NCSE Information Guide for Dealing with Child Protection and Welfare Concerns
July 2024[1]

It is everyone's responsibility to protect children[2] and young people and to do the best to keep them safe. The NCSE as an organisation that provides supports to children is considered a 'relevant service[3]' under the Children First Act (2015) and confers specific responsibilities and legal obligations on the NCSE to keep children safe. Some children may be more vulnerable to abuse than others, in particular children with disabilities and other needs. As the NCSE works with children with special educational needs, we must be particularly alert to the possibility that children we are in contact with may be experiencing some form of abuse or neglect or is at risk of being abused or neglected.

1. Types of child abuse and how they may be recognised

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. 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, you should consider it a child welfare and protection issue for both children and you should 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 parent/carer. 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.

1.1 Neglect

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.

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

[1] Note this information guide first issued in March 2018 and was updated in September 2018, February 2019 and now in July 2024 to take account of changes in DLP roles.

[2] A child means a person under the age of 18 years, who is not or has not been married (Children First, DCYA, 2017).

[3] The type of organisations and services to which the legislation applies is outlined in Appendix 1.

- 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

1.2 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. 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.

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.

1.3 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

1.4 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.

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 therefore may be exempt for mandated reporting in certain cases of underage consensual sexual activity- see further detail below.

Bullying
It is recognised that bullying, in all forms, affects the lives of an increasing number of children and can be the cause of genuine concerns about a child's welfare. Bullying can be defined as repeated aggression – whether it is verbal, psychological or physical – that is conducted by an individual or group against others.

There can be an increased vulnerability to bullying among children with special educational needs. This is particularly so among those who do not understand social cues and/or have difficulty

communicating. Some children with complex needs may lack understanding of social situations and therefore trust everyone implicitly. Such children may be more vulnerable because they do not have the same social skills or capacity as others to recognise and defend themselves against bullying behaviour.

Bullying in schools is a matter for the school authorities, who are responsible for dealing with bullying. School management boards must have a code of behaviour and an anti-bullying policy in place. However, in cases of serious instances of bullying where the behaviour is regarded as possibly abusive, you may need to make a referral to Tusla and/or An Garda Síochána.

2. Reporting a concern about a child – Reasonable grounds for concerns

2.1 Reasonable Grounds for Concern

Any staff member within the NCSE that has **reasonable grounds for concern** that a child may have been, is being, or is at risk of being abused or neglected should always inform Tusla. If you ignore what may be symptoms of abuse, it could result in ongoing harm to the child. It is not necessary for you to prove that abuse has occurred to report a concern to Tusla. All that is required is that you have reasonable grounds for concern. It is Tusla's role to assess concerns that are reported to it. If you report a concern, you can be assured that your 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 abused

2.2 Reporting a reasonable concern about a child

You should always inform Tusla if you have **reasonable grounds for concern** that a child may have been, is being, or is at risk of being abused or neglected. This should be done using the Tulsa form [see attached] and submitted to one of the NCSE's Designated Liaison Persons, who will submit the completed form to Tusla. Designated Liaison Persons are a resource for staff members who may have questions about a child protection or welfare concern and need some guidance.

All DLPs must send a copy of the **report in writing only to head office for central filing.** Copies should be sent to Jennifer Doran, NCSE, 1-2 Mill Street, Trim, Co. Meath.

2.3 Who are the NCSE Designated Liaison Persons (DLPs)?

The DLP for all staff outside of Head Office is the relevant Acting Regional Manager for the region as follows:

- Region 1 – Margaret O'Brien (margaret.obrien@ncse.ie)
- Region 2 - Órla Donnellan (orla.donnellan@ncse.ie)
- Head Office – Jennifer Doran (jennifer.doran@ncse.ie)

If you are concerned about a child but unsure whether you should report it to Tusla, you may find it useful to contact Tusla or one of the NCSE's DLPs to informally discuss your concern. This provides an opportunity to discuss the query in general and to decide whether a formal report of the concern to Tusla is appropriate at this stage.

To help Tusla staff assess your reasonable concern, they need as much information as possible. Tulsa provides a specific form for this purpose as above. However, at a minimum, you should provide as much relevant information as you can about the child, his/her home circumstances and the grounds for concern. These could include:

- The child's name, address and age
- Names and addresses of parents or guardians
- Names, if known, of who is allegedly harming the child or not caring for them appropriately
- A detailed account of your grounds for concern (e.g. details of the allegation, dates of incidents, and description of injuries)
- Names of other children in the household (if known)
- Name of school the child attends
- Your name, contact details and relationship to the child

You should give as much information as possible to social workers at an early stage so that they can do a full check of their records. It also helps social workers to prioritise cases for attention, as they are not in a position to respond immediately to all cases. However, they will always respond where a child is in immediate danger or at high risk of harm. It will also help Tusla to decide if another service would be more appropriate to help meet the needs of the child, i.e. a community or family support service rather than a social work service.

Further guidance to consider when making the decision to report a child protection or welfare concern to Tusla is provided in Appendix 2.

2.4 Can a report be made anonymously?

While it is possible to report a concern without giving your name, it may make it difficult for Tusla to assess your concern. All information that you provide will be dealt with in a professional manner. While Tusla cannot guarantee confidentiality, in general it will not reveal the names of members of the public who report suspected child abuse without their permission.

Mandated persons **cannot** submit a mandated report anonymously.

2.5 Record-keeping

You should record all significant conversations and interactions about your involvement in the lives of children and young people to show that the conversations and interactions took place and the agreed actions to be taken. The quality of the information shared with Tusla will greatly influence how they assess and respond to concerns reported. Points to consider about record-keeping

- Ensure records are factual and include details of contacts, consultations and any actions taken.
- Cooperate with Tusla in the sharing of records, where a child protection or welfare issue arises.
- Store records on child protection concerns, allegations and disclosures securely and safely.
- Use records for the purpose for which they are intended only.
- Share records on a need-to-know basis only in the best interests of the child or young person.

2.6 Concerns about an adult who may pose a risk to children

While in most cases concerns for the welfare or safety of a child develop from your own observation or knowledge of the child or their family, sometimes concerns arise about whether an adult may pose

a risk to children, even if there is no specific child named in relation to the concern. For example, based on known or suspected past behaviour, a concern could exist about the risk an individual may pose to children with whom they may have contact. You should report any such reasonable concerns to Tusla through your DLP, who will try to establish whether or not any child is currently at risk from the individual in question.

2.7 What happens after a report is received by Tusla?
If you make a report about a child, Tusla will normally acknowledge it, and may contact you for further information, if necessary. It is understandable that you would like to be assured that the matter is being followed up. However, to protect the privacy of the child and family, it may not be possible for Tusla to inform you of the progress or outcome of Tusla's contact with the child or family, unless you are involved in discussions around family support or child protection plans. If you continue to have concerns about the child, or if additional information comes to light, you should contact Tusla.

3. Reporting a Mandated Concern about a child

3.1 What is a mandated person?
Under the Children First Act 2015, certain people must by law report directly 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 in their role of providing supports or services to children. Due to their qualifications, training and experience, they are in a key position to protect children from harm.

The NCSE now has a number of mandated persons within the organisation who may provide supports and interventions directly to children. These are:

- Visiting Teachers
- Seconded staff working directly with children
- Speech and Language Therapists
- Occupational Therapists

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 help Tusla, if requested, in assessing a concern which has been the subject of a mandated report.

3.2 Criteria for reporting mandated concerns: definitions and thresholds
As a mandated person, under the legislation you are required to report any knowledge, belief or reasonable suspicion that a child has been harmed, is being harmed, or is at risk of being harmed. The Act defines harm as assault, ill-treatment, neglect or sexual abuse, and covers single and multiple instances. The four types of abuse have been previously described in section 1 above. The threshold of harm for each category of abuse at which mandated persons have a **legal obligation** to report concerns is outlined below.

If you are in doubt about whether your concern reaches the legal definition of harm for making a mandated report, Tusla or the NCSE's DLPs can provide advice in this regard. You can find details of who to contact to discuss your concern on the Tusla website (www.tusla.ie). Contact details for the NCSE's DLPs are listed above in section 2.3. If your concern does not reach the threshold for mandated reporting, but you feel it is a **reasonable concern** about the welfare or protection of a child, you should report it to Tusla via the DLP as outlined above in section 2.

3.3 Definitions and thresholds of harm

3.3.1 Neglect

Neglect is defined as 'to deprive a child of adequate food, warmth, clothing, hygiene, supervision, safety or medical care'. The threshold of harm, at which you must report to Tusla under the Children First Act 2015, is reached when you know, believe or have reasonable grounds to suspect that a child's needs have been neglected, are being neglected, or are at risk of being neglected to the point where **the child's health, development or welfare have been or are being seriously affected, or are likely to be seriously affected.**

3.3.2 Emotional abuse/Ill-treatment

Ill-treatment is defined as 'to abandon or cruelly treat the child, or to cause or procure or allow the child to be abandoned or cruelly treated'. Emotional abuse is covered in the definition of ill-treatment as used in the Children First Act 2015.

The threshold of harm, at which you must report to Tusla under the Children First Act 2015, is reached when you know, believe or have reasonable grounds to suspect that a child has been, is being, or is at risk of being ill-treated to the point where **the child's health, development or welfare have been or are being seriously affected, or are likely to be seriously affected.**

3.3.3 Physical abuse

Physical abuse is covered in the references to assault in the Children First Act 2015. The threshold of harm, at which you must report to Tusla under the Children First Act 2015, is reached when you know, believe or have reasonable grounds to suspect that a child has been, is being, or is at risk of being assaulted and that as a result **the child's health, development or welfare have been or are being seriously affected, or are likely to be seriously affected.**

3.3.4 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.

If, as a mandated person, you know, believe or have reasonable grounds to suspect that a child has been, is being, or is at risk of being sexually abused, then you must report this to Tusla under the Children First Act 2015.

As all sexual abuse falls within the category of **seriously affecting a child's health, welfare or development**, you must submit all concerns about sexual abuse as a mandated report to Tusla. There is one exception, which deals with certain consensual sexual activity between teenagers, which is outlined on page 23 of this *Guidance*. Under the Criminal Law (Sexual Offences) Act 2006 the legal age of consent is 17 years. While a sexual relationship where one or both parties is under 17 years of age is illegal, when making a mandated report to Tusla, it might not be regarded as child sexual abuse. If you are satisfied that **all** of the following criteria are met, you are not required to make a report to Tusla:

- 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

In effect, this means that if **all** of the above criteria are met, you as a mandated person do not have to report consensual sexual activity between older teenagers as sexual abuse to Tusla.

All persons, including mandated persons, must uphold the key principle that the welfare of the child is paramount and if you have any concerns, even where all the above criteria are met, you may make a report to Tusla.

3.4 Disclosures of abuse from a child

If, as a mandated person, you receive a disclosure of harm from a child, which is above the thresholds set out above, you must make a mandated report of the concern to Tusla. **You are not required to judge the truth of the claims or the credibility of the child**. If the concern does not meet the threshold to be reported as a mandated concern you should report it to Tusla as a reasonable concern as outlined above.

You should deal with disclosures of abuse sensitively and professionally. The following approach is suggested as best practice for dealing with these disclosures.

- React calmly
- Listen carefully and attentively
- Take the child seriously
- Reassure the child that they have taken the right action in talking to you
- Do not promise to keep anything secret
- Ask questions for clarification only. Do not ask leading questions
- Check back with the child that what you have heard is correct and understood
- Do not express any opinions about the alleged abuser
- Ensure that the child understands the procedures that will follow
- Make a written record of the conversation as soon as possible, in as much detail as possible
- Treat the information confidentially, subject to the requirements of this guidance and legislation

3.5 Concerns developed outside of professional duties

The legal obligation to report under the Act applies only to information that you acquire in the course of your professional work or employment. It does not apply to information you acquire outside your work, or information given to you on the basis of a personal rather than a professional relationship. While the legal obligation to report only arises for employment or professional duties, you should comply with the requirement of this *Guidance* to report all reasonable concerns to Tusla.

3.6 Making a mandated report

The Children First Act 2015 requires mandated persons to report a mandated concern to Tusla 'as soon as practicable'. You should submit a report of a mandated concern directly to Tusla using the required Tusla report form [see attached]. You should indicate that you are a mandated person and that your report is about a mandated concern. You should include as much relevant information as possible in the report.

A hard copy only of the report must be sent to head office for central filing. Copies should be sent to Jennifer Doran, NCSE, 1-2 Mill Street, Trim, Co. Meath.

A mandated person who makes a report to an authorised person in Tusla is protected from civil liability under the Protections for Persons Reporting Child Abuse Act 1998. The mandated report form can either be posted or submitted electronically to Tusla. You can find details of how to access relevant Tusla authorised staff on the Tusla website (www.tusla.ie). Authorised persons in Tusla are obliged to

acknowledge in writing all mandated reports they receive. **A hard copy only of this acknowledgement must be sent to** Jennifer Doran, NCSE, 1-2 Mill Street, Trim, Co. Meath, C15 P2KC.

If you feel the concern may require urgent intervention to make the child safe, you can alert Tusla of the concern in advance of submitting a written report. You must then submit a mandated report to Tusla on the report form within three days. Under no circumstances should a child be left in a situation that exposes him or her to harm or risk of harm pending intervention by Tusla. If you think the child is in immediate danger and you cannot contact Tusla, you should contact the Gardaí.

You are not required to report the same concern more than once. However, if you become aware of any additional information, a further report should be made to Tusla. In addition, you are not required to make a report where the sole basis for your knowledge, belief or suspicion of harm is as a result of becoming aware that another mandated person has made a report to Tusla about the child.

3.7 Joint reporting

As a mandated person, you may make a report jointly with any other person, whether that person is also a mandated person or not. For example, this could arise in a school where the teacher, the special needs assistant (SNA) and the principal all have concerns about the same child and wish to make a joint report to Tusla.

A hard copy only of all joint reports must also be sent to head office for central filing along with a hard copy of the acknowledgements received from Tusla. Copies should be sent to Jennifer Doran, NCSE, 1-2 Mill Street, Trim, Co. Meath, C15 P2KC.

3.8 Informing the family that a report is being made

The Children First Act 2015 does not require you to inform the family that a report under the legislation is being made to Tusla. However, it is good practice to tell the family that a report is being made and the reasons for the decision. It is not necessary to inform the family that a report is being made if by doing so the child will be placed at further risk or where the family's knowledge of the report could impair Tusla's ability to carry out a risk assessment. Also, you do not need to inform the family if you reasonably believe that by doing so it may place you at risk of harm from the family.

3.9 Consequences of non-reporting

The Children First Act 2015 does not impose criminal sanctions on mandated persons who fail to make a report to Tusla. However, you should be aware that there are possible consequences for a failure to report. There are a number of administrative actions that Tusla could take if, after an investigation, it emerges that you did not make a mandated report and a child was subsequently left at risk or harmed. Tusla may:

- Make a complaint to the Fitness to Practise Committee of a regulatory body of which you are a member
- Pass information about your failure to make a report to the National Vetting Bureau of An Garda Síochána. This information could therefore be disclosed to your current or future employers when you are next vetted.

The NCSE considers a failure to report a child protection concern to be a disciplinary matter and will deal with cases of non-disclosure through the existing disciplinary channels.

The Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012 requires that any person who has information about a serious offence against a child, which may result in charges or prosecution, must report this to An Garda Síochána. Failure to report under the Act is a criminal offence under that legislation. This obligation is **in addition to** any obligations under the Children First Act 2015.

3.10 Mandated Assisting
When Tusla receives a report of harm to a child, the information in the report is used to assess the risk of harm to that child, or any other child. In some instances Tusla will need further information from the person making the report. The Children First Act 2015 provides that all mandated persons can be asked by Tusla to provide any necessary and proportionate assistance to aid Tusla in assessing the risk to a child arising from a mandated report. You must comply with this request, regardless of who made the report.

Tusla accepts the time limitations and pressures on other professionals and will use mandated assisting only when necessary and only to the extent needed in each specific case. Mandated assistance may include a request to supply further information over the phone, produce a verbal or written report or attend a meeting.

The Data Protection Acts 1988 and 2003 do not prevent the sharing of information on a reasonable and proportionate basis for the purposes of child protection. Tusla has the authority to share information concerning a child who is the subject of a risk assessment with a mandated person who has been asked to provide assistance. Tusla must only share what is necessary and proportionate in the circumstances of each individual case.

Information that Tusla shares with you, if you are assisting it to carry out an assessment, must not be shared with a third party, unless Tusla considers it appropriate and authorises in writing that the information may be shared. This is in keeping with the principles of data protection, which recognise that in certain circumstances information can be shared in the interests of child protection, but that such sharing must be necessary and proportionate.

Section 17 of the Children First Act 2015 **makes it an offence** for you to disclose information to a third party which has been shared by Tusla during the course of an assessment, unless Tusla has given you written authorisation to do so. If you fail to comply with this section, you may be liable to a fine or imprisonment for up to six months or both. This offence can also be applied to an organisation.

If you are required to share information with Tusla when assisting in the assessment of risk to a child, you are protected from civil liability.

If you are required to provide mandated assistance to Tusla, **you must inform your line manager and head office** without disclosing additional specific information about the case. You can notify **in writing,** Jennifer Doran, NCSE, 1-2 Mill Street, Trim, Co. Meath, C15 P2KC and this will be noted in the file.

4. Training
Tusla has worked with the DCYA and HSE 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. 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.

All NCSE staff must complete this training programme. Upon completion, staff will receive a certificate of completion to their email address. A copy of this certification must be sent to HR as a record of the training undertaken at HR@ncse.ie.

Appendix 1: What are relevant services under the Act?

The organisations that have statutory responsibilities under the Children First Act 2015 are those that provide a relevant service to children and young people. The types of organisations and services to which the legislation applies include the following:

- Early years services
- Schools and centres of education
- Hospitals, hospices and health centres, and other centres providing physical or mental health services to children
- Residential care settings, including residential centres providing care to children with disabilities
- Special care units
- Children detention schools
- Reception or accommodation centres where children seeking asylum may be accommodated
- Domestic violence shelters where children may be accommodated
- Any work or activity which consists of inspecting services provided to a child
- Any inspection, examination or investigation undertaken by the Ombudsman for Children
- Any work or activity which involves providing treatment, therapy or counselling to a child
- Any work or activity which involves providing:
    - Educational, research, training, cultural, recreational, leisure, social or physical activities to children
    - Care or supervision of children
    - Formal consultation with, or formal participation by, a child in matters which affect his or her life
- Any work or activity which involves providing advice or guidance services to a child
- Any work or activity as a minister, priest or other person involved in the advancement of any religious belief
- Any work or activity as a driver, assistant to a driver, conductor or supervisor of children on a vehicle where children travel unaccompanied by a parent or guardian
- Any work or activity as a member of An Garda Síochána whose work involves access to, or contact with, children

Appendix 2: What to consider when making the decision to report a child protection or welfare concern to Tusla

In an emergency situation, where you believe the child is at risk of **immediate harm**, you should contact Tusla **without delay** before making a written report. Under no circumstances should a child be left in a situation that exposes him or her to harm or risk of harm, while waiting for Tusla to intervene. Tusla operate an out-of-hours social work service, which is available by contacting An Garda Síochána. This service deals with any emergencies that occur outside of office hours. If you have concerns for the immediate safety of a child, you can contact An Garda Síochána in an out-of-hours situation. The out-of-hours service deals with cases that come to the attention of An Garda Síochána, where a child is at immediate risk of harm. Emergency placements can be made when necessary.

In such an emergency situation, if you are a mandated person, you must follow up with a mandated report to Tusla within three days.

In these emergency situations, you do not need to consider the questions set out below.

Questions you might ask yourself and the family
Before making the decision to make a report to Tusla, there are some useful questions you might ask yourself if you have concerns about a child. It may not always be appropriate or necessary to ask all of these questions and you should use your professional judgement in each situation. You may not always have all this information about a family. However, you should make the report regardless.

What am I worried about?

- What have I seen or heard that worries me about the child?
- If nothing changes, what am I most worried about that will happen to the child?
- What are the adults that are caring for the child doing that is bad for or harming the child?
- What has been the impact of their behaviour on the child?
- What would the child say they are most worried about?

What is working well?

- Who helps or supports the family and child?
- How do they help?
- Thinking about the problems I am worried about who has helped the child and family deal with this problem in the past?
- What do I like about the child/parents?
- What would the child say are the best things about their life?

What needs to happen?

- What do I think needs to happen to make the situation better?
- Who do I think is best placed to help this family?
- What services do I think this family/parent/children need most?

Helpful questions you might ask the family before contacting Tusla.

- Is there anyone else supporting you at the moment? Do you mind if I speak to them?
- Is there any other support that you feel you need at the moment?
- What would you ideally like to see happen next?
- Have you told anyone about this before?
- Has this happened before?
- Do you feel that professionals understand your concerns?