empathy and devoid of emotional responsiveness.

Emotional neglect and abuse occurs when adults responsible for taking care of children are unaware of and unable (for a range of reasons) to meet their children's emotional and developmental needs. Emotional neglect and abuse is not easy to recognise because the effects are not easily observable. Skuse (1989) states that 'emotional abuse refers to the habitual verbal harassment of a child by disparagement, criticism, threat and ridicule, and the inversion of love, whereby verbal and non-verbal means of rejection and withdrawal are substituted'.

Emotional neglect and abuse can be identified with reference to the indices listed below. However, it should be noted that no one indicator is conclusive of emotional abuse. In the case of emotional abuse and neglect, it is more likely to impact negatively on a child where there is a cluster of indices, where these are persistent over time and where there is a lack of other protective factors.

- rejection;
- lack of comfort and love;
- lack of attachment; • lack of proper stimulation (e.g. fun and play);
- lack of continuity of care (e.g. frequent moves, particularly unplanned); • continuous lack of praise and encouragement;
- serious over-protectiveness;
- inappropriate non-physical punishment (e.g. locking in bedrooms);
- family conflicts and/or violence;
- every child who is abused sexually, physically or neglected is also emotionally abused;
- inappropriate expectations of a child relative to his/her age and stage of development.

Children who are physically and sexually abused and neglected also suffer from emotional abuse.

4 Signs and symptoms of physical abuse

Unsatisfactory explanations, varying explanations, frequency and clustering for the following events are high indices for concern regarding physical abuse:

- bruises (see below for more detail);
- fractures;
- swollen joints;
- burns/scalds (see below for more detail);
- abrasions/lacerations;
- haemorrhages (retinal, subdural);
- damage to body organs;
- poisonings – repeated (prescribed drugs, alcohol);
- failure to thrive;
- coma/unconsciousness;
- death.

There are many different forms of physical abuse, but skin, mouth and bone injuries are the most common.

Bruises

Accidental

Accidental bruises are common at places on the body where bone is fairly close to the skin. Bruises can also be found towards the front of the body, as the child usually will fall forwards.

Accidental bruises are common on the chin, nose, forehead, elbow, knees and shins. An accident-prone child can have frequent bruises in these areas. Such bruises will be diffuse, with no definite edges. Any bruising on a child before the age of mobility must be treated with concern.

Non-accidental

Bruises caused by physical abuse are more likely to occur on soft tissues, e.g. cheek, buttocks, lower back, back, thighs, calves, neck, genitalia and mouth.

Marks from slapping or grabbing may form a distinctive pattern. Slap marks might occur on buttocks/cheeks and the outlining of fingers may be seen on any part of the body. Bruises caused by direct blows with a fist have no definite pattern, but may occur in parts of the body that do not usually receive injuries by accident. A punch over the eye (black eye syndrome) or ear would be of concern. Black eyes cannot be caused by a fall on to a flat surface. Two black eyes require two injuries and must always be suspect. Other distinctive patterns of bruising may be left by the use of straps, belts, sticks and feet. The outline of the object may be left on the child in a bruise on areas such as the back or thighs (areas covered by clothing).

Bruises may be associated with shaking, which can cause serious hidden bleeding and bruising inside the skull. Any bruising around the neck is suspicious since it is very unlikely to be accidentally acquired. Other injuries may feature – ruptured eardrum/fractured skull. Mouth injury may be a cause of concern, e.g. torn mouth (frenulum) from forced bottle-feeding.

Bone injuries

Children regularly have accidents that result in fractures. However, children's bones are more flexible than those of adults and the children themselves are lighter, so a fracture, particularly of the skull, usually signifies that considerable force has been applied.

Non-accidental

A fracture of any sort should be regarded as suspicious in a child under 8 months of age. A fracture of the skull must be regarded as particularly suspicious in a child under 3 years. Either case requires careful investigation as to the circumstances in which the fracture occurred. Swelling in the head or drowsiness may also indicate injury.

Appendix 1

Signs and Symptoms of Child Abuse; *Children First National Guidance for the Protection and Welfare of Child 2017* Continued

4 Signs and symptoms of physical abuse (continued)

Burns

Children who have accidental burns usually have a hot liquid splashed on them by spilling or have come into contact with a hot object. The history that parents give is usually in keeping with the pattern of injury observed. However, repeated episodes may suggest inadequate care and attention to safety within the house.

Non-accidental

Children who have received non-accidental burns may exhibit a pattern that is not adequately explained by parents. The child may have been immersed in a hot liquid. The burn may show a definite line, unlike the type seen in accidental splashing. The child may also have been held against a hot object, like a radiator or a ring of a cooker, leaving distinctive marks. Cigarette burns may result in multiple small lesions in places on the skin that would not generally be exposed to danger. There may be other skin conditions that can cause similar patterns and expert paediatric advice should be sought.

Bites

Children can get bitten either by animals or humans. Animal bites (e.g. dogs) commonly puncture and tear the skin, and usually the history is definite. Small children can also bite other children.

Non-accidental

It is sometimes hard to differentiate between the bites of adults and children since measurements can be inaccurate. Any suspected adult bite mark must be taken very seriously. Consultant paediatricians may liaise with dental colleagues in order to identify marks correctly.

Poisoning

Children may commonly take medicines or chemicals that are dangerous and potentially life-threatening. Aspects of care and safety within the home need to be considered with each event.

Non-accidental

Non-accidental poisoning can occur and may be difficult to identify, but should be suspected in bizarre or recurrent episodes and when more than one child is involved. Drowsiness or hyperventilation may be a symptom.

Shaking violently

Shaking is a frequent cause of brain damage in very young children.

Fabricated/induced illness

This occurs where parents, usually the mother (according to current research and case experience), fabricate stories of illness about their child or cause physical signs of illness. This can occur where the parent secretly administers dangerous drugs or other poisonous substances to the child or by smothering. The symptoms that alert to the possibility of fabricated/induced illness include:

- i. symptoms that cannot be explained by any medical tests; symptoms never observed by anyone other than the parent/carer; symptoms reported to occur only at home or when a parent/carer visits a child in hospital;
- ii. high level of demand for investigation of symptoms without any documented physical signs;
- iii. unexplained problems with medical treatment, such as drips coming out or lines being interfered with; presence of unprescribed medication or poisons in the blood or urine.

5

Signs and symptoms of sexual abuse

Child sexual abuse often covers a wide spectrum of abusive activities. It rarely involves just a single incident and usually occurs over a number of years. Child sexual abuse most commonly happens within the family.

Cases of sexual abuse principally come to light through:

- a. disclosure by the child or his or her siblings/friends;
- b. the suspicions of an adult;
- c. physical symptoms.

Colburn Faller (1989) provides a description of the wide spectrum of activities by adults which can constitute child sexual abuse. These include:

Non-contact sexual abuse

- 'Offensive sexual remarks', including statements the offender makes to the child regarding the child's sexual attributes, what he or she would like to do to the child and other sexual comments.
- Obscene phone calls.
- Independent 'exposure' involving the offender showing the victim his/her private parts and/or masturbating in front of the victim.
- 'Voyeurism' involving instances when the offender observes the victim in a state of undress or in activities that provide the offender with sexual gratification. These may include activities that others do not regard as even remotely sexually stimulating.

Sexual contact

- Involving any touching of the intimate body parts. The offender may fondle or masturbate the victim, and/or get the victim to fondle and/or masturbate them. Fondling can be either outside or inside clothes. Also includes 'frottage', i.e. where offender gains sexual gratification from rubbing his/her genitals against the victim's body or clothing.

Oral-genital sexual abuse

- Involving the offender licking, kissing, sucking or biting the child's genitals or inducing the child to do the same to them.

Interfemoral sexual abuse

- Sometimes referred to as 'dry sex' or 'vulvar intercourse', involving the offender placing his penis between the child's thighs.

Penetrative sexual abuse, of which there are four types:

- 'Digital penetration', involving putting fingers in the vagina or anus, or both. Usually the victim is penetrated by the offender, but sometimes the offender gets the child to penetrate them.
- 'Penetration with objects', involving penetration of the vagina, anus or occasionally mouth with an object.
- 'Genital penetration', involving the penis entering the vagina, sometimes partially.
- 'Anal penetration' involving the penis penetrating the anus.

Sexual exploitation

- Involves situations of sexual victimisation where the person who is responsible for the exploitation may not have direct sexual contact with the child. Two types of this abuse are child pornography and child prostitution.
- 'Child pornography' includes still photography, videos and movies, and, more recently, computer-generated pornography.
- 'Child prostitution' for the most part involves children of latency age or in adolescence. However, children as young as 4 and 5 are known to be abused in this way.

Appendix 1

Signs and Symptoms of Child Abuse; *Children First National Guidance for the Protection and Welfare of Child 2017* Continued

5 Signs and symptoms of sexual abuse (continued)

The sexual abuses described above may be found in combination with other abuses, such as physical abuse and urination and defecation on the victim. In some cases, physical abuse is an integral part of the sexual abuse; in others, drugs and alcohol may be given to the victim.

It is important to note that physical signs may not be evident in cases of sexual abuse due to the nature of the abuse and/or the fact that the disclosure was made some time after the abuse took place.

Carers and professionals should be alert to the following physical and behavioural signs:

- bleeding from the vagina/anus;
- difficulty/pain in passing urine/faeces;
- an infection may occur secondary to sexual abuse, which may or may not be a definitive sexually transmitted disease. Professionals should be informed if a child has a persistent vaginal discharge or has warts/rash in genital area;
- noticeable and uncharacteristic change of behaviour;
- hints about sexual activity;
- age-inappropriate understanding of sexual behaviour;
- inappropriate seductive behaviour;
- sexually aggressive behaviour with others; • uncharacteristic sexual play with peers/toys;
- unusual reluctance to join in normal activities that involve undressing, e.g. games/swimming. Particular behavioural signs and emotional problems suggestive of child abuse in young children (aged 0-10 years) include:
 - mood change where the child becomes withdrawn, fearful, acting out;
 - lack of concentration, especially in an educational setting;
 - bed wetting, soiling;
 - pains, tummy aches, headaches with no evident physical cause;
 - skin disorders;
 - reluctance to go to bed, nightmares, changes in sleep patterns;
 - school refusal;
 - separation anxiety;
 - loss of appetite, overeating, hiding food.

Particular behavioural signs and emotional problems suggestive of child abuse in older children (aged 10+ years) include:

- depression, isolation, anger;
- running away;
- drug, alcohol, solvent abuse;
- self-harm;
- suicide attempts;
- missing school or early school leaving;
- eating disorders.

All signs/indicators need careful assessment relative to the child's circumstances.

Appendix 2

Schedule 3 to the Children First Act 2015: *Offences for Purposes of Paragraph (a) of Definition of “Sexual Abuse” in Section 2 of the Act*

- a. Rape;
- b. Rape under section 4 of the Criminal Law (Rape) (Amendment) Act 1990;
- c. Sexual assault;
- d. Aggravated sexual assault within the meaning of section 3 of the Criminal Law (Rape) (Amendment) Act 1990;
- e. An offence under section 1 of the Punishment of Incest Act 1908 (incest by males);
- f. An offence under section 2 of the Punishment of Incest Act 1908 (incest by females of or over 17 years of age);
- g. An offence under section 6(1) of the Criminal Law (Sexual Offences) Act 1993 (soliciting or importuning for purposes of commission of sexual offence);
- h. An offence under section 2 of the Criminal Law (Sexual Offences) Act 2006 (defilement of child under 15 years of age);
- i. An offence under section 3 of the Criminal Law (Sexual Offences) Act 2006 (defilement of child under 17 years);
- j. An offence under section 3A of the Criminal Law (Sexual Offences) Act 2006 (offence by person in authority);
- k. An offence under either of the following provisions of the Child Trafficking and Pornography Act 1998:
 - i. section 3 (child trafficking and taking child for sexual exploitation);
 - ii. section 4 (allowing a child to be used for child pornography);
 - iii. section 4A (organising etc. child prostitution or production of child pornography);
 - iv. section 5A (participation of child in pornographic performance).
- l. An offence under section 5 of the Criminal Law (Human Trafficking) Act 2008 in so far as it relates to a child who has been trafficked for the purpose of his or her exploitation (soliciting or importuning for purposes of prostitution of trafficked person);
- m. An offence under section 176 of the Criminal Justice Act 2006 (reckless endangerment of children);
- n. An offence under section 249 of the Children Act 2001 (causing or encouraging sexual offence upon a child);
- o. An offence under any of the following provisions of the Criminal Law (Sexual Offences) Act 2017:
 - i. section 4 (invitation etc. to sexual touching);
 - ii. section 5 (sexual activity in presence of child);
 - iii. section 6 (causing child to watch sexual activity);
 - iv. section 8 (use of information and communication technology to facilitate sexual exploitation of child).

Appendix 3

RTÉ Garda Vetting Policy


RTÉ follows a clear process to ensure that only suitable people are recruited to work in the organisation.

In respect of any role in the organisation, RTÉ creates job descriptions, person specifications, interviews applicants, checks successful applicants' references, qualifications, experience and/or gaps in their curriculum vitae as part of its thorough recruitment process and procedures. Staff are subject to a six or nine-month probation period after which a review is held with their line manager.

RTÉ is acutely aware of, and complies with, the statutory obligations on employers in relation to Garda vetting requirements for persons working with children and vulnerable adults, as are set out in the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012–2016. RTÉ undertakes vetting of current and prospective employees where necessary.

RTÉ shall ensure that Police vetting will take place in respect of those current and prospective employees who have spent periods of 6 or more months outside of the jurisdiction of Ireland.

Vetting shall be renewed for employees after 3 years of employment.



In respect of any role in the organisation, RTÉ creates job descriptions, person specifications, interviews applicants, checks successful applicants' references, qualifications, experience and/or gaps in their curriculum vitae as part of its thorough recruitment process and procedures.

Appendix 4

RTÉ Child Management Policy

Purpose

While providing services to children is not the function of RTÉ, engaging with children is at the heart of its remit as a public service broadcaster, through the content and services which it provides, as well as direct engagement with children in the creation of content by the participation of children in programmes. RTÉ is committed to creating a safe, engaging environment where the safety, welfare and wellbeing of children with whom we interact with is paramount and the purpose of this Policy is to set out best practice in relation to the management of children.

The Child Management Policy contains a number of key principles which staff/contractors must adhere when planning a production, event, activity or project involving children on behalf of RTÉ and must be read in conjunction with the RTÉ Child Safeguarding Statement, the RTÉ Garda Vetting Policy and the RTÉ Journalism Guidelines as they pertain to children.

Guidelines

The following are the guidelines to be followed when dealing with children in the course of your work at RTÉ as an employee/contractor:

- Always prioritise the safety and wellbeing of the child at all times.
- Always act within professional boundaries - ensure all contact with children is essential to the programme/project/activity you are working on.
- Remember they are children first, and contributors or participants second.
- Do not assume sole responsibility for a child and if a child needs care, alert the parent or chaperone. In the absence of a parent or appointed chaperone, tasks of a personal nature should only be carried out for a child only in an emergency or accident situation.
- Never lose sight of the fact that you are with children - behave appropriately and use appropriate language at all times.
- A risk assessment must be carried out to ensure compliance with the Health, Safety and Welfare at Work Act 2005 and associated Regulations and the Children First Act 2015 and the Children First National Guidance for the Protection and Welfare of Children.

If you have any concerns about the welfare of a child or feel someone is behaving inappropriately around children, you have a duty to report this in accordance with the RTÉ Child Safeguarding Statement.

Consent

In accordance with the RTÉ Journalism Guidelines, the welfare of those who contribute to our content is of the utmost importance and takes priority over any editorial requirement. When featuring children in our content, their full, free and informed consent must be sought. Information should be given in a way they can understand and it should be made clear to them that it is acceptable to agree or disagree.

A child's refusal to take part should always be accepted.

In addition to the consent of the child, parental consent must be sought before interviewing anyone under the age of 18. It is desirable to obtain the consent of both parents when interviewing children. In a situation where a child's parents are estranged and consent cannot be obtained from both parents, careful consideration must be given before proceeding.

RTÉ must assess if it is appropriate for children to contribute to output, regardless of their consent and of parental consent. In some circumstances it may be appropriate to seek advice from an expert on the likely impact of participation on the child.

When filming/recording in schools/club or at any organised group event, the consent of the person in charge is required. Staff, children and parents must be made aware of the proposed activities. Consent must be obtained from any parties/their parents who are being filmed/recorded. No filming/recording will take place in respect of any child if their consent/their parents' consent has not been obtained.

Appendix 4

RTÉ Child Management Policy

Continued

Legislative Requirements

RTÉ is aware of its obligation to obtain a licence in respect of any child under the age of 16 who is employed under the Protection of Young Persons (Employment) Act 1996 (the 1996 Act) and will comply with any conditions applying to the licence as well as the permitted working hours and conditions stipulated by the National Employment Rights Authority (NERA) under the 1996 Act.

In relation to programmes which are independently produced for RTÉ, independent production companies shall be required to confirm they are compliant with the legislative requirements as they pertain to children under the age of 16.

Parents/Chaperones

RTÉ policy is that chaperones must be used whenever a child is being used in a production. A chaperone may be a parent, a guardian, an adult family member or a paid professional chaperone.

When children are attending RTÉ events, or are members of the audience for RTÉ shows, they must be accompanied by a responsible adult. An appropriate ratio of adults to children must be in place, which depends on the age of the children and is set out in more detail at Appendix 1 of this Policy.

The chaperone in charge of the child shall take full responsibility for all aspects of the child's welfare and for their behaviour, and shall ensure that the child is safely transported to his/her home after the event is over.

Children as Audience Participants

Children under 16 should normally be part of a studio audience only for a children's programme, the recording of which should be completed no later than 9 pm.

Children may be part of a studio audience for programmes that are not wholly for children if they have a particular interest in the subject matter of the programme or if there is a particular purpose, and with the approval of the production or programme/editorial/management team.

Children attending as part of such an audience must be accompanied to the studio by a chaperone who will be responsible for all aspects of the child's welfare and for their behaviour.

Interacting with Children Off Site

RTÉ Staff/contractors may encounter children when visiting schools/youth clubs or family events in the course of programme making. The principles outlined in this policy apply with equal measure irrespective of whether children are encountered off site or on-site.

Transition Year Students

RTÉ has a number of work experience placements available to Transition Year Students during February/March each year. Due to the fact that these persons are under the age of 18 they are deemed to be children and consequently their presence at RTÉ falls to be considered under this Policy.

When accepting transition year students on work experience, a designated member of staff/contractor at RTÉ will take responsibility for the training, supervision and tasking of that young person.

Every child on placement will be given an induction which will cover the basics around things like building evacuation, availability of first aid, acceptable behaviour on campus; right up to task specific training around equipment that they may be using.

The designated person must, as part of the process of accepting transition year students on work placements, complete a risk assessment for the group.

Health And Safety

i. Risk Assessment

A health and safety risk assessment is a way of identifying and thinking about some of the issues faced when planning a production, event or project involving children. It is an important step in helping safeguard children and must be completed before any child is brought on set or on location. In accordance with the RTÉ Safety Statement, all Producers have a responsibility to produce, update and keep Risk Assessments for their respective programme, event or productions. The risk assessment must be completed before production commences.

ii. Health and Safety training

A designated staff member/contractor will have first aid training and a first aid box will be available.

iii. Accident Reporting

All accidents, regardless of how minor they may seem, must be reported to the Health and Safety Team as soon as possible. At the very least the same day of the incident. The accident report must capture as much detail as possible. Where practical photographs should be taken of the accident scene, critical dimensions and environmental factors recorded on the accident report.

Accident report forms are available on the RTÉ hub. Scanned copies can be sent to safety@rte.ie ahead of being posted. See Health and safety section on the hub for further details.

Appendices

Appendix 1 – Child 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 various genders/gender identities, it is important that there are sufficient adults of varying genders/gender identities 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 0 – 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.

Appendix 5

RTÉ’S Internal Child Safeguarding
Incident Report Form

Reporter

Name	Department
Phone	E-mail
Address	

Child concerned

Name	Date of Birth
Phone	E-mail
Address:	
Details of Parent/Guardian:	

Particulars of Child Safeguarding Incident/Disclosure/Allegation/Concern:

Date	Time
Location	

Details of grounds for concern

(Insert details of incident, concern, allegation or disclosure – including as much detail as possible and the names, if known, of the person(s) who is allegedly harming the child. Use Additional Notes page if required.)

Description of any injury/harm that occurred or is at risk of occurring to the child

Details of any comments made by child concerned *(quoting words actually used where possible)*

Dated

Child Safeguarding Statement

Appendix 6

RTÉ Step-by-Step Guide to Reporting

Where a servant and/or agent of RTÉ holds any reasonable grounds for suspecting that a child has been harmed, is being harmed or will be harmed, the below procedure should be followed:



Inform



A report should be made to the Designated Liaison Person (DLP), within a reasonable period of time.

DLP: Colm Byrne (01) 208 3319

Where the DLP is unavailable, absent from work, on annual leave or for any other reason uncontactable, a report should be made to the Deputy DLP.

Deputy DLP: Angela McEvoy (087) 1322243



If there is a reasonable suspicion that the child is at an *immediate* risk of harm, the servant and/or agent should bypass the DLP and make contact with the CFA and An Garda Síochána immediately.

TUSLA Dublin South East:
(01) 215 5758
Donnybrook Garda Station:
(01) 666 9200

Where it has not been possible to report to the DLP, or Deputy DLP, a report should be made to the relevant Head of Department.



Record



The servant and/or agent should then make a written record of the suspicion, concern, allegation, incident or disclosure of harm on RTÉ's internal Child Safeguarding Incident Report Form (**Appendix 5**). This should include as much detail as possible.

If the DLP is of the opinion that such reasonable grounds exist and/or they hold a reasonable suspicion themselves, they should report the reasonable suspicion to the CFA without delay and as soon as is reasonably possible.



DLP Decision



The DLP then considers whether there are reasonable grounds of concern that the child has been harmed and/or is at risk of harm, having taken advice from the CFA if necessary.

In exceptional circumstances, where the DLP is satisfied that the reported concern does not meet the threshold of a reasonable suspicion, the DLP may not refer the reported concern to the CFA. The steps outlined at 5.3.1 must be followed.



Appendix 7

Mandated Persons: Section 14 and Schedule 2 of the Children First Act 2015

Section 14 - Mandated persons

1. Subject to *subsections (3), (4), (5), (6) and (7)*, where a mandated person knows, believes or has reasonable grounds to suspect, on the basis of information that he or she has received, acquired or becomes aware of in the course of his or her employment or profession as such a mandated person, that a child—
 - a. has been harmed,
 - b. is being harmed, or
 - c. is at risk of being harmed,he or she shall, as soon as practicable, report that knowledge, belief or suspicion, as the case may be, to the Agency.
2. Where a child believes that he or she—
 - a. has been harmed,
 - b. is being harmed, or
 - c. is at risk of being harmed,and discloses that belief to a mandated person in the course of the mandated person's employment or profession as such a person, the mandated person shall, subject to *subsections (5), (6) and (7)*, as soon as practicable, report that disclosure to the Agency.
3. A mandated person shall not be required to make a report to the Agency under *subsection (1)* where—
 - a. he or she knows or believes that—
 - ii. a child who is aged 15 years or more but less than 17 years is engaged in sexual activity, and
 - iii. the other party to the sexual activity concerned is not more than 2 years older than the child concerned,
 - b. he or she knows or believes that—
 - iii. there is no material difference in capacity or maturity between the parties engaged in the sexual activity concerned, and
 - iv. the relationship between the parties engaged in the sexual activity concerned is not intimidatory or exploitative of either party,
 - c. he or she is satisfied that subsection (2) does not apply, and
 - d. the child concerned has made known to the mandated person his or her view that the activity, or information relating to it, should not be disclosed to the Agency and the mandated person relied upon that view.
4. A mandated person shall not be required to make a report to the Agency under *subsection (1)* where the sole basis for the mandated person's knowledge, belief or suspicion is as a result of information he or she has acquired, received or become aware of—
 - a. from—
 - ii. another mandated person, or
 - iii. a person, other than a mandated person, who has reported jointly with a mandated person pursuant to *subsection (6)(b)*,that a report has been made to the Agency in respect of the child concerned by that other person,
 - b. pursuant to his or her role, as a member of staff of the Agency, in carrying out an assessment as to whether a child who is the subject of a report or any other child has been, is being or is at risk of being harmed, or
 - c. pursuant to his or her role in assisting the Agency with an assessment as to whether a child who is the subject of a report or any other child has been, is being or is at risk of being harmed.
5. *Subsections (1) and (2)* apply only to information that a mandated person acquires, receives or becomes aware of after the commencement of this section irrespective of whether the harm concerned occurred before or after that commencement.

6. Subject to *subsection (7)*, a report under *subsection (1) or (2)* shall be made by the completion of such form as shall be specified for that purpose by the Agency (in this Act referred to as a “mandated report form”) and may be made by the mandated person –
 - a. himself or herself; or
 - b. jointly with one or more than one other person, irrespective of whether or not the other person is a mandated person.
7. Where a mandated person acting in the course of his or her employment or profession knows, believes or has reasonable grounds to suspect that a child may be at risk of immediate harm and should be removed to a place of safety, he or she may make a report to the Agency under *subsection (1) or (2)* other than by means of a mandated report form.
8. Where a mandated person makes a report under *subsection (7)*, he or she shall in addition, complete a mandated report form as soon as may be but in any event not later than 3 days after the making of the first-mentioned report.
9. Any of the following matters may be prescribed:
 - a. the procedures that are to apply to a mandated person making a report under this section;
 - b. the making of a report by a mandated person jointly with one or more than one other person under this section.
10. The Agency shall make a mandated report form available in such form and manner (including on the internet) as the Agency considers appropriate.
11. The obligations imposed on a mandated person under this section are in addition to, and not in substitution for, any other obligation that the person has to disclose information to the Agency (whether or not in his or her capacity as a mandated person), but, subject to *subsection (8)*, this section shall not require the mandated person to disclose that information to the Agency more than once.
12. Nothing in this section shall operate to affect any other obligation that a person has to disclose information to a member of An Garda Síochána under the Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012 or to any other person by or under any other enactment or rule of law.

Schedule 2

Mandated Persons

The following classes of persons are specified as mandated persons for the purposes of this Act:

1. Registered medical practitioner within the meaning of section 2 of the Medical Practitioners Act 2007.
2. Registered nurse or registered midwife within the meaning of section 2(1) of the Nurses and Midwives Act 2011.
3. Physiotherapist registered in the register of members of that profession.
4. Speech and language therapist registered in the register of members of that profession.
5. Occupational therapist registered in the register of members of that profession.
6. Registered dentist within the meaning of section 2 of the Dentists Act 1985.
7. Psychologist who practises as such and who is eligible for registration in the register (if any) of members of that profession.
8. Social care worker who practises as such and who is eligible for registration in accordance with Part 4 of the Health and Social Care Professionals Act 2005 in the register of that profession.
9. Social worker who practises as such and who is eligible for registration in accordance with Part 4 of the Health and Social Care Professionals Act 2005 in the register (if any) of that profession.
10. Emergency medical technician, paramedic and advanced paramedic registered with the Pre-Hospital Emergency Care Council under the Pre-Hospital Emergency Care Council (Establishment) Order 2000 (S.I. No. 109 of 2000).
11. Probation officer within the meaning of section 1 of the Criminal Justice (Community Service) Act 1983.
12. Teacher registered with the Teaching Council.

Appendix 7

Mandated Persons: Section 14 and Schedule 2 of the Children First Act 2015

Continued

Schedule 2 (continued)

- 13.** Member of An Garda Síochána.
- 14.** Guardian ad litem appointed in accordance with [section 26](#) of the [Child Care Act 1991](#).
- 15.** Person employed in any of the following capacities:
- a. manager of domestic violence shelter;
 - b. manager of homeless provision or emergency accommodation facility;
 - c. manager of asylum seeker accommodation (direct provision) centre;
 - d. addiction counsellor employed by a body funded, wholly or partly, out of moneys provided by the Oireachtas;
 - e. psychotherapist or a person providing counselling who is registered with one of the voluntary professional bodies;
 - f. manager of a language school or other recreational school where children reside away from home;
 - g. member of the clergy (howsoever described) or pastoral care worker (howsoever described) of a church or other religious community;
 - h. director of any institution where a child is detained by an order of a court;
 - i. safeguarding officer, child protection officer or other person (howsoever described) who is employed for the purpose of performing the child welfare and protection function of religious, sporting, recreational, cultural, educational and other bodies and organisations offering services to children;
 - j. child care staff member employed in a pre-school service within the meaning of Part VIIA of the [Child Care Act 1991](#);
 - k. person responsible for the care or management of a youth work service within the meaning of [section 2](#) of the [Youth Work Act 2001](#).
- 16.** Youth worker who–
- a. holds a professional qualification that is recognised by the National Qualifications Authority in youth work within the meaning of [section 3](#) of the [Youth Work Act 2001](#) or a related discipline, and
 - b. is employed in a youth work service within the meaning of [section 2](#) of the [Youth Work Act 2001](#).
- 17.** Foster carer registered with the Agency.
- 18.** A person carrying on a pre-school service within the meaning of Part VIIA of the [Child Care Act 1991](#).

Appendix 8

Tusla Child Protection and Welfare Report Form

Tusla Child Protection and Welfare Report Form, available at:
https://www.tusla.ie/uploads/content/Child_Protection_and_Welfare_Report_Form_FINAL.pdf

Appendix 9

Tusla Retrospective Abuse Report Form

Tusla Retrospective Abuse Report Form, available at:
https://www.tusla.ie/uploads/content/Retrospective_Abuse_Report_Form_FINAL.pdf

Appendix 10

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

Criminal Justice (Withholding of Information on Offences Against Children and Vulnerable Persons) Act 2012
<http://www.irishstatutebook.ie/eli/2012/act/24/enacted/en/html>

Appendix 11

RTÉ Data Protection Individual Rights Guide & RTÉ Data and Document Retention Policy

RTÉ Data Protection Individual Rights Guide, available at:

<https://about.rte.ie/wp-content/uploads/2019/07/RTÉ-Data-Protection-Individual-Rights-Guide.pdf>

RTÉ Data and Document Retention Policy, available at:

<https://about.rte.ie/wp-content/uploads/2019/07/RTÉ-Data-Retention-Policy-2018.pdf>

Appendix 12

RTÉ Journalism Guidelines 2020 & RTÉ Social Media Guidelines

RTÉ Journalism Guidelines 2020, available at:

<https://about.rte.ie/wp-content/uploads/2020/07/RTÉ-Journalism-and-Content-Guidelines-2020-English-Published-Version-1.pdf>

RTÉ Social Media Guidelines, available at:

<https://about.rte.ie/wp-content/uploads/2019/07/rte-social-media-guidelines-2013-1.pdf>

Appendix 13

RTÉ Privacy Policy

RTÉ Privacy Policy, available at:

<https://about.rte.ie/reports-and-policies/privacy-policy/>



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