



DUBLIN YOUTH ORCHESTRAS
CHILD PROTECTION POLICY
JANUARY 2021

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Introduction

Dublin Youth Orchestras *Child Protection Policy* is presented in addition to our *Child Safeguarding Statement* and contains the necessary policies, references and information to complete the requirements of the *Child Safeguarding Statement* and to ensure best practice in relation to our work with children and young people.

In creating our policies, we have used reference materials and resources that are publicly available. It should be noted, however, that the policies represent our best efforts in the matter and are not guaranteed to meet all legal requirements.

This document forms part of a suite of documents that are used to safeguard and promote the welfare of the young people that we work with. Other relevant documents can be accessed on our web site under Child Protection and Welfare.

These documents are:

- Child Safeguarding Statement.
- Child Protection Policy (this document).
- Online contact and rehearsal child protection statement.
- Complaints Policy.
- Confidential Incident Report Form.
- Tusla Standard Reporting Form (2017 Version).
- Volunteer handbook
- Conductor and Tutor handbook
- Employee handbook

This policy has been created in accordance with the *Children First Act (2015)* and the *Children First: National Guidance for the Protection and Welfare of Children (2017)*.

Responsible Persons

There are various roles and responsibilities defined by Tusla, the Child and Family Agency, with regard to the safeguarding of young people. Further information can be found in *Children First National Guidance for the Protection and Welfare of Children (2017)* on the Tusla website and from Children First Information and Advice Officers for whom contact details can be found on the Tusla website.

Relevant Person

Defined in the *Children First Act 2015* as a person who is appointed by a provider of a relevant service to be the first point of contact in respect of the provider's *Child Safeguarding Statement*. The Designated Liaison person within DYO is specified as the Relevant person under the Act.

The Board of DYO shall be responsible for ensuring the appointment of the Relevant Person. The position shall be reviewed along with the review of the *Child Safeguarding Statement* and when there are Board or staff changes.

Designated Liaison Person and Deputy Designated Liaison Person(s)

The role of the Designated Liaison Person is to be a resource for any staff member or volunteer who has a child protection or welfare concern. The Designated Liaison Person should be well-informed about child protection and have received all the necessary training for the role. They will help any person in their organisation who is considering making a report to Tusla and will liaise with outside agencies.

The Designated Liaison Person and any Deputy Designated Liaison Person(s) are specified in the DYO *Child Safeguarding Statement*.

The Board of DYO shall be responsible for ensuring the appointment of the Designated Liaison Person and Deputy Designated Liaison Person(s). The positions shall be reviewed along with the review of the *Child Safeguarding Statement* and whenever there are Board or staff changes.

Mandated Persons

Under the Children First Act 2015, certain people must by law report to Tusla any incidences of harm that meet or exceed a specified threshold. These people are known as 'mandated persons' under the legislation. Mandated persons are people who have ongoing contact with children and / or families and who, because of their qualifications, training and experience, are in a key position to protect children from harm. Mandated persons include professionals working with children in the education, health, justice, youth and childcare sectors. Professionals who may not work directly with children, such as those who work in adult counselling or psychiatry, are also mandated persons.

A list of mandated professionals is given in Appendix 2 of *Children First National Guidance for the Protection and Welfare of Children (2017)*. It includes any person employed in one of the following capacities:

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.

It also includes any:

person responsible for the care or management of a youth work service within the meaning of section 2 of the Youth Work Act 2001.³

Mandated persons have two main legal obligations under the *Children First Act 2015*:

- To report harm of children, above a defined threshold, to Tusla.
- To assist Tusla, if requested, in assessing a concern which has been the subject of a mandated report.

"Harm" means, in relation to a young person:

- 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.

The Board and the General Manager of DYO shall keep and review a list of mandated persons along with reviews of the *Child Safeguarding Statement* and shall also evaluate whether or not new staff members or volunteers are mandated.

Evaluation will be carried out in relation to the list provided in *Children First National Guidance for the Protection and Welfare of Children (2017)*.

The list of mandated persons will be kept in a soft-copy document at the DYO Office along with the company registers.

Mandated persons are required to inform the Designated Liaison Person or their Deputies of concerns as other staff would do. Reports by Mandated Persons will be stored in the Confidential Incident File at the DYO office.

Code of Conduct for Staff and Volunteers

Dublin Youth Orchestras are committed to working with young people in a safe, respectful and positive manner that allows everyone to get the most from our activities - artistically, socially and personally.

DYO owes a duty of care to all participants in our activities, regardless of age.

In this document, staff refers to both paid and voluntary staff.

All conductors, tutors and volunteers are referred to specific documents relating to their role within the organisation as follows:

We require that all staff adhere to this code of conduct and the other policies referred to here.

- DYO handbook for conductors and tutors
- DYO volunteer handbook
- DYO Social Media policy
- DYO Employee handbook
- DYO Anti-Bullying policy

All staff must:

- Behave in a professional manner with courtesy, honesty and integrity in the course of all DYO activity.
- At all times behave in a way that upholds the values, integrity and good reputation of DYO.

Youth-centred Approach

All DYO staff should work in the following ways with young people engaged in our activities:

- Lead by example.

- Be adequately prepared for all activities.
 - Have fun and encourage a positive and trusting atmosphere.
 - Create an environment where young people feel comfortable and accepted.
 - Use appropriate language (both verbal and physical).
 - Treat young people fairly and equitably and as individuals.
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- Encourage, support and praise young people.
 - Listen to and be open, respectful and accepting of the views of young people.
 - Encourage and facilitate feedback and discussion.
 - Involve young people in decision making as is appropriate.
 - Encourage young people to listen to and respect each other and ensure they follow their own code of conduct.
 - Offer constructive criticism when needed whilst not focussing unnecessarily on individuals.
 - Maintain awareness around language and comments made and, where there is a possibility that upset may have been caused, address it in a sensitive manner.
 - Use age-appropriate teaching aids, materials and working methods.
 - Respect young people's personal space and privacy.
 - Respect differences of ability, culture, religion, ethnicity, race, socioeconomic status, family background, sexual orientation and gender identity.
 - Be aware of special needs that young people may have and be aware of limitations due to medical or other conditions.
 - Be aware of young people's other commitments when scheduling rehearsals or activities.
 - Be proactive in relation to problems that do arise and seek to address issues promptly in a sensitive manner.

Welfare and Protection

To ensure the safety and welfare of young people in our care, all staff must:

- Complete Garda Vetting in advance of carrying out 'relevant work';¹
 - Contracts of / for services will be invalidated where staff have failed to submit the relevant information for vetting in a timely fashion.
- Complete the Tusla *Children First E-Learning Programme* and provide a copy of the certificate to DYO.
- Read and commit to abide by this document: *Code of Conduct for Staff and Volunteers*.
- Read and commit to abide by the DYO *Child Safeguarding Statement*.
- Report any concerns about the wellbeing of young people to the Designated Liaison Person or their Deputy and

¹ Relevant work is any work or activities, carried out by a person, a necessary and regular part of which consists mainly of the person having access to or contact with children or vulnerable persons. Details of relevant work or activities are outlined in part 1 and 2 of Schedule 1 of the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016.

assist in reporting to Tusla if there is a need to do so.

- Deal proactively with bullying if it occurs and inform the Designated Liaison Person or their Deputy of any actual or suspected bullying.
 - All staff should be familiar with the *DYO Anti-Bullying Policy*.
- Dress and behave appropriately.
- Treat information about young people appropriately and respect their privacy. However, confidentiality cannot be promised:
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 - In the case of a child welfare / protection issue: (the young person is to be informed as to who their information will be shared with).
 - If there is a serious concern that there may be a threat to the health, safety or life of any person.
 - In the context of criminal behaviour and disclosures required by legal process.
- Report any health and safety concerns to the appropriate person.
- Medication should not be administered to children / young people by staff without the specific permission of parents / guardians.
- Avoid taking individual sessions with children / young people or being on their own in a room with a child or young person. However, in certain circumstances, i.e., in the case of instrumental lessons, it is appropriate for participants to receive one-on-one attention from staff in a room with a closed door. In such cases, the staff must ensure that another staff member is informed and that there is an "open door" policy whereby any adult on staff is entitled to enter at any time.
- Where possible, avoid giving a lift to a child or young person but, where necessary, in exceptional circumstances, ensure the primary carer and the Designated Liaison Person or their Deputy have been informed. If possible, have a third person present: either an adult or participant.
- Not, through action or inaction, leave a young person in a dangerous situation or allow them to enter a dangerous situation.

Inappropriate Behaviour

DYO staff and volunteers should not do any of the following:

- Use or allow the use of offensive or sexually suggestive physical and / or verbal language.
- Allow or engage in inappropriate touching of any form.
- Hit or physically chastise young people.
- Socialise inappropriately with students or outside of structured organisational activities.
- Drink alcohol or be under the influence of alcohol while on duty.
- Take illegal drugs or medications that would impair their ability to fulfil their duties.
- Spend excessive amounts of time alone with any young person.
- Single out any young person for unfair favouritism, criticism, ridicule, or unwelcome focus or attention.

Physical Contact

DYO acknowledges that physical contact may be essential in the process of our activities. We require, therefore, that all staff and volunteers:

- Seek consent of young people before making physical contact with them (except in an emergency or dangerous situation).
- Check the young person's level of comfort when engaged in activities that involve physical contact.
- Avoid horseplay or inappropriate touch.

Communications and Social Media

DYO is committed to ensuring that all communications with the young participants in our activities are appropriate and are carried out through appropriate channels.

DYO acknowledges that staff and young people may have appropriate, pre-existing, professional, personal or student-teacher relationships and we do not interfere with these. The initiation of new professional or teacher-student relationships in the context of DYO activities should be communicated to the course manager and Designated Liaison Person. In the case of under 18s, permission for ongoing contact must be received from parents / guardians.

Keeping in mind those qualifications:

- Staff members should not contact young people for reasons other than those directly connected to activities in which they are participating.
- Staff members should only use official / company phones, communications methods or accounts to communicate with young people regarding our activities.
- Staff members should not give out their personal phone numbers, email addresses or other contact details to any young person.
- Telephone / SMS contact with participants should only be via official DYO phones and be restricted to necessary communications.
 - In the case of a safety concern or emergency, personal communications devices may be used to communicate with participants, but the Course Manager / Designated Liaison Person should be informed as soon as possible thereafter. Participants' contact details should then be deleted from the personal device.
- Staff members should not provide participants' contact details to other participants or third parties without express permission. In the case of under 18s, this requires the permission of parents / guardians.

- Staff should not connect to or interact with participants via personal social media channels.
 - Friend requests should be politely declined explaining to the young person, if the opportunity arises, that this is the policy of DYO.
 - Interaction via official DYO social media accounts is to be encouraged but staff using these accounts must ensure that interaction is respectful and appropriate, including interactions in comments / sharing.
 - No defamatory, insulting or provocative material can be posted on our online platforms.
- Staff are advised to check privacy settings on their personal social media channels and monitor carefully for any changes that social networking sites may make to their settings in relation to client privacy.

Use of Images and Video

The use of images and audio / video footage are of great value to DYO in promoting participation and quality in youth music in Ireland. We aim to provide professional photographers and videographers for performances and events where this is within our budget but, where this isn't feasible, we will have staff designated to take photographs / video.

- Staff who do not have the capturing of images / video as part of their role should not take photographs / video of participants. If there is a good reason, i.e., documenting, then agreement of course managers and / or the Designated Liaison Person or their Deputy should be sought.
- If designated staff use their own devices for capturing images / video, such materials should be deleted from their devices as soon as they have been transferred to an DYO device.
- DYO seeks permission for photography / videography from all participants / their parents or guardians for our courses and events. Permission is sometimes withheld, and staff cannot assume that images of young people can be taken even where it seems otherwise appropriate to do so.

Code of Conduct for Children and Young People

DYO is committed to providing a positive and enlightened environment to facilitate the best possible outcomes for all participants. It is our policy to safeguard the welfare of all young people who participate in our activities. The welfare of the young people under our care is paramount.

DYO wishes to promote a positive and inclusive atmosphere and asks young people to be aware of and follow these guidelines:

- Treat each other and all members of staff with courtesy, respect and dignity.
- Respect the fact that staff and volunteers will not work alone or spend time alone with one young person except in specified circumstances.
- Be aware that bullying is not accepted or tolerated. Bullying can be defined as repeated aggression be it verbal, psychological or physical conducted by an individual or group against others. It is behaviour that is intentionally aggravating and intimidating. It includes behaviours such as teasing, taunting, threatening, hitting and extortion by one or more people against a target or targets. It can also include ignoring an individual and purposely making them feel marginalised and excluded for the group.
- Treat each other equally but also as individuals.
- Listen to and respect each other.
- Have fun and encourage a positive, inclusive atmosphere.
- Respect each other's personal space.
- Respect differences of ability, culture, religion, race and sexual orientation.
- Be aware of any special needs people may have.

In general, we ask that all participants use 'common sense' about what is acceptable behaviour and treat others as they would wish to be treated themselves.

All participants in our activities will be required to acknowledge and abide by the following Code of Conduct for Young People and to the orchestra specific code as detailed on our website www.dyo.ie

Tours, Rehearsals, Residential Rehearsals and Courses

All Participants will:

- Act responsibly, pay attention to the safety of themselves and others, show respect for and not interfere with or damage other participants' equipment or property.
- Not engage in any inappropriate behaviour, damage, degrade or otherwise misuse any property, equipment,

service or facility owned, visited or hired by DYO.

- Follow instructions regarding group behaviour in residence, at rehearsals at performances and while travelling.
- Abide in full by the dress code as given by course / ensemble managers on all occasions.
- Stay in groups of not less than 3 when walking, shopping or sightseeing and ensure they have access to essential contact numbers and a means of contact with them.
- Follow instructions of their assigned group leader at all times.
- Follow instructions from DYO staff and other supervisors at DYO events.

Use of Technology

- Mobile phones will be switched off during rehearsals and performances.
- The sharing of images on any social media or networking site is strictly forbidden without the express permission from all parties involved.
- Cameras will not be used to take compromising, inappropriate or explicit pictures or recordings of any other participant or adult. Sharing of any such images on any social media or networking site is strictly forbidden.

Personal Property / Insurance

- Participants are responsible for their own property at all times.
- Participants / Guardians of participants under 18 years of age must ensure that instruments are adequately insured for all DYO activities (including out of the country) and under all circumstances.
- Participants must clearly label all their property.

Sanctions

- Any participant found to be in breach of DYO rules will be subject to *sanction* at the discretion of DYO.
- Parents / guardians will be contacted in the event of serious misconduct of participants under 18.
- A participant found to be uncooperative or in serious breach of rules will be sent home and may not be permitted to return to any DYO course or event.
- In event of participants being sent home parents / guardians or the participants themselves, where over-18, will be responsible for arranging travel and any additional expenses incurred by DYO including those relating to adult supervision while travelling.

Anti-Bullying Policy

Statement on bullying

- Every person is entitled to respect and to be free of any type of bullying.
- DYO will work proactively, as far as it can, to ensure that bullying does not take place.
- Reporting incidents of bullying is responsible behaviour.
- Appropriate action will be taken to ensure that bullying does not continue.

The Board of DYO recognises the very serious nature of bullying and the negative impact that it can have on the lives of the players and is therefore fully committed to the following key principles of best practice in preventing and tackling bullying behaviour:

- Lead effectively.
- By fostering a positive culture and climate which is welcoming of difference and diversity and is based on inclusivity.
- Encourages players to disclose and discuss incidents of bullying behaviour in a non-threatening environment.
- Promotes respectful relationships across the DYO community.
- A shared understanding of what bullying is and its impact.
- Implementation of education and prevention strategies that build empathy, respect and resilience in players.
- Effective supervision and monitoring of players.
- Supports for conductors, tutors, volunteers and staff.
- Recording, investigation and follow up of bullying behaviour.
- On-going evaluation of the effectiveness of the anti-bullying policy.

Definition of bullying

Bullying is unwanted negative behaviour, verbal, psychological or physical conducted by an individual or group against another person (or persons) and which is repeated over time.

The following types of bullying behaviour are included in the definition of bullying:

- Deliberate exclusion, malicious gossip and other forms of relational bullying
- Cyber-bullying
- Identity based bullying such as homophobic or racist bullying, bullying based on a person's membership of the Traveller community or bullying of those with disabilities or special educational needs.

Isolated or once-off incidents of intentional negative behaviour, including a once-off offensive or hurtful text message or other private messaging, do not fall within the definition of bullying and should be dealt with, as appropriate, in accordance with the DYO Code of Behaviour for young people and the DYO Social Media Policy

However, in the context of this policy, placing a once-off offensive or hurtful public message, image or statement on a social network site or other public forum where that message, image or statement can be viewed and/or repeated by other people will be regarded as bullying behaviour.

Negative behaviour that does not meet this definition of bullying will be dealt with in accordance with the policies listed above.

Types of behaviour deemed to be inappropriate

- Humiliation: including name calling and derogatory reference to playing ability, sexual orientation etc.,
- Intimidation: including aggressive use of body language.
- Verbal abuse, anonymous or otherwise.
- Written abuse, anonymous or otherwise.
- Physical abuse or threatened abuse.
- Aggressive or obscene language.
- Cyber bullying which is the misuse of technology to intimate or threaten another player. This can include sending or posting inappropriate or derogatory email messages, text messages, digital pictures or images or website postings/social networking sites.
- Racist comments.
- Victimisation, including personal remarks.
- Exclusion and isolation.
- Unwarranted interference with personal possessions.
- Threats, including demands for money.
- An attack by rumour, gossip, innuendo or ridicule on an individual's reputation.
- An attack by rumour, gossip, innuendo or ridicule on a family's reputation.

This policy applies

- At all rehearsals
- At break times
- On any tour organised by DYO
- At any performance organised by DYO

- On any course organised by DYO

Supervision and Monitoring of players

The Board of DYO will put in place adequate supervision and monitoring policies and practices to both prevent and deal with bullying behaviour and to facilitate early intervention where possible.

How to report an incident

Any parent or player who wishes to raise a concern regarding bullying should do so in the first instance to the relevant orchestra manager. This can be by speaking with them at a rehearsal or DYO event or by or by email. Alternatively contact may be made with the General Manager at info@dyo.ie

If the complaint is related to the General Manager, you should contact the Chair of the Board. Contact details are chair@dyo.ie

All matters raised will be investigated by the manager involved in conjunction with any other relevant DYO personnel. This will then be brought to the attention of the General Manager.

The player/parent who reports the bullying incident will be advised that a full investigation will take place to determine whether bullying has occurred and how best the situation might be resolved. The questioning will revolve around "What, where, when, who and why?"

All investigations will be conducted with sensitivity with due regard to the rights of all players involved.

Where it is deemed necessary contact may be made with parents/guardians.

All players and parents are asked to co-operate fully with any investigation and assist the organisation in resolving any issues and restoring, as far as is practicable, the relationships involved as quickly as possible.

Records of all such investigations should be maintained by the General Manager on a secure cloud storage area.

Prevention of Harassment

The Board of DYO confirms that the organisation will, in accordance with its obligations under equality legislation, take all such steps that are reasonably practicable to prevent the sexual harassment of players, conductors, tutors or volunteers or the harassment of players, conductors, tutors or players on any of the nine grounds specified i.e. gender including

transgender, civil status, family status, sexual orientation, religion, age, disability, race and membership of the Traveller community.

Recruitment and Selection of Staff and Volunteers

- DYO will ensure that staff and volunteers are carefully selected, trained and supervised to provide a safe environment for all children and young people.
- Roles and responsibilities for every job (paid and voluntary) will be clearly defined.
- Permanent staff positions will be advertised as appropriate.
- A panel of at least two representatives will select permanent staff through an appropriate process.
- DYO will endeavour to select the most suitably qualified personnel.
- Written or verbal references which are recent, relevant and independent, may be necessary for permanent staff. Should there be reason to exclude an applicant, this will be agreed on a case-by-case basis. References cannot be supplied by family members.
- References may be requested for part-time staff or for volunteers but is at the discretion of DYO and will depend on circumstances.
- All staff and volunteers carrying out 'relevant work' shall be Garda Vetted prior to commencement of work.
- All staff will be required to declare prior abuse convictions and state if they have been the subject of any investigation or enquiry into abuse or other inappropriate behaviour.
- No person who would be deemed to constitute a risk will be permitted to work for DYO. Risk factors include:
 - any child-related convictions or convictions involving violent offences.
 - a refusal to sign a declaration form.
 - a refusal to provide details of two referees when requested to do so.
 - a refusal to submit to the Garda Vetting process.
 - insufficient documentary evidence of identification.
 - concealment of information relating to one's suitability for working with children.
- Probationary periods of up to six months may be considered for each permanent staff recruited. Part time staff on fixed term contracts may not be required to fulfil probationary periods.
- All staff whether permanent or part time, will be required to sign a contract.

Managing and Supervising Staff and Volunteers

All permanent staff will:

- Be inducted in the DYO *Child Safeguarding Statement* and the *Child Protection Policy* and sign a declaration to that effect.
- Be required to undergo the Tusla Universal eLearning.
- Be subject to DYO recruitment procedures.
- Receive an adequate level of supervision and review of their work practices.
- Be provided with a copy of the DYO *Employee Handbook*.

All part time, fixed term, contract and regular voluntary staff will:

- Be inducted in the DYO *Child Safeguarding Statement* and the *Child Protection Policy*.
- Be required to undergo the Tusla Universal eLearning.
- Be subject to DYO recruitment procedures.
- Receive an adequate level of supervision and support.
- Have access to the DYO *Employee Handbook*, DYO Volunteer handbook or the DYO Conductor and Tutor handbook, as appropriate.

Involvement of Primary Carers

DYO is committed to being open with all primary carers.

DYO undertakes to:

- Advise primary carers of our *Child Safeguarding Statement* and *Child Protection Policy*.
- Make copies of our policies available via our website, by email and hard copy.
- Keep primary carers informed of any issues that concern their children (with the exception of cases where this is not in the best interests of the young person).
- Inform primary carers of all activities and potential activities.
- Issue contact / consent forms for our activities.
- Encourage and facilitate the involvement of parents, carers and responsible adults where appropriate.

Reporting Procedures for Child Protection Concerns

It is the responsibility of the Designated Liaison Person and Deputy Designated Liaison Person(s) to support and advise staff, volunteers, children and young people taking part in DYO activities about policy and procedures in relation to child

protection and to ensure procedures are followed. It is also their responsibility to liaise with Tusla or Gardaí where appropriate.

DYO has a confidential incident file which is stored electronically by the DYO General Manager. Confidential Incident Report forms and Tusla Standard Reporting Forms will be available on all offsite activities.

Dealing with a Disclosure

In line with the Tusla Universal eLearning, DYO advises its staff and volunteers to deal as follows with a disclosure from a child or young person:

- Stay calm, listen and allow them enough time to say what they need to say.
- Don't prompt or use leading questions.
- Reassure them but do not promise to keep anything secret.
- Don't make them repeat anything unnecessarily.
- Explain in an age-appropriate way what will happen next.

Make notes about the exchange as soon as is practically possible. These should include as much factual information as possible as it may assist with the completion of a report form at a later date should that be necessary. These notes should contain the young person's name and a detailed account of your grounds for concern.

Reporting Concerns

All incidents should be reported to the Designated Liaison Person or, where unavailable, to a Deputy Designated Liaison Person. The matter will then be recorded on the Confidential Report Form. This Confidential Report Form asks for information on concerns, suspicions, worrying observations, behavioural changes, and actions and outcomes, and it requires only factual information to be recorded. Information will be shared on a strictly 'need to know' basis. Staff and volunteers should be aware of what constitutes 'reasonable grounds for concern' when reporting incidents.

The following excerpt from the *Children First: National Guidelines for the Protection and Welfare of Children* shows what would constitute reasonable grounds for concern:

- Evidence, for example, of an injury or behaviour, that is consistent with abuse and is unlikely to have been caused in any other way.
- Any concern about possible sexual abuse.
- Consistent signs that a child is suffering from emotional or physical neglect.

- A child saying or indicating by other means that he or she has been abused.
- Admission or indication by an adult or a child of an alleged abuse they committed.
- An account from a person who saw the child being abused.

If staff are in doubt, they should contact the Designated Liaison Person or Deputy Designated Person for advice and if neither are available, they should contact the Duty Social Worker at Tusla for the area where the young person is from.

Contact details for duty social workers are available at www.tusla.ie.

If there are reasonable grounds for concern, the Designated Liaison Person or Deputy Designated Liaison Person will then do the following:

- Act without delay.
- Discuss the incident with the parent, carer or adult responsible for the child / young person or appoint an appropriate person to do this, unless this would put the child at further risk.
- Discuss the incident informally with the Tusla Duty Social Worker before making a report, if appropriate.
- Should the Designated Liaison Person or Deputy Designated Liaison Person then decide that a report is necessary, they will complete the standard report form available from Tusla without delay. Reports to the Duty Social Worker can be made verbally and then followed by the standard form. A formal report should only be made where there are 'reasonable grounds for concern'.

The Designated or Deputy Designated Liaison Person is committed to:

- Keeping all information confidential and sharing it only on a need-to-know basis.
- Keeping note of actions and outcomes.
- Keeping a record of all incidents and reports in the Confidential Incident File held electronically by the DYO General Manager
- Keeping the person who reports the incident informed.

If the Designated Liaison Person or Deputy Designated Liaison Person is not available, the Duty Social Worker or Tusla can be contacted directly, or where they are unavailable, the Gardaí. The immediate safety of the child / young person is of paramount importance.

Where a report needs to be made, the Designated or Deputy Designated Liaison Person will contact the Tusla Duty Social Worker in the local area **where the young person is from**.

Should the Gardaí need to be contacted DYO will contact the Garda Station local to where the activity is taking place. DYO will bring details of the local Garda station to all offsite activities.

Retrospective Disclosures by Adults

Parents and staff who are working with children and young people may disclose abuse which took place during their childhood. A disclosure of abuse by an adult which took place during their childhood must be noted or recorded. In these cases, it is essential that consideration is given to the current risk to any child.

Investigation of disclosures by adult victims of past abuse frequently uncovers current incidents of abuse and is therefore an effective means of stopping the cycle of abuse. It is essential to establish whether there is any current risk to any child

who may be in contact with the alleged abuser revealed in such disclosures.

If any risk is deemed to exist to any child who may be in contact with the alleged abuser, a report of the allegation should be made to Tusla without delay.

Allegations Against Staff and Volunteers

In the instance of an allegation, DYO's first priority is the safety of the child. DYO also has a responsibility to the employee or volunteer.

Two separate procedures must be followed:

- In respect of the child or young person, either the Designated Liaison Person or the Deputy Designated Liaison Person will deal with issues related to the child or young person. In the event that either of these two Designated Liaison Persons has had allegations made against them, the other Designated Liaison Person, who has not had allegations made against them, will deal with the issues related to the child or young person.
- In respect of the person against whom the allegation is made, the DYO Chairperson will deal with issues related to the employee or volunteer.
- The reporting procedures laid out in this document should be followed, and the primary carers and the child or young person should be kept informed of actions planned and taken.
- The employee or volunteer will be informed as soon as possible of the nature of the allegation and will be given the opportunity to respond.
- Any action following an allegation of abuse against an employee or volunteer should be taken in consultation with Tusla and Gardaí.
- After consultation, the DYO Chairperson will advise the person accused and take measures appropriate to the level of risk while not unreasonably penalising the employee or volunteer - unless necessary to protect the child or young person. Measures could include increased supervision, assignment to different duties, or suspension.
- Should an allegation take place during a residential activity and there are reasonable grounds for concern, the accused person will stop work immediately on that activity and other activities involving direct contact with young people.

Confidentiality Statement

DYO is committed to ensuring all people's rights to confidentiality. All staff and volunteers should respect the privacy of other people and not engage in harmful gossip or disclosure.

In relation to child protection and welfare:

- We will treat information about young people appropriately and respect their privacy. However, confidentiality cannot be promised:
 - in the case of a child welfare / protection issue: however, the young person is to be informed as to who their information will be shared with.
 - If there is a serious concern that there may be a threat to the health, safety or life of any person.
 - In the context of criminal behaviour and disclosures required by legal process.
- Information will only be forwarded on a 'need to know' basis in order to safeguard a child or young person.
- Primary carers and young people have a right to know if personal information is being shared and / or a report is being made to Tusla unless doing so could put the child or young person at further risk.
- Procedures will be put in place for the recording and storing of information in line with our confidentiality and data protection policies.
- The Confidential Report File will be kept electronically by the DYO General Manager, Reports completed during activities will be kept safely by the Designated or Deputy Designated Liaison Person until they can be added to the file.

Health and Safety

DYO has a duty of care to all those who access our services.

In safeguarding the physical wellbeing of young people that participate in our activities:

- DYO uses venues for its activities that are fit for purpose and well maintained.
 - DYO staff and volunteers follow the safety instructions and fire regulations provided by venues it uses.
 - If staff / volunteers identify a hazard in a venue, they should inform the appropriate person in the venue immediately.
 - Fire drills are organised in cooperation with the venues as appropriate.
 - All staff, volunteers and participants will be made aware of fire exits and necessary procedures.
 - DYO takes a register of all who are present at rehearsals and courses.
 - DYO ensures appropriate levels of supervision are provided for all activities.
-
- We avoid leaving young people unattended.
 - Checks are made to ensure equipment and materials used are safe and fit for purpose.
 - Activities are age appropriate and developed with the specific abilities and needs of the participants in mind.
 - It is the responsibility of the Orchestra or Course Managers to familiarise themselves with necessary health and safety policies and procedures and observe them in their work.
 - DYO is committed to making staff, children and young people aware of the risks of handling heavy equipment.
 - Risk assessments are conducted as part of DYO's programme planning with the following procedure:

- 1) Identify Risk(s).
- 2) Identify people who might be harmed and how.
- 3) Potential Outcomes.
- 4) Likelihood of these Outcomes.
- 5) Potential Severity of these Outcomes.
- 6) Action Required to Reduce Risk.
- 7) Details of when and how the Action will be taken.

Residential Courses and Tours

DYO organises residential courses that involve overnight stays for young people. We follow these procedures for residential courses:

- Course managers and welfare officers (welfare staff) are engaged for any project that involves overnight stays. These may be full-time staff, contracted staff, volunteers or a mix of these.
 - Welfare staff are provided with clear role descriptions.
 - Welfare staff are inducted in the DYO *Child Safeguarding Statement* and the *Child Protection Policy* including the *Code of Behaviour for Staff and Volunteers* and the Employee handbook as appropriate.
 - Course managers are provided with copies of the DYO Confidential Incident Report Form and the Tusla Standard Reporting Form.
 - Welfare staff are provided with contact details for DYO's Designated Liaison Person and are instructed to contact them should an accident occur or if a child protection concern arises.
 - Welfare staff may also act independently to contact Tusla / A Garda Síochána if they deem it necessary.
 - Clear information about the programme is provided to primary carers.
 - Parental consent and contact details are requested for all members aged under 18.
 - Dietary and medical requirements are requested for all participants.
 - Parents and / or young people over 18 are responsible for ensuring that they notify DYO of relevant medical conditions at application or registration of any course.
 - Parents are requested to ensure that young people have an adequate supply of any necessary medication.
 - Where medicines are of critical importance, spare supplies of prescriptions and medicines should be provided.
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- If members are involved in non-musical activities that might involve a higher level or risk, specific permission will be sought for these activities.
 - Course Managers and Welfare Officers have access to money in case of an emergency.
 - If there is an issue in relation to the accommodation or venue(s), Course Managers should inform the

accommodation or venue manager.

- Ongoing dialogue should take place between welfare and artistic staff on an event so that the welfare staff are aware of any difficulties that a young people are experiencing and can offer them the necessary support.
- Welfare staff should respect young people's privacy and any information about young people should be dealt with in line with DYO's Confidentiality Statement.
- Supervisory rounds while young people are in bedrooms should be done in pairs, being cognisant of gender.
- Staff should always knock before entering a young person's bedroom.

Accidents and Incidents

DYO is committed to dealing well with any accidents or incidents that do arise and to appropriate recording in relation to both accidents and incidents. We are obliged to ensure basic first aid training.

Accident - means an unplanned event resulting in injury or death.

Incident - an unplanned event that has the potential to cause consequences for one or more parties and may or may not result in physical injury.

In relation to accidents and incidents:

- DYO is committed to ensuring that at least one member of staff has up to date First Aid training.
- A well-stocked First Aid Kit is available at all activities and events.
- Course managers and welfare staff are provided with details of local doctors and hospitals and other local emergency services such as the Gardaí.
- Staff are provided with emergency contact details for parents.
- Staff are provided with details of any dietary / medical conditions and requirements that participants may have.
- If an accident or incident occurs:
 - The welfare of participants and of staff and others is paramount and immediate action should be taken to make everyone safe.
 - If necessary, inform the designated First Aid staff member(s).
 - If necessary, immediately call Emergency Services.
 - Primary carers should be contacted as soon as is reasonable if there has been a serious incident or accident.
 - Necessary medical information in relation to any injured party will be provided to medical personnel.
 - If an injured party is a young person and needs to attend a hospital or doctor, two members of staff should accompany them to the hospital or other emergency facility if the primary carers are not available.
- - Staff may request parents to attend the venue or hospital if they feel this is in the best interests of the young person.
 - A report is made using the DYO Confidential Incident Report form and forwarded to the Designated

Liaison Person. This is then filed electronically by the DYO General Manager.

Complaints and Comments Procedures

DYO has a complaints policy that is publicly available on our website.

<https://dyo.ie/index.php/complaints-policy/>

Appendix 1: Definitions of Child Abuse

Child abuse can be categorised into four different types: neglect, emotional abuse, physical abuse and sexual abuse. A child may be subjected to one or more forms of abuse at any given time.

Neglect

Child neglect is the most frequently reported category of abuse, both in Ireland and internationally. Ongoing chronic neglect is recognised as being extremely harmful to the development and well-being of the child and may have serious long-term negative consequences.

Neglect occurs when a child does not receive adequate care or supervision to the extent that the child is harmed physically or developmentally. It is generally defined in terms of an omission of care, where a child's health, development or welfare is impaired by being deprived of food, clothing, warmth, hygiene, medical care, intellectual stimulation or supervision and safety. Emotional neglect may also lead to the child having attachment difficulties. The extent of the damage to the child's health, development or welfare is influenced by a range of factors. These factors include the extent, if any, of positive influence in the child's life as well as the age of the child and the frequency and consistency of neglect.

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

A reasonable concern for the child's welfare would exist when neglect becomes typical of the relationship between the child and the parent or carer. This may become apparent where you see the child over a period of time, or the effects of neglect may be obvious based on having seen the child once.

The following are features of child neglect:

- Children being left alone without adequate care and supervision.
- Malnourishment, lacking food, unsuitable food or erratic feeding.

- Non-organic failure to thrive, i.e., a child not gaining weight due not only to malnutrition but also emotional deprivation.
- Failure to provide adequate care for the child's medical and developmental needs, including intellectual stimulation.
- Inadequate living conditions – unhygienic conditions, environmental issues, including lack of adequate heating and furniture.
- 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.
- Abandonment or desertion.

Emotional Abuse

Emotional abuse is the systematic emotional or psychological ill-treatment of a child as part of the overall relationship between a caregiver and a child. Once-off and occasional difficulties between a parent / carer and child are not considered emotional abuse. Abuse occurs when a child's basic need for attention, affection, approval, consistency and security are not met, due to incapacity or indifference from their parent or caregiver. Emotional abuse can also occur 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 abuse is not easy to recognise because the effects are not easily seen.

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

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

- 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.
- Persistent criticism, sarcasm, hostility or blaming of the child.
- Bullying.
- Conditional parenting in which care, or affection of a child depends on his or her behaviours or actions.
- Extreme overprotectiveness.
- Inappropriate non-physical punishment (e.g., locking child in bedroom).

- Ongoing family conflicts and family violence.
- Seriously inappropriate expectations of a child relative to their age and stage of development.

There may be no physical signs of emotional abuse unless it occurs with another type of abuse. A child may show signs of emotional abuse through their actions or emotions in several ways. These include insecure attachment, unhappiness, low

self-esteem, educational and developmental underachievement, risk-taking and aggressive behaviour.

It should be noted that no one indicator is conclusive evidence of emotional abuse. Emotional abuse is more likely to impact negatively on a child where it is persistent over time and where there is a lack of other protective factors.

Physical Abuse

Physical abuse is when someone deliberately hurts a child physically or puts them at risk of being physically hurt. It may occur as a single incident or as a pattern of incidents. A reasonable concern exists where the child's health and / or development is, may be, or has been damaged as a result of suspected physical abuse.

Physical abuse can include the following:

- Physical punishment.
- Beating, slapping, hitting or kicking.
- Pushing, shaking or throwing.
- Pinching, biting, choking or hair-pulling.
- Use of excessive force in handling.
- Deliberate poisoning.
- Suffocation.
- Fabricated / induced illness.
- Female genital mutilation.

The *Children First Act 2015* includes a provision that abolishes the common law defence of reasonable chastisement in court proceedings. This defence could previously be invoked by a parent or other person in authority who physically disciplined a child. The change in the legislation now means that in prosecutions relating to assault or physical cruelty, a person who administers such punishment to a child cannot rely on the defence of reasonable chastisement in the legal proceedings. The result of this is that the protections in law relating to assault now apply to a child in the same way as they do to an adult.

Sexual Abuse

Sexual abuse occurs when a child is used by another person for his or her gratification or arousal, or for that of others. It includes the child being involved in sexual acts (masturbation, fondling, oral or penetrative sex) or exposing the child to sexual activity directly or through pornography.

Child sexual abuse may cover a wide spectrum of abusive activities. It rarely involves just a single incident and, in some instances, occurs over a number of years. Child sexual abuse most commonly happens within the family, including older siblings and extended family members.

Cases of sexual abuse mainly come to light through disclosure by the child or his or her siblings / friends, from the suspicions of an adult and / or by physical symptoms.

It should be remembered that sexual activity involving a young person may be sexual abuse even if the young person concerned does not themselves recognise it as abusive.

Examples of child sexual abuse include the following:

- Any sexual act intentionally performed in the presence of a child.
- An invitation to sexual touching or intentional touching or molesting of a child's body whether by a person or object for the purpose of sexual arousal or gratification.
- Masturbation in the presence of a child or the involvement of a child in an act of masturbation.
- Sexual intercourse with a child, whether oral, vaginal or anal.
- Sexual exploitation of a child, which includes:
 - Inviting, inducing or coercing a child to engage in prostitution or the production of child pornography [for example, exhibition, modelling or posing for the purpose of sexual arousal, gratification or sexual act, including its recording (on film, videotape or other media) or the manipulation, for those purposes, of an image by computer or other means];
 - Inviting, coercing or inducing a child to participate in, or to observe, any sexual, indecent or obscene act.
 - Showing sexually explicit material to children, which is often a feature of the 'grooming' process by perpetrators of abuse.
- Exposing a child to inappropriate or abusive material through information and communication technology.
- Consensual sexual activity involving an adult and an underage person.

An Garda Síochána will deal with any criminal aspects of a sexual abuse case under the relevant criminal justice legislation. The prosecution of a sexual offence against a child will be considered within the wider objective of child welfare and protection. The safety of the child is paramount and at no stage should a child's safety be compromised because of concern for the integrity of a criminal investigation.

Underage Sex That Is Not Sexual Abuse

In relation to child sexual abuse, it should be noted that in criminal law the age of consent to sexual intercourse is 17 years for both boys and girls. Any sexual relationship where one or both parties are under the age of 17 is illegal. However, it may not necessarily be regarded as child sexual abuse and reporting to Tusla is not necessary if all of the following criteria are met:

- The young person(s) concerned are between 15 and 17 years old.
- The age difference between them is not more than 24 months.
- There is no material difference in their maturity or capacity to consent.
- The relationship between the people engaged in the sexual activity does not involve intimidation or exploitation of either person.
- The young persons concerned state clearly that they do not want any information about the activity to be disclosed to Tusla.

Circumstances Which May Make Children More Vulnerable to Harm

Some children may be more vulnerable to abuse than others. Also, there may be particular times or circumstances when a child may be more vulnerable to abuse in their lives. In particular, children with disabilities, children with communication difficulties, children in care or living away from home, or children with a parent or parents with problems in their own lives may be more susceptible to harm.

The following list is intended to help you identify the range of issues in a child's life that may place them at greater risk of abuse or neglect. It is important to remember that the presence of any of these factors does not necessarily mean that a child in those circumstances or settings is being abused.

Parent or carer factors:

- Drug and alcohol misuse.
- Addiction, including gambling.
- Mental health issues.
- Parental disability issues, including learning or intellectual disability.
- Conflictual relationships.
- Domestic violence.
- Adolescent parents.

Child factors:

- Age.
- Gender.
- Sexuality.
- Disability.
- Mental health issues, including self-harm and suicide.
- Communication difficulties.
- Trafficked / Exploited.
- Previous abuse.
- Young carer.

Community factors:

- Cultural, ethnic, religious or faith-based norms in the family or community which may not meet the standards of child welfare or protection required in this jurisdiction.
- Culture-specific practices, including:
 - Female genital mutilation.
 - Forced marriage.
 - Honour-based violence.
 - Radicalisation.

Environmental factors:

- Housing issues.
- Children who are out of home and not living with their parents, whether temporarily or permanently.
- Poverty / Begging.
- Bullying.
- Internet and social media-related concerns.

Poor motivation or willingness of parents / guardians to engage:

- Non-attendance at appointments.
- Lack of insight or understanding of how the child is being affected.
- Lack of understanding about what needs to happen to bring about change.
- Avoidance of contact and reluctance to work with services.
- Inability or unwillingness to comply with agreed plans.

You should consider these factors as part of being alert to the possibility that a child may be at risk of suffering abuse and in bringing reasonable concerns to the attention of Tusla.

Appendix 2: Relevant Legislation

There are a number of key pieces of legislation that relate to child welfare and protection that are listed here. For further information, please refer to Chapter 2 of the *Children First: National Guidance for the Protection and Welfare of Children (2017)*.

- Child Care Act 1991
- Protections for Persons Reporting Child Abuse Act 1998
- Criminal Justice Act 2006
- Criminal Justice (Withholding of Information on Offences Against Children and Vulnerable Persons) Act 2012
- National Vetting Bureau (Children and Vulnerable Persons) Acts 2012–2016
- Children First Act 2015
- Criminal Law (Sexual Offences) Act 2017

Appendix 3: Sources of Information

All of the following documents are available from the publishers' websites as .pdf documents and are also currently available from *the Information -> Child Protection and Welfare* section of the DYO website at <http://www.DYO.ie/information-resources/child-protection-and-welfare/>

Department of Health (and Children): *Our Duty to Care – The principles of good practice for the protection of children and young people.*

Department of Health (and Children): *Children First – National Guidelines for the Protection and Welfare of Children.*

The Arts Council: *Guidelines for the Protection and Welfare of Children and Young People in the Arts Sector.*

The Arts Council: *Child Protection Policy and Procedures Sample Information available for parents and for young people.*

National Youth Council of Ireland: *Protecting our Children and Young People.*

Youth Affairs Section of the Department of Education (and Science): *Code of Good Practice | Child Protection for the Youth Work Sector.*

The Arts Council: *Guidelines for taking and using images of children and young people in the arts sector.*

The Arts Council: *Solo Practitioner code of practice for working with children and young people.*

Appendix 4: Area Social Work Department Contact Details

Details of local area social workers can be found on the Tusla website: <https://www.tusla.ie/> selecting *Child Protection and Welfare* and then *Contact a Social Worker*.²

Appendix 5: Child Protection Training

There are a variety of ways to avail of training in Child Protection. There is no programme exclusive to youth music or youth arts; therefore, the options listed below are provided. Tusla has introduced a Universal eLearning as a basic guide to recognising and reporting suspected abuse. The National Youth Council of Ireland training is designed for youth workers and recommended for DYIO members to access as the focus on young people is similar. Training provided by ETBs is also to be recommended where it can be availed of through Youth Officers and Youth Services as this again will have orchestra staff training with people with a similar focus on young people. In-person training provided by Tusla is more aimed towards those working in the statutory sector. While the learning is the same, the context provided by NYCI or ETBs may be more relevant to youth orchestras.

Tusla Children First E-Learning Programme

Tusla has worked with the Department of Children and Youth Affairs and the Health Service Executive to develop a universal e-learning training programme called *Introduction to Children First*. The programme has been written to support people of all backgrounds and experience in recognising concerns about children and reporting such concerns if they arise.

The programme is based on *Children First: National Guidance for the Protection and Welfare of Children* and the *Children First Act 2015*. The programme takes approximately 1.5 hours to complete but it can be done in a number of sittings. It covers topics including:

- Recognising and reporting child abuse.
- The role of mandated persons.
- The responsibilities of organisations working with children to safeguard children.
- The role of designated liaison persons.

The programme can be accessed on the Tusla website at <https://www.tusla.ie/> or by entering 'Children First E-Learning Programme' in a search engine.

² As of writing, this is available at <https://www.tusla.ie/services/child-protection-welfare/contact-a-social-worker/>

National Youth Council of Ireland

The Child Protection Programme of the National Youth Council provides training support to youth work organisations and individuals. DYO is a full member of NYCI and members may request training through DYO. Current details of training can be found at <http://www.childprotection.ie/training>.

The Child Protection Awareness Programme (CPAP)

This four-hour basic awareness course is the standardised child protection training programme for the youth work sector. It aims to create a basic awareness of key issues in relation to child protection. It is suitable for volunteers and staff members in youth work organisations. It may be delivered as an individual training module or as part of overall youth work training. This training is available to NYCI's member organisations and to the wider youth work sector.

Web Safety in Youth Work

This 3.5-hour course is designed to raise awareness among youth leaders about young people's online life, to identify online risks and opportunities and to deal with cyberbullying. This training is supported by the free online resource website for youth workers <http://websafety.youth.ie/>

Board of Management Training

This training is available on request to youth service boards of management who wish to consider their board of management role and responsibilities for child protection and welfare in their organisation.

Designated Liaison Person Training

This three-day course is aimed at those with the role and responsibility of a Designated Liaison Person within the youth work sector. It aims to provide participants with the information to carry out this important role in an effective manner. For upcoming DLP training dates please see <https://www.youth.ie/training/designated-liaison-person-training/>.

Specialist or 'in-house' Training on Request

Individually designed and specifically tailored child protection trainings are available on request to youth work organisations (subject to the capacity of the Child Protection Programme).

The NUIM Child Protection and Welfare Certificate (level 8)

This course is designed to develop capacity within the youth sector (and other related sectors) to respond effectively to the myriad child protection and welfare concerns which present throughout the country in youth organisations and other related services.

Education and Training Boards

Education and Training Boards have appointed Youth Officers that can help orchestras gain training in child protection locally. Search for “ETB Youth Services” and your county name in order to make contact with your local youth services.

Children First Information and Advice Officers

These officers are employed through Tusla, The Child and Family Agency. They have no specific remit for training youth orchestras but will include youth orchestra and other staff and volunteers in programmes that they are already running. A list of local officers is available on the Tusla Website.