



**Rathfarnham Concert
Band Society
(RCBS)**

Child Protection Policy

March 2024

Table of Contents

Child Protection Policy	0
1. Aims of Rathfarnham Concert Band Society (RCBS)	3
Guiding Principles	4
2. Legislation and Guidelines and Supporting Documents	5
3. Supporting Documents	5
4 How RCBS works:	7
4.1 Location and Premises	7
4.2 Lessons and Practices	7
4.3 Adult Involvement	8
5. Code of Behaviour for Band Members	9
5.1 Rules of Membership	9
5.2 Misconduct of Students / Members / Players	11
6. Code of Behaviour for Volunteers, Teachers, Conductors, and Musical Director	13
6.1 Good practice for RCBS as an organisation	13
6.2 Good practice for adults working and volunteering in RCBS:	14
6.3 Inappropriate behaviour of adults	15
6.4 Physical Contact	15
6.5 Health and Safety	16
6.6 Planning a day trip or residential trip in Ireland	16
6.7 Planning a trip abroad	17
7. Recognising, responding and Reporting Child Welfare and Child Abuse Concerns	18
7.1 Definitions of Child Abuse	18
Neglect	19
Emotional abuse	20
Physical abuse	21
Sexual abuse	22
7.2 Reasonable Grounds for Concern	24
7.3 Dealing with Disclosure	24
7.4 Procedure for reporting Child Abuse	26
Designated Liaison Person (DLP)	26
Reporting Procedure:	26
7.5 Confidentiality	28
7.6 Protection for Persons Reporting Child Abuse	28
7.7 Allegations or Suspicions Regarding Employees(workers) or Volunteers	28

7.8 Conducting an Internal review	30
8 Vetting	31
8.1 Vetting of Volunteers and Employees	31
8.2 Scope of vetting	32
8.3 Renewal of Vetting	32
8.4 Delegation of Duties/Substitutes	33
8.5 Data Protection	33
Review of the Child Protection Policy	33
 <i>Appendices</i>	
Appendix 1	34
Child Care Act 1991	34
Protection for Persons Reporting Child Abuse Act 1998	35
Criminal Justice Act 2006	35
Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012	36
National Vetting Bureau (Children and Vulnerable Persons) Acts 2012-2016	36
Criminal Law (Sexual Offences) Act 2017	36
Domestic Violence Act 2018	37
Appendix 2	38
Child Protection Procedure in the event of an Incident or Disclosure in RCBS	38
Appendix 3	39
Appendix 4	40
RCBS Policy on Online Teaching	40
Musical tuition via the Internet	41
Child Protection Concerns Related to Internet Tuition	41
Parental Consent	41
Location and Supervision of Lessons	42
Email Addresses (for Zoom classes)	42
Alternative Contact Methods	42
Grounds for Concern	42
Raising Concerns	43
Appendix 5	43
One-to-One working protocol	43
Appendix 6: Incident Report Form	44
Appendix 7	48
Children First E-Learning Programme	48
Appendix 8 Emergency Procedures	49

1. Aims of Rathfarnham Concert Band Society (RCBS)

The Rathfarnham Concert Band Society (RCBS) comprises three concert bands; Junior, Intermediate and Senior as well as a group of beginners awaiting places in the Junior Band. These beginners form a Tyro Band for the second half of each academic year (January to May). A Jazz band is occasionally formed from players of the Intermediate and Senior bands, having a conductor and Band Officer.

Performances and rehearsals for all bands mainly occur within the academic year, but on occasion can happen outside of this.

On occasions the bands are combined to form a large band as was done in November 2022 for a trip to Germany and a performance in the National Concert Hall. Currently there are two bands, a Junior band comprising members up to Junior Cert level, and a second large band comprising Transition Year, 5th year/6th year students and over 18 year old members.

This Child Protection Policy applies to all members (under and over 18), anyone employed or volunteering in any capacity with RCBS and any other third parties engaging with RCBS.

RCBS aims to provide a safe environment in which young people can develop into mature adults, educated for leisure and with committed community interests through the teaching and playing of music. Those goals are:

- a) To develop in the children and young people a love, enjoyment and appreciation of music,
- b) To develop in each player a proficiency in playing an instrument to an adequate standard, to ensure affiliation to appropriate music associations,
- c) To use the musical proficiency of the band to enhance community harmony and development, by playing music at suitable festivals, competitions and other musical activities, as determined by the Executive Committee in association with the Musical Director.

The RCBS has appointed a Designated Liaison Person (DLP) and Deputy Designated Liaison Person (DDL) and Child Protection Officer (CPO) who should be contacted in the first instance with any queries or concerns arising under this policy.

- DLP: Ciarán Ahern - dlprcbs@gmail.com / 087 9671854

- DDLP & CPO: Mary O’Flaherty - cporcbs@outlook.com

Guiding Principles

RCBS intends to keep children and young people safe from harm at all times while they are engaged in RCBS activities. Child Protection is everyone’s responsibility.

Harm is defined in the Children First Act 2015 as follows:

“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.

RCBS is committed to the underlying principle that the welfare of the child or young person is paramount.

This policy covers the Musical Director, conductors, teachers, the Executive Committee, Band Officers, volunteers, parents/guardians who are engaged in the care and supervision of children and young people.

The geographical boundary of this policy is usually where the bands rehearse in Ballyroan BNS, or on occasion St Mary’s BNS. It also applies to other venues where the bands may rehearse or perform, both in Ireland and abroad. It further applies on trips, day trips or residential trips. It applies in the venue for the Music Marathon and in the Masterclasses’ venue. It also applies to any social or fundraising events organised by RCBS for example: Table Quiz, Music Marathon.

The procedures contained in this policy are in line with the provisions of Children First legislation and policy. RCBS is a “relevant service” under Appendix 2 of Children First Act 2015. While there are no mandated persons in RCBS, it is understood that all adults engaged with children/young people in RCBS have a responsibility to report reasonable grounds for concern.

The procedures and practices will be reviewed biannually, or earlier if legislation changes.

2. Legislation and Guidelines and Supporting Documents

This document sets out the Child Protection Policy of the Rathfarnham Concert Band Society. It supersedes all previous Child Protection Policies and it takes into account the provisions of the following legislation and guidelines:

- a) The National Vetting Bureau (Children and Vulnerable Persons) Act 2012-2016
- b) Children First Act 2015
- c) Children First: National Guidance for the Protection and Welfare of Children 2017
- d) Child Care Act 1991
- e) Protection for Persons reporting Child Abuse Act 1998
- f) Criminal Justice Act 2006
- g) Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012
- h) Criminal Law (Sexual Offences) Act 2017
- i) Domestic Violence Act 2018
- j) The Harassment, Harmful Communications and Related Offences Act 2020 (Coco's Law)

See Appendix 1 for a brief explanation of the legislation above.

3. Supporting Documents

This policy is informed by the following documents:

Child Safeguarding-A Guide for Policy, Procedure and Practice.

https://www.tusla.ie/uploads/content/Tusla_-_Child_Safeguarding_-_A_Guide_for_Policy,_Procedure_and_Practice.pdf

Children First: National Guidance for the Protection and Welfare of Children 2017

https://www.tusla.ie/uploads/content/Children_First_National_Guidance_2017.pdf

National Youth Council of Ireland publications:

1. Working Safely in a Youth Club 2nd edition
<https://www.youth.ie/documents/working-safely-in-a-youth-club/>
2. Children First -A Guide to the Implementation of Children First in the Youth Work Sector (2021)
<https://www.youth.ie/articles/children-first-a-guide-to-the-implementation-of-children-first-in-the-youth-work-sector/>
3. Coco's Law-Harassment, Harmful Communications and related Offences Act 2020.
<https://www.youth.ie/documents/cocos-law/>
4. National Youth Council of Ireland- Guidance for the Youth Sector on Managing Complaints and Allegations against Staff and Volunteers, 2022
<https://www.youth.ie/documents/managing-complaints-and-allegations/>

Child Protection information on The Arts Council website

[Child protection and welfare | The Arts Council | An Chomhairle Ealaíon](#)

Note:

“Parent/guardian” also includes caregivers eg foster carers, grandparents with a caring responsibility for a child or young person

“Vulnerable person” is defined in the National Vetting Bureau Act 2012 as:

a person, other than a child, who—

- a) is suffering from a disorder of the mind, whether as a result of mental illness or dementia,
- b) has an intellectual disability,
- c) is suffering from a physical impairment, whether as a result of injury, illness or age, or
- d) has a physical disability,
which is of such a nature or degree—

- i) as to restrict the capacity of the person to guard himself or herself against harm by another person, or
- ii) that results in the person requiring assistance with the activities of daily living including dressing, eating, walking, washing and bathing.

4. How RCBS works:

4.1 Location and Premises

Rathfarnham Concert Band Society usually uses Ballyroan Boys' National School, Rathfarnham as its premises on weekday evenings and at weekends.

Apart from these regular sessions, RCBS may schedule additional rehearsals in advance of major performances. Additional rehearsals may also take place on residential trips e.g. Junior Band trips. It is normal to perform at many venues and third party events both throughout Ireland and occasionally abroad.

4.2 Lessons and Practices

The society's musical training is provided at various levels

- a) Instrument Lessons - where one teacher may instruct from one to three children at a time. See Online Teaching Protocol in Appendix 3. See One-to-One working protocol in appendix 4.
- b) Theory Lessons - where one teacher may instruct a group from three to fifteen children.
- c) Sectional Practice - where a conductor takes a group of approximately twenty children.
- d) Full Band Practice - where the entire band is massed for practice. Each band practices separately.
- e) Occasionally bands may be grouped together, eg Intermediate and Senior band together. On occasions all three bands may be joined together ie Junior, Inter and Senior Bands.

4.3 Adult Involvement

A large number of adults are involved in the weekly schedule of the bands. This consists of conductors, teachers of instruments, teachers of theory, Band officers, executive committee members, supervisors and adult members of the Senior band. All teachers, conductors, Band Officers, and supervisors are vetted. Executive Committee members are vetted as they engage in the care and supervision of children and young people under 18 years.

Many adults volunteer to support the work of RCBS. The volunteers are generally parents/guardians of current (or in some cases past) band members. Occasionally others may be approached for specific purposes as the need arises. In the event of adults being involved in the care and supervision of children and young people under 18 years, they will be vetted in advance of undertaking this role.

The society has an Annual General Meeting at which the Chairperson, Secretary, Treasurer and other members are elected to the society's Executive Committee.

Parents/guardians of band members are encouraged to get involved. RCBS often requires additional help with supervision of children and transportation of percussion and other large instruments or equipment when performing away from the society's base. Where parents/guardians are involved in the care and supervision of children, they are vetted in advance of supervising children, as stated above.

During the course of the year, the band may have social outings or "Away Trips". These may be day trips, or residential trips, both in Ireland and abroad. These trips are carefully planned with an appropriate level of adult supervision. RCBS uses "Working Safely in a Youth Club" for guidance for such trips. All adults accompanying the children and young people under 18 years, are vetted in advance of undertaking this care and supervision role.

The society has Band Officers for each of the Tyro, Junior, Jazz and Intermediate bands with at least one parent/guardian overseeing each band. Band Officers have a high level of involvement with their respective band members and look after their specific needs including setting up rosters for duties, uniforms, supervision and organising trips and concerts. All Band Officers are Garda vetted.

Parents/guardians are involved in many ways, including;

- Fundraising

- Sponsorship
- Concert organisation
- Supervision of music theory exams
- Supervision of the entrance to Ballyroan BNS while rehearsals and lessons are taking place
- Supervision of children who have a free period between sessions
- Helping to move and transport percussion instruments to venues for a performance
- The financial running of the society
- Helping with outings and trips away
- Serving on the Executive Committee

5. Code of Behaviour for Band Members

5.1 Rules of Membership

- a) All places in the bands are reviewed annually and places are assigned by the Musical Director on the basis of ability to play at the standard required by the repertoire of each band and the general suitability of the student. The Musical Director's decision in this matter is final.
- b) Members must commit to the full year programme of rehearsals, concerts, lessons and practice.
- c) Regular attendance at rehearsals is essential. All absences must be notified to Band Officers. A phone call or SMS is sufficient.
- d) Poor attendance at rehearsals may result in loss of membership.
- e) Members must arrive punctually (within 10 minutes of the start of rehearsal/practice) and are expected to assist in organising the room before and after rehearsals.
- f) Members must treat the facilities and premises in which they are working with respect.

- g) Members are not allowed to leave the premises during rehearsals without prior agreement from the Band Officer/Conductor.
- h) When not engaged in musical activity (e.g. while waiting for lessons or theory) members must remain in their assigned room.
- i) Members must treat other members, teachers, conductors, Band Officers and supervising adults with courtesy and respect. Members are expected to use respectful language at all times. Members are expected to cooperate with Band Officers, conductors and teachers.
- j) Bullying is not tolerated at any time. Members are encouraged to report bullying to a Band Officer or other adult in RCBS. RCBS is a telling organization. We all have a responsibility to prevent bullying and ensure that RCBS is a safe place for everyone in RCBS. See Anti-Bullying Policy for more details.
- k) RCBS operates a strict Green Policy. Players are obliged to remove all waste materials such as wrappers, bottles etc. No chewing gum is allowed on the premises. This policy applies to all venues used by the band.
- l) All players perform in public at the Conductors' discretion. Where players are not up to an acceptable standard, the conductors' decision as to whether they perform or not, is final.
- m) Members participate at their own risk.
- n) Members must commit to the study of music theory and practice including grade exams as required by the Musical Director.
- o) Members, their parents and guardians must ensure that all instruments are adequately insured and that all instruments, cases, books and stands etc brought to rehearsals, performances and trips are tagged or marked for easy identification.
- p) Mobile phones, iPods and all other electronic devices which can be used for recording, texting, or accessing/interacting with social media or text messaging etc. must be switched off while engaged in RCBS activities. In exceptional circumstances some musicians use ipads and other tablets rather than printed music and this is permitted on the basis that the tablet is used only for this purpose. On day trips or residential trips, members will be allowed to use their mobile devices at times specified by the Band Officer or supervisors.

- q) Substance misuse (including smoking, vaping, illegal substances and the consumption of alcohol) is strictly forbidden. On residential trips and day trips Irish law applies. See further below regarding trips.
- r) Membership, tuition and other fees and charges are usually levied in two or three installments throughout the academic year and must be paid within the timeframe stated.
- s) RCBS may use photographs, audio or video recordings of individuals or ensembles for public relations, promotions, exhibitions or record keeping purposes (e.g. quick identification of a member with medical needs) Photographs may be posted on the RCBS website and social media platforms or those of its affiliates. These will be of appropriate content for promotion of the band as a safe and caring environment in which the children and young adults play music and socialise together. Parental permission for the above is sought when a member joins the band. Prior parental permission is also sought for day trips and residential trips, both in Ireland and abroad.
- t) Members will respect the dignity and privacy of other members, teachers, and volunteers by not sharing or publishing any electronic recordings or images, without the knowledge and informed consent of all those recorded. This applies to all forms of distribution media including email, mobile phones, electronic devices, news feeds, social media and other online storage and platforms.
- u) Bullying is not acceptable in any form. See Anti Bullying Policy.

5.2 Misconduct of Students / Members / Players

We are very fortunate in RCBS to have children and young people who behave extremely well during rehearsals, lessons, concerts and trips. Their behaviour and demeanor of band members has been commented on favourably on many occasions, both in Ireland and abroad.

However should an occasion occur that a child or young person behaves in a challenging way, the following procedure will apply:

- In responding to challenging behaviour, the response should always be proportionate to the actions, be imposed as soon as is practicable, and be fully explained to the child or young person, and to their parents/guardians.

- When dealing with a disruptive child or young person, it is advised that, where possible, two adults be present.
- In responding to such situations adults should consider the following options:
 - Time out:-from the activity, group, or individual work
 - Reparation:-the act or process of making amends
 - Reinforcement:-rewards for good behaviour, consequences for negative behaviour
 - De-escalation of the situation:-talking through with the child or young person
 - Increased supervision by adults
 - Use of individual “contracts” or agreements for their future or continued participation
 - Sanctions or consequences e.g. missing an outing (decision made in consultation with the DLP/DDLP)
 - Seeking additional support from other agencies, to ensure a child/young person’s needs are met appropriately e.g family support agency- to be decided by the DLP/DDLP.
 - Temporary or permanent exclusion- to be decided by the DLP/DDLP and Executive Committee.

In the case of serious misbehaviour by a member, it will be dealt with by the Executive Committee. Parents/guardians of under 18 year old members will always be informed in such circumstances.

Sanctions may include;

- a) Fine
- b) Suspension
- c) A request for resignation
- d) Expulsion

6. Code of Behaviour for Volunteers, Teachers, Conductors, and Musical Director

In accordance with the aims and workings of the society, a Code of Behaviour has been drawn up which outlines the steps we take to reduce the risk of harm to children and young people.

6.1 Good practice for RCBS as an organisation

In accordance with good practice, RCBS

- a) Registers each child or young person, recording their name, address, contact information, medical information, special requirements and emergency contact(s).
- b) Makes parents, guardians, visitors and facilitators aware of our Child Protection Policy, Child Safeguarding Statement and relevant procedures.
- c) Has emergency procedures in place and makes all adults aware of these procedures. See Appendix 8 Emergency Procedures
- d) Is inclusive of children and young people with special needs.
- e) Reports any concerns to the Chairperson/DLP/DDLP and follows reporting procedures.
- f) Encourages participation in and informs adults and volunteers of appropriate training opportunities eg Tusla E-Learning module.
- g) Reports and records any incidents and accidents, using the Incident Form, and stores these securely. See Incident Form in Appendix 6
- h) Updates and reviews policies and procedures regularly.
- i) Keeps parents and guardians informed of any issues that concern their children.
- j) Ensures proper supervision based on adequate ratios according to age, abilities and activities involved, in accordance with the National Youth Council of Ireland's booklet "Working Safely in a Youth Club".
- k) Observes appropriate staff gender balance for residential trips, in Ireland and abroad.

- l) Follows the guidance contained in the National Youth Council of Ireland's publication "Working Safely in a Youth Club" 2nd edition. A copy of this publication is given to conductors, teachers, Band Officers, and adult supervisors. <https://www.youth.ie/documents/working-safely-in-a-youth-club/>

6.2 Good practice for adults working and volunteering in RCBS:

All adults working or volunteering with RCBS are encouraged to -

- a) Treat all children and young people equally.
- b) Listen to and respect children and young people.
- c) Involve children and young people in decision making, as appropriate.
- d) Provide encouragement, support and praise - regardless of ability.
- e) Use appropriate and respectful language
- f) Encourage fun and a positive atmosphere.
- g) Offer constructive feedback when appropriate
- h) Respect a child's or young person's personal space.
- i) Be a positive role model.
- j) Be aware of a child's or young person's other commitments (e.g. school, exams, sport) when scheduling rehearsals or other activities.
- k) Be cognisant of a child's or young person's limitations due to a medical condition or other factors.
- l) Create an atmosphere of trust.
- m) Respect differences of ability, age, culture, religious belief, race, gender, family status, ethnicity, sexual orientation, disability.
- n) Encourage children and young people to report any bullying, harassment, concerns or other worries
- o) Note Appendix 3-Online Teaching Protocol
- p) Note Appendix 5-One-to-one working Protocol

6.3 Inappropriate behaviour of adults

The following are non-exhaustive guidelines:

- a) Avoid spending excessive amounts of time alone with children or young people.
- b) Don't use or allow offensive, aggressive, sexual, disrespectful language.
- c) Don't single out a particular child or young person for unfair favoritism, criticism, ridicule or unwelcome focus of attention.
- d) Don't allow or engage in inappropriate touching in any form.
- e) Don't strike or physically chastise children or young people.
- f) Don't verbally abuse a child or young person when correcting or instructing them.
- g) Don't socialise inappropriately with children or young people (e.g. outside of structured organised RCBS activities)
- h) Do not share personal or revealing information about yourself with children or young people, including on social media.

6.4 Physical Contact

- a) "Any form of physical punishment of children is unlawful, as is any form of physical response to misbehaviour, unless in exceptional circumstances where it is by way of restraint." Quote from Working Safely in a Youth Club, NYCI, page 7.
- b) Adults should seek the consent of a child or young person in relation to physical contact (e.g. In the demonstration of instrument technique), except in an emergency or to prevent an accident
- c) Physical contact should take account of cultural or religious differences, and should always be sensitive to gender.
- d) In the case of a young person with a disability, specific support or assistance may be required. In such circumstances, the child or young person should be treated with dignity and respect. Relevant health and safety guidelines, policies

and procedures, and training must be implemented and followed, to ensure the safety of the child/young person and those assisting.

- e) There may be occasions where a distressed child or young person needs comfort and reassurance. Adults should consider the way in which they offer this in an age-appropriate way. Adults should not assume that all children/young people seek physical contact if they are distressed.
- f) Do not engage in horseplay.
- g) Do not engage in inappropriate touching.
- h) Note-Appendix 4 One-to-one Protocol

6.5 Health and Safety

The following rules apply to all adults involved in RCBS:

- a) Don't leave children unattended or unsupervised.
- b) Ensure that the space where children or young people are working or rehearsing is safe.
- c) Be aware of accident procedures and follow them accordingly.
- d) Inform all persons of the Fire Drill procedures and plan a Fire Drill in each academic year.
- e) Ensure that a First Aid kit is available.

6.6 Planning a day trip or residential trip in Ireland

- RCBS occasionally organises day trips and longer residential trips for its members. These trips may be a day trip or residential trip for the Junior band, or the Intermediate Band, or a combined band comprising all band members. All adults engaged in the care and supervision of children/young people will be vetted in advance of a trip.
- A meeting will be held for parents/guardians to inform them about the details of a trip, to answer any questions they may have, and to discuss the expected behaviour of the Band members.

- The Band members will be informed about the details of the trip, the Code of Behaviour, the contact details of the Band Officers, the uniform, if any, to be worn for concert performances, and answer any other queries from the Band members, parents/guardians.
- The trip leader/s are usually the Band Officer/s. The Band Officers communicate with parents/guardians and with the Band members re itinerary for the trip, what to wear, what to bring, cost of the trip. In addition, the Band Officer/s will ensure that there is adequate insurance cover for the trip, arrange adequate adult supervision, check that the transport being used has appropriate insurance, qualified drivers and seat belts, check First Aid kit, collect information/permission forms from all band members, check Child Protection policies and procedures. If staying overnight, Band Officers will check for separate sleeping arrangements for males and females, and separate sleeping provision for adults (within earshot of the children and young people). Band Officers will check the supervision and security of the centre/hostel where they are staying, and will check the drugs and alcohol policy of the centre/hostel. Irish regulations about drugs and alcohol will apply.
- Parents will be informed of the itinerary, Child Protection policies, Code of Behaviour, contact details of Band Officers, drop off and pick up arrangements, what Band uniform is to be worn, if any. Parents/guardians will be asked to complete a form giving name, date of birth, address, medical information about the Band member, allergies, dietary requirements, parental consent for the child/young person to go on the trip, parents'/guardians' contact details, permission for child/young person to get medical attention, if needed, and details of any medication that the child/young person needs to take. See Appendix 9 Administration of Medication policy (to be ratified by RCBS)
- The Organizer of the trip must inform the Insurance Broker about 3 weeks before the trip that the trip is taking place. The broker usually informs the insurance company and will come back with any questions or clarifications needed by the insurance company.

Email address is colm@jpc.ie Colm Young.

JPC Insurances Ltd., Orlagh Grove, Rathfarnham, Dublin 16. Phone: (01) 4930112

6.7 Planning a trip abroad

In addition to section 6.6 above, the Band Officers will check passports and visa requirements, keep copies of passports, check insurance cover for the trip, share a detailed itinerary with parents/guardians, check legal differences e.g. drinking alcohol, age of consent, drugs (NOTE: Irish law applies to the children and young people taking part in any overseas RCBS trip), check if vaccinations are needed, and check currency, climate, time zones, and any cultural differences. On occasions, RCBS representatives may visit the country in question, and centre/hostel in advance of the trip.

The Organizer of the trip must inform the Insurance Broker about 4 weeks before the trip that the trip is taking place. The broker usually informs the insurance company and will come back with any questions or clarifications needed by the insurance company.

Email address is colm@jpc.ie Colm Young.

JPC Insurances Ltd., Orlagh Grove, Rathfarnham, Dublin 16.

Phone: (01) 4930112

7. Recognising, responding and Reporting Child Welfare and Child Abuse Concerns

7.1 Definitions of Child Abuse

It is very important that all adults working with children or young people in RCBS understand what is meant by the term 'abuse'. Child abuse can be categorised into four different types:

1. neglect,
2. emotional abuse,
3. physical abuse, and
4. 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, RCBS will consider it a child welfare and protection issue for both children and will follow child protection procedures 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 alleged abuser.

The definitions of neglect and abuse presented in this section are not legal definitions. They are intended to describe ways in which a child might experience abuse and how this abuse may be recognised.

The following extract is taken from “Children First- National Guidance for the Protection and Welfare of Children”:

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 his/her 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.

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.

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. Details on exemptions for mandated reporting of certain cases of underage consensual sexual activity can be found in Chapter 3 of Children First: National Guidance for the Protection and Welfare of Children.

End of extract.

7.2 Reasonable Grounds for Concern

Adults should always inform Tusla when they have reasonable grounds for concern that a child may have been, is being, or is at risk of being abused or neglected. If adults ignore what may be symptoms of abuse, it could result in ongoing harm to the child. It is not necessary for adults to prove that abuse has occurred to report a concern to Tusla. Where adults have reasonable grounds for concern, they should follow the reporting procedure, outlined in this policy, in section. It is Tusla’s role to assess any concerns that are reported to it. If an adult/DLP/DDLP reports a concern, he/she can be assured that the information will be carefully considered with any other information available and a child protection assessment will be carried out where sufficient risk is identified.

Reasonable grounds for a child protection or welfare concern include:

- Evidence, for example 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 abuse

7.3 Dealing with Disclosure

The following advice is offered to all adult band personnel to whom a child makes a disclosure of abuse (**Note:** a child reporting self-harm is a disclosure):

- a) Actively listen to the child, fully concentrating on what is said.
- b) Take all disclosures seriously
- c) Do not ask leading questions or make suggestions to the child
- d) It's ok to say: "I am glad you told me, I am sorry it happened to you, It is not your fault, You were right to tell and it's ok to tell." (Even if the child has broken a rule, they are not to blame)
- e) Avoid saying: "Are you sure? Why? How? I can't believe it. This is really serious. I am shocked."
- f) Offer reassurance, but do not make promises (e.g. Not to tell anyone else)
- g) Do not stop a child recalling significant events
- h) Do not over-react. (Be aware of how you are feeling yourself, but hold off or park your feelings for now. Don't bring your feelings into the discussion with the child. You can discuss your feelings with the DLP/DDLP later.)
- i) Pay attention to your body language
- j) Explain that further help may have to be sought

- k) REPORT TO THE DLP/DDLP IMMEDIATELY
- i) DLP: Ciarán Ahern - dlprcbs@gmail.com / 087 9671854
 - ii) DDLP & CPO: Mary O’Flaherty - cporcbs@outlook.com
- l) If unable to contact DLP or DDLP, contact Tusla’s advice number: 087 3981713.
- m) If you cannot contact the DLP or DDLP, and there is an immediate risk to the child, contact the Gardaí: 999 or 112
- n) Record the discussion accurately in writing, as soon as possible after the disclosure, using the child’s words, and retain this record. See Appendix 3.
- o) Maintain confidentiality, that is: only those who need to know should know.

7.4 Procedure for reporting Child Abuse

Designated Liaison Person (DLP)

The Chairperson of RCBS, Ciarán Ahern, is the Designated Liaison Person (DLP) and currently the RCBS Vice-Chair, Mary O’Flaherty, is Deputy DLP (DDLP) and Child Protection Officer (CPO):

- DLP: Ciarán Ahern - dlprcbs@gmail.com / 087 9671854
- DDLP & CPO: Mary O’Flaherty - cporcbs@outlook.com

The DLP has ultimate responsibility for Child Protection and will represent the society in all dealings with Tusla, the Health Service Executive, an Garda Síochána and other parties in connection with allegations of abuse. He or she may delegate such functions in this matter to the DDPL/CPO as both see fit. All matters pertaining to the processing or investigation of child abuse should be processed through the DLP in the first instance.

Further information on the responsibilities of the DLP is included in section 2.2 of Tusla’s publication “Child Safeguarding-A Guide for Policy, Procedure and Practice”.

https://www.tusla.ie/uploads/content/Tusla_-_Child_Safeguarding_-_A_Guide_for_Policy,_Procedure_and_Practice.pdf

Reporting Procedure:

Anyone with concerns about a child in RCBS should report them immediately to the Designated Liaison Person, or Deputy Designated Liaison Person, where the DLP is unavailable.

See Procedure for Reporting Child Protection Concern in RCBS at Appendix 2 for detailed steps and additional contact details.

DLP Reporting Procedure

The DLP should confer with the DDLP/CPO about any matter arising under this policy and seek guidance from Tusla.

Dublin is split into 5 Tusla areas. Rathfarnham is in Dublin South Central. To discuss a concern or report about a child, the DLP should contact:

Child and Family Agency

- Bridge House, Cherry Orchard Hospital, Dublin 10.
- Phone: 087 398 1713

The DLP can contact the Children First Information and Advice Officer for advice on how to deal with the concern. The DLP can report his/her concern in person, by telephone or in writing to the local social work duty service in the area where the child lives.

Contact details for local social workers:

Jan Perrin

Children First Information and Advice Officer
Child and Family Agency, Block B, Civic Centre, Main Street, Bray, Co. Wicklow.

Phone: 01 2744245

Mobile: 086 3803926

Email: jan.perrin@tusla.ie

Edwina Flavin

Children First Information and Advice Officer,
Child and Family Agency, Clane Primary Care Centre, Abbey Lands, Clane, Co.
Kildare.

Phone:045 986332

Mobile: 086 3803925

Email: edwina.flavin@tusla.ie

The DLP may, in some circumstances, report a concern directly to An Garda Síochána. The Gardaí will be contacted in the case of an immediate risk to a child.

Tusla has two forms for reporting child protection and welfare concerns – the Child Protection and Welfare Report Form (CPWRF) and the Retrospective Abuse Report Form (RARF).

The Child Protection and Welfare Report Form is to be completed and submitted to Tusla for concerns about children under the age of 18. A [web portal](#) has been developed to allow for the secure submission of CPWRFs to Tusla.

The Retrospective Abuse Report Form is to be completed and submitted to Tusla for cases of adults disclosing childhood abuse. A [web portal](#) has been developed for this also.

Both the CPWRF and RARF can be downloaded from www.tusla.ie. If using a hardcopy CPWRF or RARF, the completed form should be sent to the [Duty Social Work team](#) in the area where the child resides.

7.5 Confidentiality

All information regarding the concerns of possible child abuse should only be shared on a “need to know” basis. Information should be stored in a secure place with access limited to the designated personnel.

Giving information to those who need to have that information for the protection of a child who may have been or has been abused, is not a breach of confidentiality.

The DLP who is submitting a report to Tusla or an Garda Síochána should inform a parent or guardian unless doing so is likely to endanger the child or place that child at further risk. When in doubt, the DLP shall seek the advice of Tusla and/or an Garda

Síochána regarding informing the parents or guardians of any allegation made. A decision not to inform a parent or guardian should be recorded together with the reasons not to do so.

7.6 Protection for Persons Reporting Child Abuse

The Protection for Persons Reporting Child Abuse Act 1998 protects the person who makes a report of suspected child abuse to designated officers of Tusla, the Health Service Executive (HSE), or to members of the Gardaí, as long as the report is made in good faith and is not malicious.

7.7 Allegations or Suspicions Regarding Employees(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 good 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. The DLP/DDLP will deal with the reporting of the allegation and communication with Tusla. The Executive Committee will appoint a person to liaise with the employee(worker) or volunteer against whom an allegation has been made. This will be done on a case by case basis. This person will be known as the liaison person.

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. His/her safety and wellbeing is paramount. 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.

In addition:

- The agreed reporting procedure will always be followed by the DLP/DDLP.
- RCBS committee must be informed about the allegation by the DLP/DDLP.
- 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 Executive Committee 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 liaison person 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 liaison person 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, but prioritising at all times the safety of children. RCBS will liaise closely with the investigating bodies to ensure this.

- The worker/volunteer may be subject to disciplinary procedures. The worker/volunteer shall have the right to appeal any such decision.

7.8 Conducting an Internal review

RCBS may conduct an internal review and will make all reasonable efforts to ensure that such a review does not undermine or frustrate any assessment / investigation conducted by Tusla or the Gardaí.

- Terms of reference should be drawn up
- An internal review team should be appointed by the Executive Committee. The Executive Committee may decide to appoint an external review team.
- The team should have the necessary knowledge and expertise to conduct an internal review. They should not have any conflict of interest or loyalty and have time available to carry out the task.
- Strict confidentiality should be maintained throughout the process.
- The team should be facilitated to interview any person whom they feel can assist with the internal review. Staff and volunteers should be required to cooperate fully with the internal review process and should be supported to do so.
- Records should be kept of all decisions and outcomes, treated in the strictest confidence, and shared with the relevant parties as appropriate.
- Staff and volunteers should be required to respect the privacy of the parties involved by refraining from discussing the matter with each other or external parties throughout the process.
- The rights of the person against whom the allegation is made will be upheld.
- See National Youth Council of Ireland booklet “Guidance for the Youth sector on Managing Complaints and Allegations against Staff and Volunteers” for further details.

8. Vetting

The RCBS is committed to compliance with best practices for all dealings with children as well as adhering to all applicable laws and regulations.

With respect to the National Vetting Bureau (Children and Vulnerable Persons) Act 2012-2016, the RCBS will comply with the following procedures:

8.1 Vetting of Volunteers and Employees

In order for the RCBS to employ a teacher to teach members who are under 18 years, or accept the involvement of a volunteer who will be engaged in the care and supervision of members under 18 years, that person will be invited to be vetted by the National Vetting Bureau (NVB), processed by the Child Protection Officer of RCBS.

The person will be required to complete a vetting invitation form and provide some documentation (see below). This information is then sent electronically to the Garda Vetting Liaison Person in the National Youth Council of Ireland (NYCI), who forwards the application to NVB. The applicant will then complete an online form which comes directly from NVB. A disclosure will be sent by NVB to NYCI, and in turn to the CPO of RCBS. The disclosure will be sent to the teacher or volunteer.

All adults must be vetted in advance of beginning teaching or working with or supervising children or young people.

The prospective conductor, teacher or volunteer must provide the required documentation to accompany the vetting application. Currently, that requirement is:

- Proof of identity-production of a passport or driver's licence
- Proof of address-bank letter/statement, utility bill, dated within the past 6 months

In the event of the applicant being under 18 years, a declaration of consent must be made on his/her behalf by his/her parent/guardian.

In the event of a NVB return providing specified information, the RCBS will take steps to ensure the details remain confidential.

The Executive Committee reserves the final decision on the matter of engaging the conductor, teacher or volunteer.

8.2 Scope of vetting

RCBS is a relevant service for the purpose of vetting, as per Children First Act 2015, Schedule 1, Relevant Services, Section 5.a: “Any work or activity which consists of the provision of educational, research, training, cultural, recreational, leisure, social or physical activities to children”.

There are no mandated persons in RCBS.

Who must be vetted in RCBS?

- DLP and DDLP
- Music teachers of children/young people under 18 years
- Conductors engaged in the supervision and teaching of children/young people under 18 years
- Band Officers engaged in the care and supervision of children/young people under 18 years
- Volunteers engaged in the care and supervision of children/young people under 18 years, which includes members of the Executive Committee.

8.3 Renewal of Vetting

The RCBS reserves the right to seek the periodic re-vetting of employees or volunteers. This is in addition to any future requirements of the relevant Acts. It is recommended that re-vetting take place every 3 years.

8.4 Delegation of Duties/Substitutes

It is not permitted for teachers to engage a substitute teacher without the express permission of the Musical Director, due to the requirement for teachers teaching children/young people under 18 years to be vetted in advance of beginning teaching activities. The Musical Director will check with the Child Protection Officer (CPO) in relation to the vetting status of a prospective substitute teacher.

It is not permitted for volunteers to engage a substitute volunteer without the express permission of the Musical Director or Chairperson, due to vetting requirements, as volunteers must be vetted in advance of beginning care and supervision activities. The Musical Director or Chairperson will check the vetting status of the prospective substitute volunteer with the CPO.

8.5 Data Protection

The RCBS will take all appropriate steps to comply with the Data Protection Act 2018. All personal data supplied for the purposes of NVB vetting will be managed by the serving Child Protection Officer who will act as its custodian.

The data will be destroyed within one year after the person has ceased being a member or volunteer with RCBS, or a teacher/conductor with RCBS. The data will be shredded/deleted securely.

All personal details given about children/young people will be stored securely. The data will be shredded/deleted within 12 months of the child/young person leaving RCBS. This also applies to members over 18 years.

All personal details and information which was collected for the purpose of a day trip or residential trip are securely shredded immediately after the trip. This applies to both the children and the adult information.

Review of the Child Protection Policy

This policy will be reviewed biannually, or earlier should legislation require this.

Signed:

Date:

Ciarán Ahern

Designated Liaison Person (DLP) and Chairperson of RCBS

Contact details: dlprcbs@gmail.com

Mary O'Flaherty

Deputy Designated Liaison Person (DDL) and Child Protection Officer (CPO)

Contact details: cporcbs@outlook.com

Appendix 1

Child Care Act 1991

This is the key piece of legislation which regulates childcare policy in Ireland. Under this Act, Tusla has a statutory responsibility to promote the welfare of children who are not receiving adequate care and protection. If it is found that a child is not receiving adequate care and protection, Tusla has a duty to take appropriate action to promote the welfare of the child. This may include supporting families in need of assistance in providing care and protection to their children. The Child Care Act also sets out the statutory framework for taking children into care, if necessary.

Protection for Persons Reporting Child Abuse Act 1998

This Act protects you if you make a report of suspected child abuse to designated officers of Tusla, the Health Service Executive (HSE) or to members of the Gardaí as long as the report is made in good faith and is not malicious. Designated officers also include persons authorised by the Chief Executive Officer of Tusla to receive and acknowledge reports of mandated concerns about a child from mandated persons under the Children First Act 2015. This legal protection means that even if you report a case of suspected child abuse and it proves unfounded, a plaintiff who took an action would have to prove that you had not acted reasonably and in good faith in making the report. If you make a report in good faith and in the child's best interests, you may also be protected under common law by the defence of qualified privilege. You can find the full list of persons in Tusla and the HSE who are designated officers under the 1998 Act, on the website of each agency (www.tusla.ie and www.hse.ie).

Criminal Justice Act 2006

Section 176 of this Act created an offence of reckless endangerment of children. This offence may be committed by a person, who has authority or control over a child, or by an abuser who intentionally or recklessly endangers a child by:

1. Causing or permitting the child to be placed or left in a situation that creates a substantial risk to the child of being a victim of serious harm or sexual abuse; or
2. Failing to take reasonable steps to protect a child from such a risk while knowing that the child is in such a situation.

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

Under this Act, it is a criminal offence to withhold information about a serious offence, including a sexual offence, against a person under 18 years or a vulnerable person. The offence arises where a person knows or believes that a specified offence has been committed against a child or vulnerable person and he or she has information which would help arrest, prosecute or convict another person for that offence, but fails without reasonable excuse to disclose that information, as soon as it is practicable to do so, to a member of An Garda Síochána. The provisions of the Withholding legislation are in addition to any reporting requirements under the Children First Act 2015.

National Vetting Bureau (Children and Vulnerable Persons) Acts 2012-2016

Under these Acts, it is compulsory for employers to obtain vetting disclosures in relation to anyone who is carrying out relevant work with children or vulnerable adults. The Acts create offences and penalties for persons who fail to comply with their provisions. Statutory obligations on employers in relation to Garda vetting requirements for persons working with children and vulnerable adults are set out in the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012–2016.

Criminal Law (Sexual Offences) Act 2017

This Act addresses the sexual exploitation of children and targets those who engage in this criminal activity. It creates offences relating to the obtaining or providing of children for the purposes of sexual exploitation. It also creates offences of the types of activity which may occur during the early stages of the predatory process prior to the actual exploitation of a child, for example, using modern technology to prey on children and making arrangements to meet with a child where the intention is to sexually exploit the child. The Act also recognises the existence of underage, consensual peer relationships where any sexual activity falls within strictly defined age limits and the relationship is not intimidatory or exploitative.

Taken from Children First National Guidance for the Protection and Welfare of Children 2017

Domestic Violence Act 2018

The Domestic Violence Act 2018 replaces the Domestic Violence Act 1996 and the Domestic Violence (Amendment) Act 2002 and addresses protections available to victims of domestic violence under both the civil and criminal law. The Act creates a new criminal offence of forced marriage. It is no longer possible to get a Court Exemption Order allowing a marriage to proceed if one or both parties are under 18 years. One of the key new protections for victims under the criminal law introduced by the Act is the creation of a new offence of coercive control. Importantly, all partners in an intimate relationship are eligible for Safety and Protection orders, with no need of cohabitation. It also introduced provisions where the court will be able to seek the views of children where a safety or barring order is sought on behalf of a child.

Taken from "Children First-A Guide to the Implementation of Children First in the Youth Work Sector" by the National Youth Council of Ireland, 2021.

Appendix 2

Child Protection Procedure in the event of an Incident or Disclosure in RCBS

1. If you observe an incident or if a child/young person makes a disclosure to an adult in RCBS, report immediately to the Designated Liaison Person (DLP) or to the Deputy Designated Liaison Person (DDL) if DLP is unavailable:

DLP - Ciarán Ahern

- Phone: 087 967 1854
- Email: dlprcbs@gmail.com

DDL - Mary O Flaherty

- Phone: 087 284 0195
- Email: cporcbs@outlook.com

2. If unable to contact DLP or DDL, phone Tusla for advice

- Phone: 087 398 1713

If Tusla advises that a report should be made, a reporting portal is available on www.tusla.ie. The portal can be found here:
<https://www.tusla.ie/children-first/web-portal/>

3. In the case of a child or young person being in immediate danger, contact An Garda Síochána:
 - Phone: 999 or 112
4. Write notes on what happened. Use the child's words.
5. Keep all information confidential. Information should only be shared on a "need-to-know" basis.
6. Inform parents/guardians unless that by doing so will put the child/young person at risk of harm. Record reason for not informing parents/guardians. LISTEN, RESPOND, REPORT, RECORD

Appendix 3

Internal RCBS Recording Form in the event of an Incident or Disclosure, relating to Child Protection

NB: Document must be stored securely protecting the confidentiality of the information recorded.

Name of person reporting	
Phone number of person reporting	
Email of person reporting	
Name of child/young person	
Contact details of child/young person (if known)	
Nature of concern	
Actions taken	

Decisions made	
Reasons for making decisions noted above	
Any other information	
Date and time when reported	
Location when reported	

Appendix 4

RCBS Policy on Online Teaching

The Rathfarnham Concert Band Society (RCBS) is committed to a child-centred approach in all its work with children. We undertake to provide a safe environment and experience, where the welfare of the child is paramount.

This policy extends the Child Protection Policy of the Rathfarnham Concert Band Society.

There is some practical guidance for online tuition for both tutors and students in a document which follows this statement - 'Safeguarding During Online Music Lessons - practical steps'.

Musical tuition via the Internet

In facilitating access to instrumental tuition for our students, RCBS extends the opportunity to take lessons online. In providing these opportunities, we will adhere to the following best practices in the interest of safeguarding both students and tutors.

Child Protection Concerns Related to Internet Tuition

Tutoring students online raises the following concerns in relation to child protection:

- The situation introduces the student to the idea of communicating with an adult that is not part of their family group over the internet. This is not a practice that should come to be considered normal by the student and it should be emphasised by parents that communicating in this manner is something that requires permission and supervision.
- This method of teaching invites the tutor into the student's home, and vice versa, without being physically present and, therefore, possibly unknown to other members of either household. There should be an awareness on behalf of all involved that there is someone virtually present in their home and that everyone's actions need to be reflected in this. Insofar as is possible, the teaching situation should closely reflect that of teaching in a music school.

- RCBS tutors undertake as part of our Child Protection Policy to report any concerns over child welfare to the RCBS Designated Liaison Person. This relates not only to the student but to the welfare of any child in the location in which they are working, physically or virtually.

Parental Consent

Parental consent will be sought by email for the child/young person to engage in online live video call lessons while he/she is in their own home.

Location and Supervision of Lessons

- All lessons should be held in an area of the home that is open and accessible to the parents of the student. Lessons should not, for instance, take place in a bedroom with a closed door.
- Lessons will, however, need to be held in an area where student and tutor can concentrate on the lesson and not be unnecessarily interrupted. This may be hard to balance with younger children in the house and may take a few lessons to establish a good routine. All concerned need to show some patience in forming a routine and be willing to discuss ways to improve concentration during lessons.
- A parent/guardian or other responsible adult should be available to drop in and out of the teaching space throughout the duration of the lesson.

Email Addresses (for Zoom classes)

- All lessons and student-teacher interaction on the student's part must take place using parent/guardian email addresses unless the student is over 18.
- All lessons and student-tutor interaction on the student's part must take place using an email that is certified by the Musical Director as being the email address of the named teacher for that instrument.

Alternative Contact Methods

- All arrangements / re-arrangements for lessons must be made through a parent/guardian.

- Student and tutor are not to communicate via alternative video / electronic methods other than specifically agreed with the parent/guardian.
- Any and all communications between student and tutor must be fully controlled by or accessible to parents/guardians.

Grounds for Concern

The grounds for concern laid out in the RCBS Child Protection Policy shall apply in all lessons given over the internet and shall apply to all children in the student's home. This includes things that happen in the background or off-camera.

If a parent/guardian has any concerns about the process or relationship between student and tutor, they should contact the Chairperson, Ciarán Ahern, to discuss the situation. RCBS undertakes to investigate all complaints or concerns regarding its teaching staff in line with our Child Protection Policy.

Raising Concerns

Concerns for the welfare of students will be dealt with in line with the RCBS Child Protection Policy.

Appendix 5

One-to-One working protocol

There are two main situations in which the need for one-to-one working may arise within the RCBS:

1. In a reactive situation, eg where a young person requests a one-to-one meeting without warning, or where a young person needs to be removed from a group
2. As part of a planned structured piece of work

In a reactive situation:

- If an adult needs to talk to the young person alone, do so in an open area, in view of others
- If this is not possible, meet in a room with visual access/glass panel in the door/window or leave the door open, or in a room/area where other adults are nearby
- Adults should tell another adult that such a meeting is taking place and the reason for it
- A record of the meeting should be kept, including names, date, location, reason for the meeting, and the outcome.
- Adults are strongly advised NOT to have meetings with individual children where they are on their own in a building.
- One-to-one meetings should take place in an appropriate venue and at an appropriate time eg not late at night

As part of a planned and structured piece of work eg Music lesson

- The activity should have a clear rationale, aims, methodology, evaluation mechanism and work plan
- A good supervision structure should be in place to support this work and address any issues which may arise. Band Officers and supervising adults attend on the days that lessons are held, and are available to the children/young people for support and advice.

- Parents/guardians must be fully informed about one-to-one lessons and must give written consent. This will commence in September 2024
- Maintain a register for safety, e.g. name, address, phone, any specific needs, attendance, emergency contacts.
- A clear Code of Behaviour is in place for the child/young person and for the teacher, and adults present in a supervisory capacity.
- *It is advised that in a one-to-one teaching lesson, that the child should be nearest to the door, that the door should be left ajar, so that the child feels that he/she can leave safely if they need to do so. The adult is not blocking the way for the child to leave.*

Appendix 6: Incident Report Form

(to use for accidents, disciplinary incidents, bullying incidents etc not Child Protection)



Rathfarnham Concert Band Society (RCBS)

Incident Report Form

SECTION 1: DETAILS OF THE PERSON WRITING THE REPORT	
Name:	
Role in RCBS:	

SECTION 2: PERSON(S) INVOLVED IN INCIDENT Use a continuation sheet if more than 2 young people were involved in the incident.	
Name:	Name:
Age:	Age:
Gender:	Gender:
Home Address:	Home Address:

SECTION 3: THE INCIDENT	
Date occurred:	Time occurred:

Please describe what happened

ACTIVITY

Lesson <input type="checkbox"/>	Rehearsal <input type="checkbox"/>	Performance <input type="checkbox"/>	Trip / Outing <input type="checkbox"/>
Free Time. <input type="checkbox"/>	Other (Please Describe):		

LOCATION

Classroom <input type="checkbox"/>	Rehearsal Space <input type="checkbox"/>	Performance Venue <input type="checkbox"/>	Public space <input type="checkbox"/>
Other (Please Describe):			

SECTION 4: FOLLOW-UP ACTION

Please describe any follow-up action taken:

Person who took follow-up action:

SECTION 5: WITNESSES TO THE INCIDENT

Name:	Name:
Contact Address:	Contact Address:
Telephone Number:	Telephone Number:
RCBS Role:	RCBS Role:
Signature:	Signature:
Date:	Date:

SECTION 5: SIGNATURE OF PERSON REPORTING

Name:
Signature:
Date:

Completed incident report to be held on file.

Appendix 7

Children First E-Learning Programme

Tusla has worked with the Department of Children, Equality, Disability, Integration and Youth and the HSE to develop a universal e-learning 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. The programme will allow you to log back in and resume where you left off. 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.

You will need to create an account using an email address to log in and complete the programme. This allows you to complete the training gradually over time. Once you have created your account, launch 'An Introduction to Children First'. When you have completed the programme, you will receive a certificate of completion directly to your email address.

<https://childrenfirstuniversal.hseland.ie/en/>

RCBS asks that you send your certificate on completion of the E-Learning course to the Child Protection Officer.