



**Kids' Own Publishing Partnership
Child Safeguarding Policy**

Version 14.3

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1. Introduction

Kids' Own Publishing Partnership (herein referred to as 'Kids' Own') is Ireland's only dedicated publisher of books by children. Through a range of local, national and

international projects, we connect children with professional artists and publish the work that they create.

We provide the following services/activities to children and young people:

- Arts in Education (long-term engagement, connecting professional artists with children in the classroom);
- Public and Family Engagement, delivering programmes of book-making and storytelling in collaboration with local and regional partners;
- We work with children and young people in partnership with library services, schools, local authorities, galleries, early childhood settings and other organisations across Ireland and Northern Ireland.

1.1 Kids' Own Child Safeguarding Procedures Statement

Kids' Own is committed to a child-centred approach to working with children and young people. We undertake to provide a safe environment and experience, where the welfare of the child/young person is paramount. We will adhere to the recommendations of the following guidelines in the development and implementation of the Kids' Own Child Safeguarding Policy.

- *Tusla, Child and Family Agency*
- *Children First Act (2015)*
- *Children First: National Guidelines for the Protection and Welfare of Children*, published by the Department of Health and Children (Revised 2017)
- *Supports and resources from the Arts Council: <https://www.artscouncil.ie/Arts-in-Ireland/Young-people--children-and-education/Child-protection-and-welfare/>*
- *Child Safeguarding: A guide for Policy, Procedure and Practice (2nd edition)*

We have implemented procedures covering:

- Code of behaviour for all staff
- Reporting and recording suspected or disclosed abuse (see App 1 for categories of abuse), including allegations of misconduct or abuse by staff
- Confidentiality
- Recruitment and selection of staff
- Managing and supervision of staff
- Involvement of primary carers
- Complaints and comments
- Incidents and accidents

This policy will be reviewed on or before **01/01/2024**

Designated Liaison Person:

Name: Emma Kavanagh

Tel: +353 (0)7191 70759

+353 (0) 857107058

Signature:



Date: 12/01/2023

Deputy Designated Liaison Person:

Name: Ciara Gallagher

Tel: +353 (0)7191 70759

+353 (0) 876678386

Signature:



Date: 12/01/2023

1.2. Key Principles of the Policy

- The welfare and best interests of children and young people are of paramount importance. Kids' Own is committed to respecting the right to dignity and bodily integrity of every child and to protecting those rights in line with the core principles of the UN Convention on the Rights of the Child (UNCRC) as articulated in Articles 2, 3 and 6.
- Kids' Own staff, volunteers and contractors have a responsibility to protect children and therefore have a duty to report child abuse as set out in *Children First, Guidance for the Protection and Welfare of Children (2017)* and Children First Act 2015.
- Kids' Own fully accepts and endorses the Children First Act.
- Kids' Own recognises that when organisations are working together there is a risk of confusion about to whom incidents or suspected child protection or welfare concerns should be reported and who is responsible for passing on such concerns to the statutory authorities. It is Kids' Own's position that its Child Safeguarding Statement, Policy and procedures apply to all activity that it is delivering. This will be clearly communicated and agreed as part of the contract signed with any partner organisation that Kids' Own collaborates with.
- Kids' Own will not knowingly engage with any person or organisation, or fund any project, that poses a risk to children or that does not meet the child protection and safeguards outlined in the Children First Act.
- When Kids' Own is delivering activity in other venues or locations with established child safeguarding policies, Kids' Own's Designated Liaison Person will seek confirmation of the policies and procedures and agree with the venue on the reporting process to be followed in the event of concerns or incidences resulting from these activities. This agreement must be in place before the activity takes place. The activity will not take place if Kids' Own has any concerns with the venue's policies and procedures. Kids' Own's

staff/volunteers/contractors will be expected to follow Kids' Own's Reporting Procedures and report concerns to the designated Liaison Person who will then liaise as agreed with the venue or partner.

- Kids' Own upholds the principles of the UNCRC and is committed to ensuring that all children with whom staff and contracted artists have contact are treated equally and that all children have a right to voice their opinion in matters affecting them (Articles 1, 12 and 13).
- Kids' Own ensures that staff and contracted artists receive appropriate training in children safeguarding procedures. Kids' Own's recruitment policy adheres to best practice and Kids' Own ensures that anyone employed by the organisation to work alongside children has been vetted by the Garda Central Vetting Unit (GCVU).

1.3 Scope of Policy

Kids' Own adheres to the Children First Act 2015 and Article 1 of the UN Convention on the Rights of the Child's definition of a child as anyone below the age of 18 years.

This Child Safeguarding policy must be observed by all Staff, Volunteers and Contractors. All Kids' Own staff/volunteers/contractors are required to report any concerns about child abuse or neglect according to Kids' Own's reporting procedures.

In this document any reference to:

"Staff" should be interpreted as including internships.

"Volunteer" should be interpreted as including board members.

"Contractor" should be interpreted as third-parties including artists, facilitators, visiting companies, contractors and the self-employed.

"Tusla" refers to the Child and Family Agency (<https://www.tusla.ie>).

Kids' Own recognises that child abuse falls into four main categories as identified in the National Guidance. These are neglect, emotional abuse, physical abuse and sexual abuse. We have also chosen to include reference to bullying in recognition that bullying can escalate into abuse that would fit into these categories. See Section 5.3 for Definitions of Child Abuse.

Statutory Obligations

The services provided by Kids' Own fit within Schedule 1, Section 2 of the Children First Act:

*5. Any work or activity which consists of the provision of—
(a) educational, research, training, cultural, recreational, leisure, social or physical
activities to children*

As a provider of "relevant services", Kids' Own is subject to statutory obligations as follows:

- a. To keep children safe from harm while availing of our services.
- b. To carry out a risk assessment.

- c. To prepare and publish a Child Safeguarding Statement, to be reviewed after 24 months or as soon as practicable after any material change to which the statement refers.

As a relevant service, Kids' Own has appointed a "relevant person" to be the first point of contact in respect of our Child Safeguarding Statement and policies. Kids' Own's Child Safeguarding Statement (www.kidsown.ie/governance) applies when working in our offices and while representing the organisation at other venues. This person also acts as Designated Liaison Person.

The Designated Liaison Person for Kids' Own is Emma Kavanagh who can be contacted at +353 (0)7191 70759 or +353 (0) 857107058. If this person is not contactable, please contact the Deputy Designated Liaison Person, Ciara Gallagher, at +353 (0)7191 70759 or +353 (0) 876678386.

1.4 Statement of Risk

Under the Children First Act 2015, organisations providing a relevant service, must undertake a risk assessment. This considers the potential for harm to come to children while they are in the organisation's care. It should be noted that risk in this context is the risk of harm through abuse and not general health and safety risk. Kids' Own has examined all aspects of its service from a safeguarding perspective, to establish whether there are any practices or features of the service that have the potential to put children at risk. Kids' Own's Child Safeguarding Statement outlines the policies and procedures, which are in place to manage the risks that have been identified.

The Child Safeguarding Statement identifies procedures to follow in the following scenarios:

- Where children are at events in which Kids' Own staff/volunteers/contractors participate whether in Kids' Own's premises or other venues.
- Where children are present in Kids Own's premises for other reasons such as events organised and delivered by independent third parties.
- Where allegations/suspicions of abuse are made to Kids' Own staff/volunteers/contractors by telephone, email, letter, or in person.

2.0 Recognising Child Abuse

It can be difficult to recognise the signs and symptoms indicating that a child has suffered neglect or abuse. Moreover, in the case of neglect, a distinction can be made between 'wilful' and 'circumstantial' neglect. There are commonly three stages in the identification of child neglect or abuse. If Kids' Own staff/volunteer/contractor has concerns that a child with whom they are in contact has suffered abuse (with or without disclosure by the child or a third party) then the following stages will normally occur:

- a. considering the possibility of neglect or abuse;

- b. looking out for signs of neglect or abuse; and
- c. recording of relevant information.

2.1 Reasonable Grounds for Concern

Where a Kids' Own member of staff has reasonable grounds for concern (see below) that a child may have been, is being, or is at risk of being abused or neglected, then the Designated Liaison Person must report their concerns to Tusla. Anyone who suspects child abuse or neglect should inform the parents/carers if a report is to be submitted to Tusla or to An Garda Síochána, unless doing so might:

- further endanger the child
- impair Tusla's ability to carry out an assessment
- put the reporter at risk of harm.

The Designated Liaison Person is responsible for informing the parents/carers if a report is submitted. See section 3.2 on Reporting Alleged/Suspected Abuse and Concerns for guiding principles on communicating with parents/carers.

Grounds for 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 a child being abused.

The guiding principles with regard to reporting child abuse or neglect may be summarised as follows:

1. The safety and well-being of the child must take priority.
2. All staff members have a responsibility to ensure that all allegations and suspicions of child abuse are treated seriously and with the utmost professional integrity, and must therefore be familiar with and adhere to the Child Safeguarding Policy.
3. Reports should be made without delay to the Tulsa Child and Family Agency.

2.2 Risk factors in Child Protection

When dealing with children, it is important to be alert to the possibility that a welfare or protection concern may arise in relation to children in contact with Kids' Own. A child needs to have someone they can trust in order to feel able to disclose abuse they may be experiencing. They need to know that they will be believed and will get the help they need. Without this, they may be vulnerable to continuing abuse.

Some children may be more vulnerable to abuse than others. Also, there may be particular times or circumstances when a child may be more vulnerable to abuse in their lives. In particular, children with disabilities, children with communication

difficulties, children in care or living away from home, or children with a parent or parents with problems in their own lives, may be more susceptible to harm.

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

Parent or Carer factors:

Drug and/or alcohol misuse; Addiction (including gambling); Mental health issues (including self-harm and suicide); Parental disability issues (including learning or intellectual disability); Conflictual relationships; Domestic abuse; Adolescent parents.

Child factors:

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

Community factors:

Cultural, ethnic, religious or faith-based norms in the family or community which may not meet the standards of child welfare or protection required in this jurisdiction.

Culture-specific practices, including:

Female genital mutilation; Forced marriage; Honour-based violence; Radicalisation.

Environmental factors:

- Housing issues: Children who are out of home and not living with their parents, whether temporarily or permanently.
- Poverty/Begging.
- Bullying.
- Internet and social media-related concerns.
- Poor motivation or willingness of parents/guardians to engage: Non-attendance at appointments; Lack of insight or understanding of how the child is being affected; Lack of understanding about what needs to happen to bring about change; Avoidance of contact and reluctance to work with services; Inability or unwillingness to comply with agreed plans.

The above factors are identified to assist in the understanding of what might give rise to a child protection issue. They are drawn from *Children First: National Guidance for the Protection and Welfare of Children 2017*, Chapter 2, Page 11.

3.0. Safeguarding children – Kids' Own Reporting procedures

3.1. Designated Liaison Person and Mandated Persons

The Designated Liaison Person is appointed by Kids' Own to be the first point of contact in respect of the provider's child safeguarding statement.

Who to contact about issues related to child safeguarding procedures:

Emma Kavanagh is the Designated Liaison Person to contact if you have an issue or concern about any aspect of a child's or young person's safety and welfare. It is the responsibility of this person to support and advise staff about policy and procedures in relation to child safeguarding and to ensure that procedures are followed. It is also the responsibility of the Designated Liaison Person to liaise with Tusla and Gardaí or Police Service of Northern Ireland (PSNI), where appropriate.

Emma Kavanagh can be contacted at the following location:

Kids' Own Publishing Partnership
40 Wolfe Tone Street, Sligo, Co. Sligo, F91 R231
Tel: +353 (0)7191 70759
+353 (0) 857107058

Ciara Gallagher has been designated as Deputy Designated Liaison Person and can be contacted at the following location:

Kids' Own Publishing Partnership
40 Wolfe Tone Street, Sligo, Co. Sligo, F91 R231
Tel: +353 (0)7191 70759
+353 (0) 876678386

Based on the current definitions under Schedule 2 of the Children First Act 2015 (see Appendix 5.4), Kids' Own understands that mandated persons are classed for the purpose of the Act by capacities, as well as by professions.

Under point 15 of Schedule 2 it states

(i) safeguarding officer, child protection officer or other person (howsoever described) who is employed for the purpose of performing the child welfare and protection function of religious, sporting, recreational, cultural, educational and other bodies and organisations offering services to children;

On this basis, Kids' Own maintains a list of mandated persons. This is a list of one: the CEO.

While Mandated Persons have statutory obligations to report mandated concerns, they can make a report jointly with another person. Therefore, a Mandated Person could make a joint report with the Designated Liaison Person.

If a concern arises about a child attending a Kids' Own project/event, which includes a Mandated Person(s) (e.g., Teachers, Social Workers, etc.), then Kids' Own's Designated Liaison Person will liaise with the Mandated Person(s) and, if the threshold for making a report is met, would either make a joint report with the Mandated Person(s) or a separate report.

Designated Liaison Person: Role and Responsibilities

The Designated Liaison Person is the main point of contact where there is an issue or concern about any aspect of a child's or young person's safety and welfare. It is the responsibility of this person to advise staff about policy and procedures in

relation to child protection and to ensure that procedures are followed. The designated liaison person will support and advise staff in the event of a concern regarding child protection and welfare. It is also the responsibility of the Designated Liaison Person to liaise with Tusla or An Garda Síochána where appropriate.

The name and contact details of the Designated Liaison Person must be known to all staff/volunteers/contractors within the organisation, as well as parents and service users.

The functions of the Designated Liaison Person are as follows:

- To ensure that Kids' Own's Child Safeguarding Statement, Policy and procedures are followed, taking decisions on what constitutes relevant activity and putting measures in place as necessary in line with this policy and national guidance.
- To report any knowledge, belief or reasonable suspicion that a child has been harmed, is being harmed, or is at risk of harm, to Tusla or An Garda Síochána (using the Child Protection & Welfare Report Form, Appendix 5.1).
- Where an allegation or concern is not reported to Tusla, to keep accurate records which clearly indicate the basis of their decision not to report and any actions taken.
- To ensure that Kids' Own's Child Safeguarding Statement and policies implement the principles and procedures of the National Guidance and Children First legislation.
- To be responsible for reviewing and updating Kids' Own's Child Safeguarding Statement, Policy and procedures.
- To act as a resource person to Kids' Own staff/volunteers/contractors providing support and guidance in matters relating to child safeguarding.
- To oversee Kids' Own's training programme to ensure that all staff members who have access to children have received sufficient training in accordance with guidance and standards set down by the Tusla under the Safeguarding Guidance for Organisations and Best Practice for Organisations In Developing Children First Training Programmes.
- To keep all notes and email correspondence relating to any reports in electronic form and ensure that only relevant persons and staff members are permitted to access this information (see Appendix 5.7).

The Designated Liaison Person may delegate responsibility to the Deputy Designated Liaison Person(s) when they are unavailable. The Deputy Designated Liaison Person(s) must also be named on the Child Safeguarding Statement and all staff should be made aware of who they are.

3.2. Reporting Alleged/Suspected Abuse and Concerns

The following procedures apply to all Kids' Own staff/volunteers/contractors who engage in work involving contact with children or young people, with concerns or to whom allegations or suspicions of child abuse are made. This procedure applies to a disclosure made in person, in writing (post or email) or by telephone. **These procedures are also appropriate in the case of anonymous reports or reports from adults who experienced childhood abuse.** See Section 3.7 to report allegations of abuse made against a Kids' Own employee.

The Reporting Procedure is comprised of the following steps. See Section 3.6. for a step by step of the Reporting Procedure:

- The staff/volunteer/contractor should report their concern to the Designated Liaison Person as soon as possible.
- The Designated Liaison Person will establish if there are reasonable grounds for concern (consulting with Tusla's Social Worker in the area/location where the child/young person resides).
- If there are reasonable grounds, the Designated Liaison Person will make a report through Tusla's reporting portal (<https://www.tusla.ie/children-first/web-portal/>), or directly to An Garda Síochána if out of hours.
- If the decision is that there are not reasonable grounds, the Designated Liaison Person must document the reason why they have chosen not to report on this occasion.

If the Designated Liaison Person decides not to make a report, they should give a clear explanation in writing of the reasons for this to the individual with the concern. It must be made clear that if this individual is still concerned, they are entitled to make a report to Tusla should they wish to do so. The individual worker has protections under the Protection for Persons Reporting Child Abuse Act 1998, should they report independently.

3.3 Guiding principles

The Designated Liaison Person will work with the person reporting the concern to ensure that an accurate record of the concern is documented. Observations should be precisely recorded, including the following, where applicable:

- Dates
- Times
- Names
- Locations
- Contact Details
- Context

When dealing with a disclosure, the DLP should:

- Stay calm and listen to the child/young person, allow him or her enough time to say what s/he needs to say.
- Not use leading questions or prompt details.
- Reassure the child/young person but not promise to keep anything secret.
- Not make the child/young person repeat the details unnecessarily.
- Explain to the child/young person what will happen next (explanation should be age- appropriate).

The guiding principles with regard to reporting child abuse or neglect may be summarised as follows:

1. The safety and well-being of the child must take priority.
2. All Kids' Own staff/volunteers/contractors have a responsibility to ensure that all allegations and suspicions of child abuse are treated seriously and with the utmost professional integrity.
3. If reasonable grounds are established, reports should be made without delay to Tusla.

3.4. Confidentiality and Information Sharing

All staff/volunteers/contractors are obliged to report any allegation, concern, suspicion or disclosure of abuse or neglect.

Staff/volunteers/contractors will not guarantee confidentiality to anyone (including Kids' Own staff members) alleging, reporting or disclosing abuse or neglect. However, Kids' Own staff/volunteers/contractors will ensure that professional confidentiality is maintained at all times, ensuring information does not get shared outside of Kids' Own or with team members who do not need to know. Identifying information shared with statutory agencies is done so in confidence.

It is essential that all information regarding concern or assessment of child abuse should be shared only on "a need-to-know basis" in the interests of the safety and welfare of the child. The number of people who are informed of the allegation/disclosure must be kept to a minimum.

The proportionate provision of information to the statutory agencies for the protection of a child is not a breach of confidentiality or data protection. Parents and children have a right to know if personal information is being shared, unless doing so could put the child or the reporter at risk or impede Tusla's assessment.

3.5. Record Keeping

Written records must be kept of all child safeguarding concerns including concerns that may not reach the threshold for reporting to TULSA using the Kids' Own Internal Incident Form (see Appendix 5.9). Records must be factual and include any details of contacts, consultations, notes, email correspondence and actions taken. Records will be managed and held securely by the DLP.

Records should include:

- All verifiable factual information
- Description of direct observations by the recorder.
- Reported information/ observations.
- All correspondence received including letters, reports, e-mails and a summary of meeting and telephone discussions.
- Identification of any risks and management actions undertaken.

There may be situations where a concern is raised about a child or young person which alone, do not meet reasonable grounds for concern. However it is crucial that these concerns are recorded to identify any potential patterns that may cause concern in relation to safeguarding children.

Where there is a child protection and welfare concern a report must be made to TULSA (see Appendix 5.1 Reporting Form). Information will include:

- Details of the concern
- Details of the person who raised the concern
- Details regarding informal consultation
- Any action taken
- Details regarding informing parents

Storage and Retention of Records

Kids' Own is obliged to record pertinent information arising out of individuals reporting allegations/suspicious of abuse made to Kids' Own staff/volunteers/contractors in order to be able to report such information to the appropriate authorities as specified in Children First: National Guidance for the Protection and Welfare of Children (2017). For this purpose, Kids' Own acts as a data controller. That is, Kids' Own collects stores or processes data about living people on computer.

Policy for Obtaining and Processing Information

- Kids' Own (Data Controller) records information relating to safeguarding concerns made to Kids' Own staff/volunteers/contractors by telephone, email, and letter or in person.
- This information must be fairly obtained; that is, the individual alleging or having suspicion of abuse is aware that the information they are disclosing is being recorded for the purpose of reporting to the appropriate authorities and that they have been informed of the name of the data controller or the person initially receiving that information.
- Kids' Own processes this information for the purpose of the legitimate interests pursued by a data controller except where the processing is unwarranted in any particular case by reason of prejudice to the fundamental rights and freedoms or legitimate interests of the data subject.

Kids' Own retains personal information relating to allegations/suspicious of abuse made to Kids' Own staff/volunteers/contractors by telephone, email, letter or in person in order to be able to report such information to the appropriate authorities as specified in Children First: National Guidance for the Protection and Welfare of Children (2017).

All information relating to safeguarding concerns will be stored securely in line with the Kids' Own Data Protection Policy (see Appendix 5.7), no other persons and staff members are permitted to access this information only the DLP and Deputy DLP.

When storing this information Kids' Own undertakes appropriate security measures against unauthorised access to, or alteration, disclosure or destruction of, the data and against their accidental loss or destruction:

- Records are stored within a restricted area on the IT Server, separate to the organisations master files.
- Access to the data is restricted to the DLP and Deputy DLP, and external IT contractors.
- All IT systems are password-protected
- Daily back-ups of server data are carried out
- Staff are aware of the Kids' Own security measures and comply with them.
- All waste papers, printouts, etc. are disposed of carefully.

Data Scope (Accurate, Adequate, Relevant and not Excessive)

Kids' Own ensures that only a minimum amount of personal information retained in order to satisfy our reporting obligations under Children First: National Guidance for the Protection and Welfare of Children (2017)

Kids' Own ensures that when recording information for this purpose, only information pertinent to the allegation/suspicion of abuse is recorded.

Retention Period Policy

Kids' Own retains personal information relating to safeguarding concerns made to Kids' Own staff/volunteers/contractors by telephone, email, letter or in person as well as responses from Tusla or An Garda Síochána for an indefinite period. This data is confidential and kept securely in electronic form. Only the DLP and Deputy DLP have access to this data. This policy will be reviewed in line with relevant legislative changes.

Giving Individuals Copies of their Personal Data

On making an access request, any individual about whom Kids Own retains personal data is entitled to:

- A copy of the data
- Know the purpose for processing that data
- Know to whom that data has been forwarded (relevant Tusla staff or member of An Garda Síochána)
- Know the source of the data, unless it is contrary to public interest.

In response to an access request Kids' Own will:

- Supply the information to the individual promptly and within 30 days of receiving the request.
- Provide the information in a form, which will be clear to the ordinary person, e.g., any codes must be explained.

3.6. Reporting procedure – Step-by-Step

Step1: Inform Designated Liaison Person Immediately

The Designated Liaison Person (DLP), or the Deputy Designated Liaison Person (Deputy DLP) if not available, must be informed immediately of any concern, suspicion, allegation or disclosure of abuse or neglect, even if outside of office hours. If concern relates to a Designated Liaison Person, please refer to Section 3.7.

Designated Liaison Person Emma Kavanagh, +353 (0)7191 70759 / +353 (0) 857107058

Deputy Designated Liaison Person: Ciara Gallagher, 353 (0)7191 70759 / +353 (0) 876678386

If the DLP and the Deputy DLP cannot be contacted, then the individual should assess the risk to the best of their ability or with the support of a senior colleague if appropriate. If it seems that a child is facing an immediate risk an immediate referral to Tusla or if outside of office hours, to An Garda Síochána.

Step 2: Record the Incident

Record the incident on Kids' Own Internal Incident Form (Appendix 5.9). Take notes, referring to the Child Protection & Welfare Report Form (Appendix 5.1), detailing as much information as possible. The DLP will work with the person reporting the concern to ensure that an accurate record of the concern is documented, including date, time and people involved in the concern/disclosure. Information recorded should be factual. Any opinions recorded should be supported by facts.

Step 3: DLP Determination

The DLP or the Deputy DLP will determine whether it is appropriate or not to make a formal report* and may discuss concerns informally with Tusla in advance of making a formal report.

Informal Consultation process

The DLP may seek advice and guidance from the Tusla Dedicated Contact Point in the child/young person's area when the DLP is unsure whether a report should be made.

Although Kids' Own is Sligo based we work nationally therefore the Dedicated Contact Point will vary and depend on the area the child/young person is in. A full list of contact details of TULSA Social Workers can be found [here](#).

The Sligo Dedicated Contact Point details are; Child and Family Agency, Markievicz House, Barrack St, Sligo phone 071 9155133. Sligo Garda Station, Pearse Rd, Abbeyquarter North, Sligo phone 071 915 7000

Option A: Report to be Made

The DLP or the Deputy DLP reports to the appropriate Tusla Office via the Tusla Portal (<https://portal.tusla.ie/>) using the Child Protection & Welfare Report Form (Appendix 5.1).

Emergency Situations: Contact the Gardai
In emergencies, which are out of Tusla Social Work hours, the DLP will contact An Garda Síochána. In situations which threaten the immediate safety of a child/young person, it may be necessary to contact An Garda Síochána in the child/young persons area.

Communicating with Parents/Carers when Reporting

The guidance from the Children's First Act, is that it is best practice to inform parents/carers if a report is being made to Tusla. The DLP or the Deputy DLP should inform the parents/carers if a report is to be submitted to Tusla or to An Garda Síochána, unless doing so might:

- further endanger the child
- impair Tusla's ability to carry out an assessment
- put the reporter at risk of harm.

All parents/carers are made aware of Kids' Own's guiding principles and child Safeguarding procedures on initial engagement with the organisation. A link to the Kids' Own Child Safeguarding Statement is included in all participation consent forms which are completed at the outset of a project.

Option B: No Report to be Made

If the DLP decides not to report a concern to Tusla, the following steps should be taken:

- The reasons for not reporting are to be recorded;
- If any actions are taken as a result of the concern, these should be recorded;
- The worker or volunteer who raised the concern should be given a clear written explanation of the reasons why the concern is not being reported to Tusla;

- The worker or volunteer should be advised that if they remain concerned about the situation, they are free to make a report to Tusla or The Garda Síochána.

*If the DLP decides not to make a report, the individual with the concern is still entitled to make a report to Tusla under the National Guidance, should they wish to do so. The individual has protections under the Protection for Persons Reporting Child Abuse Act 1998, should they report independently.

If one of the actions taken is to inform parents/carers about the concern the guiding principles listed above should be used to inform the process of communicating with parents/carers.

The following are guiding principles when contacting parents/carers:

- Be straightforward and clearly explain the nature of the concern or issue, e.g. by using facts and records of observations made.
- Think about the time and place to have the conversation. Find a time when parents/carers are not in a hurry.
- Find a place that is quiet and allows privacy.
- Consider arranging to meet parents/carers.
- Consider with the DLP who is best placed to have the conversation with the parents/guardians.
- Use a calm and gentle tone, consider the language used.
- Start with positive comments and observations about the child/young person. Ensure that the parents/carers know that you care about the welfare of their child and recognise their strengths.
- Refer to how the situation may be affecting the child/young person.
- Start with positive comments and observations about the parents/carers. Most parents/carers are trying to do their best for their children and will appreciate your acknowledgement of how challenging parenting can be at times.
- Give the parents/ carers an opportunity to talk; ask them for an explanation and acknowledge their feelings.
- Take the approach that you are working together to address any issues in the best interests of the child/young person.
- Don't blame, don't get defensive and don't take things personally. Ensure that you are supportive but also address the issue
- Refer to your guiding principles and child safeguarding procedures for support.
- Offer possible solutions, where appropriate.
- Advise parents/carers how you plan to follow up and keep them informed and involved, where appropriate.

3.7 Retrospective Disclosures and Allegations Procedure for Adults

Some adults may disclose abuse that took place during their childhood. The staff member/volunteer/contractor to whom the disclosure has been made shall bring the issue to the attention of the Designated Liaison Person immediately. The Designated Liaison Person shall prevent any possible continuing risk to any child who may be in contact with the alleged abuser. This need only be reported to

Tusla if the perpetrator is deemed to still represent a potential threat to children. See the form for reporting retrospective disclosures (Appendix 2).

3.8. Procedure for Dealing with Allegations against Staff/Volunteers/Contractors

In the event of allegations being made against a staff member/volunteer/contractor of Kids' Own, the safeguarding of the child/young person is the first and paramount consideration. Allegations against staff/volunteers/contractors will be dealt with in line with Kids' Own's Child Safeguarding Policy, the rules of natural justice and employment law.

Kids' Own has a dual responsibility in respect of both the child/young person and the staff member/volunteer/contractor. The same person will not have responsibility for dealing with the child/young person welfare issues and the staff employment issues.

Therefore, there are two procedures to be followed:

- The Kids' Own's Reporting Procedure for Child Safeguarding Concerns
- Internal HR procedure for dealing with the staff/volunteer/contractor

The priority in all cases is the safeguarding of children, ensuring that no child is, or continues to be, exposed to risk of abuse, while taking account of the staff/volunteer/contractor's right to due process. Protective measures do not presume guilt, so Kids' Own will put proportionate measures in place to limit or supervise any contact with children while investigation is underway. Protective measures might mean increased supervision, assignment to different duties, or suspension.

Kids' Own's Reporting Procedure for Child Safeguarding Concerns against Staff/Volunteers/Contractors

The Designated Liaison Person will follow the organisation's reporting procedures. They will only alert the Chair of the Board to the allegation and furnish them with relevant details if further action is required.

Internal HR procedure for dealing with the staff/volunteer/contractor

The Designated Liaison Person will share the details of the allegations and concerns with the CEO/Creative Director. If a report is to be made, the CEO/Creative Director will consult with the Chair of the Board. The Chair will liaise with the individual to:

- Inform them that an allegation has been made against them.
- Provide the details of the allegation.
- Confirm whether or not a report has been made to Tusla.

- Perform an assessment to identify whether or not suspension is appropriate in line with the Staff Handbook.
- Give copies of any written records relating to the allegation.
- Offer an opportunity to respond to the allegation within a specific time frame.
- Forward the individual's response to Tusla (if appropriate).

Kids' Own may seek legal advice on procedures or protocol to deal with allegations against staff to ensure that this procedure is carried out objectively and in line with employment law. Care will be taken to ensure that the investigation or any actions arising do not compromise any statutory investigations undertaken by Tusla or An Garda Síochána. The Designated Liaison Person will maintain liaison with these bodies to ensure this.

If disciplinary action is required, this will be in line with the disciplinary procedure laid out in the Kids' Own Staff Handbook or the individual's contract of engagement. If an allegation is made against the Designated Liaison Person, then the Deputy Designated Liaison Person and the Chair of the Board will carry out the above steps.

3.9 Protection for persons reporting to Tusla

The Protection for Persons Reporting Child Abuse Act, 1998 makes provision for the protection from civil liability of persons who have reported suspected child abuse 'reasonably and in good faith' to designated officers of the Child and Family Agency or to any member of An Garda Síochána.

This protection applies to organisations as well as to individuals. This means that even if a communicated suspicion of child abuse proves unfounded, a plaintiff who took an action would have to prove that the person who communicated the concern had not acted reasonably and in good faith in making the report.

3.10 Kids' Own Protocol Reporting Concerns when working with and in a Partner Organisation Setting

Kids' Own works collaboratively with other organisations and agencies from across multiple sectors. Our partner organisations/agencies include, schools, community services and activity providers who provide relevant services to children.

The Kids' Own Protocol for Associate Artists and Freelance Workers when working with and in a partner setting which is outlined in full in Appendix 5.10 does not replace the Kids' Own Safeguarding Policy and Procedure but recognises that Associate Artists/Freelance Workers who are contracted by Kids' Own will be at times providing services in partner organisations or agencies.

Purpose.

The purpose of this protocol is to provide clarity regarding the reporting procedure for child protection and welfare concerns should they arise, where a Kids Own

Associate Artist/ Freelance Worker is providing services in the venue of a partner organisation or agency.

To assist Associate Artists/Freelance Workers in their role, they will:

- Receive a copy of this protocol.
- Have access to Kids' Own, Child Safeguarding Policy and Procedure.
- Attend training on Kids' Own Child Safeguarding Policy and Procedures.
- Be provided with the names and contact details of the Kids' Own, Designated Liaison and Deputy Designated Liaison Person.
- Familiarise themselves with the Child Safeguarding Policy and Procedure of the partner organisation/agency in which they are working.
- Ensure they know how to contact the partner organisation/agency Designated Liaison and Deputy Designated Liaison Person, should they have a safeguarding concern about a child they are working with.

Reporting Concerns to the Partner Organisation/Agency, Designated Liaison Person (DLP) or Deputy Designated Liaison Person (DDL) in their absence.

- If a concern arises regarding the protection and welfare of a child, in the context of the work of an Associate Artist /Freelance Worker in a partner organisation/agency, it must be reported to the Designated Liaison Person (or Deputy in their absence) of that partner organisation/agency.
- The Associate Artist / Freelance Worker will follow the partner organisation/agency child protection and welfare reporting procedure.
- The partner organisation/agency DLP (or Deputy DLP) will assess if reasonable grounds for concern exist – that is, if a child may have been, is being, or is at risk of being abused or neglected and make a report to Tusla, Child and Family Agency as required.
- The Associate Artist / Freelance Worker will:
 - Supply the information required by the partner organisation/agency DLP, to support them in assessing if reasonable grounds for concern exist.
 - Provide information verbally and in writing, as required by the partner organisation/agency DLP.
 - Be informed (in writing) by the partner organisation/agency DLP, if the concern is not being reported to Tusla, Child and Family Agency, with the reason why the DLP does not consider that the concern meets the threshold for reporting to statutory agencies.
 - Report the concern directly to Tusla, Child and Family Agency if they do not agree with the assessment of the partner organisation/agency DLP and continue to be concerned about the safety and/or welfare of the child.

Informing the Kids' Own Designated Liaison Person (DLP) or Deputy Designated Liaison Person (DDL) in their absence.

- The Associate Artist / Freelance Worker will also inform the DLP (or Deputy in their absence) of Kids' Own when they have reported a concern to the DLP or DDL of a partner organisation/agency.

- The Associate Artist / Freelance Worker will:
 - Inform the Kids' Own DLP that they have made a report to the partner organisation/agency DLP.
 - Inform the Kids' Own DLP of the action taken by the partner organisation/agency DLP in response to the concern raised.
 - Supply brief information regarding the nature of the concern to the Kids' Own DLP.
 - **Not provide the child's name or any identifying information regarding the child to the Kids' Own DLP, to preserve their confidentiality.**

The Kids' Own DLP (or Deputy in their absence) will:

- Make a record of the information supplied to them by the Associate Artist / Freelance Worker and store this securely (as per organisational policy and procedure).
- Ensure that the Associate Artist / Freelance Worker receives support needed from the Kids' Own as a result of reporting a concern about a child to the partner organisation/agency.
- Liaise with the DLP of the partner organisation/agency in respect of the concern, if required.

Mandated Reports.

- Making a Mandated report (mandated persons within Kids' Own are employees and contractors who have contact with children and/ or their families and who because of their qualification, training and/or employment role, are in a key position to help protect children from harm, as set out in Schedule 2, Children First Act 2015).
- If an Associate Artist / Freelance Worker is a mandated person, (refer to the Kids' Own policy and procedure) they will:
- Ensure they fulfil their obligations to make mandated reports.
- Inform the partner organisation/agency DLP if they are submitting a mandated report to Tusla, Child and Family Agency, in the context of their work in the partner organisation/agency.
- Inform the Kids' Own DLP if they have submitted a mandated report, supplying brief, non-identifying information.

Supporting Associate Artists/Freelance Workers with Child Safeguarding.

- The Kids' Own Designated Liaison Person (DLP) and Deputy Designated Liaison Person (DDLDP) will support Associate Artists / Freelance Workers by:
 - Ensuring they are available to receive information.
 - Ensuring mandated persons understand and fulfil their obligations.
 - Providing guidance and direction regarding specific cases of concern (if required).
 - Ensuring policies and procedures are adhered to.
 - Ensuring national guidance and best practice approaches are adhered to.
 - Liaison with partner organisation/agency DLP's or Deputy DLP's (if required).
 - Providing ongoing support to the Associate Artist/Freelance Worker if required.

Please note:

- Associate Artists/ Freelance Workers are reminded that child protection and welfare concerns must only be shared with the relevant Designated Liaison Person (DLP) and Deputy Designated Liaison Person (DDL), as detailed above. **Members of the wider Kids' Own or Partner Organisation/Agency Team do not have a role within this reporting procedure and will only be informed of child safeguarding concerns raised, if the Kids' Own DLP and/or the Partner Organisation/Agency DLP determines this is appropriate and in the best interests of the child.**
- This protocol does not replace the Kids' Own Child Safeguarding Policy and Procedure document, where detailed information can be found. The protocol recognises the position of Associate Artists/Freelance Workers who are contracted by Kids' Own and carry out relevant work with partner organisations/agency.

4.0. Safeguarding Children – Safe Working Practices

4.1 Safe Management of Activities

The following procedures must be adhered to by staff/volunteers/contractors when planning or delivering activities with children while working for Kids' Own.

- All activities planned will be suitable and tailored to the age, culture, abilities and needs of the children that they are aimed at. Wherever possible, modifications will be made to ensure that no children are excluded from activities due to the individual requirements.
- When Kids' Own hosts events that involve the participation of children, Kids' Own will provide an appropriate ratio of adults to children at all events, with a minimum of two adults present.
- Kids' Own's Code of Behaviour (Section 4.7) applies to all staff/volunteers/contractors when working with children.
- All children participating in an event or project must have written parental consent with full contact details of their parents or guardians.
- Parent(s)/guardian(s) are responsible for the arrangement of bringing and collecting their child from any events unless otherwise stated. Kids' Own does not accept responsibility for the collection of children from workshops or events.
- Kids' Own endeavours to ensure that staff/volunteers/contractors are not left alone with a child at an event or in Kids' Own premises. In the event that one-to-one work with children is necessary and appropriate, this will be done in an open and monitored space. The child's parent or guardian will be made aware of the need for the one-to-one work, the duration and content of those sessions and their consent will be sought before that work happens.
- If activities are planned that involve taking children off-site (Kids' Own's or a partner's premises) as a group without their parents or guardians, as well as the previously mentioned factors, consideration will be paid to ensuring safe and appropriate methods of transport and accommodation, parental consent and declaration of individual needs, as well as clear communication processes.
- Kids' Own's Public Liability Insurance will be in place and adequate for the events being delivered.
- Kids' Own works with children and young people through third-party organisations such as schools, libraries and after-schools clubs. In these cases, Kids' Own adheres to the accident procedures of these organisations.
- First-aid boxes are maintained in the Kids' Own Office and with portable boxes available for use at off-site workshops. The Health & Safety Officer will ensure that staff/contractors have a First Aid box to bring to the workshops. First-aid boxes are available and regularly re-stocked by the Health & Safety Officer.

4.2 Safe Management of Online Activities

In addition, to the procedures outlined above the following additional procedures must be adhered to by staff/volunteers/contractors when planning or delivering online activities with children while working for Kids' Own.

- Kids' Own will ensure that the platform used for engagement is secure and private and not vulnerable to outside hacks.
- Kids' Own will ensure the platform used is suitable for the age of the young people involved in the activity.
- Kids' Own will enable the waiting room function to ensure only recognised participants are allowed into the online activity.
- Kids' Own will always disable the recording function for participants.
- Kids' Own is responsible in managing and monitoring all functions of an online service for example chat is always moderated and the appropriate function filters are applied. Kids' Own will let participants know that these measures will be taken during the online activity.
- All staff/contractors/volunteers will ensure that they are engaging with the young people from an appropriate setting.
- As the digital age of consent is 16 parents will be asked to complete any sign-ups to required platforms to protect the personal information of children under the age of 16 years.
- Parents will be asked to ensure that young participants link in from an appropriate setting where third parties will not be visible on screen or interrupt the engagement.
- Kids' Own will ensure there are always two Kids' Own team members present online during the online activity.
- Parents will also be asked to be present in the physical room as appropriate for example engagements with very young children while the online engagement is taking place.
- Kids Own are aware and conscious some children may communicate and receive information differently and will consider any accessibility requirements when planning the online activity. For example, a child with intellectual disabilities may need materials in an easy-read format and may need to receive materials in advance. This includes real-time captioning, sign language interpretation, subtitling, and audio description options.
- If the session is being recorded and published on public platforms, or if a link to the recording is to be shared, Kids' Own will ensure the child and their parent/legal guardian are aware that this content will be permanent and there will be no way of containing the movement of the recordings. In this case, Kids' Own will also ensure that the content poses no risk or danger to the child or family in any way. The child and family should anticipate that all persons, without exception, could access the recording as soon as it is online. This should form part of their own personal safety assessment to determine if they want to participate in the meeting or not.
- Kids' Own will not share any identifying information about the child or personal information about their experience that has not been cleared by the child, parent/legal guardian and their supporting organisation. The standard practice is first name and county. No last names or names of schools should be used.

- The usual child protection procedures apply whenever concerns for the safety and welfare of children are identified during these online activities, including reporting of such concerns

4.3 Health & Safety and Risk Assessment of Activities

Kids' Own ensures that all staff/volunteers/contractors are aware of the guidelines for risk assessment (Section 4.1), our Code of Behaviour (Section 4.7) and operate in line with our Child Safeguarding Policy.

4.4 Accidents & Incidents

It is important to keep a detailed record of all accidents or incidents. Kids' Own's Internal Incident Form should be used to report these and returned to the CEO/Creative Director (for accidents or health & safety related incidents), or to the Designated Liaison Person if they are recording an incident that is the basis of a child safeguarding concern.

4.5 Procedure for Safe Recruitment and Selection

Kids' Own recruitment policy adheres to best practice. The following procedures are observed by Kids' Own when recruiting staff/volunteers/contractors:

- Prospective positions within Kids' Own are advertised widely.
- Advertised positions include a job/role description and person specification, detailing attributes identified as being associated with the position.
- Ideally, interviews are undertaken by at least two representatives of the organisation who are suitably qualified and/or have proven experience to undertake such interviews.
- At least two verbally confirmed references from previous employers, if possible, are required. Evidence of qualification and experience will be sought, and the most suitably qualified person will be selected.
- Employment contracts include a probationary period of 6 months. A review will be held at the end of that period.
- Newly employed staff members are required to agree to the terms and conditions of employment, as well as explicit acknowledgement of this Policy and the Child Safeguarding Statement, and all codes and policies, as outlined in the Staff Handbook.
- Kids' Own requires all staff/volunteers/contractors to be vetted by the Garda Central Vetting Unit (GCVU).
- When dealing with international individuals, in recognition that the GCVU are currently unable to adequately vet overseas records, we will seek evidence of vetting carried out in their home country/countries and seek a third reference. Any international individuals who are not fully vetted will also be supervised at all times by a fully vetted member of staff when dealing with children.
- Kids' Own routinely re-vets all members of staff in continuous service every three years. All other seasonal/temporary staff/volunteers/contractors are re-vetted every two years.

Factors excluding someone from employment

Kids' Own will not knowingly engage with any person who poses a risk to children or who does not meet the child safeguards outlined in *Children First: Guidance for the Protection and Welfare of Children (2017)*.

No person who would be deemed to constitute a 'risk' will be employed. Some exclusions would include:

- Any child-related convictions.
- Refusal to sign a declaration form.
- Insufficient documentary evidence of identification.
- Concealing information on one's suitability to working with children.

4.6 Training and Support Programme

- The Designated Liaison Person is responsible for ensuring that all Kids' Own staff, volunteers and relevant contractors receive induction training in the Child Safeguarding Policy and procedures. As part of this induction, all individuals will be expected to complete Tusla's free Introduction to Children First e-learning programme.
- The Designated Liaison Person is responsible for ensuring that the ongoing training needs of staff, volunteers and contracted artists in child protection and welfare are fully addressed to ensure knowledge remains up-to-date and to reinforce familiarity with Kids' Own's child safeguarding procedures. The re-vetting process will include a requirement to reread the Child Safeguarding Policy and to complete Tusla's Introduction to Children First E-Learning Programme.
- As part of the annual review process, any additional child safeguarding training needs for specific roles will be identified. This will include additional training for the Designated Liaison Person and the Deputy Designated Liaison Person.
- All training and guideline documents will be regularly reviewed and updated as appropriate and all staff, volunteers and relevant contractors will be informed of these updates.
- When Kids' Own is involved in organising or attending events involving the participation of children, the Designated Liaison Person will ensure that all staff, volunteers, contractors and board members follow the procedures outlined in Kids' Own's Code of Behaviour.
- The Designated Liaison Person will gather and retain a record of training dates carried out by all relevant individuals.

4.7 Supervision of Staff/Volunteers/Contractors

All staff/volunteers/contractors are subject to formal and informal reviews, evaluation and supervision. These are positive actions in place to provide the opportunity to discuss work, review practice and progress and to plan for future development. It also helps maintain best practice and safeguards the children taking part in events with Kids' Own. This supervision can take various forms, depending on the individual and the activities being carried out:

- Staff members meet informally and formally with the CEO/Creative Director on a regular basis. They also have a formal Annual Review with the CEO/Creative Director.
- Contractors will be supervised by Kids' Own staff through planning meetings, sign-off processes, observations of activities, debriefs and evaluations.
- Generally, no member of staff, volunteer or contractor is left alone with children without another member of staff or the children's parents/guardians.
- Volunteers will be supervised and supported by staff members.

4.8 Code of Behaviour for staff/volunteers/contractors

The following principles apply to all Kids' Own staff/volunteers/contractors. Kids' Own will:

- Ensure it treats all children equally as defined under the Equal Status Act 2000 to 2015.
- Respect a child's dignity and their right to privacy.
- If necessary, discuss boundaries on behaviour with children and young people.
- Ensure that staff/volunteers/contractors are vigilant about the signs of abuse as defined in Kids' Own Child Safeguarding Policy. Any such concerns, as well as any concerns regarding a colleague's behaviour with regard to a child or children, should be reported to the Designated Liaison Person or Deputy Designated Liaison Person.
- Ensure appropriate intimate care supports are provided by suitably qualified third parties to any child or children with special needs attending Kids' Own events.

No staff/volunteer/contractor representing Kids' Own will:

- Develop sexual, or inappropriately intimate, relationships with any child attending Kids' Own.
- Spend excessive time alone with any child.
- Socialise with children outside of structured Kids' Own or interagency activities. This includes use of social media or other online or digital platforms.
- Engage in sexually provocative activities, jokes or make suggestive comments.
- Shame, humiliate or single-out a child in a degrading way.
- Hit, physically chastise or verbally abuse any child or children.
- Conduct themselves outside Kids' Own in any way that could adversely impact Kids' Own's reputation or bring it into disrepute.

All staff/volunteers/contractors must exercise vigilance in their relationship with children, ensuring that the appropriate balance between the needs of the child and

the discharge of professional responsibility is reached. It is the adult's responsibility to set appropriate boundaries and tone for interactions. Kids' Own recognises that physical contact with children is often a valid way to offer comfort and reassurance to children. In particular, children who have suffered significant trauma in their lives may seek out such contact and it is important that individuals representing Kids' Own can offer appropriate support in such circumstances. No physical contact should take place unless it is acceptable to all parties concerned.

4.9 Involvement of primary carers

On specific projects Kids' Own may work with primary carers (parents, carers or responsible adults). Kids' Own is committed to being open with all primary carers. We undertake to refer the primary carers to our Child Safeguarding Policy, providing a link to it in our consent form.

4.10 Events Outside the Scope or Content of this Policy

In the event that this Child Safeguarding Policy does not appear to provide for a particular circumstance or situation, the matter will be referred for the attention of the Designated Liaison Person, or Deputy Designated Liaison Person as appropriate, who will make the necessary decision and take appropriate action having regard to all of the guiding principles outlined in this policy and the best interests and safeguarding of the child or children involved.

Section 5: APPENDICES

Appendix 5.1 Child Protection & Welfare Report Form

For reporting a child safeguarding concern about a child under 18 years of age.

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

Appendix 5.2 Retrospective Abuse Report Form

For reporting a disclosure by an adult of abuse that took place when they were a child.

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

Appendix 5.3 Definitions of abuse

Kids' Own recognises that child abuse falls into four main categories as identified in the National Guidance. These are neglect, emotional abuse, physical abuse and sexual abuse.

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

Examples of child sexual abuse include the following:

- Any sexual act intentionally performed in the presence of a child.
- An invitation to sexual touching or intentional touching or molesting of a child's body whether by a person or object for the purpose of sexual arousal or gratification.
- Masturbation in the presence of a child or the involvement of a child in an act of masturbation.
- Sexual intercourse with a child, whether oral, vaginal or anal.
- Sexual exploitation of a child, which includes inviting, inducing or coercing a child to engage in prostitution or the production of child pornography [for example, exhibition, modelling or posing for the purpose of sexual arousal, gratification or sexual act, including its recording (on film, videotape or other media) or the manipulation, for those purposes, of an image by computer or other means].
- Inviting, coercing or inducing a child to participate in, or to observe, any sexual, indecent or obscene act.

- Showing sexually explicit material to children, which is often a feature of the 'grooming' process by perpetrators of abuse.
- Exposing a child to inappropriate or abusive material through information and communication technology.
- Consensual sexual activity involving an adult and an underage person.

An Garda Síochána will deal with any criminal aspects of a sexual abuse case under the relevant criminal justice legislation. The prosecution of a sexual offence against a child will be considered within the wider objective of child welfare and protection. The safety of the child is paramount and at no stage should a child's safety be compromised because of concern for the integrity of a criminal investigation. 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 certain cases of underage consensual sexual activity can be found in Chapter 3 of the National Guidance.

Bullying

It is recognised that bullying 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. It is behaviour that is intentionally aggravating and intimidating, and occurs mainly among children in social environments such as schools. It includes behaviours such as physical aggression, cyberbullying, damage to property, intimidation, isolation/exclusion, name calling, malicious gossip and extortion. Bullying can also take the form of abuse based on gender identity, sexual preference, race, ethnicity and religious factors. With developments in modern technology, children can also be the victims of non- contact bullying, via mobile phones, the internet and other personal devices.

Bullying of children can also be perpetrated by adults, including adults who are not related to the child. Bullying behaviour when perpetrated by adults, rather than children, could be regarded as physical or emotional abuse. However, other major forms of child abuse, such as neglect and sexual abuse, are not normally comprehended by the term 'bullying'.

While bullying can happen to any child, some may be more vulnerable. These include children with disabilities or special educational needs, those from ethnic minority and migrant groups, from the Traveller community, lesbian, gay, bisexual or transgender (LGBT) children and those perceived to be LGBT; and children of minority religious faiths.

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 can cause considerable distress to children, to the extent that it affects their health and development and, in extreme and severe cases, can be a source of significant harm, including self-harm and suicide. Bullying can include emotional and/or physical harm to such a degree that it constitutes significant harm. There is the potential for bullying wherever groups of children spend time together on a regular basis or live together.

Bullying in schools is a particular problem, due to the fact that children spend a significant portion of their time there and are in large social groups. In the first instance, the school authorities are responsible for dealing with such bullying. School management boards must have a code of behaviour and an anti-bullying policy in place.

Signs and Symptoms of Bullying

Below are some possible warning signs that a child is being bullied:

- Comes in with torn, damaged, or missing pieces of clothing, books, or other belongings
- Has unexplained cuts, bruises and scratches
- Has few, if any friends, with whom he or she spends time
- Seems afraid of taking part in activities with peers
- Has lost interest in the activities, were previously was very engaged
- Appears sad, moody, teary, or depressed
- Complains frequently of headaches, stomach aches, or other physical ailments
- Has trouble sleeping, seems tired or is falling during the sessions
- Appears anxious and suffers from low self-esteem

Responding to Bullying Concerns

If a child shows any of the signs outlined above, this does not necessarily mean that he or she is being bullied, but it is a possibility worth exploring. If you have concerns that a child is being bullied, it is important to take action in an appropriate manner without delay. Below are steps when responding to bullying concerns:

Talk with the Kids' Own Project Manager/CEO and/or a Member of the Partners Team

In all cases for a project Kids' Own collaborates with partner organisation(s) for example; a school, youth group, family support setting etc. The project partner(s) often have established relationships with the children and/or young people participating in the project and their parents/carers. On some occasions a representative from the partner organisation may be onsite during project engagement sessions to support the Kids' Own staff/contractor/volunteer and the project participants.

If a Kids' Own staff/contractor/volunteer has concerns and observes signs of bullying, depending on the project structure as a first step it is important to either:

- a) Inform the partner organisation representative if there is one onsite i.e. a key worker OR
- b) Inform the Kids' Own Project Manager if they are not already aware. Together you will discuss the concern and decide who is best placed to discuss the concern with the partner organisation to learn more.

If unsure the Kids' Own staff/contractor/volunteer should inform the Kids' Own Project Manager/CEO first (option b above).

Talk with staff at the child's school, or at the partner organisation that may know more.

As indicated above as Kids' Own always works with partner organisations therefore in a lot of cases the Kids' Own Staff/Contractor/Volunteer has none or limited direct contact or relationship with the child's parent/carer. The next step would be to contact the school or partner organisation/club directly to share your concerns.

Share your concerns about the child and asking such questions as:

- How does the child get along with other students in his or her class?
- With whom does he or she spend free time?
- Have you noticed or ever suspected that the child is being bullied by other students? It can be useful to give examples of some ways that children can be bullied to ensure that the teacher is not focusing on only one kind of bullying (such as physical bullying).
- Ask the teacher to talk with other adults who interact with the child at school (such as the music teacher, physical education teacher, or bus driver) to see whether they have observed students bullying the child.
- Advise the parent that, if they are not satisfied with the conversation, to make an appointment to meet with the child's guidance counsellor or school principal to discuss the concerns.

If you obtain information from the child or from staff at the child's school or partner organisation/activity that supports your concern that he or she is being bullied, take action quickly. Remember that bullying can have serious effects on children.

Talk with the child

Once it is decided who is best placed to have a conversation, talk to the child. Tell the child that you are concerned and that you would like to help. It may be appropriate, depending on individual circumstances, for the parent(s) or carer(s) of the child to ask the questions if it is felt that the child may not discuss the issues with you.

Below are some questions that can get the discussion going:

Some direct questions:

- I'm worried about you. Are there any children or young people at school or your club/activity who may be picking on you or bullying you?
- Are there any children/young people at school or your club/ activity who tease you in a mean way?
- Are there any children/young people who leave you out or exclude you on purpose? Some indirect questions:
- Do you have any special friends at school or club/activity this year? Who are they? Who do you hang out with?
- Who do you sit with at lunch, in school and on the bus?
- Are there any children/young people at school/your club/ activity who you really don't like? Why don't you like them? Do they ever pick on you or leave you out of things?

Talk with the parent/carer

In some case when the Kids' Own Staff/Contractor/Volunteer has a relationship and direct contact with the child's parent/carer it may be appropriate to talk directly to them to share your concerns. If you feel the issue is in school you would advise the parent/caer t set up an appointment to talk with the child's teacher or year head. The class teacher or year head will probably be in the best position to understand the relationships between the child and their peers at school.

If you feel the issues are arising at a club, partner organisation or activity the child attends you would advise the parent / carer to make an appointment to see the activity organiser and relay concerns.

In cases of serious instances of bullying where the behaviour is regarded as possibly abusive, a referral to Tusla and/or An Garda Síochána may be necessary.

For further information on these definitions, please refer to Children First: National Guidance for the Protection and Welfare of Children 2017, Chapter 2, Pages 7–12.

Further information and supports

The Tackle Bullying website (<https://tacklebullying.ie/>) is a national website to prevent, intervene and resolve bullying and cyberbullying for young people, parents and teachers.

Barnardos provides resources about bullying for young people. (<https://www.barnardos.ie/resources/young-people/bullying/>)

National Youth Council of Ireland – Lets Beat Bullying
<https://www.youth.ie/documents/lets-beat-bullying/>)

The Government has published a new anti-bullying strategy, **Cineáltas: Action Plan on Bullying (pdf)** <https://assets.gov.ie/241000/eb57d761-2963-4ab0-9d16-172b2e3be86d.pdf> , and an **implementation plan for 2023-2027**

<https://www.gov.ie/en/publication/52aaf-cinealtas-action-plan-on-bullying/#cinealtas-implementation-plan-2023-2027> .

Cyberbullying

Cyberbullying is defined as ‘an aggressive, intentional act carried out by a group or individual, using electronic forms of contact, repeatedly, over time, against a victim who cannot easily defend him or herself’ (DES 2013).

Debate surrounds the use of the word repeated in this definition of cyber-bullying, as in some instances one behavioural act can create an ongoing sense of intimidation for the victim (i.e. a single posting of a humiliating photo/video can be viewed by a large audience with long standing affects; therefore ‘one post’ can be multiplied online to equate with ‘repeatedly’).

Cyberbullying is the use of electronic and digital means, particularly mobile phones, personal computers, email and internet use to deliberately harass, ridicule or hurt another. It can be an extension of face-to-face bullying with Information Communication Technology (ICT) used to deliberately hurt someone else. Messages (text, email), photographs, videos can all be used to spread rumours, make threats or harass. Cyberbullying differs from more traditional forms of bullying in a number of ways:

- The audience is now larger,
- There are no time or location barriers, it can happen 24/7The target’s reaction is often not seen, leading to a reduction in feeling of empathy or guilt.
- It can be anonymous

Forms of cyberbullying

Cyberbullying can be classified by the media through which the abuse occurs, (i.e. mobile phones, instant messenger, chat rooms, social networking sites, video/photo sharing sites/apps, and gaming sites, etc) and/or by the nature of the abuse itself (i.e. flaming, impersonation, harassment, etc).

Willard (2007) has identified the following seven forms of cyberbullying:

1. **Flaming** – On-line ‘fights’ using electronic messages with angry and vulgar language.
2. **Harassment** – Repeatedly sending nasty, mean, and insulting messages.
3. **Denigration** – Intentionally setting out to damage a person’s reputation or friendships by sending or posting derogatory comments, cruel gossip, or rumours about the person; creating a web page or web site devoted to insulting another person.

4. **Impersonation** – Gaining access to someone’s account, posing as that person, and sending messages to make the person look bad, get that person in trouble or danger, or damage that person’s reputation or friendships. This behaviour is commonly referred to as ‘fraping’ when it occurs using Facebook.
5. **Outing and Trickery** – Sharing someone’s personal or embarrassing information or images online or via mobile phone or other electronic media, or tricking someone into revealing secrets or embarrassing information, which is then shared online.
6. **Exclusion** – Intentionally excluding someone from an online group (i.e. a ‘friend list’, a gaming environment, or group chat). Within a gaming context the term ‘griever’ is often applied to a player who deliberately irritates and harasses other players within the game, using aspects of the game in unintended ways.
7. **Cyberstalking** – Repeatedly sending messages that include threats of harm or that are highly intimidating, or engaging in other online activities that make a person afraid for his/her safety. Another definition of cyberstalking is using the Internet or other electronic means as a way to harass, intimidate, threaten, monitor or make unwanted advances towards another. It can involve direct communications through e-mails, chat rooms, bulletin boards or social sites such as Facebook, the surreptitious gathering of information regarding the target, or covert observation .

What are the signs/symptoms that someone is being cyber-bullied?

Some signs or symptoms that may present when a child or young person is experiencing cyberbullying include:

- More frequent health problems – headaches, stomach aches, frequent absenteeism, sleep problems, depression, or suicidal thoughts;
- Behavioural and emotional changes – distressed, anxious, frustrated, fearful, angry;
- School related changes – inability to concentrate, drop in academic performance, reluctance to attend school;
- Negative emotional expressions after use of social media – poor self-image, sadness, hopelessness, loneliness, suspicion of others
- Changes in online behaviour – more careful or cautious approaches to communicating online; Being emotionally upset during or after using the Internet or the phone;
- Being very secretive or protective of their digital life;
- Wanting to stop using the computer or mobile phone;
- Being nervous or jumpy when getting an instant message, text, or email;
- Avoiding discussions about computer or mobile phone activities; and
- Physical symptoms such as self-harm, eating disorders and/or risky behaviours.

Actions to consider when a young person is the target of cyberbullying:

Confirm that you are dealing with bullying behaviour.

- Listen calmly and uncritically to the report the young person is making.
- Remind the young person that it is not their fault; it is the person who is doing the bullying that has the problem.

- Tell the young person not to respond to the bully as this can exacerbate the issue.
- Keep a copy of all correspondence between the young person and the bully.
- Encourage the young person to remove the cyber-bully as a 'friend' online and block them from his/her phone.
- Report the issue to the website and/or mobile phone company as appropriate.
- Serious issues should be reported to The Garda Síochána – legal issues include making inappropriate sexual suggestions, racist remarks or persistent bullying that is seriously damaging to the young person's wellbeing.
- A number of laws may have relevance to specific cyberbullying behaviours, such as:
 - o Criminal Damage Act, 1991;
 - o Non-Fatal Offences Against the Person Act, 1997;
 - o Post Office Amendment Act, 1951
 - o European Communities (Electronics Communications Networks and Services) (Data Protection and Privacy) Regulations 2003 (S.I. No. 353 of 2003)
 - o Video Recordings Act 1989

Reference for Appendix 5.3 Cyberbullying

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

Appendix 5.4 Mandated Persons

Mandated Persons are people and professionals who have contact with children and/or families and, by virtue of their qualifications, training and experience, are in a key position to help protect children from harm. According to the Children First Act 2015, a “mandated person” means a person specified in section 2, part 1, schedule 2 which indicates the expertise and the nature of the work of professionals who are classified as Mandated Persons such as GPs, nurses, speech and language therapists, psychologists, social care workers, teachers, and members of An Garda Síochána. In addition, it includes certain professionals who may not work directly with children, such as those in adult counselling or psychiatry. The list also includes registered foster carers and members of the clergy or pastoral care workers of a church or other religious community. Section 2 subsection 15(i) states that a “safeguarding officer, child protection officer or other person (howsoever described) who is employed for the purpose of performing the child welfare and protection function of religious, sporting, recreational, cultural, educational and other bodies and organisations offering services to children” is also a Mandated Person. However, this section implies that the individual would be employed by the organisation mainly for the purpose of performing the child welfare and protection function.

Kids’ Own maintains a list of mandated persons. This is a list of one: the CEO.

Legal obligations of a Mandated Person

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

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

The Mandated Person is 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 reporting requirements under the Children First Act 2015 apply only to information that a Mandated Person received or became aware of since the Act came into force. However, if the Mandated Person has reasonable concern about past abuse and there is possible continuing risk to children, the Mandated Person should report it to Tusla under the Children First Guidance 2017.

Threshold for making a mandated report

A mandated person is 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, to the Authorised Person within Tusla. Definitions of abuse can be seen in Appendix 5.3 of this policy.

Mandated report to Tusla

It is the Mandated Person's legal responsibility to make a decision as to whether a concern about a child meets the threshold for a mandated report under the Children First Act 2015 or not. If the Mandated Person is satisfied that the threshold has been reached, it should be clearly identified on the report that it is a mandated report made under the Children First Act.

If the Mandated Person is unsure whether a concern reaches the legal definition of harm for making a mandated report, he/she could discuss the concern with a Tusla social worker. However, the responsibility for making the decision rests with the Mandated Person. A Mandated Person cannot submit a mandated report anonymously. The Children First Act 2015 requires Mandated Persons to report a mandated concern to Tusla "as soon as practicable". The Act requires Tusla to appoint Authorised Persons to receive mandated reports. Authorised Persons are obliged to acknowledge in writing all mandated reports they receive.

If urgent intervention may be required to make a child safe, a Mandated Person can alert Tusla of the concern in advance of submitting a written report. A mandated report to Tusla should then be submitted on the report form or via the web portal within three days.

Tusla has two forms for reporting child protection and welfare concerns. See Appendices 5.1 and 5.2.

Making a Mandated Report Out-of-Hours

Mandated reporters can now access Tusla's emergency out-of-hours social work service. If a mandated reporter wishes to report a case of child harm to Tusla, they can contact the out-of-hours social work service on 0818 776 315 between 6pm and 6am every night and between 9am and 5pm on Saturdays, Sundays and bank holidays. If you cannot contact Tusla and have an immediate concern about the safety of a child, please contact An Garda Síochána.

Mandated Assisting

It is usual practice for professionals who have on-going contact with a child, where there is concern about possible abuse, to continue to engage with Tusla's Social Work team to assist in the protection of a child. To support and reinforce this practice, the Children First Act 2015 provides that all mandated persons can be asked, by Tusla, to provide any necessary and proportionate assistance to aid the Tusla in assessing the risk to a child from a mandated report. Assistance includes verbal or written information or attendance at meetings. A Mandated Person must comply with this request regardless of who made the report.

Information that Tusla shares with Mandated Persons, if they are assisting them 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.

Section 17 of the Children First Act 2015 makes it an offence for the Mandated Person to disclose information, which has been shared by Tusla during the course of an assessment, to a third party unless Tusla has given written authorisation to do so. Any information furnished by a Mandated Person shall not give rise to civil liability or be admissible in evidence against that person in any civil or criminal proceedings. A Mandated Assisting Protocol for Tusla Staff has been developed which sets out Tusla's internal processes for formally requesting assistance and for dealing with a refusal to assist or a failure to engage.

5.5. Declaration Form

Declaration Form: Confidential

Declaration form for all those working with children and young people.

Surname: _____ First Name: _____

Date of Birth: _____ Place of birth: _____

Address: _____

Tel. No: _____ Mobile No: _____

Any other name(s) previously known as: _____

Is there any reason that you would be considered unsuitable to work with children and young people?

YES		NO	
-----	--	----	--

If yes, please outline the reason below.

Have you ever been convicted of a criminal offence?

YES		NO	
-----	--	----	--

If yes, please state below the nature and date(s) of the offence (s):

You will be required to apply for Garda Vetting before working with Kids' Own. This will be organised by Kids' Own.

By signing this form, I have read and understood the Kids' Own Child Safeguarding Policy and will undertake to provide a safe environment and experience, where the welfare of the child/young person is paramount.

Signed:

Date:

5.6. Parental/Guardian Consent Form



Consent for a Kids' Own project [insert project name] in partnership with [insert partner name] and [insert participant group]

Funders of this project are: **[insert list of funders]**

Kids' Own artist **[insert artist(s) name]** will work with **[insert participant group name]** in **[insert time period]**.

Participants will explore [add outline of project activities and any outcomes]

There are 2 parts of this consent form:

1. Consent and details for child/young person to take part in the project
2. Consent for taking and sharing photos, audio & video recordings during the project

1. Consent and details for child/young person to take part in the project.

Taking part in this project is voluntary, the child/young person named in this form or/ and their parent/guardian can at any time choose to no longer participate.

Please note the personal data recorded in this form is collected by the project partner **[insert partner(s) name]** (data processors) on behalf of Kids' Own. Kids' Own (data controllers) are responsible for securely storing and retaining this data. For more information about our data compliance contact Kids' Own at info@kidsown.ie.

Kids' Own would encourage all parents/guardians to review the Kids' Own Child Safeguarding Statement available on our website (<https://kidsown.ie/wp-content/uploads/2023/02/Updated-KO-Safeguarding-Statement-2023.pdf>) This sets out our procedures for ensuring the safety of children and young people while they are engaged with our activities.

Name of child taking part:

Age at the start of the project: _____

Parent/Guardian Name: _____

Mobile Number : _____

Email address: _____

I consent to my child taking part in the project described in the project description above:

Yes [] No []

Please sign and date below:

Signed: _____

Date: _____

2. Consent for taking and sharing non identifiable photos, audio & video recordings during the project

SELECT BELOW WERE APPLICABLE IN NOT CASES PROJECTS WILL TAKE PHOTOGRAPHS, VIDEO AND AUDIO

In this section we are asking for consent for the following:

1. To take photos. Anyone in the photos **will not** be identifiable.
2. To take audio recordings during the project. This audio may be transcribed and no child will be identifiable.
3. To take video recordings during the project. Anyone in the video **will** be identifiable.

Non-identifiable Photos: The photos Kids' Own will take will be non-identifiable only, no person (adult or child) will be identifiable in there photos. Examples would be; close ups of hands or feet, backs of heads, distance images.

Audio recordings: Kids' Own may take audio recordings of conversations with children while the artists are in the school. If we take audio recordings they will be anonymised and will not be used in audio form but will be transcribed.

Identifiable Video recordings: Kids' Own will take video footage of creative sessions, including of the creative sessions with Transition Year students, and the exhibition. We will create a short video to share what the project was about and what the students did as part of the project.

What will Kids' Own use the photos and recordings for?

Kids' Own would like to take photos (non-identifiable) and video recordings (identifiable) of people including children during the project sessions. Kids' Own would use these photos and recordings for the purpose of the following:

1. To keep a record of the project in the Kids' Own archive
2. To share and promote the project on the Kids' Own website (www.kidsown.ie), social media channels (Facebook, Twitter & Instagram) and email newsletter
3. To include in the video and any other digital or print publication that comes from this project

I agree/disagree that photos (non-identifiable) of my child can be taken and used by Kids' Own or the purposes listed above:

Agree [] Disagree []

I agree/disagree that video recordings (identifiable) of my child can be taken and used by Kids' Own or the purposes listed above:

Agree [] Disagree []

If you have any comments or requests regarding anything in this form, please include below:

Please sign and date below:

Signed: _____

Date: _____

I understand that I can change my mind at any point and withdraw consent for images/video/audio to be used.

THANK YOU for completing this form.

5.7 Kids' Own Data Protection And Retention Policy



DATA PROTECTION & RETENTION POLICY

Kids' Own fully respects the right to privacy of the partners, artists, children and families that we engage with. We do not collect personal information without the clear permission from all participants. Any information volunteered to us will be treated with the highest standard of security and confidentiality, strictly in accordance with the Data Protection Acts, 1988 & 2003.

Through this policy, Kids' Own agrees to comply with the following 8 rules of Data Protection, as set out by the Data Protection Commissioner:

1) We will obtain and process information fairly.

Kids' Own obtains personal data in the following ways:

- Through consent forms for young participants to take part in our projects, which are signed by parents/ guardians and in some cases, by the young people themselves;
- Through information volunteered by customers who wish to purchase books from Kids' Own;
- From artists and partners who wish to enter into an employment or partnership contract with Kids' Own;
- From artists, partners and individuals who wish to receive e-newsletters and sectoral updates from us.

In all cases, data is obtained directly from participants. Kids' Own endeavours to ensure that participants who give information to Kids' Own are made aware of the following:

- The purpose in collecting the data.
- The identity of those requesting the data (i.e., staff members of Kids' Own).
- Persons or categories of persons to whom the data may be disclosed.
- How much of the information requested/provided is obligatory and the consequences of not providing replies to those questions.
- The existence of their right to access their personal data.
- The right to rectify their data if inaccurate or processed unfairly.
- How long data will be kept for.
- All other information that may be necessary so that processing is fair, and the data subject knows how their information will be processed.

2) We will keep information only for one or more specified, explicit and lawful purposes.

Kids' Own understands and accepts that data must only be kept for a specific, lawful and clearly stated purpose and that data should be processed in a manner compatible with that purpose. Individuals have the right to question the purpose for which their data is being sought and when questioned Kids' Own will state explicitly the purpose.

The purposes for which Kids' Own receives, processes and retains data are as follows:

- Consent for the use of images for marketing, publicity and documentation (only by Kids' Own or other stated partners);
- To send regular communications to those who want and have asked to receive them;
- To maintain contact with artists and partners who we work with.

3) We will use and disclose it only in ways compatible with these purposes.

Kids' Own undertakes to ensure that any use or disclosure of information will be necessary for the purpose(s) or compatible with the purpose(s) for which we collect and keep the data.

4) We will keep it safe and secure.

Kids' Own undertakes to ensure that appropriate security measures are taken against unauthorised access to, or alteration, disclosure or destruction of, the data and against their accidental loss or destruction.

Our standards of security include the following:

- Secure access to IT servers and computer systems.
- Access to personal data is restricted to authorised staff on a 'need-to-know' basis.
- Back-up procedures are in operation for computer held data.
- Staff are aware of the Kids' Own security measures and comply with them.
- All waste papers, printouts, etc. are disposed of carefully.

5) We will keep information accurate, complete and up to date.

Kids' Own acknowledges the importance of ensuring that all data is up-to-date and knows the risk of liability for damages if we fail to observe this duty of care provision. With this in mind, Kids' Own undertakes to:

- Ensure that clerical and computer procedures are adequate with appropriate cross-checking to ensure high levels of data accuracy;
- Continue to observe the need for personal data to be kept up-to-date;
- Employ procedures, including periodic review and audit, to ensure that each data item is kept up-to-date.

6) We will ensure that the information is adequate, relevant and not excessive.

Kids' Own commits to seek and retain only the minimum amount of personal data needed to achieve our purpose(s).

7) We will not retain information for longer than is necessary for the purpose or purposes.

Kids' Own will implement a policy outlining the length of time for which different types of information should be retained, and we undertake to comply with this policy. Participants will be made aware, at the time of volunteering their data, of the length of time that their data will be kept. Periodically, Kids' Own staff will be responsible for regularly purging data that is no longer needed. Please refer to Addendum for more information on retention of data.

8) We will provide a copy of an individual's personal data to him/her on request.

Kids' Own acknowledges the right of individuals to request personal data that is kept about them. On request, Kids' Own will be willing and able to provide the data subject with

- A copy of the data being kept about him or her.
- Knowledge of the categories of their data and the purpose/s for processing it.
- Knowledge of the identity of those to whom data is disclosed.
- Knowledge of the source of the data, unless it is contrary to public interest.
- Knowledge of the logic involved in automated decisions.
- Data held in the form of opinions, except where such opinions were given in confidence, and even in such cases, where the person's fundamental rights suggest that they should access the data in question.

Furthermore, in response to an access request, Kids' Own will:

- Supply the information to the individual promptly and within 30 days of receiving the request.
- Provide the information in a form, which will be clear to the ordinary person, e.g., any codes must be explained.

This policy is in compliance with the Data Protection Acts 1988 and 2003 and guidelines by the Data Protection Commissioner.

5.8 Volunteer/ Independent Contractor Reference Form

Volunteer/ Independent Contractor Reference Form
Confidential

_____ has expressed an interest in becoming a volunteer with Kids' Own Publishing Partnership and has given your name as a referee.

This post involves substantial access to children and as an organisation committed to the welfare and safeguarding of children, we are anxious to know if you have any reason at all to be concerned about this applicant being in contact with children and young people?

YES		NO	
-----	--	----	--

If you have answered yes, we will contact you in confidence.

If you are happy to complete this reference, all information contained on the form will remain confidential and will only be shared with the Directors of Kids' Own Publishing Partnership, should they be offered a volunteer position. We would appreciate you being extremely candid in your evaluation of this person.

How long have you known this person?					
In what capacity?					
What attributes does this person have which you would consider makes them a suitable volunteer?					
How would you describe their personality?					
Please rate this person on the following (please tick):					
	Poor	Average	Good	V/Good	Excellent
Responsibility					
Maturity					
Self-motivation					

Motivation of others					
Energy					
Trustworthiness					
Reliability					

Signed: _____

Date:

Occupation: _____

5.9 Internal Incident Form

Particulars of incident:

Date:

Time:

Location:

Type of incident (please circle below):

Injury / Illness / Environmental / Notifiable event / Child Safeguarding*

Reported by:

Role in event:

Phone:

Email:

The injured person:

Name:

Age:

Phone:

Address:

Email:

Details of Parent/Guardian if the affected person is a child:

Name:

Phone:

Witness(es)

Name:

Phone:

Name:

Phone:

Describe the incident:

Describe any illness or injury:

Describe any property damage: What damage was caused and how?

Analysis: What do you think caused or contributed to the incident?

Outcomes: What action was taken?

Treatment:

Details of any First Aid Offered? Please include details of First Aider.

Completed Report should be emailed or scanned and sent to the CEO/Creative Director.

*If concerning a Child Safeguarding Incident, sent directly to the Designated Liaison Person.

Follow up Actions and Information – To be completed by CEO/Creative Director

5.10 Protocol for Associate Artist and Freelance Workers when working with or in a Partner setting



Kids' Own Protocol for Associate Artists and Freelance Workers when working with or in a Partner setting

1. Introduction.

Kids' Own is Ireland's only dedicated publisher of books by children. Through a range of local, national, and international projects, we connect children with professional artists and publish the work that they create.

Kids' Own is committed to a child-centred approach to working with children and young people. We undertake to provide a safe environment and experience, where the welfare of the child/young person is paramount. We will adhere to the recommendations of the following guidelines in the development and implementation of the Kids' Own Child Safeguarding Policy.

- *Tusla, Child and Family Agency*
- *Children First Act (2015)*
- *Children First: National Guidelines for the Protection and Welfare of Children*, published by the Department of Health and Children (Revised 2017)
- *Child Safeguarding: A guide for Policy, Procedure and Practice (2nd edition)*

2. Working in Partnership.

Kids' Own works collaboratively with other organisations and agencies from across multiple sectors. Our partner organisations/agencies include, schools, community services and activity providers who provide relevant services to children.

This protocol does not replace the Kids' Own Policy and Procedure document, where detailed information can be found. The protocol recognises that Associate Artists/Freelance Workers who are contracted by Kids' Own will be providing services in a partner organisations or agencies.

3. Purpose.

The purpose of this protocol is to provide clarity regarding the reporting procedure for child protection and welfare concerns should they arise, where a Kids Own Associate Artist/ Freelance Worker is providing services in the venue of a partner organisation or agency.

4. To assist Associate Artists/Freelance Workers in their role, they will:

- Receive a copy of this protocol.
- Have access to Kids' Own, Child Safeguarding Policy and Procedure.
- Attend training on Kids' Own Child Safeguarding Policy and Procedures.
- Be provided with the names and contact details of the Kids' Own, Designated Liaison and Deputy Designated Liaison Person.
- Familiarise themselves with the Child Safeguarding Policy and Procedure of the partner organisation/agency in which they are working.
- Ensure they know how to contact the partner organisation/agency Designated Liaison and Deputy Designated Liaison Person, should they have a safeguarding concern about a child they are working with.

5. Reporting Procedure:

5.1 Reporting Concerns to the Partner Organisation/Agency, Designated Liaison Person (DLP) or Deputy Designated Liaison Person (DDL) in their absence.

- If a concern arises regarding the protection and welfare of a child, in the context of the work of an Associate Artist /Freelance Worker in a partner organisation/agency, it must be reported to the Designated Liaison Person (or Deputy in their absence) of that partner organisation/agency.
- The Associate Artist / Freelance Worker will follow the partner organisation/agency child protection and welfare reporting procedure.
- The partner organisation/agency DLP (or Deputy DLP) will assess if reasonable grounds for concern exist – that is, if a child may have been, is being, or is at risk of being abused or neglected and make a report to Tusla, Child and Family Agency as required.
- The Associate Artist / Freelance Worker will:
 - Supply the information required by the partner organisation/agency DLP, to support them in assessing if reasonable grounds for concern exist.
 - Provide information verbally and in writing, as required by the partner organisation/agency DLP.
 - Be informed (in writing) by the partner organisation/agency DLP, if the concern is not being reported to Tusla, Child and Family Agency, with the reason why the DLP does not consider that the concern meets the threshold for reporting to statutory agencies.
 - Report the concern directly to Tusla, Child and Family Agency if they do not agree with the assessment of the partner organisation/agency DLP and continue to be concerned about the safety and/or welfare of the child.

5.2 Informing the Kids' Own Designated Liaison Person (DLP) or Deputy Designated Liaison Person (DDL) in their absence.

- The Associate Artist / Freelance Worker will also inform the DLP (or Deputy in their absence) of Kids' Own when they have reported a concern to the DLP or DDL of a partner organisation/agency.
- The Associate Artist / Freelance Worker will:
 1. Inform the Kids' Own DLP that they have made a report to the partner organisation/agency DLP.
 2. Inform the Kids' Own DLP of the action taken by the partner organisation/agency DLP in response to the concern raised.
 3. Supply brief information regarding the nature of the concern to the Kids' Own DLP.
 4. **Not provide the child's name or any identifying information regarding the child to the Kids' Own DLP, to preserve their confidentiality.**
- The Kids' Own DLP (or Deputy in their absence) will:
- Make a record of the information supplied to them by the Associate Artist / Freelance Worker and store this securely (as per organisational policy and procedure).
- Ensure that the Associate Artist / Freelance Worker receives support needed from the Kids' Own as a result of reporting a concern about a child to the partner organisation/agency.
- Liaise with the DLP of the partner organisation/agency in respect of the concern, if required.

6. Mandated Reports.

Making a Mandated report (mandated persons within Kids' Own are employees and contractors who have contact with children and/ or their families and who because of their qualification, training and/or employment role, are in a key position to help protect children from harm, as set out in Schedule 2, Children First Act 2015).

If an Associate Artist / Freelance Worker is a mandated person, (refer to the Kids' Own policy and procedure) they will:

- Ensure they fulfil their obligations to make mandated reports.
- Inform the partner organisation/agency DLP if they are submitting a mandated report to Tusla, Child and Family Agency, in the context of their work in the partner organisation/agency.
- Inform the Kids' Own DLP if they have submitted a mandated report, supplying brief, non-identifying information.

7. Supporting Associate Artists/Freelance Workers with Child Safeguarding.

The Kids' Own Designated Liaison Person (DLP) and Deputy Designated Liaison Person (DDL) will support Associate Artists / Freelance Workers by:

- Ensuring they are available to receive information.
- Ensuring mandated persons understand and fulfil their obligations.
- Providing guidance and direction regarding specific cases of concern (if required).
- Ensuring policies and procedures are adhered to.
- Ensuring national guidance and best practice approaches are adhered to.
- Liaison with partner organisation/agency DLP's or Deputy DLP's (if required).
- Providing ongoing support to the Associate Artist/Freelance Worker if required.

Please note:

- Associate Artists/ Freelance Workers are reminded that child protection and welfare concerns must only be shared with the relevant Designated Liaison Person (DLP) and Deputy Designated Liaison Person (DDL), as detailed above. **Members of the wider Kids' Own or Partner Organisation/Agency Team do not have a role within this reporting procedure and will only be informed of child safeguarding concerns raised, if the Kids' Own DLP and/or the Partner Organisation/Agency DLP determines this is appropriate and in the best interests of the child.**
- This protocol does not replace the Kids' Own Child Safeguarding Policy and Procedure document, where detailed information can be found. The protocol recognises the position of Associate Artists/Freelance Workers who are contracted by Kids' Own and carry out relevant work with partner organisations/agency.

5.11 Child Safeguarding Statement



CHILD SAFEGUARDING STATEMENT

Name of service:

Kids' Own Publishing Partnership, 40 Wolfe Tone Street, Sligo, Co. Sligo. (Charity number: 20639)

1. The purpose and aims of Kids' Own are:

Founded in 1997, Kids' Own is a children's arts organisation and dedicated publisher of books by children, for children. Kids' Own's vision is for a society that recognises children as independent writers, thinkers and creators and that truly values the arts in the lives of all children. Kids' Own's mission is to develop, publish and promote artwork and writing created by children for children and their communities, through meaningful engagement with professional artists.

Our aims are to:

- **Create opportunities for children and artists to work together**

Increase opportunities for children to develop artwork and writing through meaningful engagement with professional artists, and in community with each other.

- **Give visibility to children's artwork and writing**

Increase the visibility of children's artwork and writing by publishing (in print and online), exhibition and dissemination.

- **Support professional artists in their practice with children**

Support and develop the practice of artists and other professionals who work with children and young people. Provide a leading model of best practice within the sector.

- **Advocate for children's equal status as artists and writers**

Champion children's right to actively engage in the arts, and advocate for recognition of the societal value of children's artwork and writing.

- **Build our capacity**

Translate our ambition into tangible and measurable impacts, by ensuring the necessary resources, processes and structures are in place.

2. We meet these aims by delivering the following activities:

- Workshops with children (with and without their parents) in community settings – through our book-making projects and festival events.
- Workshops with young children and childcare practitioners in Early Childhood Care and Education settings – through our early years residency projects.
- Workshops with children and their teachers in sites of learning – e.g. in school settings.
- Workshops with artists to support their practice working with children and young people, as part of artist development initiatives.

- Public exhibitions that are open to children and families – in partnership with host venues.

Accompanying adults

- Parental consent is a prerequisite for children’s participation in these events. Parents may sometimes be present, but are not always present during these activities.
- All our activities are led by two artists or by one artist in collaboration with another adult, such as a teacher or an early childhood care and education practitioner.

3. Principles to safeguard children from harm:

- All staff and contracted artists are Garda vetted.
- All staff and contracted artists are requested to undertake Tusla online Child Protection Training.
- All staff and contracted artists have a copy of Kids’ Own’s Child Protection Policy and have signed a declaration that they are familiar with the procedures contained within it.
- All child protection or welfare concerns will be reported to Tusla/Gardaí in a timely manner.
- All children engaging with Kids’ Own activities will have parental consent to do so.
- There will always be two adults present during activities delivered by Kids’ Own.
- The safety and welfare of children is everyone’s responsibility.
- The best interests of the child should be paramount.
- Children have a right to be heard, listened to and taken seriously. Taking account of their age and understanding, they should be consulted and involved in all matters and decisions that may affect their lives.
- Parents/carers have a right to respect and should be consulted and involved in matters that concern their family.

4. Risk assessment

Note: the definition of harm in relation to a child is: ‘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 sexual abuse of the child’.

We have carried out an assessment of any potential for harm to a child while availing of our services, including online services. Below is a list of the areas of risk identified and the list of procedures for managing these risks.

	Risk identified	Procedure in place to manage risk identified
1	Lack of awareness of child protection duty and non-	<ul style="list-style-type: none"> • Staff, artists and partners are provided with the Child Protection Policy.

	compliance with Child Protection Policy (e.g., delays in making necessary referrals).	<ul style="list-style-type: none"> • Staff and artists are provided with training every 2 years, to ensure they are equipped to deal with disclosures and to make referrals if required. • Staff and artists are required to complete the TUSLA e-learning programme. • Any breach of the Child Protection Policy will be reported to CEO. • A list of staff who are Mandated Persons (as defined by the Children First Act 2017) is maintained. • A Relevant Person will be appointed to be the first point of contact regarding this Child Safeguarding Statement. • The Child Protection Policy is reviewed every two years.
2	Kids' Own staff/contractor is the alleged perpetrator of child abuse.	<ul style="list-style-type: none"> • Procedure for Safe Recruitment and Selection to be followed as per point 4.4. of the Child Safeguarding Policy. • Procedure for Safe Management of Activities to be followed as per point 4.1. of the Child Safeguarding Policy.
3	A parent/guardian/teacher/or partner staff member is the alleged perpetrator of child abuse.	<ul style="list-style-type: none"> • A partner agreement is in place between Kids' Own and venues/organisations regarding child protection and welfare. Clear communication with partner organisations is maintained throughout the Kids' Own project. • Parents/guardians are given the information they need about Kids' Own's safeguarding policies at the outset of a project. • All staff know the procedures to make a referral to the Designated Liaison Person or directly to Tusla.
4	Staff members are uncertain about what to do if child makes a disclosure.	<ul style="list-style-type: none"> • All Kids' Own staff and contracted artists know the procedures to make a referral to the Designated Liaison Person or directly to Tusla. • Artists are supported to have a context-specific awareness of children's circumstances within a given project. • Artists are trained to be aware of emotional sensitivities within the creative

		process and to respond appropriately to disclosures. The key points are listed under “3.0 Reporting Procedures” within our Child Protection Policy (page 8).
5	A partner tells you something.	<ul style="list-style-type: none"> • Kids’ Own will engage with partners on joint report making where appropriate. Our Child Protection Policy is shared with partners in advance of projects.
6	Delivery of activity	<ul style="list-style-type: none"> • All activities and events, including online activities, are risk assessed in line with our child safeguarding policy. • Communication and agreement on activities is always in place between Kids’ Own and partner organisations regarding child protection and welfare. • Kids’ Own has a rigorous planning process in place with Associate Artists and the suitability of activities is always reviewed. • When online activities are facilitated, there is a procedure in place for safe delivery of these activities.

5. Procedures

Our Child Safeguarding Statement has been developed in line with requirements under the Children First Act 2015, and the Children First: National Guidance, and Tusla’s Child Safeguarding: A Guide for Policy, Procedure and Practice. In addition to the procedures listed in our risk assessment, the following procedures (outlined in our Child Protection Policy) support our intention to safeguard children while they are engaged in our activities:

- Procedure for the management of allegations of abuse or misconduct against staff/ contracted artists of a child availing of our services.
- Procedure for the safe recruitment and selection of staff/contracted artists to work with children – vetting and checking references.
- Procedure for the reporting of child protection or welfare concerns to Tusla or the Gardaí as appropriate – reporting form is annex of our policy.
- Procedure for maintaining the contact details of relevant Tusla staff and the Designated Liaison Person and making these available to staff/contracted artists.

6. Implementation

Kids’ Own recognises that implementation is an ongoing process. Our service is committed to the implementation of this Child Safeguarding Statement and the procedures that support our intention to keep children safe from harm while availing of our service. This Statement will be reviewed by **1 January 2024**, or as soon as

practicable after there has been a material change in any matter to which the statement refers.



Signed:

Emma Kavanagh, Relevant Person under the Act/Designated Liaison Person



Signed :

Naomi Feely, Chairperson

For queries please contact:

Emma Kavanagh, Relevant Person under the Act and Designated Liaison Person
Kids' Own Publishing Partnership, 40 Wolfe Tone Street, Sligo. 07191-70759

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