

Procedure for dealing with allegations of abuse or misconduct against workers or volunteers

An allegation of abuse may relate to a person who works with children who has:

- Behaved in a way that has or may have harmed a child/young person;
- Possibly committed a criminal offence in relation to a child/young person;
- Behaved towards a child/young person or children/young people in a way that indicates they may pose a risk of harm to a child/young person;
- Behaved in a way that is contrary to the organisation's code of behaviour for workers and volunteers;
- Behaved in a way that is contrary to professional practice guidelines.

In general, the same person should not deal with the reporting of the allegation and with the person against whom the allegation is made.

In the case of an allegation of abuse or misconduct being made against a worker or volunteer, RCBS will prioritise the protection of the child, and his/her safety and wellbeing must be a priority. However due regard will be given to the rights and interests of the worker/volunteer against whom an allegation is made. Any allegation will be dealt with sensitively and the worker/volunteer will be given due process. The worker/volunteer has the right not to be judged in advance of a full and fair enquiry.

The agreed reporting procedure will always be followed by the DLP/DDLP.

In addition:

- RCBS committee must be alerted to the allegation by the DLP
- The first priority is for the safety of the child/young person; RCBS will make sure no child or young person is exposed to unnecessary risk;
- Parents/guardians should be informed of any action planned while having regard to the confidentiality rights of others, such as the person against whom the allegation has been made.
- In making an immediate decision about the worker's/volunteer's presence in the organisation, the Musical Director should as a matter of urgency take any measures necessary to protect the child/young person. These should be proportionate to the level of risk to the child/young person; 'protective measures' do not presume guilt.
- The Musical Director will privately inform the worker/volunteer that an allegation has been made against him or her and the nature of the allegation.
- The worker/volunteer will be afforded an opportunity to respond. The Musical Director should note the response and pass on this information to the DLP if making a formal report to Tusla. The worker/volunteer should be offered the option to have representation at this stage and should be informed that any response may be shared with Tusla.
- While Tusla will not provide advice on employment matters, advice and consultation with regard to risk to children/young people can be sought from the local Tusla social work office.
- RCBS will ensure that actions taken by RCBS do not frustrate or undermine any investigations or assessments undertaken by Tusla or An Garda Síochána. RCBS will liaise closely with the investigating bodies to ensure this.

- Following investigation by TUSLA/Gardai, the worker/volunteer may be subject to disciplinary procedures. The worker/volunteer shall have the right to appeal any such decision.