



# **CHILD SAFEGUARDING POLICY AND PROCEDURES**

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## INTRODUCTION

Limerick Youth Service is committed to protecting the young people whom we engage with from all forms of abuse and harm. We facilitate this through the provision of safe and youth friendly spaces.

“Safeguarding” is the action that is taken to promote the welfare of children and protect them from harm. It focuses on protecting individual children/young people identified as suffering or likely to suffer significant harm. While protecting children from abuse is one part of safeguarding, children and young people also need safeguarding in order for them to grow, develop and achieve their full potential. It is about creating a safe environment for both staff/volunteers and young people, where trust and willingness to listen to the young person is foremost.

## Scope

This policy has been developed for the Organisation and applies to all staff, volunteers and students in line with the principles outlined in Children First.

### **The Core principles guiding Limerick Youth Service commit the organisation to:**

- Valuing young people and supporting their individual development.
- Empowering young people and volunteers within the decision-making processes of the organisation.
- Advocating on behalf of young people to enhance opportunities for equality and inclusion.
- Developing the best range of services that will engage with and challenge young people.
- Partnering our stakeholders and ensuring accountability at all times.

## Our Values

- Young people at the Centre of all we do
- Value young people, volunteers and staff
- Learning, Creativity & Innovation
- Equality, inclusion and Diversity

### **Guiding Principles to Safeguard Young People**

- Following the principles of best practice thus ensuring the welfare of the child is paramount in decisions, activities and programmes involving children and young people.
- Adopting Children First National Guidance 2017 which aims to promote the safety and wellbeing of children. All staff and volunteers can identify and report Child Abuse and are fully aware of their responsibilities.
- The Tusla E Learning module and participation in LYS Child Safeguarding Programme is mandatory for all staff, students and volunteers to complete.

- All Mandated persons in Limerick Youth Service must complete the eLearning Mandated Persons module through the Tusla website.
- Adhering to the procedures set out for the recruitment and selection of staff and volunteers.
- Ensuring that all staff, volunteers, students and any other individual (s) who engage with our young people are Garda Vetted.
- Provision of effective supervision for staff and support and training for volunteers.
- Sharing information with relevant agencies on a need-to-know basis.
- Maintaining data in accordance with the Data Protection Act 1998-2018

# Child Safeguarding Statement

**Name of service being provided:** Limerick Youth Service founded in 1973 is a provider of youthwork, education, training and employability programmes and youth friendly spaces to young people aged 10-25 in Limerick City and County. We are a registered charity and a member of youthwork Ireland.

## **Nature of service and principles to safeguard children from harm**

Our Mission:

*'Connecting with young people and supporting them to reach their full potential'*

Limerick Youth Service provides a comprehensive range of youthwork activities and programs that support the social, emotional and physical well-being of young people.


We do this by providing the following youth work programmes and services:



## **Principles to Safeguard Children from Harm**

Limerick Youth Service has a comprehensive list of policies, practices and activities that are committed to the following principles of best practice in Child Safeguarding and Welfare as laid out in Children First 2017.

- ✚ The safety and welfare of Children is everyone's responsibility.
- ✚ The best interests of the child should be paramount.
- ✚ The overall aim in all dealings with children and their families is to intervene proportionately to support families to keep children safe from harm.
- ✚ Interventions by the state should build on existing strengths and protective factors in the family.
- ✚ Early intervention is key to getting better outcomes. Where it is necessary for the state to intervene to keep children safe, the minimum intervention necessary should be used.
- ✚ Children should only be separated from parents/guardians when alternative means of protecting them have been exhausted.
- ✚ 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/guardians have a right to respect and should be consulted and involved in matters that concern their family.
- ✚ A proper balance must be struck between protecting children and respecting the rights and needs of parents/guardians and families. Where there is conflict, the child's welfare must come first.

 Child protection is a multiagency, multidisciplinary activity. Agencies and professionals must work together in the interests of children.

### Risk Assessment

We have completed a risk assessment of the potential for harm to a child while availing of our services. We are committed to mitigating the risk of harm to children while they are participating in the activities of the service. Below is a list of areas of identified risks and measures in place to manage these risks.

Risk Identified	Procedure in place to mitigate identified risk
<p><b>1.</b> Young person alone with staff member, volunteer, student, tutor.</p>	<ul style="list-style-type: none"> <li>• Induction training is provided for all individuals starting with the organisation</li> <li>• Lone Working policy</li> <li>• Code of behaviour for staff &amp; volunteers</li> <li>• Safeguarding policy.</li> <li>• Strict working ratios and supervision are adhered to.</li> </ul>
<p><b>2.</b> Any form of abuse/bullying against (another young person, parent, guardian, adult volunteer, student, staff member or member of the public)</p>	<ul style="list-style-type: none"> <li>• Respect &amp; Dignity Policy &amp; Code of Behaviour &amp; Ethics for staff</li> <li>• Safeguarding training undertaken by all staff &amp; volunteers</li> <li>• Code of Behaviour for young people, students &amp; volunteers</li> <li>• Disciplinary Policy &amp; Procedures for staff &amp; young people</li> <li>• Clear &amp; Transparent procedure in place for raising complaints</li> <li>• Incident reporting procedure in place</li> <li>• Staff trained in Restorative Practice</li> <li>• All staff, volunteers &amp; students are Garda Vetted.</li> <li>• Volunteer policy, Induction Training, Leadership Training.</li> <li>• Induction for all young people &amp; group contracts</li> </ul>
<p><b>3.</b> A child or young person could be harmed if an unsuitable person was recruited as a staff member, volunteer, student on placement or external facilitator.</p>	<ul style="list-style-type: none"> <li>• Rigorous recruitment &amp; screening policy &amp; procedures</li> <li>• Thorough application &amp; declaration Form</li> <li>• Interviewing &amp; Reference Checks</li> <li>• Garda Vetting &amp; Garda Vetting Committee</li> <li>• Induction to all policies &amp; procedures</li> <li>• Probationary period</li> <li>• Safeguarding Training</li> <li>• Ongoing supervision</li> <li>• Staff &amp; volunteer team meetings</li> <li>• All events are adequately staffed and supervised.</li> </ul>
<p><b>4.</b> Social Media - Cyberbullying, accessing inappropriate material. Targeted by inappropriate Individuals.</p>	<ul style="list-style-type: none"> <li>• Code of behaviour &amp; group contracts in place for children &amp; young people around use of social media.</li> <li>• Training &amp; Information on Cyber Health and Education workshops</li> <li>• Safeguarding policy in place and visible at activity level</li> <li>• Clear Anti-Bullying Policy &amp; Procedures in place</li> <li>• Incident Reporting Policy &amp; Procedures in place</li> <li>• A complaints Policy &amp; Procedure in place</li> <li>• Stringent IT security measures in place while young people are accessing Limerick Youth Service hardware and software</li> <li>• Young people made aware of rights and responsibilities.</li> <li>• Mobile phone policy for Learners.</li> </ul>
<p><b>5.</b> Risk from public, visitors to any of the centres</p>	<ul style="list-style-type: none"> <li>• Supervision Ratios maintained at all times in buildings &amp; projects</li> <li>• Young people never left alone in any premises</li> <li>• Sign in/out system in all premises</li> </ul>
<p><b>6.</b> Staff, Volunteers and / or students unaware or fail to</p>	<ul style="list-style-type: none"> <li>• All staff/students/volunteers participate in mandatory Child Safeguarding Training.</li> </ul>

respond to /or report a Child Safeguarding Concern.	<ul style="list-style-type: none"> <li>• All Volunteers &amp; new staff are made aware through Induction of what to do if they have a concern.</li> <li>• Procedures are displayed and visible in all our premises and facilities we use.</li> <li>• All Individuals are made aware of our Designated Liaison persons.</li> <li>• All staff participate in ongoing training (E Learning)</li> </ul>
<b>7.</b> Risk of young person coming to harm on Residentials/ Educational Trips or at an activity or event hosted by LYS.	<ul style="list-style-type: none"> <li>• A thorough risk assessment completed ahead of any planned activity or trip. All venues are pre-approved and covered by Insurance.</li> <li>• Supervision ratio adhered to.</li> <li>• Staff &amp; Volunteers bound by internal policies and procedures</li> <li>• Code of Behaviour</li> <li>• Toolkit for International Travel</li> </ul>

### Procedures

Our Child Safeguarding Statement has been developed in line with requirements under the Children First Act 2015, *Children First: National Guidance for the Protection and Welfare of Children (2017)*, 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 support our intention to safeguard children while they are availing of our service:

- Procedure for the management of allegations of abuse or misconduct against workers/volunteers of a child availing of our service;
- Procedure for the safe recruitment and selection of workers and volunteers to work with children;
- Procedure for provision of and access to child safeguarding training and information, including the identification of the occurrence of harm;
- Procedure for the reporting of child protection or welfare concerns to Tusla;
- Procedure for maintaining a list of the persons (if any) in the relevant service who are mandated persons;
- Procedure for appointing a relevant person.

### Implementation

We recognise that implementation is an on-going 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 Child Safeguarding Statement will be reviewed by 11<sup>th</sup> March 2024, or as soon as practicable after there has been a material change in any matter to which the statement refers.



\_\_\_\_\_  
Fiona O'Grady  
CEO, Limerick Youth Service  
Date: 28<sup>th</sup> April 2022



\_\_\_\_\_  
Audrey Fehily  
Chairperson, Limerick Youth Service  
Date: 28<sup>th</sup> April 2022

For queries, please contact Sinead Noonan, Relevant Person under the Children First Act 2015

## KEY LEGISLATIVE PROVISIONS

The following provides a brief overview of relevant legislation.

### UN Convention on the Rights of the Child

For the purpose of this policy “a child” means a person under the age of 18 years, who is or has not been married. The Convention is in essence a “bill of rights” for all children. It contains rights relating to every aspect of children’s lives including the right to survival, development, protection and participation.

The UN Convention includes four articles which give special emphasis to these ‘general principles’

I. **Non-Discrimination (Art. 2):**

All rights apply to all children without exception. The state is obliged to protect children from any form of discrimination and to take action to promote their rights.

II. **Best Interests of the Child (Art. 3):**

All actions concerning the child shall take account of his or her best interests. The state shall provide the child with adequate care when parents or others charged with that responsibility fail to do so.

III. **Survival and Development (Art. 6):**

Every child has the inherent right to life and the state has an obligation to ensure the child’s survival and development.

IV. **The Child’s Opinion (Art. 12):**

The child has the right to express his or her opinion freely and to have that opinion taken into account in any matter or procedure affecting the child.

A number of articles of the Convention are of particular relevance to Child Protection and Safeguarding.

I. **Article 19** states that parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, while in the care of parent(s), legal guardian(s) or any other person who has care of the child.

II. **Articles 34** - The child has the right to protection from all forms of sexual exploitation and sexual abuse, including prostitution and involvement in pornography.

III. **Article 35-** The state has an obligation to prevent any form of abduction of children or sale or traffic in children.



### **Child Care Act, 1991**

This is the key piece of legislation which regulates childcare policy in Ireland. The purpose of the act is to “up-date the law in relation to the care of children who have been assaulted, ill-treated, neglected or sexually abused or who are at risk”.

The main provisions of the act are:

1. The placing of a statutory duty on Tusla (Child and Family Agency) to promote the welfare of children who are not receiving adequate care and protection up to the age of 18.
2. The strengthening of the powers of Tusla to provide childcare and family support services. The improvement of the procedures to facilitate immediate intervention by Tusla and An Garda Siochana where children are in danger.
3. The revision of provisions to enable the courts to place children, who have been assaulted, ill-treated, neglected or sexually abused or who are at risk, in the care of or under the supervision of Tusla
4. The introduction of arrangements for the supervision and inspection of pre-school services.
5. The revision of provisions in relation to the registration and inspection of residential centres for children.

### **Protection for Persons Reporting Child Abuse Act, 1998**

This act came into operation on the 23<sup>rd</sup> January 1999.

The main provisions of the act are:

1. The provision of immunity from civil liability to any person who reports Child Abuse “**reasonably and in good faith**” to designated officers of Tusla, the Health Service Executive or any member of An Garda Siochana as long as the report is made in good faith and is not malicious. Designated officers also include persons authorised by the Chief Executive officer of Tusla to receive and acknowledge reports of mandated concerns about a child from mandated persons under the Children First Act 2015.
2. The provision of significant protections for employees who report Child Abuse. These protections cover all employees and all forms of discrimination up to, and including, dismissal.
3. The creation of a new offence of false reporting of Child Abuse where a person makes a report of Child Abuse to the appropriate authorities “**knowing that statement to be false**”. This is a new criminal offence designed to protect innocent persons from malicious reports.

### **Criminal Justice Act 2006**

Section 176 of this act introduced the criminal charge of **reckless endangerment of children**. It states:

1. A person, having authority or control over a child or abuser, who intentionally or recklessly endangers a child by –
2. Causing or permitting any child to be placed or left in a situation which creates a substantial risk to the child of being a victim of serious harm or sexual abuse, or
3. Failing to take reasonable steps to protect a child from such a risk while knowing that the child is in such a situation, is guilty of an offence”.

### **Criminal Justice (Withholding of information on Offences Against Children and Vulnerable Persons) Act 2012**

Under this act, it is a criminal offence to withhold information about a serious offence, including a sexual offence, against a person under 18 years or a vulnerable person. The offence arises where a person knows or believes that a specified offence has been committed against a child or vulnerable person and he or she has information which would help arrest, prosecute or convict another person for that offence, but fails without reasonable excuse to disclose that information, as soon as it is practicable to do so, to a member of an Garda Síochána.

The provisions of the Withholding legislation are **in addition** to any reporting requirements under the Children First Act 2015.

### **National Vetting Bureau (Children and Vulnerable Persons) Act 2012-2016.**

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

### **Criminal Law (Sexual offences) Act 2017**

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

## **Coco's Law "The Harassment, Harmful Communications & Related Offences Act 2020"**

**Coco's Law** created two new offences which criminalise the non-consensual distribution of intimate images.

- **It is an offence to** distribute or publish intimate images of a person, without consent and with intent to cause harm. Penalties include an unlimited fine and/or **7 years imprisonment**.
- It is an offence to take, distribute or publish intimate images of a person without consent even if there is no specific intent to cause harm. Penalties include a maximum fine of €5,000 and/or **12 months' imprisonment**.
- **Importantly** this applies even if the person initially gave consent for the picture to be taken, but they were later shared with other people without their consent.
- This law is in addition to existing legislation which makes it illegal to send, receive, or share any **sexually explicit images, video or text** of someone under 18 years of age.
- A child under 17 years of age can only be charged with an offence under this particular Act with the consent of the Director of Public Prosecutions.

## **Children First Act 2015:**

The Children First Act 2015 was enacted on 19th November 2015 and commenced in full on December 11th, 2017. The Act places a number of statutory obligations on specific groups of professionals and on particular organisations providing services to children.

Through the provisions of the Act, it is intended to:

- Raise awareness of child abuse and neglect
- Provide for mandatory reporting by key professionals
- Improve child safeguarding arrangements in organisations providing services to children
- Provide for cooperation and information-sharing between agencies when Tusla – Child and Family Agency, is undertaking child protection

The legislation also contains a provision that removes the defence of reasonable chastisement in relation to corporal punishment as part of court proceedings. The policy intent is that the legislation will operate side-by-side with the existing non-statutory obligations provided for in Children First: National Guidance for the Protection and Welfare of Children (2017).

## **Data Protection Act, 1998-2018**

The General Data Protection Regulation and Data Protection Acts 1988-2018 apply to the processing of personal data. This organisation is committed to complying with its legal obligations in this regard. The organisation collects and processes personal data relating to its employees in the course of business in a variety of circumstances, e.g., recruitment, training, payment, performance reviews, and to protect the legitimate interests of the organisation. It also collects information on young people and some personal data in order to ensure we can provide the best and safest service possible.

All personal data is stored securely in order to ensure the highest levels of confidentiality. We will ensure that only authorised personnel have access to this information on a need-to-know basis. The organisation will take all reasonable steps to ensure that appropriate security measures are in place to protect the confidentiality of both electronic and manual data. Security measures will be reviewed from time to time, having regard to the technology available, the cost and the risk of unauthorised access. The organisation has strict security policies and procedures to safeguard all personal and sensitive data such as the use of computer passwords, locking filing cabinets.

We commit to the following principles under GDPR

- Obtain and process information fairly
- Keep it only for one or more specified, explicit and lawful purposes
- Use and disclose it only in ways compatible with these purposes
- Keep it safe and secure
- Keep it accurate, complete and up to date
- Ensure that it is adequate, relevant and not excessive
- Retain it for no longer than is necessary for the purpose or purpose
- Give a copy of his/her personal data to that individual on request

**Additional legislative provisions include the following:**

- Freedom of Information Act, 1997
- Domestic Violence Act, 1996
- Non-Fatal Offences Against the Person Act, 1997

## Definition and Features of Child Abuse

A child may be subject to more than one form of abuse at any given time. The Definitions are as per Children First National Guidance 2017. Child Abuse is generally categorised as:

- Neglect
- Emotional abuse
- Physical abuse
- Sexual abuse

### Neglect

Child neglect is the most frequently reported category of abuse, both in Ireland and internationally.

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.

#### Features of 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.

Features of Emotional Abuse Include:

- 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 a child in bedroom)
- Ongoing family conflicts and family violence.
- Seriously inappropriate expectations of a child relative to his/her age and stage of development.

### **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:**

- 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

Please note that legislation regarding "reasonable chastisement" can no longer rely on this as a defence when using any physical force against a child.

## **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.

### **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)
- Exposing a child to inappropriate or abusive material through information and communication technology

### **Consensual sexual activity involving an adult and an underage person**

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

## **Other Types of Abuse**

### **Organised Abuse**

Child abuse can occur in several ways, including organised abuse. This occurs when one person moves into an area/institution and systematically entraps children for abusive purposes (mainly sexual) or when two or more adults conspire to similarly abuse children using inducements.

## Peer Abuse

In a situation where suspected child abuse is alleged to have been carried out by another child, we will deal with such incidents of peer abuse immediately and sensitively. It is necessary to gather the information as soon as possible to get the true facts around what has occurred as soon after the child(ren) may have forgotten.

It is equally important to think about the language used and the impact of that language on both the children and the parents when they become involved. If the matter is deemed to be a Child Protection Concern, we will follow the organisations policy on Safeguarding.

## Child Abuse Online

Developments in technology have facilitated the abuse of children online. This is an ever-growing concern and includes the following:

- Grooming.
- Sexting
- Cyberbullying

### **Circumstances which may make a child more Vulnerable to Harm**

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

In particular, children with disabilities, children with communication difficulties, children in care or living away from home, or children with a parent or parents with problems in their own lives may be more susceptible to harm. [Appendix 1 Guidance for Safe Use of Internet](#)

## Young Adults with Additional Vulnerabilities

All adults have the right to be safe and to live a life free from abuse. All persons are entitled to this right, regardless of their circumstances. Abuse of vulnerable adults can constitute the physical, psychological, emotional, financial or sexual maltreatment or neglect of a vulnerable adult by another person. The abuse may be a single act or perpetuated over a period of time, it may take one form or a multiple form. The lack of action can also be a form of abuse.

The safety and protection of vulnerable people is a key objective of the Government and society. Safeguarding Ireland was established to promote the safeguarding of adults who may be vulnerable, protect them from all forms of abuse by persons, organisations and institutions and develop a national plan for promoting their welfare.

There are a number of different types of abuse which vulnerable adults may be subject to including:  
Physical, Sexual, Psychological, Financial or Material and Discriminatory Abuse

Incidents of physical and sexual assault, fraud and financial exploitation are crimes and should be reported to the Gardai. In the case of sexual offences involving people with disabilities, specific provision is contained in section 5 of the Criminal law (Sexual offences) Act 1993. Ireland is a signatory to the UN Convention on the Rights of Persons with Disabilities.



## Procedure

Any staff member who has a concern about abuse or neglect of a vulnerable adult may call the HSE Safeguarding Team in the relevant district. The Vulnerable Adult may also contact the Team themselves.

The contact number for Clare, Limerick, North Tipperary and East Limerick is 067-46470

Email: [Safeguarding.cho3@hse.ie](mailto:Safeguarding.cho3@hse.ie)

A social worker will complete an initial assessment either over the phone or in person and decide if a referral is required and also what supports are needed.

## 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 is defined as "repeated inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise, among school aged children that involves a real or perceived power imbalance, which could reasonably be regarded as undermining the individual's right to dignity. An isolated incident of the behaviour described in this definition may be an affront to dignity but as a once off incident is not considered to be bullying." The behaviour is repeated, or has the potential to be repeated, over time. Both young people who are bullied and who bully others may have serious, lasting problems.

Examples of Bullying include:

- Personal insults and name calling, such as homophobic bullying, e.g., "that's so gay".
- Persistent unjustified criticism and sarcasm.
- Bullying includes actions such as making threats, spreading rumours, attacking someone physically or verbally or for a particular reason e.g., size, hair colour, gender, sexual orientation, and excluding someone from a group on purpose.
- Sexting: Sexting is when someone sends or receives a sexually explicit text, image or video. This includes sending 'nude pics', 'rude pics' or 'nude selfies'
- Cyberbullying: Cyberbullying is the use of phones, instant messaging, e-mail, chat rooms or social networking sites such as Facebook and Twitter to harass threaten or intimidate someone for the same reasons as stated above. Our efforts to keep young people safe is still paramount in our work. [Appendix 2 Code of Behaviour](#)

## Confidentiality

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This section outlines and provides guidance on Limerick Youth Service's code on confidentiality. Youth work generally involves the development of trusting relationships where it may be common for children and young people to divulge personal information. Therefore, all staff and volunteers need to be aware that a young person or a colleague may disclose that they are being abused or know of someone who is being abused.

Confidentiality is about managing sensitive information in a manner that is respectful, professional and purposeful. All information provided to Limerick Youth Service by a child or young person, volunteer or staff member must be treated in a confidential manner. All staff and volunteers have a responsibility to handle all sensitive information in line with Limerick Youth Service's code on confidentiality.

### **Code of Confidentiality**

1. All information regarding a Child Safeguarding concern or suspected case of Child Abuse must be only shared on a 'need to know basis' and always in the best interests of the child's general welfare and safety. The subject should never be discussed with other persons in the organisation, including staff, volunteers or young people if they are not directly involved.
2. In the case of a Child Safeguarding concern, no member of staff or volunteer should promise to tell a person they can keep a secret to any person disclosing the information. The person receiving the information should also never state that they would keep a secret. This could give the person who made the disclosure think that the information is not that serious or infer a range of mixed messages. It must be made clear to the person(s) making the disclosure that secrets cannot be kept but that the information will only be shared with the appropriate person who will handle the information sensitively.
3. Sharing information with an appropriate / designated liaison person for the protection of a child is not a breach of confidentiality.
  - Codes of confidentiality do not intend to prevent the exchange of information between individuals who have a responsibility to protect children.
  - Where the interests of the parents and the child appear to conflict, the child's interests must be paramount in relation to child protection and welfare issues.
  - Parents/guardians and children/young people have a right to know if personal information is being shared, unless doing so could put the child/young person at further risk or may put the reporter at risk
4. Personal information, which is gathered for a specific purpose, should never be used for any other purpose without consulting the person who provided that information as per Data Protection Act.

5. All staff and volunteers working with children must have some training on understanding the importance of confidentiality and the limitations of confidentiality in relation to Child Safeguarding issues.

### **Storing and Use of Information -**

All information relating to child protection and welfare recordings are classified as “restricted data” which is highly sensitive and confidential.

The CEO maintains copies of all Child Protection Welfare Reports submitted in a safe and secure office. The Designated Liaison Person will maintain a file containing any correspondence/follow up/actions on the incident/concern/individual child and are stored with the report in a secure office.

This information will be stored in a safe secure location, separate to any other files on any of the individuals involved and accessible only to the Designated Liaison Person and CEO. The information contained in this file should only be accessed when required for meetings/discussions directly related to the concern/incident and any subsequent investigation or legal proceedings.

The information contained in the file should only be removed/transported from the premises where it is stored for meetings/discussions directly related to the concern/ incident and any subsequent investigation or legal proceedings.

Information should not be removed from the premises where it is stored for off-site preparatory work for meetings/discussions directly related to the concern/ incident and any subsequent investigation or legal proceedings.

The Data Protection Acts and General Data Protection Regulation do not prevent the sharing of information on a reasonable and proportionate basis for the purposes of child protection

A report of suspected abuse to Tusla would not normally be released under Freedom of Information (FOI), as it would be considered to be 'third party confidential' information. However, if a request was appealed to the FOI commissioner, or if it was subject to a discovery order, the information could be released. The rule of thumb is, that when it comes to reporting information, there is no guarantee of confidentiality. This is written on the back of the Standard Form for Reporting.

### **Record Keeping Practice**

All child protection and welfare concerns or reports must be recorded, even if a decision is made that they do not meet the established thresholds for reporting to Tusla

Clearly document any consultations, decisions or actions taken in relation to a child protection or welfare concern, including any discussions held with the child, parent or service user, Tusla or An Garda Síochána. Records should be made as soon as possible, and it is recommended that they should be completed within 24 hours.

Child protection and welfare concerns must be kept in perpetuity.

Line managers must ensure that records of all child protection and welfare reports to Tusla and/or An Garda Síochána are maintained appropriately by all staff

## Key Roles in Safeguarding

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### Child Safeguarding Trainer and Coordinator:

- This staff member has a lead role in the development of guiding principles and child safeguarding procedures.
- Ensuring that policies and procedures are consistent with best practice as detailed herein.
- Training Coordinator for all staff and Volunteers in relation to Safeguarding.

### Child Safeguarding Team

A dedicated Child Safeguarding Team has been established in the organisation comprising of the Designated Liaison Persons, the CEO of Limerick Youth Service and staff trained in the National Youth Council of Ireland (NYCI) Child Safeguarding Awareness Programme.

### Relevant Person

As defined in the Children First Act 2015, 'means a person who is appointed by a provider of a relevant service to be the first point of contact in respect of the provider's Child Safeguarding Statement'.

Sinead Noonan. [sineadn@limerickyouthservice.org](mailto:sineadn@limerickyouthservice.org)

### The Role of the Designated Liaison Person

There are two Designated Liaison Persons appointed in the Limerick Youth Service. The Designated Liaison Person will act as a resource to any young person, staff member and volunteer who have Child Safeguarding concerns. The D.L.P.'s are available Monday to Friday 8:30am to 5pm. All dealings of a Child Safeguarding nature go through the Designated Liaison Person who in turn may make a referral to the Tusla (Child and Family Agency) or Gardaí.

### **Limerick Youth Service Designated Liaison Persons:**

Sinead Noonan

Limerick Youth Service,

Northside Youth Space, Ballynanty,

Limerick.

061/ 408122/ 083/1736481

[sineadn@limerickyouthservice.org](mailto:sineadn@limerickyouthservice.org)

Catherina Barrett

Limerick Youth Service,

Lower Glentworth Street,

Limerick.

061/412444/ 083/4478476

[catherinab@limerickyouthservice.org](mailto:catherinab@limerickyouthservice.org)

In the absence of the Designated Liaison Persons, staff, volunteers and young people can contact

Limerick Duty and Intake Social Work Service: 061 / 607101

Out of hour contact for Mandated persons: 0818776315.

**Or if a child is in immediate danger:** An Garda Síochána

### The role of the Designated Liaison Person is as follows:

- Consider whether there are reasonable grounds for reporting it to the Tusla.
- To report suspicions and allegations of Child Abuse to Tusla.
- To provide information and advice on Child Safeguarding within the organisation.
- Ensure that the organisation's reporting procedure is followed, so that child protection and welfare concerns are referred promptly to Tusla
- To give advice on individual cases, where appropriate.
- To advise on good practice and guidelines on Child Protection.
- To liaise with Tusla, Gardaí and other agencies as appropriate.
- To keep the CEO of the Limerick Youth Service up to date on number and type of referrals.
- To maintain proper records on all referred cases in a secure and confidential manner.
- To ensure that all young people, staff & volunteers are familiar with the Designated Liaison Person.
- Provide feedback to the referrer, as appropriate.
- Ensure that a secure system is in place to manage confidential records.
- To keep informed about current developments regarding the provision, practice, support services, legal obligations etc.

### Mandated Persons

All staff within Limerick Youth Service that are mandated are made aware of this through their Induction and Safeguarding Training in compliance with Children First Act 2015 (Section 3)

Mandated persons are Individuals who have contact with children and/or families and who, because of their qualifications, training and/or employment role, are in a key position to help protect children from harm. Mandated persons include professionals working with children in the education, health, justice, youth and childcare sectors

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

These are:

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

**Harm** – means, in relation to a child

(a) assault, ill treatment or neglect of the child in a manner that seriously affects or is likely to seriously affect the child's health, development or welfare, or

(b) sexual abuse of the child, whether caused by a single act, omission or circumstance or a series or combination of acts, omissions or circumstances, or otherwise

**All sexual abuse** falls within the category of seriously affecting a child's health, welfare or development.

**Threshold of Harm** Is reached when you know, believe or have reasonable grounds to suspect that a child has been, is being or is at risk of Being:

- Ill-treated (Emotional Abuse)
- Neglected
- Physical Abuse (assaulted)

to the point where the child's health, development or welfare have been or are being seriously affected or are likely to be seriously affected.

"Where a child believes that he or she– (a) has been harmed, (b) is being harmed, or (c) is at risk of being harmed and discloses this belief to a mandated person in the course of a mandated person's employment or profession as such a person, the mandated person shall, as soon as practicable, report that disclosure to Tusla."

Best practice requires that the DLP is informed of all such reports

### **Procedures to maintain a list of mandated persons**

The list of mandated persons is maintained by the Organisation and the Children's Officer

#### **Procedure**

- As new staff members are appointed to Limerick Youth Service, it will be clarified if they are mandated persons on the basis of their qualification and role within the organisation
- The list of mandated reporters will be updated accordingly by the Safeguarding Officer when new staff are appointed and also once a person leaves the organisation.
- Mandated persons receive a briefing of their role and responsibility as part of their induction and Child Safeguarding Training by one of the Child Safeguarding Trainers
- Mandated persons will be informed in writing of their role.
- Mandated person will be required to sign a letter of agreement and forward a copy of same for retention by the HR Department.

## Responding to & Reporting Child Protection or Welfare Concerns

### Dealing with Disclosures

Should a young person disclose abuse to you the following important points should be taken into consideration:

- Take what the young person says seriously.
- Be as calm and as natural as possible. Remember that you have been approached because you are trusted and possibly liked. Do not panic.
- Be aware that disclosures can be very difficult for the young person.
- Reassure the young person that it was right to tell somebody what happened and that they have done nothing wrong.
- Remember that the young person may initially be testing your reactions and may only fully open up over a period of time.
- Listen to what the young person has to say. Give them the time and opportunity to tell as much as they are able and wish to. Do not pressure the young person. Allow him/her to disclose at their own pace and in their own language.
- Be careful when asking questions. Your job is not to investigate but to support the young person. Avoid leading questions such as whether a specific person carried out the abuse, or whether specific acts mentioned by the young person occurred. Such questions may complicate an official investigation.
- Do not express any opinion about the alleged abuser to the young person.
- It may be necessary to reassure the young person that your feelings towards him/her have not been affected in a negative way as a result of what he / she has disclosed.
- Do not promise to keep secrets. At the earliest opportunity tell the young person that you acknowledge that they have come to you because they trust you. Tell him / her that there are secrets which are not helpful and should not be kept because they make matters worse. Such secrets hide things that need to be known if people are to be helped and protected from further ongoing hurt. By refusing to make a commitment to secrecy to the young person, you do run the risk that they may not tell you everything or indeed anything, there and then. However, it is better to do this than to tell a lie and ruin the young person's confidence in yet another adult. By being honest, it is more likely that he/she will return to you at another time.
- At the earliest possible opportunity record in writing what the young person has said, including as far as possible, the exact words uttered by him / her. Record facts only, no opinions or hearsay.
- Pass on all information to the Designated Liaison Person and not to any other third party, as disclosures are on a need-to-know basis only.
- The Designated Liaison Person will carry out the necessary steps in making a referral to Tusla.

### **Ongoing Support**

Following a disclosure by a child, it is important that the Limerick Youth Service staff and volunteers continue in a supportive relationship with the child. Once the Designated Liaison Person makes the referral to Tusla, our duty to care on the disclosure is passed on. Disclosure is a huge step for many children and support should be continued through:

- Maintaining a positive relationship with the child.
- Keeping lines of communication open by listening to the child.
- Continuing to include the child in the usual activities.

Any further disclosures should be treated as a first disclosure and responded to accordingly.

### **Dealing with A Suspicion of Child Abuse**

In situations where a suspicion / concern may be deemed vague i.e. where there is no specific allegation but there is some concern based on the emotional behaviour and/or physical presentation or behaviour of the child, then staff/volunteers should consult the Designated Liaison Person for advice. The Designated Liaison Person will assess whether a report is warranted and will seek the advice of Tusla if required. Details of the consultation will be recorded and filed. A formal report to Tusla may follow as advised.

### **Reasonable Grounds for Concern (Children First National Guidance)**

If you have reasonable grounds for concern that a child may have been, is being, or is at risk of being abused or neglected please follow the organisational reporting procedures.

Reasonable grounds for a child protection or welfare concern include:

- Evidence, for example an injury or behaviour, that is consistent with abuse and is unlikely to have been caused in any other way.
- Any concern about possible sexual abuse.
- Consistent signs that a child is suffering from emotional or physical neglect.
- A child saying or indicating by other means that he/she has been abused
- Admission or indication by an adult or a child of an alleged abuse they committed
- An account from a person who saw the child being abused.



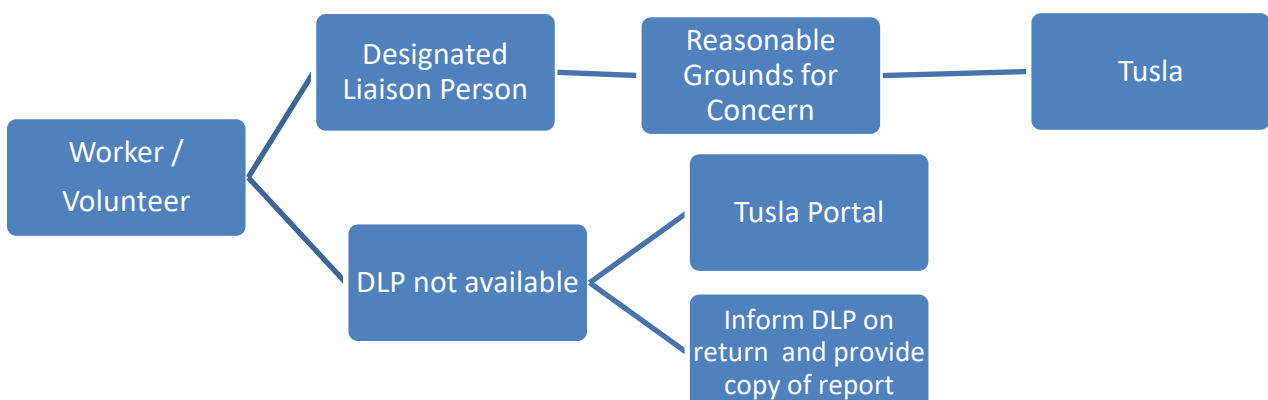
## Reporting Procedure

Section 14 of the Children First Act 2015 requires mandated persons to report a mandated concern to Tusla 'as soon as practicable'. You should submit a report of a mandated concern to Tusla using the required report form, on which you should indicate that you are a mandated person and that your report is about a mandated concern

The Limerick Youth Service Procedure for all staff and volunteers is as follows:

- Discuss with Designated Liaison Person if a Mandated Report needs to be made (if meets threshold for harm)
- Make Report Jointly with Designated Liaison Person or if DLP not available complete report and submit to Tusla. (using Tusla web portal)
- Furnish D.L.P. with copy of report immediately on their return which they will file appropriately and safely.
- If the DLP decides not to make a report, the worker/volunteer with the reasonable concern is still entitled to make a report to Tusla under Children First: National Guidance for the Protection and Welfare of Children, should they wish to do so. In reporting to Tusla, the individual worker has protections under the Protections for Persons Reporting Child Abuse Act 1998, should they report independently.
- Authorised persons are obliged to acknowledge in writing all mandated reports they receive. If you feel the concern may require urgent intervention to make the child safe, section 14(7) of the Children First Act 2015 allows you to alert Tusla either in person or by phone of the concern in advance of submitting a written report. You must then submit a mandated report to Tusla on the report form within 3 days. Link to report form:  
[https://www.tusla.ie/uploads/content/Child\\_Protection\\_and\\_Welfare\\_Report\\_Form\\_FINAL.pdf](https://www.tusla.ie/uploads/content/Child_Protection_and_Welfare_Report_Form_FINAL.pdf)
- If A DLP is not available a mandated/non mandated person can submit a report on the Tusla Web Portal. To use the portal, you will need to create an account. You can print off a copy of the report you submit via the portal for your records. A copy of the report must be submitted to the DLP for record keeping purposes on their return.

### Reporting Procedure



## **Alerting Parents**

It is usually good practice (but not required under the Act) to tell the family that you are making a report, unless:

- By doing so the child will be placed at further risk
- Where the family knowing about the report could affect Tusla's ability to carry out a risk assessment
- You believe that doing so would place you at risk of harm from the family

## **Retrospective Reporting & Disclosure**

Retrospective abuse refers to abuse that an adult discloses that took place during their childhood

A report needs to be made (under CF Guidance) where there is a current or potential future risk to children from the person against whom there is an allegation.

- If concern relates to Retrospective Abuse; Complete Retrospective Abuse Report Form with D.L.P. link to form:
- [https://www.tusla.ie/uploads/content/Retrospective\\_Abuse\\_Report\\_Form\\_FINAL.pdf](https://www.tusla.ie/uploads/content/Retrospective_Abuse_Report_Form_FINAL.pdf)

## **Consequences of Non-Reporting**

The safety and welfare of children must always take priority and be the centre of any decisions made. Failure to recognise or report a child protection or welfare concern or take the necessary safeguarding measures to remove a child from harm, may result in a child being left at risk of abuse or neglect. Furthermore, the removal of risk from one child does not necessarily mean that there are no other children at risk. It is therefore essential that Tusla is informed of all risks to children where there are reasonable grounds for concern. A staff member may be subject to a range of consequences for failing in their duty of care to a child.

1. A complaint in relation to Fitness to Practice Committee of a regulatory body of which you are a member
2. Information may be passed about failure to make a report to the National Vetting Bureau of An Garda Síochána. This information could therefore be disclosed to your current or future employers when you are next vetted
3. Fine or imprisonment, or both, in the case of a failure to report an offence to An Garda Síochána under the Criminal Justice Act 2006.

## Responding to Allegations Against a Staff Member/ Volunteer

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

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

The following procedures are in line with Children First National Guidance in the event of suspicion or disclosure of abuse against an employee, volunteer or CEO. Limerick Youth Service will give due regard for the rights and interest of the child on one hand, and those of the person against whom the allegation is made on the other hand. The CEO/HR Manager of the Limerick Youth Service will deal with the staff member / volunteer in question, the Chairperson of the Board with allegations against the CEO while the Designated Liaison Person will have the responsibility of dealing with the reporting issue to TUSLA.

Staff / volunteers/ CEO may be subjected to erroneous or malicious allegations; therefore, any allegation of abuse should be dealt with sensitively and support provided for staff as well as the child, including counselling where necessary. However, the primary goal is to protect the child while taking care to treat the staff member/volunteer fairly.

Limerick Youth Service accepts the possibility that a number of factors may have a bearing on the organisation and will need to be considered:

- Possible reactions of other members of staff / volunteers including anger, disbelief, doubt, fear, guilt, shock, anxiety and confusion.
- The effects on the alleged abuser of the internal disciplinary proceedings, the Child Safeguarding investigation and the criminal investigation.
- The reactions of other staff / volunteers and the other children towards the young person who has been abused or whose allegation is being investigated.
- The reaction of parents / carers and other family members of the young person.

Any allegation of abuse against a worker/volunteer will be dealt with sensitively and support will be provided by the organisation for both the worker or volunteer who allegedly abused a child/young person and the worker or volunteer who reported the alleged abuse. Appropriate levels of confidentiality will be always adhered to.

1. If the complaint is against a staff member/volunteer:

- The CEO on receiving/being made aware of the allegation will as a matter of urgency take any measures necessary to protect the child/young person. These should be proportionate to the level of risk to the child/young person; 'protective measures' do not presume guilt.
- Parents/guardians should be informed of any action planned while having regard to the rights to confidentiality of others, such as the person against whom the allegation has been made
- The CEO/HR Manager will inform the worker/volunteer that an allegation has been made against him or her and the nature of the allegation.
- The worker/volunteer will be afforded an opportunity to respond.
- A decision will be made based on the information provided whether an investigation is warranted. Should this be the case the organisation will follow its procedures on Discipline in the workplace. (Appendix 3)
- It may be necessary to inform Tusla/An Garda Siochana based on the outcome of the investigation. The worker/volunteer will be kept informed at all stages
- A separate report may be made to Tusla by the Designated Liaison Person.
- Parents/guardians will be informed of any action planned while having regard to the confidentiality rights of the person against whom the allegation has been made.

2. If against the CEO:

- Should the complaint be against the CEO, the complainant should address the Chairperson of the Board.
- They will decide if an investigation is warranted and the Complainant will receive an acknowledgment within seven working days of receipt of the complaint and the timeline that may be involved.
- The Chairperson will inform the CEO that an allegation has been made against him or her and the nature of the allegation.
- The CEO will be afforded an opportunity to respond. The principles of natural justice will be prevailed in all instances.
- A decision will be made based on the information provided whether an investigation is warranted. Should this be the case the organisation will follow its procedures on Discipline in the workplace.

### 3. Concerns regarding a co-worker

It is important that if a worker or volunteer has a concern about the behaviour of another worker/volunteer that they report these concerns to the Designated Liaison Person. Concerns about colleagues' behaviour may relate to:

Breaches of the organisation's code of behaviour;

- Conduct which may breach professional standards or codes of ethics.
- Suspected or witnessed abuse.

If the concern relates to poor practice it should be discussed with the relevant manager. If the concern involves suspected or witnessed abusive behaviour, this should be reported without delay to the DLP (following the organisation's reporting procedure).

It may be necessary to follow the organisation's procedure for responding to allegations of abuse against workers and volunteers.

If the concern does not need to be reported to Tusla (i.e. does not meet reasonable grounds for concern), it may still need to be addressed by the DLP or line manager with the worker/volunteer. This would be the case, for example, if the concern related to poor practice rather than abusive behaviour.

[Please refer to code of behaviour and Disciplinary policy Appendix 3](#)

It is important to note that "The Protection for Persons Reporting Child Abuse Act, 1998" applies equally to organisations provided they report the matter "**reasonably and in good faith**".

## Working Safely with Children & Young People

### Safe Recruitment & Selection Procedures

Limerick Youth Service adopts the safe recruitment and selection practices outlined in Children First National Guidance endeavouring to protect young people from harm. The procedures are designed to be clear, unambiguous and equitable and in the best interest of young people and adults alike.

[Recruitment policy Appendix 4](#)

Safe practice starts with safe recruitment procedures and involves:

#### Staff:

- Recruitment and selection; Thorough Selection Procedures. Application Form. In-depth Interview Process. References. Medicals. Declaration of Suitability; Garda Vetting.
- Induction Period: Training, (Health & Safety, Manual Handling, Child Safeguarding, and any other relevant training relevant to the role.
- Probationary Period.
- Clarification of Job Role and through Job Description
- Issue of Staff Handbook
- Support & Supervision

#### Volunteers

The Club & Project support worker is responsible for the distribution of Volunteer Packs to clubs and Projects. All new and potential volunteers are issued with an Application Pack. This includes completing an application form, Garda Vetting, references, and Induction Training. Only volunteers that have been satisfactorily Garda vetted and references returned are permitted to volunteer.

All new volunteers are required to attend Safeguarding Training and complete the Tusla elearning module Training. is a continual process, which begins at the stage of induction and includes the following:

- NYCI Child Safeguarding Awareness Training.
- Developmental groupwork
- Respect and dignity (anti-bullying)
- Dealing with challenging behaviour
- Conflict resolution
- Leadership
- Health and safety
- Practical skills

The Service strives to meet the training needs of all staff/volunteers, where possible.

## Training Strategy

The Co-ordinator of the Child Safeguarding Team ensures that all trainers in Child Safeguarding in LYS have completed the necessary training and any follow ups necessary. The training programme currently in use is the National Youth Council of Ireland and as part of that programme all Trainers sign up to guidelines in relation to delivery of the programme. All certified Trainers are monitored by Youth Work Ireland. A trainer must register each year and meet all necessary criteria.

The Safeguarding Team facilitate and schedule Training throughout the year for new staff, students and volunteers. This ensures that the mandatory training is undertaken as soon as is practical and as close to an Individuals start date as possible. The Training is valid for 4 years. All staff, volunteers and students must also complete the E learning Tusla module on the Tusla Website. This Training is valid for 2 years.

A record of training completed by all staff is maintained on file.

Any legislative changes or new information regarding Safeguarding are communicated to staff and volunteers on a timely basis

Youth Clubs affiliated to Limerick Youth Service are required to display the Safeguarding Statement in a prominent position.

The DLP and Deputy DLP undertake any necessary refresher training as appropriate.

## CODE OF BEHAVIOUR FOR STAFF AND VOLUNTEERS

The child-centred ethos of the Limerick Youth Service creates an environment in which children are valued, encouraged and listened to. We respect the rights of young people as individuals in society. Through training and education we ensure that young people know their rights and responsibilities.

All staff, volunteers and students are required to follow the Limerick Youth Service code of behaviour, thus providing a safe, comfortable and positive environment for young people.

- Under no circumstances should an adult transport a child/ young person in their car.
- If a Staff member is working alone with a young person, a risk assessment must be carried out first by the relevant Line Manager and staff member and a plan drawn up to mitigate any possible vulnerabilities. [Lone Working Policy appendix 5](#)
- Staff/volunteers must be sensitive to the possibility of becoming over involved or spending a great deal of time with any one young person. We need to be clear about the purpose and nature of the relationship with any young person e.g. is the relationship constructive in building up the independence and autonomy of the person or is it being used to satisfy our own agenda.

- Staff/volunteers should ensure, in so far as possible, that buildings or facilities, which they use, for activities with young people are safe and secure for the people in it. All occupied parts of the building should be monitored and parts not in use should be isolated or secured.
- For experienced workers, the member/worker ratio should be no more than 10:1. For new workers, the ratio should be less i.e. no more than 5:1.
- When dealing with young people with challenging behaviour, it is recommended, where possible, that more than one worker is present.
- When dealing with group members of mixed sexes it is important that workers have sufficient leaders of both sexes to properly manage all activities and areas of any premises in use.
- Staff members and volunteers should always be respectful of the privacy of young people in dormitories, changing rooms, showers and toilets.
- Staff members and volunteers should be sensitive to the risks in participating in some contact sports with young people and ensure that the young people are treated with dignity and respect.
- Young people should be encouraged to report cases of bullying to a staff member/volunteer of their choice.
- Staff and volunteers should never physically punish or be in any way verbally abusive to a child, nor should jokes of a sexual nature be told to or in the presence of a young person.
- Under no circumstances give alcohol, tobacco or drugs to children or young people.
- Do not use alcohol, tobacco or drugs in the company of children or young people.
- Use only age appropriate language media products and activities in working with children and young people.
- Do not take pictures of children or young people unless you have prior parental consent to do so.
- All staff /volunteers are required to maintain a positive attitude towards young people that respects the personal space, safety and privacy of individuals.
- If taking a group of young people away on a day trip, or sporting activity, you must ensure you have proper transport, adequate insurance cover, enough supervision and written parental consent. Facts must also be obtained of any specific medical conditions a young person suffer from and plans in place to deal with such, should the need arise. (See guidelines for Residential Trips)



- Never do anything of a personal nature for children and young people which they can do for themselves.
- Personal contact outside of youth work business should not be made with children and young people.
- First Aid can be administered to a child /young person as long as it is to be done in an open environment. Any First Aid administered should be recorded and parents of child/young person advised.

## The Safe Management of Activities

In addition to the Code of behaviour all staff / volunteers are required to follow the guidelines below when conducting any activity with young people:

- Each child / young person must be registered on Limerick Youth Service standard registration form (Appendix 6).
- Parental consent forms and contact details for parents / guardians for each child / young person taking part in any activity.
- Ensure that all primary carers and young people are aware of our Child Safeguarding policy and procedures
- Ensure all staff / volunteers and young people are aware of emergency procedures for fire and other accidents
- All staff / volunteers must follow the procedures for dealing with challenging behaviour.
- All activities carried out must be done so by qualified and experienced personnel.
- Activities and/or outings undertaken must be covered by suitable insurance.
- Children and young people must not be left unattended during activities and sufficient supervision must be ensured at all times.
- Online activities should be age appropriate and monitored;
- A safety check will be carried out on all facilities and equipment utilised ahead of undertaking any activity/event with a young person.
- Attendance records must be kept of all activities, outings etc. stating details of all participants, leaders, programmes etc.

Online Safety (Including use of photography, video and/or social/digital media)

All staff must understand that threats to children from online activity are increasingly a factor in many types of abuse. All staff should be aware that these risks also evolve and change. The organisation has a social media policy which all staff and volunteers must adhere to.

### **Accidents & Incidents**

All accidents and Incidents, however minor, should be recorded on the Incident/Accident report form which can be accessed on through the staff portal section on the Limerick Youth Service website. These reports once completed and submitted will be forwarded to Catherine O'Donnell, Limerick Youth Service. All reports should be completed immediately or at the latest within 3 days of the incident/accident occurring.

In the event of an accident, parents or guardians should be informed immediately. Where medical attention is required, this should be sought as a matter of urgency and recorded in the accident report form.

## PROCEDURE TO FOLLOW ON DAY TRIPS AND RESIDENTIALS

When taking young people away on day trips and residential, staff and volunteers should always be attentive to such matters as:

- Safety – activities, buildings, transport etc.
- Insurance – ensure that it is adequate to cover all aspects of the trip.
- Parental consent – staff / volunteers must ensure that they have written consent from parent(s)/guardian(s) before taking young people away on trips. It must also be ensured that they have permission for the young person to receive medical treatment in the event of an emergency.
- Staff / volunteers should ensure that they are made aware of any medical information which may be relevant e.g. allergies.
- Sleeping arrangements – sleeping areas for males and females should be in separate and supervised quarters and supervised by at least two people.
- Adequate supervision should be available for the duration of the residential. Provisions should be made for any emergencies that may arise i.e. should a young person take ill, or become homesick then transport should be at hand and there should be enough staff / volunteers present to deal with the situation and also to supervise the other young people.
- Staff / volunteers should respect the privacy and never enter the bedroom or bathroom of a young person without knocking or letting the young person know you are entering. Time should never be spent alone with a young person during a residential. Staff / volunteers should always be aware of avoiding compromising situations with young people.
- If in an emergency situation an adult considers it necessary to enter a young person's bedroom / bathroom without another adult present, they should:
  - a) Keep the door open
  - b) Immediately inform another adult in a position of responsibility
  - c) Make a written record of the circumstances
- Staff / volunteers should always be aware of avoiding compromising situations with young people.
- Maintaining standards and good youth work practice is essential for Residential's'. Please ensure that procedures in relation to the Code of Behaviour are followed.

## Dealing with Challenging Behaviour

Challenging behaviour can be defined as “behaviour which threatens staff / volunteers, other people or the child / young person themselves, in a verbal and / or physical manner. When confronted with such behaviour staff / volunteers must adhere to the following guidelines:

- Challenge the behaviour of the child / young person and not the person themselves.
- Try to remain as calm as possible and avoid becoming emotionally charged in dealing with the situation.
- Behaviour management must always emphasise positive approaches and prohibit any harsh or degrading actions.
- Consideration needs to be given to the developmental as well as the chronological age of the child / young person.
- Be aware of signals that may trigger further outbursts in the child / young person, such as change of tone of voice, body language etc.
- If the challenging behaviour presents itself with others around, either remove yourself and the child / young person away from others so you can talk in a calmer environment, or, ask another staff member / volunteer to take the others to an alternative location.
- It is always advisable to seek the support of another staff member / volunteer when confronting challenging behaviour.
- Outline to the child / young person the sanctions for their behaviour and discuss with them possible techniques they may adopt to avoid such situations in the future.
- Ensure you place yourself in an area with a clear escape route, should violence erupt.
- Given the nature of the situation and the extent of the challenging behaviour, the parents / guardians of the child / young person may need to be contacted and asked to collect the individual to take them home.

Adequate time should be allowed for the child / young person to calm down and only then should their behaviour be discussed any supports and / or sanctions be imposed. Sanctions imposed must be fair and consistent at all times and understood by the child/ young person.

- Should your safety feel compromised and / or in danger, seek support from management and/ or Gardaí.
- All incidents will be recorded in the Incident report book statement form

## Complaints Procedure

Limerick Youth Service are committed to providing a high standard of service to members of the public, parents, volunteers, young people, suppliers and agencies with whom we engage with. We welcome your feedback (comments, recommendations, complaints and compliments) on any aspect of the way we do things. You can do this in person, by telephone, email, or letter. We also recognise that from time to time we may not be achieving our high levels of service. Therefore, our aim is to gain information to enable us to improve and meet your needs and rectify any matter of concern.

### Principles

- Any complaints we receive are viewed as an expression of dissatisfaction with the service.
- They will be dealt with at the earliest possible time and in confidence in so far as is possible.
- We endeavour to rectify the matter with an appropriate response. i.e. apology, explanation etc.
- They will be dealt with in a fair, open and impartial manner.
- Any comments or suggestions will be viewed as an opportunity to learn, adapt, improve and provide a better standard of service
- Any compliments received in a particular aspect of how we do things or in relation to a staff member will be notified to that particular area of work or person and their Line Manager.
- LYS will maintain a complaint register. All complaints verbal or written will be notified to HR Manager and will include: Date of Complaint, Details of Complaint, Action Taken, Individual who handled the complaint.

### What is a Complaint:

A complaint is any form of criticism or suggestion in respect to any aspect of a service or programme. A complaint should not be confused with a Child Safeguarding concern for which the reporting procedure must be followed. When a complaint is received that leads to a concern about a child's safety or well-being, Limerick Youth Service must ensure that they act appropriately and in the best interests of the child, and that Children First Guidelines are implemented as appropriate. The welfare of the child is paramount at all times.

A distinction must also be made between:

- Minor complaints that can be handled informally and internally within youth club / group / project.
- Complaints requiring a formal process.

### Complaints may arise in response to:

- An alleged breach of the code of behaviour by a worker/volunteer;
- A particular practice issue; Perceived poor attitude of a worker/volunteer;
- A child/young person feeling unhappy about an incident or an event;
- A parent/guardian feeling unhappy about an incident or event involving their child;
- Dissatisfaction in relation to an aspect of the service being provided

## **Complaint Handling Procedure**

If you have a concern or complaint, there is a procedure in place as follows:

### **1. Local Resolution**

- a) Staff will provide whatever assistance to the person making the complaint and aim to deal with it promptly and at point of contact.
- b) If staff are unable to resolve the issue it will be passed onto the relevant Line Manager as appropriate.
- c) All queries will be acknowledged within five working days, either in person or by phone and responded to within seven working days, in writing if necessary. If it is not possible to meet this time frame a letter detailing the reasons will be issued.
- d) If the complaint is against a staff member, please report the matter to a manager on duty and put the complaint in writing. The relevant manager will where necessary assist the individual to complete the form. Should there not be a manager present please complete the form and address to the manager. If this is not possible, the individual may contact Human Resources. The organisation will conduct a fair and impartial investigation involving the complainant and the person against whom the complaint was made. Complaint Form. (Appendix 7)

### **2. Service Investigation:**

- a) If the complaint has not been brought to a satisfactory conclusion it may be forwarded in writing to the HR Department, Limerick Youth Service, Lower Glentworth Street, Limerick using the Complaint Escalation Form. (Appendix 8)
- b) Your correspondence will be acknowledged within five working days of receipt.
- c) The matter of concern will be reviewed by an internal committee and the person will receive a written reply within a month after the initiation of the investigation. Details of the rationale for the decision arrived at will be included in this correspondence.
- d) If the complaint raises potentially serious matters, then legal advice may be sought, and the complaints procedure will be will no longer be used an investigative process by the organisation.
- e) Should the complaint be against the CEO, the complainant should address the Chairperson of the Board. They will decide if an investigation is warranted and the Complainant will receive an acknowledgment within seven working days of receipt of the complaint and the timeline that may be involved. The principles of natural justice will be prevailed in all instances.

### **3. Independent Review:**

- a) If your concern/complaint cannot be resolved at stages one or two then it may be brought to the attention of the C.E.O. of Limerick Youth Service for further investigation.
- b) Your complaint will be acknowledged within five working days and you will at this stage be given a timeframe for a response.

**Data Protection:** All personal information is held in accordance with the Data Protection Acts 1988 and 2003.

### **Supervision and Support of Workers and Volunteers**

Management and supervision of workers and volunteers after appointment is equally important to keep children safe. Supervision of workers/volunteers helps maintain best practice and safeguards children availing of the service. The Limerick Youth Service recognises the importance of supervision, and should individual staff require additional support, particularly in areas relating to issues such as child protection, this will be made available as far as possible. Staff support and supervision allows staff to raise concerns and talk over queries relating to any area of their job. [Support & Supervision Policy Appendix 10](#)

### **Review & Evaluation**

This policy will be reviewed on an annual basis or sooner should there be any new developments in legislation or material change to which the policy refers. The Policy is approved by the Board of Limerick Youth Service. Proposals for additions and/or amendments are considered by the Child Welfare and Safeguarding Committee of the Organisation on an ongoing basis. Once proposed amendments are approved by the Committee they are then put forward to the Board for final approval.

The organisation is fully committed in its obligations under Children First and has a dedicated Safeguarding Committee to oversee child safeguarding practice, policy and procedures within Limerick Youth Service and to ensure they meet the highest possible standards.

The committee is responsible for facilitating training of all staff, volunteers and students, policy review and dealing with any Safeguarding Complaints that may be brought before the Board.

The committee also provides an oversight report to the Board on a quarterly basis. [Appendix 12](#)

## Useful Resources

[www.tusla.ie](http://www.tusla.ie)

1. Children First National Guidance for the Protection and Welfare of Children 2017
2. A Guide for the Reporting of Child Protection and Welfare Concerns
3. Guidance on Developing a Child Safeguarding Statement
4. Mandated Assisting Protocol for Tusla staff

### Online Resources to stay safe

- <http://www.websafety.youth.ie>
  - Barnardos resource on Cyberbullying <http://www.barnardos.ie/information-centre/young-people/teen-help/bullying/cyberbullying.html>
  - Cyberbullying  
<http://www.watchyourspace.ie> provides youth friendly tips and video illustrations to help young people understand what Cyberbullying is and how to deal with it.
  - [Http:www.net-aware.org.uk/networks/discord](http://www.net-aware.org.uk/networks/discord)
  - [Http:www.webwise.ie](http://www.webwise.ie)
  - SpunOut.ie Irelands National Youth Website
  - **National Youth Council of Ireland Resources -**
    - Let's Talk about Sexting:** A toolkit to Assist Youth Workers Start a Conversation with young People on the topic of sexting.
    - Let's Talk about consent:** A Guide for Young people exploring the topic of consent. There is also a guide for Youth Workers Exploring the topic of Consent with Young People.
    - Working Safely in a youth Club-** Guidance for youth leaders on how to create a Safe Environment.
  - <http://www.spunout.ie/health/Healthy-mind/Bullying/Cyber-Bullying>
- For more serious cases of Cyberbullying do not hesitate to contact An Garda Siochana for advice on how to deal with this effectively.





## **LIST OF APPENDICES**

## **Guidance on Safe Use of the Internet for Young People**

The internet has become a part of everyday life for many children & young people. However, there are potential risks to children and young people using social networking and other interactive websites. They include cyberbullying, grooming and abuse by online predators, identity theft and exposure to inappropriate content including self-harm, racism, hate and pornography:

Please read the following advice and guidance on the safe use of the Internet and Social Media sites.

### **Chatting Online/Instant Messaging**

- Protect your identity by using a nickname or first name when chatting online. Don't give out personal details about yourself to strangers. If in doubt don't give out. If you have a profile on Instant Messaging, use a cartoon character or a symbol.
- Never agree to meet someone you don't know. Even if you have been chatting online.
- **Always** be careful about the kind of information that you give out in chatrooms. (Bebo, Facebook, Instagram, Tik Tok, YouTube, etc.), such as family names, birthdays, where you live, when you will be at home etc. Doing so can put you at risk of harm.
- There is no real privacy online. If you want something to stay private, don't post it.

### **Cyber Bullying**

Cyber bullying is like physical or verbal bullying except that it is done over the internet. If you post images/messages publicly then people you don't know can make comments, send abusive messages, or doctor images that you have posted. To protect from Bullying:

- Never give out your passwords
- Restrict your privacy settings on Facebook to 'friends only', disable 'anonymous' questions in the settings on Ask.fm if you choose to use that particular website.
- Learn how to block and report other profiles on sites like Facebook and Twitter.
- Only accept friend requests from people you know in real life and have met.

### **If you find you are a victim of Cyber Bullying**

- Don't reply to the messages. It will only make the problem worse.
- If you're worried or concerned about a piece of content that has been uploaded that you are in, contact a trusted adult or friend. You can also contact the provider where the image or video has been uploaded ([Facebook](#), [Twitter](#) etc.) and ask for it to be removed.
- Save the evidence, take a screenshot as proof.
- Go offline. i.e., Logout
- Tell a trusted adult, a close relative, a family friend, a teacher, youth worker etc.

- Change your personal details such as passwords, number, contacts details and make sure your privacy settings are restricted on all websites. Report the bullying to web host or website owner.

*The following offer support and advice to children & young people under 18*

- Childline You can log on to [www.childline.ie](http://www.childline.ie) for a one-to-one live chat or 1800 66 66 66
- Samaritans telephone 1850 60 90 90.
- Teentxt' is a live one-to-one text messaging support service for young people. By texting the word 'Talk' to 50101 from anywhere in Ireland you can avail of this free confidential service.
- Bullying support is available by texting the word 'Bully' to 50101. This is a free confidential service

## Code of Behaviour for Children and Young People

### Young people should

- Be kind to and treat each other with respect regardless of ability, ethnic origin, and cultural background.
- Respect all property and the property of others as well as taking care of their own.
- Be fair and honest in all our dealings with other children and leaders so as not to hurt others by what we say or do.
- Report any behaviour that makes us feel uncomfortable to the person in charge or someone designated for this purpose.
- Actively engage in the activity and contribute to the best of our ability in an age-appropriate manner.
- Follow the instructions and directions of the activity leader.
- Arrive on time and depart at the appropriate time from the activity.
- Remain in a supervised area at all times during the club activity.

### Young people should never

- Engage in bullying of any kind and report any such behaviour if we become aware of it.
- Have in their possession any substances or materials that may pose harm to any member of the group, the group leaders or the property in which the activity is held.
- Not take audio or visual recording of anyone present at the club activity without the approval and monitoring of group leaders.
- Use bad language and inappropriate gestures.
- Make false allegations against other young people or adults.

### Children/ Young People are entitled to :

- Be happy, have fun & enjoy activities
- Be treated with dignity and respect.
- Be safe and to feel safe.
- To have the support of the adults within the club.
- To say No where they deem it to be appropriate.
- To be heard.
- To be believed.

Any misdemeanours and general misbehaviour will be addressed by the Club /Project Leader/Volunteer or staff. Persistent misbehaviour may result in dismissal from the club/Programme. Parents/Guardians will be informed at all stages.

## **DISCIPLINARY AND GRIEVANCE POLICY**

1. Purpose
  2. Principles
  - 3. The Disciplinary Process**
    - 3.1 Informal Procedure/Counselling
    - 3.2 Formal Procedure
  - 4. Levels of Sanctions**
    - 4.1 Stage 1 - Verbal Warning
    - 4.2 Stage 2 – First Written Warning
    - 4.3 Final Written Warning/Suspension/Demotion/Redeployment
    - 4.4 Dismissal (Following stages 1-3)
    - 4.5 Appeals
  - 5. Misconduct**
    - 5.1 Gross Misconduct
    - 5.2 Gross Misconduct (No stages 1-4)
    - 6.0 Disciplinary Warning Notices
  - 6. The Grievance Procedure**
    1. Principles
    2. Grievance Process
      - 2.1 Stage 1 – Informal
      - 2.2 Stage 2 - Formal
      - 2.3 Stage 3 - Appeal
      - 2.4 Stage 4
- Responsibilities**
- 3.1 Employee
  - 3.2 Manager /Line Manager
    - 3.2.3 Human Resources

## The Disciplinary Procedure

### **1. Purpose:**

The purpose of the Disciplinary Procedure is to help and encourage employees to improve, achieve and maintain standards of conduct, attendance and job performance where shortcomings are identified. Failure to meet required standards will be brought to the attention of the employee at the earliest possible opportunity by the appropriate Line Manager/Supervisor. It is intended as a statement of the organisation's commitment to operate a fair procedure and demonstrate that due process has been followed in relation to all employees. Maintenance of work standards and general behaviour is the primary responsibility of the organisation.

The procedures have a dual purpose in that they serve to explain to the employee the likely consequences of continued failure to meet these standards and provide a framework that enables management to maintain satisfactory standards. Equally they provide a mechanism for problems or concerns to be dealt with in a fair and nondiscriminatory manner without due delay. This policy has been developed in line with the Code of Practice on Disciplinary Procedures (Industrial Relations Act 1990) of the Workplace Relations Commission as may be amended from time to time. The organisation therefore reserves the right to amend the procedure as necessary to meet any changing requirements.

Matters relating to or arising under the Disciplinary Policy and Procedure must be treated as confidential at all times. Failure to do so may itself constitute grounds for initiating disciplinary action.

### **2. Principles:**

- At each stage of the formal Disciplinary Procedure, the employee has a right to be accompanied by an accredited Trade Union representative or work colleague.
- The employee will be informed in writing of: The nature of the complaint or allegation against them; and the stage at which the matter is being considered.
- The employee is entitled to a fair and objective hearing.
- The organisation reserves the right to enter into the procedure at the appropriate stage, depending on the issue presented and gravity of the offence.
- The employee will be given the opportunity to state his or her case before any decision is made and if action is taken, what improvement is required and consequences of not meeting the required standards.
- The employee will have the right of appeal against any disciplinary penalty imposed, including dismissal.
- The Appeals Panel may be made up of members of the Board/Senior Management /CEO who do not occupy roles on the Disciplinary Panel.
- The employee will be advised at all stages of the consequences of failure to improve
- The Limerick Youth Service reserves the right to suspend the employee (with pay) to facilitate an investigation. Suspension is not a penalty and is not an indication of culpability. It however may be necessary due to the grave nature of the alleged misconduct to remove the person from duty.
- Should an employee have an objection to the person or persons appointed to investigate or hold meetings in connection with the disciplinary matter they must raise this objection in writing, clearly stating the reasons to Human Resources. Such objection must be made within two working days of the notification about the matter under investigation being brought to their attention.
- Electronic recording is not permitted during any meetings or hearings.
- No employee will be dismissed for a first instance of misconduct, but summary dismissal may occur where gross misconduct is established. Employees have a right of appeal against any disciplinary warning or sanction.

- Should an employee raise a complaint under the Organisations Grievance Policy, or any other related policy, during the Disciplinary Procedure and the complaint relates directly or indirectly to the matter under investigation, then action under the Disciplinary Policy will be adjourned until the grievance has been resolved. If the grievance or complaint is rejected or found to have no bearing on the matter being investigated under the Disciplinary Policy, then the disciplinary proceedings will continue from the point at which they were adjourned.
- All parties involved in these procedures must ensure that they maintain, as appropriate, the confidentiality of the process within and outside the organisation.
- Whilst every endeavour will be made to comply with timescales, due to the complexity and or specific circumstances of cases, timescales may be extended. In such circumstances the employee will be advised of the reasons for any delay.

### **3. Disciplinary Process**

#### **3.0 Informal Procedure/Counselling**

Minor and isolated incidents of misconduct (or breach of approved organisation procedures and practices) will be dealt with informally between the employee and their manager/supervisor. Examples include infrequent lateness, carelessness, poor performance etc. The Line Manager/Supervisor will advise the employee on the need to improve and help identify the required steps for improvement within a timeframe. Consideration will be given to the formal disciplinary procedure if the required improvement does not take place. If necessary an investigatory meeting will be held to establish the facts of the case and whether the matter should proceed to a Disciplinary hearing.

#### **3.1 Formal Procedure**

In all cases where an employee's standards of performance, attendance and/or conduct fall below those expected by the Organisation, the formal disciplinary procedure may be initiated. In all cases in which the Formal Procedure is initiated, a hearing will be held with the employee to put the allegation to him/her, and to hear his/her responses to the issue.

##### Disciplinary Meeting

An employee will normally be given seven days' notice and invited to attend a disciplinary meeting. The employee will be provided with details of the allegation(s) and an indication as to whether the alleged misconduct is considered as potentially a serious/gross misconduct case and that a sanction less than or up to dismissal may be considered. The employee will be invited to make any written submissions or bring forward witnesses where warranted. Any mitigating circumstances will be taken into account.

### **4. Levels of Sanctions**

There are 4 levels in the Formal Disciplinary procedure with various sanctions which to a large extent depends on whether the act amounts to misconduct or gross misconduct.

#### **4.1 Stage 1 - Verbal Warning**

In the event where informal action has not brought about the required improvement, poor attendance, lapse in performance, or should the issue so warrant, i.e. a first serious breach of conduct, the employee will be given a formal Verbal warning using Form 1 at the back of this document. Subject to satisfactory conduct and performance the warning will expire after 6 months.

#### **4.2 Stage 2 – First Written Warning**

If there is a further breach, the employee does not reach the standard as set out in stage 1 or if the employee commits any other act of misconduct while the verbal warning is in place, a First Written Warning will normally be issued using Form 2 at the back of this document.

However, In the event of a serious issue, where an alleged misconduct is sufficiently serious, it may be appropriate to progress straight to a Written Warning. This will be disregarded for disciplinary purposes after 12 months subject to satisfactory conduct and performance.

### **4.3 Stage3-Final Written Warning/Suspension/Demotion/Redeployment**

In the event of a further breach, there is an active written warning in place, a failure to improve and/or conduct is still unsatisfactory, or if the misconduct is sufficiently serious to warrant only one written warning, but insufficiently serious to justify dismissal (in effect both first and final written warning), a Final written warning will be issued.

Additionally, the employee may also be suspended with pay, demoted, or redeployed. This will expire after 12 months subject to satisfactory conduct and performance.

### **4.4 Dismissal (Following Stages 1-3)**

If conduct or performance is still unsatisfactory and the employee fails to reach the prescribed standards, dismissal will normally result. The CEO will take the decision to dismiss.

#### **Authority to Take Disciplinary Action**

Suspension: Senior Manager and or CEO

Written/Verbal Warnings: Senior Manager

Appeal against Sanctions: Senior Manager/CEO with no previous involvement in decision making.

Appeal against Dismissal: CEO with no previous involvement in decision making. If CEO has been involved at any stage, a board member will be nominated to hear this appeal

#### Persistent Offenders

In the case of employees who reoffend within a short time of the expiry of the warning, or who have a record of persistent breaches of conduct, irrespective of the timeline outlined above, the Limerick Youth Service reserves the right to enter them at the same level of warning as they had previously incurred, rather than reverting to the beginning of the procedure.

### **4.5 Appeals**

An employee, who wishes to appeal against a disciplinary decision at any stage in the process, should make their case in writing to the CEO within seven days of receiving the notification. The organisation shall, wherever possible, ensure that whoever deals with an employee's appeal has no previous involvement with the disciplinary decision.

## **5. Misconduct**

Examples of breach of conduct are given below. (Please note that the sample breaches of conduct given in this document are not exhaustive.)

- Incivility towards customers.
- Presence at work when ability is impaired by use of intoxicants or drugs.
- Failure to comply with safety requirements.
- Persistent poor performance, poor quality of work, or poor productivity. (This includes damage to products or equipment due to carelessness.)
- Persistent unpunctuality patterns. An employee is deemed to be late if he or she is not at the workplace at the official start time as noted in the individual's contract of employment
- Absence for reasons that the organisation considers inadequate.
- Failure to notify the organisation of absence, cause of absence and likely duration of absence by the second day of any absence period
- Failure to carry out the normal duties of the post
- Refusal to obey a lawful and reasonable instruction of a manager/supervisor
- Unreasonable or unacceptable conduct, e.g. abusive language or behaviour
- Driving whilst using a mobile phone
- Threatening violence whilst at work to a colleague, service user or provider or members of the public
- Unauthorised copying of copyright or licensed material e.g. software



- Abuse of the email and/or Internet systems.

The distinction between misconduct and gross misconduct is often a matter of degree and some of the examples under misconduct may be of such an extreme nature that they amount to gross misconduct. Alternatively, there may be instances when examples demonstrated under gross misconduct, depending upon all of the circumstances, may amount to misconduct.

### **5.1 Gross Misconduct (No Stages 1 – 4)**

Serious misconduct also known as Gross misconduct is defined as behaviour, which in the view of the Organisation fundamentally destroys the trust between employer and employee and thereby will render you liable for dismissal. A full investigation will take place ahead of any dismissal in which all of the employee's rights in natural justice will be respected. Without prejudice to the foregoing, there are certain breaches of the organisation's rules and established custom and practice, which will render you liable for dismissal.

If you are accused of an act of gross misconduct you may be suspended from work on full pay, while the organisation investigates the alleged offence. During the period of suspension employees may be refused access to any of the organisation's premises without the prior consent of the organisation and subject to such conditions as the organisation may impose. This suspension does not infer any guilt on the part of the employee.

If, on completion of the investigation, the organisation is satisfied that gross misconduct has occurred, the result will normally be summary dismissal without recourse to the procedures outlined in 1- 5. The decision to dismiss an employee may only be taken by the CEO or in her absence by the instruction of a Senior Manager designated to do so by the CEO. No dismissal may take place without consultation with and the involvement of a senior manager, CEO and/or designated Board Members.

### **5.2 Gross Misconduct**

The following non-exhaustive list provides examples of these offences.

- Persistent Misconduct
- Serious breach of confidentiality.
- Sabotage, attempted sabotage or threatened sabotage to the organisation, its property or to a fellow employee's property.
- Dishonesty, forgery, fraud, or larceny of organisations or fellow employee's property. Physical assault. Fighting on organisation premises. Bullying and harassment, victimisation or discriminatory conduct.
- Falsifying timesheets, subsistence, travel and attendance records or other records of the organisation.
- Falsification of information supplied during the employment process including application form, references, medical form or verbally at interview.
- Refusal, without just cause, to do assigned work which is reasonable within the terms of the employment contract even if he/she disagrees with the instruction (i.e. under protest). The matter can be taken up under the Grievance procedure.
- Reporting for work under the influence or in possession of alcohol or unprescribed drugs or partaking of alcohol or unprescribed drugs while on duty. The organisation reserves the right to deem you unfit for work.
- Serious negligence which causes unacceptable loss, damage or injury.
- Unauthorised computer access. Inappropriate use of the internet or email.
- Serious breach of the organisations safety policy
- Engaging in remunerative employment while absent from work regardless of whether the absence is covered by a medical certificate.
- Knowingly making false accusations against a colleague for personal gain or some other reason.

Violations of specific rules may vary widely in degree and circumstance. It is impossible to cover all possible breaches in this document.

## **6. Disciplinary Warning Notices**

The following forms should be used at the necessary stages of the Disciplinary Process. On completion of the forms, a letter will be written and sent to the employee from Human Resources covering the points from the forms (stating the decision and outcome of the disciplinary process and that the form will be kept on the individuals personnel file for the specified period of time.)

An employee's signature on a warning notice is not intended to convey that the employee agrees with the action taken. It merely provides that the warning was given to the employee. Should the employee refuse to sign the warning notice, then the manager shall note 'employee refused to sign' and have a witness verify this.

The following forms are attached in the appendix

**Form 1**                    **Verbal Warning** *(This form is used as a written record of a verbal warning)*

**Form 2**                    **Written Warning** *(this form is used as a written warning)*

**Form 3**                    **Final Written Warning**

**Form 4**                    **Final Warning** *(Used where there have been no previous written warnings, for example in the cases of Gross Misconduct)*

This policy and procedure will be reviewed periodically giving due consideration to any legislative changes.

## The Grievance Procedure

The Organisation recognises that grievances may arise in the normal course of employment and are fully committed to promoting an environment whereby the employee feels able to discuss work related issues with their Line Manager/Supervisor in an open manner. This procedure provides a mechanism for an employee to raise a grievance relating to employment. This may be about the job, working conditions, training, bullying, harassment etc.

### Grievance Aims:

- To achieve a fair and prompt resolution to individual grievances.
- Provide individuals with a course of action if they have a complaint (which they are unable to resolve through regular or informal communication with their line manager/supervisor)
- Provide points of contact and timescales to resolve issues of concern
- Try to resolve matters without recourse to an employment tribunal.

The procedure cannot be used to challenge formal outcomes in other procedures which have an appeal process, namely:

- Disciplinary Procedure
- Probation
- Redundancy

The procedure does not apply to the settlement of collective grievances which should appropriately be addressed through the Trade Union and Employer.

### **1. Principles**

- If an individual has a grievance in respect of any aspect of their employment they have a right to a hearing by their manager/supervisor or another manager as circumstances warrant.
- All grievances will be dealt with in a confidential manner and no employee will be penalised for raising a grievance in good faith.
- The organisation will endeavour to ensure that grievances are normally heard within 7 working days of being received and that decisions are communicated within 7 working days of being heard where possible.
- A work colleague or trade union representative may accompany the individual at any formal grievance meetings that are held. It will be necessary to confirm details of who is accompanying the employee in advance of any meeting.
- All meetings and outcomes will be documented and a copy given to the individual. A copy will be kept on the employees personnel file.
- All parties involved in these procedures must ensure that they maintain, as appropriate, the confidentiality of the process within and outside the Organisation.
- The employee concerned is given an opportunity to address the complaint or allegation made against them.
- The details of allegations or complaints against a particular employee are put to the employee concerned.

## **2. Grievance Process**

### **2.1 Stage 1 - Informal**

1. All employees are encouraged to discuss ordinary, day-to-day issues informally with their immediate manager/supervisor. The manager will endeavor to resolve the grievance as speedily as possible, and, wherever practicable, within a period of 7 working days. If the grievance relates to a personal or sensitive issue which is considered inappropriate to discuss with the individual's supervisor/manager, the individual should identify this to their immediate manager and ask that another manager be appointed.
2. If the grievance relates to another individual, the matter should be raised by approaching that individual and advising them that their behavior or actions are causing distress and ask for it to stop. It can often be a result of misinterpretation, or that the person is unaware that their behavior is inappropriate.
3. Where the grievance relates to the Line Manager/Supervisor then the individual should approach a more Senior Manager and discuss the issue with them.
4. If the grievance is contested then the manager will invite the individual to attend a formal meeting to discuss fully the grievance and the individual's right to be accompanied depending on the nature of the grievance.

### **2.2 Stage 2 – Formal**

When a problem or issue arises that has not been resolved through the informal process, a formal grievance should be raised. The employee may make a written request to their Line Manager/Supervisor or another Senior Manager if the complaint cannot be addressed to the Line Manager. The written complaint must give full details of the employee's grievance, the steps the employee has taken to resolve this grievance, and the remedy they are seeking.

The manager will then investigate the grievance, usually by way of an interview and normally within 7 days of receiving the complaint. At the interview the employee may be accompanied by another employee or representative provided they have given notice to this effect in the written request.

### **2.3 Stage 3 - Appeal**

In the event that the employee is unhappy with the outcome of the investigation or recommendation made at the second stage, they may make a written request that the grievance be referred to another member of Senior Management or Human Resources Manager who was not part of the original decision. The purpose of the appeal is to examine the outcome of the decision reached in stage 2 of the process. Provided that prior notice has been given, they may be accompanied by a fellow employee or representative. The individual will be advised that this is the final stage of the process.

Where an investigation, or an appeal, in the course of these rules and procedures, is expressed to be conducted by a named individual, or someone holding a particular position, such person, or the person holding such position, may, in appropriate cases, nominate an alternative to conduct the investigation or appeal.

### **2.4 Stage 4**

In the event of the matter not being resolved internally, the matter shall be referred through normal legislative procedures. i.e Workplace Relations Commission

During the period in which the above procedure is being followed no strike, lock-out, walk-out, sit-in, go-slow, or any other form of industrial action designed to bring pressure to bear on either party will take place, until all avenues as prescribed have been fully exhausted.

If upon investigation the matter is considered serious the disciplinary procedure may apply.

### **3. Responsibilities**

#### **3.1 Employee**

- To be familiar with the organisations rules of conduct and to comply with these rules.
- (Refer also to employment contract, letter of appointment, Harassment Policy and any other official organisation documents to do with the terms and conditions of employment.
- While grievances are being processed through the procedure, it is imperative that normal work continues under protest, if necessary.

#### **3.2 Manager / Supervisor**

- To be familiar with organisation's rules of conduct and to comply with and to apply these rules consistently and fairly.
- To investigate the circumstances of the offence thoroughly.
- To refer to the employee's previous record.
- To seek advice from his or her senior manager or from Human Resources.
- To obtain the employee's signature on all warning notices.
  
- To submit the warning notices to Human Resources for filing.
  
- To obtain prior approval, in cases where this policy requires such approval, before taking action.

#### **3.3 Human Resources**

- To help to resolve issues, ideally without pursuing disciplinary action.
- To provide counsel on the interpretation of this document
- To maintain records of disciplinary action.
- To make these records available to managers/supervisors as required
- To make an individual's records available to that individual as required
- To uphold the rights of natural justice

#### **3.4 Trade Union Representative/Work Colleague**

- To address the meeting but not answer questions on behalf of the Individual
- Take written notes
- Confer with Individual during the meeting.

This procedure will be reviewed periodically to ensure compliance with changes in employment law and equality and diversity legislation.

**Recruitment Policy**

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### **1 Purpose**

The purpose of this policy is to describe how the organisation recruits employees of the highest calibre in accordance with employment legislation most notably the Employment Equality Act 1998-2004 and best practice using available resources. The Limerick Youth Service is committed to having a clear and transparent recruitment process for all appointments through open competition. The aim of the recruitment process is to assist in the growth of the organisation.

### **2 Objectives**

The organisation aims to provide equal opportunity to all candidates in an effort to select from the widest choice and minimise skill shortages in the organisation. This selection procedure aims to ensure that the organisation appoints the person best qualified and suited to the job. The selection procedure will be based on the job description and the objective requirements of the job. The policy and procedure that follow will outline the stages for recruitment.

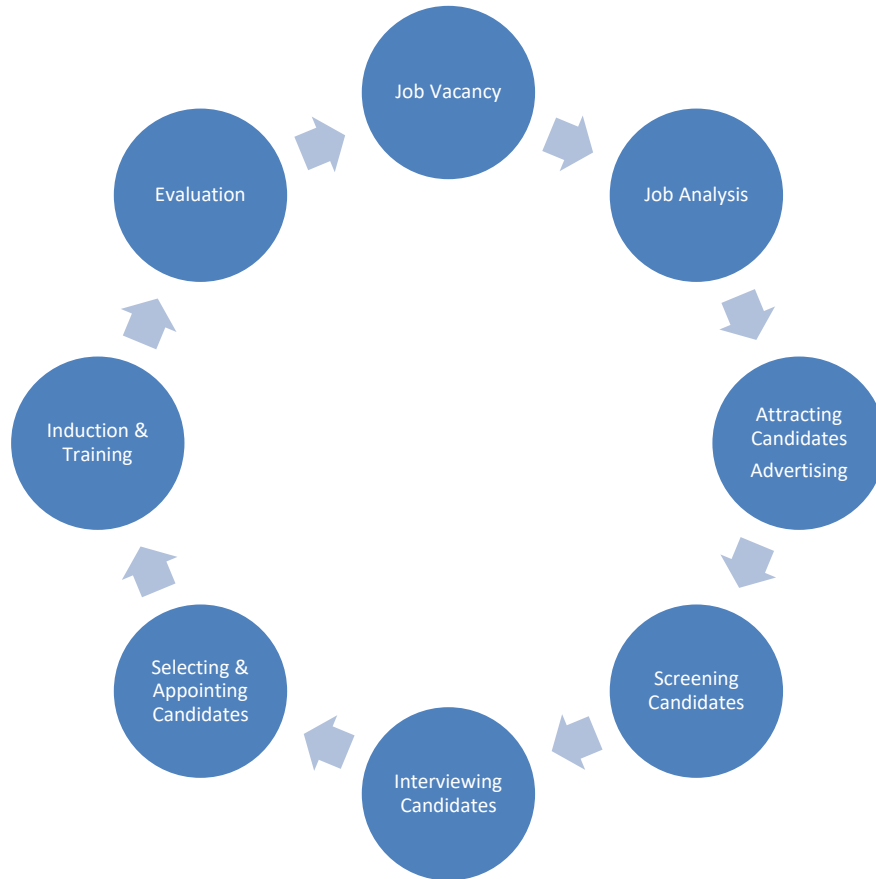
### **3 Commitment**

This policy applies to both internal and external recruitment procedures. In the interests of equal opportunity and to avoid potentially suitable Individuals being overlooked, details of all vacancies will be listed on the Limerick Youth Service website, local media, (where funding permits) and other recruitment websites. Limerick Youth Service is committed to employment policies, procedures and practices that do not discriminate on grounds of sexual orientation, marital status, race, disability, age, family status, membership of the travelling community, religious belief and gender. This applies to recruitment, selection, promotion and career development.

Limerick Youth Service reserves the right to recruit externally for positions requiring qualifications or expertise not immediately available within the organisation.

*Internal promotions* are made on merit and suitability. Selection shall be based upon job related factors which shall include but are not limited to relevant work experience and performance history, applicable education and or training and required skills knowledge and abilities.

## 4 Procedure



### 4.1 General Recruitment Process

#### **Vacancy:**

A vacancy occurs when an existing member of staff leaves the organisation or alternatively where Limerick Youth Service is successful in securing funding for additional posts that will enhance existing services.

#### **Job Description**

A Detailed Job Description is prepared (for existing posts) in consultation with the relevant Manger/Team Lead and HR. For all new positions in consultation with Manager /HR/ and or CEO and funding agency. The Job Description will generally include the following: Purpose, Location, Reporting to, Funder, Key duties and responsibilities and all Funders Logo's. An application form is also prepared reflecting the Job Requirements.

#### **Advertisement:**

The vacancy is publicly advertised on the Limerick Youth Service Website under "*Get Involved*" and any other appropriate channel, such as external recruitment websites and local and national press. The Advert will clearly state the job title, skills necessary, brief description, how to apply, closing date, Garda Vetting, all necessary logo's and that Limerick Youth Service is an Equal Opportunities Employer. The choice of advertising will depend on the job being advertised, available funding plus any additional requirements specific to funding source.



**Notification:** A notification is sent to all staff of the vacancy directing them to the website for more details. The Limerick Youth Service may also send the Advert to other member Services and or Funders in order to expand its reach.

#### **4.2 Shortlisting:**

A shortlisting panel with a minimum of 2 people is set up to review all applications. This will normally comprise the HR Manager/Team Lead/Manager and or CEO or representative of Board and/or funding source. The individuals involved in the shortlisting are furnished with all applications, the job description and person specification. The selection criteria is based on the information in the advertisement and the job description. Assessment of applications is based only on information provided by the applicant. The persons conducting the shortlisting may be normally (but not necessarily) the same members of the interview panel.

The same criteria for shortlisting is applied to all candidates. All applicants who meet the selection criteria are invited to attend an interview. A letter of regret is sent to all applicants who do not meet the selection criteria. Applications may also be invited from panels established through previous interviews.

#### **4.3 Interview Process:**

Interviews will be held generally within two weeks of the closing date of all applications. An interview panel with a minimum of 3 people is selected and will always include at least one member of the shortlisting panel. (Normally HR) Other members will be representatives from one or both of the following: Senior Manager, Team Lead/Line Manager, CEO a representative of the sponsoring body as relevant to the position, a Board Member or any other relevant persons necessary.

Every effort will be made to ensure a gender balance on the panel in line with best practice but this may not always be feasible. Each member of the panel is furnished with the Application forms in advance.

A list of interview questions based on the job description is prepared in advance of the interviews. The panel decides in advance who will cover each area. Each candidate is asked the same questions. All questions asked at the interview will be consistent and relate directly to the person's ability to do the job. At the end of each interview the candidate is invited to ask questions or to give any additional information. A marking system and score sheet are also prepared. When all interviews have been completed the interview panel will review each application and compare the attributes of each candidate against specific criteria. A decision is then made to on whether to recommend a candidate for appointment and sign off on the scoring sheet. The position is offered to the candidate who scored the highest point on the score sheet subject to criteria detailed below.

In some cases, the formal interview may be followed by a second interview especially where there is debate about the "best person for the job". The second interview may be conducted by two persons only.

All details in relation to the interview process (including all notes etc. in relation to the candidates) are kept on file for a minimum period of 12 months.

#### **4.4 References, Medicals & Garda Vetting**

All appointments are subject to the approval of the CEO. Normally a recommendation is sent in writing indicating salary, education, experience and basis for contract. Once an appointment has been confirmed the CEO conveys this at the subsequent Board Meeting.

A Letter of offer is sent to the candidate by the HR Manager once references have been checked, Garda Vetting and original certificates of education/qualifications where appropriate are received, and or medicals have been completed. References are generally sought from the current or most recent employer. The referee is asked to comment generally on various aspects of their previous work, such as (reason for leaving, skills, nature of duties etc.)

The letter of offer will include start date, salary, hours of work, leave entitlements, probationary period and Induction for the role. The candidate is asked to confirm acceptance in writing. The candidate may also be provisionally offered the position subject to receipt of successful Garda Vetting and Medicals

Letters of regret are sent generally within one week of attending the interview.

#### **Contract**

The contract offer will be prepared by the HR Manager and signed by the CEO. HR will then maintain close contact until they start with the organisation.

The HR Manager will also:

1. Provide details relating to the new employee. (Start date, salary, title, organisation department, reporting manager to the finance department.
2. Organise the induction process with the new employee in conjunction with relevant Team Lead/Manager.

#### **4.5 Transfers:**

##### **Process for the internal transfer of staff.**

Stage 1: The relevant manager/supervisor must reach agreement over a transfer date for the employee.

Stage 2: The new manager/supervisor must ensure the following information is supplied to the relevant departments.

- New Manager/Team Lead
- Effective Date of Transfer
- New Cost Centre Code
- Salary amendments
- Changes in phone/location
- All details must be given to HR to update on Master File

#### **4.6 Probationary Period.**

Contracts are signed within one month of the start date and contain a probationary period of not less than 6 months for permanent contracts and not less than three months for contracts of one year or less.

All employees are hired initially on probation and shall be so notified at employment offer stage.

The candidate will be directed to the Staff Handbook on the HR Software and terms and conditions of their employment on the first day. They must sign the Staff Handbook to say they have read and understood the document and are willing to comply with the policies and procedure outlined therein.

The HR manager / Line Manager will organise various Induction sessions with key people in the organisation.

A meeting is arranged with the new employee during the induction period and support is offered if skill deficits are identified. However persistent problems may lead to written advice to the post holder that failure to improve to specified standards and within a specified time frame will lead to termination.

### **5 Responsibilities**

#### **5.1 All Managers**

Shall:

- Comply with the procedure as laid down
- Be as proactive as possible in the recruitment of key staff
- Undertake any appropriate training in the recruitment and selection areas
- Attach a fully completed job specification/job description
- Make themselves available to carry out interviews in accordance with the schedule arranged by Human Resources
- Shortlist in conjunction with HR
- Negotiate transfer date where appropriate
- Agree terms and conditions of offer with Human Resources

#### **5.2 Human Resources**

Shall:

- Seek to source the best possible candidates that will ensure the best value to the organisation
- Develop agency contacts, college contacts, place advertising, obtain leads and referrals to provide a cost effective source of candidates.
- Process applications
- Arrange interview schedule, and participate in interview sessions and advise on selection
- Agree pay, terms and conditions and prepare employment offers.
- Notify payroll of new employee
- Advise on interpretation of this policy.

## Application for Employment

Please type and complete this form for all vacancies at Limerick Youth Service. If necessary continue on a separate sheet.

This application form, when completed, should be returned to: [sineadn@limerickyouthservice.org](mailto:sineadn@limerickyouthservice.org)

### Personal Information

Name in Full:

Address:

Phone:

Email Address:

### Employment Information

Position Applied for:

Notice Period:

Have you previously applied to or been employed by this organisation?

Yes

No

If yes, please give details.

Do you hold a current full driving licence

Please start with your most recent employment history. Include any period of unemployment. No period should be left unaccounted. (Where citing voluntary experience, you must provide evidence of number of days/hours etc. worked over what period of time). If necessary, continue on a separate sheet. **Candidates may be short listed for interview on the basis of information supplied on their applications.**

### Employment Information (cont'd)

Dates		Employers Name & Address	Position Held and Brief List of Duties and Responsibilities	Reason for Leaving/Salary
From	To			


**Education Record**

**Second Level:**

Dates		School/ College Attended	Examinations Taken	Year	Results/Grades Obtained
From	To				

**Third Level:**

Dates		School, College, University	Course Name /Awarding Body	Year Obtained.	Results/Grades Obtained/Other Distinctions
From	To				

**Professional / Occupational Training/ Courses Attended (Most recent training first)**

Dates		College, Institute, or Employer	Name of Training Course completed	Year of Award	Qualifications Obtained/Awarding Body
From	To				

<b>Work Experience</b> (Describe your experience of the following in the course of your work to date)					
<b>Working with Young People in non-formal settings</b>					
<b>Planning &amp; Organisational Skills</b> How do you manage your time effectively to achieve outcomes?					
<b>Describe your ability to liaise with a range of contacts and build relationships</b>					
<b>Illustrate your approach to team working</b>					
<b>Outline your experience in the area of administration in particular</b> preparing reports, record keeping, annual plans and computer skills.					
<b>Please comment on any particular programmes you have developed that were successful</b> (400words or less)					
<b>Any Other Information That May Help in Assessing Your Application:</b> e.g. any other attributes you may have for this position or any other particulars you wish to include relating to occupation.					
<b>Special Interests/Achievements:</b> e.g. any certificates/successes outside of work					
<b>Please indicate how you meet the requirements for the post.</b> You are invited give any additional information which you wish to have taken into account in support of your application, and to list hobbies, spare time activities, interests, membership of voluntary organisations etc.					

**Work References**

(Please give names and addresses of two persons, that we may contact other than persons related to you, who can give a reference for previous employment)

<b>Name:</b>	<b>Name:</b>
<b>Address:</b>	<b>Address:</b>
<b>Phone:</b>	<b>Phone:</b>
<b>Email:</b>	<b>Email:</b>
<b>Occupation:</b>	<b>Occupation:</b>

**Closing date for receipt of applications is .....**

Applications received after this date will only be accepted based on a Certificate of posting showing that the application was posted in time before the closing date.

**Data Protection Clause:**

All personal information provided on this application form will be stored securely by the organisation and will be used for the purposes of the recruitment process. Application forms will be retained for a minimum of 12 months in the case of unsuccessful applicants and in the case of a successful candidate for the duration of their employment and for a minimum of two years thereafter.

This information will not be disclosed to any third party without your consent except where necessary to comply with statutory requirements. Internally your information will be kept confidential and only made available as necessary. You may at any time make a request for access to the personal information held about you. Should you wish to make any changes in relation to the information stored about you, please contact the HR Department.

**Declaration:**

I hereby certify that all statements given by me on this application are true and correct without omission and that any mis-statements given may disqualify my application or in the event of my obtaining employment may disciplinary action up to and including dismissal. I also fully recognise that canvassing will disqualify my application.

Are there any current/ previous personal, employment or background reasons that may be recognised now or at a later stage as deeming you unsuitable to work with children and/or young people? If yes please state your reason(s) below.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_



**IS AN EQUAL OPPORTUNITIES EMPLOYER**

<b>VERBAL REFERENCE CHECKLIST</b>
Name of Candidate:
Date:
Company Contact: Referee details
Capacity in which person employed
Reason for leaving
How long known to you?
Would you reemploy?
Any other information which you feel a prospective employer should know
What comments would you make regarding person:
..
Ability
Productivity
Attitude
Punctuality
Attendance
Other:
—



**Strictly Confidential**

**Reference Request Form**

Name of Candidate	
Position Applied for	

1. Company Contact: Referee details. \_\_\_\_\_

2. Are you in any way related to the candidate? \_\_\_\_\_

3. Is the candidate personally known to you? \_\_\_\_\_

If so, how long have you known him/her? \_\_\_\_\_

4. Capacity in which person employed. \_\_\_\_\_

5. Reason for leaving. \_\_\_\_\_

6. Would you reemploy? If no please state why. \_\_\_\_\_

7. Was he/she part-time or full time? \_\_\_\_\_

8. Please state briefly duties/responsibilities of the post:

\_\_\_\_\_

\_\_\_\_\_

9. What comments would you make regarding the person in terms of the following:

a) Reliability/Responsibility: \_\_\_\_\_

\_\_\_\_\_

b) Flexibility/Willingness: \_\_\_\_\_

\_\_\_\_\_

**How would you rate the applicant in terms of the following?** Please put a tick in the box nearest your opinion. 1- Poor 2 – Fair 3 - Good 4 - Very Good 5 – Excellent

	1	2	3	4	5
Punctuality					
Team-working					
Competence – skills					
Time Management					
Organisation Skills					
Relationships with peers, subordinates					

Professionalism					
-----------------	--	--	--	--	--

c) Attendance: Has the person had long absences or frequent uncertified sick leave?

Yes  No

Please state the number of day's sickness absence and occasions in the last 12 Months:

Days: \_\_\_\_\_ Occasions: \_\_\_\_\_

d) Force Majeure: How many days if any has the candidate taken during their employment? \_\_\_\_\_

e) Any outstanding or disciplinary records during their employment?

\_\_\_\_\_

10. Please comment on relevant achievements/contributions the candidate made during the course of their employment.

\_\_\_\_\_

\_\_\_\_\_

11. Do you know of any reason why we should not employ this candidate or why they would not be suitable to work/be in contact with children/vulnerable adults? Please specify.

\_\_\_\_\_

\_\_\_\_\_

12. Any other relevant information would be appreciated (please submit on a separate sheet).

*The above information is given in confidence and without incurring any liability and on the understanding of confidence subject to the requirements of the Freedom of Information Act 1997.*

**Signed:** \_\_\_\_\_

**Date:** \_\_\_\_\_

## Double Employment Form

### Prohibition on Exceeding Statutory Maximum Working Hours, under Section 33 of the Organisation of Working Time Act, 1997

Under Section 33 of the Organisation of Working Time Act, 1997, employers are prohibited from employing employees to work on any day or during any week where the employee has worked for another employer(s), where the aggregate of the periods worked exceeds that permitted by the legislation. To do so will be an offence under the Act and may render both the employer and the employee liable to prosecution.

To ensure that both the employer and the employee are in compliance with the legal requirements, it is necessary for all employees to provide *the organisation* with details of any other employment(s) that the employee is engaged in.

*Please note that should a situation arise where the combined hours worked for the Organisation and the other employment(s) place the organisation (and the employee) in breach of the legislation then the employee concerned must change/reduce the hours worked in the other employment(s) in order to prevent such a breach occurring.*

The maximum amount of hours worked in any week in the Organisation is 35. Where overtime results in increased number of hours, Toil will be used to balance out the individuals work hours. The maximum amount of hours permitted in a working week is 48. (This can be referenced over a four-month period)

**Please note:** In the event that you take up alternative/additional employment whilst employed by the Organisation, you must notify your Line Manager immediately and complete Double Employment Form. The Line Manager will inform relevant member of the Senior Management Team.

**In order to ensure that *the organisation* is not in breach of this Act, the following information is required from all employees: -**

Employee's Name: \_\_\_\_\_

Address: \_\_\_\_\_

**Details of employment outside *the Organisation*:**

Do you work for any other employer?                      Yes                       No

If yes, please complete the following details:-

**Name of Employer:** \_\_\_\_\_

**Days of Work:**    Mon            Tues            Wed            Thurs            Fri            Sat            Sun

**Start Time:**    \_\_\_\_\_    \_\_\_\_\_    \_\_\_\_\_    \_\_\_\_\_    \_\_\_\_\_    \_\_\_\_\_

**Finish Time:**    \_\_\_\_\_    \_\_\_\_\_    \_\_\_\_\_    \_\_\_\_\_    \_\_\_\_\_    \_\_\_\_\_

Do these hours vary from week to week?                      Yes                       No

If yes, please give details:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**More than one other employer:-**

If you are employed by more than one other employer (besides *the Limerick Youth Service*) please repeat the above information for each such employer on a separate sheet.

**Total amount of hours worked each week:** \_\_\_\_\_

N.B. This figure must include total hours worked outside of Limerick Youth Service

**Please note:**

You must notify *the organisation* if there is any change to the details as outlined above

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Employee

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

on behalf of The Limerick Youth Service

## **Lone Working Policy**

### **Table of Contents**

- 1. Purpose**
- 2. Principles**
  - 2.1 Staff Responsibilities
  - 2.2 Hazards
- 3. Minimising Risk Procedures**
  - 3.1 Supervision
- 4. Addressing Specific Risks**
  - 4.1 Lone working with a Young person
  - 4.2 Home Visits
  - 4.3 In the Community
  - 4.4 Working from Home
  - 4.5 Out of Hours

### **Staff Responsibility**

#### **Managers**

#### **Appendix**

### **Purpose:**

Lone Working refers to those staff who may find themselves working alone from time to time. The purpose of this document is to ensure a safe and healthy working environment for all staff employed by the Limerick Youth Service and to outline and advise staff on the correct procedure to be followed when working alone.

Examples of instances where an employee might be working alone.

- Home visits
- Group meetings with families etc.
- Counselling
- Working outside normal working hours alone on the premises. (weekends, early mornings, late evenings)
- Only person on the premises
- Work outside in the community

In addition, the policy strives to ensure the reduction so far as is reasonably practicable, of all reasonably foreseeable risks associated with Lone Working and to detail arrangements to achieve this reduction in line with legislative requirements. The policy has been developed to provide guidance to all staff on how to maintain personal safety when working alone.

### **Principles:**

The Limerick Youth Service will ensure, in accordance with its legal obligations, a safe working environment and safe systems of work for all staff so far as is reasonably practicable. It is committed to identifying & implementing the necessary controls to minimise any hazards or risks that the employee may be exposed to in the course of carrying out their duties.

**Responsibility is twofold** with a requirement for staff to ensure a safe working environment for colleagues, volunteers, young people and visitors at the organisations premises. Employees, under Section 13 of the Safety, Health and Welfare at Work Act 2005, have responsibilities to take reasonable care of themselves and other people affected by their work activities and to co-operate with their employers to enable the employer comply with health and safety legislation. All staff will need to be familiar with their responsibilities in this regard by familiarising themselves with the Health & Safety Policy. Section 19 of the Safety, Health and Welfare at Work Act 2005 requires an employer to undertake a risk assessment and this risk assessment shall determine whether or not an employee may work alone

## **Staff Responsibilities**

- Use tools and other equipment properly in accordance with any relevant safety instructions and training they have been given;
- Ensure that they are not under the influence of any intoxicant that they could be a danger to themselves or others while at work;
- Not to engage in improper conduct or other behaviour that is likely to endanger themselves or anyone else;
- Report any defects in the place of work, equipment, systems of work etc. which might endanger safety and health.

Generally, staff should try to avoid working alone whenever this is possible. However, the organisation acknowledges that there may be occasions where it is necessary to work alone in ensuring effective service delivery and to progress work with young people. In such situations all staff must be aware of the risks and how to minimise them. No staff member shall be compelled to work at or in any area where there is a threat to that person's health & safety.

**Hazards** that a staff member may encounter include, but are not limited to:

- Accidents or emergencies arising out of the work, including inadequate provision of first aid
- Sudden illnesses
- Inadequate provision of rest, hygiene and welfare facilities
- Physical violence from members of the public and/or intruders/young person
- Is there a hazardous substance or process that makes it unsuitable for lone working.

## **Minimising Risk Procedures**

1. Carry out a risk assessment: Refer to Risk Assessment policy
2. Ensure safety of the person
3. Ensure incident report is available.
4. Monitor and revise and implement changes where necessary

Procedures need to be in place in the event of no contact from the worker:

### **Escalation:**

5. Try to contact lone worker, try a colleague
6. Contact Senior Manager
7. Ring Gardaí

## **Supervision**

Supervision can help to ensure that employees understand the risks associated with their work and that the necessary safety precautions are carried out. It provides a platform to discuss any concerns the employee may have and that person's ability to handle safety and health issues.

### **Addressing Specific Risks**

#### **1. Lone working with a Young person**

Prior to any worker undertaking lone working with a young person, any potential hazards in that situation should be identified, recorded and a risk assessment should be completed by the Line Manager in conjunction with the worker. All relevant information about the young person, including information from referral agencies should be obtained and made available to the worker.

#### **2. Home Visits**

All initial visits should be undertaken by 2 workers. Some prior knowledge of the working area & associated risks within that area e.g. Drugs, criminal activity etc.

Clear records should be kept of all lone working being undertaken within the organisation. Workers should give a name, address and concise relevant information relating to the circumstances of a lone working visit. Time of starting and finishing the visit should be recorded and a system should be made available to a Line Manager or colleague.

A record should be kept of any instances that constitute a threat or risk to the worker's safety and any instances of actual harm.

Background information on family / young person should be accessible by colleague or Line Manager.

#### **3. In the Community**

Before any outreach work is undertaken in a community setting sufficient information is gathered. The employee is required to

- Ensure that Line Manager or work colleague know work schedule and have contact details
- Ensure arrangements in place with someone to action if you do not return from planned visit?
- Ensure mobile phone charged.
- Ensure that in as far as possible the employee avoid a place where person or hazards may cause excessive risk.
- Ensure vehicles are in good repair and enough fuel for the journey
- Be aware of surroundings.

#### **4. Working from Home**

Staff working from home must ensure that their place of work is safe, there is adequate space to conduct work. If using equipment from work, i.e. laptop, printer, internet, ensure they are properly maintained, ensure there is a safe place for storing equipment and or documentation. Ensure that data is password protected. Details must not be divulged to other members of the household.



Staff must ensure that if working from home their personal address and contact number remain confidential and not given out to non-staff members.

Employees are advised that working from home may affect the provisions of any home contents insurance and are advised to inform their insurers prior to commencing working from home.

## **5. Out of Hours**

Staff working in LYS buildings after 6.00pm should not normally be working alone. A risk assessment should be completed for the delivery of out of hours services and appropriate staffing assigned to ensure safe delivery of services. Staff should consult with their line manager to plan and agree out of hours delivery.

### **Staff Responsibility**

Staff also have a responsibility for minimising potential risks. These include but are not limited to the following:

- To take reasonable care of their own safety and the safety of others when working alone.
- To co-operate with the organisations procedures on health & safety
- Report all accidents, injuries, near-misses and other dangerous occurrences without unreasonable delay
- To report any work being carried on, or likely to be carried on, in a manner which may endanger the safety, health or welfare at work of the employee or that of any other person
- Do a risk assessment, identifying any potential risks.
- Check that mobile phones, personal alarms, Fire Safety Equipment in the premises are in good working order.
- Ensure mobile phone is charged and has sufficient credit.
- Always ensure you have a reliable contact and prearranged password in case of an emergency.
- Always carry an up to date I.D card with picture.
- Any deviation from the initial plan must be communicated the Line Manager in the first instance.
- Where required staff must ensure that sign in and sign out of the building
- Ensure that co-worker or Line Manager knows of your whereabouts.
- Not misuse equipment provided for their safety and health
- All persons seeking out of hours access are strongly encouraged to disclose the details of any medical conditions or disabilities during the risk assessment process, especially where there may be particular risks to their health and safety, or that of another individual, whilst working alone.

### **Managers**

- To adequately risk assess any staff/areas that fall within the scope of these guidelines
- To be responsive to the concerns of staff in relation to lone working
- To be familiar with and understand the contents of these guidelines

- To ensure that lone workers receive adequate information, instruction, training and supervision to enable them to perform their work safely
- To ensure that appropriate support is provided to staff involved in any incident in terms of both immediate and follow up support.
- Review of incidents /near misses in order to determine effectiveness of these guidelines (i.e. to identify trends/patterns)
- Monitor staff practices in relation to compliance with these guidelines

Example of Hazards and Controls to Minimise and or negate Risk

Hazard	Controls	Actions
<b>Transport</b>	<b>Reducing Risk</b>	<b>Response</b>
Vehicle Broken Into	<ol style="list-style-type: none"> <li>1. Ensure there is nothing visible left in the vehicle which would attract attention.</li> <li>2. As far as possible ensure vehicle is parked where there is lighting and or public area.</li> </ol>	
Violent/Threatening Persons	<ol style="list-style-type: none"> <li>1. Second person in attendance where identified a need to.</li> <li>2. Bring person to premises where others are present</li> <li>3. Discourage meeting</li> </ol>	
Sudden Onset of Accident/illness	Mobile phone charged and accessible.	
<b>Lone Working</b>		
Working alone after hours	Ensure that a Line Manager/or other colleague is aware and contact that person when leaving.	

Registration & Consent Form U 18s

For office use only  
(YP Code)

Staff Member: \_\_\_\_\_

Date: \_\_\_\_\_

UBU Programme Area: \_\_\_\_\_

1. CONTACT DETAILS	
Young Person's Name:	
Parent/Guardian Details 1:	Name: Address: Mobile No.:                      Email Address:
Parent/Guardian Details 2:	Name: Address: Mobile No.:                      Email Address:
Emergency Contact Details, if different from above:	
2. YOUNG PERSON'S PROFILE	
Age Group:	10-14 <input type="checkbox"/> 15-18 <input type="checkbox"/>
Date of Birth (Only where relevant):	
Gender:	Male <input type="checkbox"/> Female <input type="checkbox"/> Other <input type="checkbox"/> Prefer not to say <input type="checkbox"/>
Nationality: If other, please state:	Irish <input type="checkbox"/> Other <input type="checkbox"/> _____
3. YOUNG PERSON'S Status	
Is the young person currently attending:	Primary School <input type="checkbox"/> Mainstream Secondary School <input type="checkbox"/> Youthreach, Leaving Certificate Applied and/or Reduced Hours <input type="checkbox"/> Other: <input type="checkbox"/> If Other please detail
If completing primary, secondary education please	

provide school/institution name & any other details:	
<b>4. YOUNG PERSON'S MEDICAL INFORMATION:</b> For safety reasons all participants must provide information of any underlying medical condition prior to joining. Any changes must be notified in writing.	
GP Details:	Name: _____ Phone Number: _____ Address: _____
Is there any reason why this young person should <b>not take</b> part in any physical activity or sport? If YES, please give more detail:	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Please detail any medication</b> that the above-named young person may be required to carry or self-administer:	
Does this young person suffer from anaphylactic shock?	Yes <input type="checkbox"/> No <input type="checkbox"/>
Please indicate if the young person has any special dietary requirements:	
<b>Sensitive Personal Information</b>	
Ethnic/Cultural Background (using the Irish Census, 2016 categories):	<b>White:</b> Irish <input type="checkbox"/> Irish Traveller <input type="checkbox"/> Any other white background <input type="checkbox"/> <b>Black or Black Irish:</b> African <input type="checkbox"/> Any other black background <input type="checkbox"/> <b>Asian or Asian Irish:</b> Chinese <input type="checkbox"/> Any other Asian background <input type="checkbox"/> <b>Roma</b> <input type="checkbox"/> <b>Other,</b> <input type="checkbox"/> including mixed background

**ADDITIONAL SUPPORT NEEDS:** Are there any other additional support needs that LYS should be aware of, so as to provide a service tailored to the needs of all young people that we work with.

**Declaration:**

I, \_\_\_\_\_ confirm that the information provided above is true and accurate to the best of my knowledge.

**PRINTED PARENT/GUARDIAN NAME:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Parent / Guardian Consent Form**  
**To be completed by Parent / Guardian**  
**(Please read each question and tick ü as appropriate)**

<b>Name of Young Person:</b>	
I give permission for the above-named young person to participate in agreed weekly activities and/or programs and I accept that Limerick Youth Service has no responsibility for the young person outside of these agreed times*.	..
I understand that the named young person must abide by agreed rules and procedures and failure to do so could result in the young person missing out on planned activities or events.	..
In the event of an accident / illness requiring emergency treatment and failure to make contact with any of the persons listed on this form, I agree to give consent to the administration of treatment from a trained first aider, if available, or by a suitably qualified medical practitioner.	..
In the event of a minor injury, I agree to give consent to the administration of first aid to the young person.	..
I give permission for LYS to contact the young person via text message or telephone call in relation to upcoming activities, venues and times etc.	
I give permission for the above-named young person to participate in programme evaluation activities. These activities may include surveys and group discussions and will inform written reports/publications. This is to ensure a high-quality service with positive impacts for young people. Participation is voluntary, data gathered is confidential and stored securely in line with General Data Protection Legislation (GDPR), 2017.	..
I consent to the above-named young person having their photograph taken or being filmed for the purpose of project publicity or reports to funders by Limerick Youth Service.	<b>Yes</b> .. <b>No</b> ..

All activities and programmes are risk assessed and all venues are preapproved by Limerick Youth Service. Appropriate supervision is provided.

PARENT / GUARDIAN SIGNATURE: \_\_\_\_\_

PRINT YOUNG PERSONS NAME: \_\_\_\_\_

### Complaint Form

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Is the complainant a: *Customer*  *Parent*  *Young Person*  *Supplier*  *Other*

**Brief overview of Complaint**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date and time of complaint: \_\_/\_\_/\_\_\_\_ \_

**Who was involved?** *Whom did you report this to if any? (Please list all persons involved including staff member details)*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**What outcome would the complainant wish to result from their complaint?**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**To be completed by Complainant:**

Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Complaint Escalation Form**

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

\_\_\_\_\_

**Phone:** \_\_\_\_\_ **Email:** \_\_\_\_\_

**Is the complainant a:** Customer " Parent " Young person " Supplier " Other "

**Brief Overview of Complaint:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Date and time of Complaint:** \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

**Who was involved:** Whom did you report this to if any? (Please list all persons involved including staff member details.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Briefly describe how the complaint was addressed and why you were not satisfied.**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Staff Name:** \_\_\_\_\_

**Location:** \_\_\_\_\_

**Email:** \_\_\_\_\_

**Phone:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_/\_\_\_\_/\_\_\_\_

**To be completed by Complainant:**

**Name:** \_\_\_\_\_ **Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_



## Respect & Dignity

### Preventing & Dealing with Bullying/Harassment

#### Purpose

The Limerick Youth Service endeavors to fulfill its obligations under Section 60 of the Safety, Health and Welfare at Work Act 2005 to support employees to work in an environment that is free from sexual harassment, harassment, and bullying. The Organisation aims to prevent Bullying & Harassment in the workplace by managing and conducting work activities in such a way as to prevent, so far as is reasonably practicable, any improper conduct or behaviour likely to put the safety, health and welfare at work of his or her employees at risk'.

#### Principles

- ✚ The organisation is committed to ensuring that the work environment is an atmosphere of respect, collaboration, openness, safety and equality.
- ✚ Employees also have responsibility in creating and contributing to the maintenance of a work environment free from bullying & harassment or from conduct likely to contribute to both.
- ✚ The risk of bullying has been assessed and preventive measures included, where necessary, in the Safety Statement.
- ✚ Complaints by employees of bullying or harassment at work will be treated with fairness, sensitivity, respect and confidentiality for all parties concerned.
- ✚ A person or persons alleged to have bullied or harassed will be afforded natural justice and treated with fairness, sensitivity and respecting the need for confidentiality with all parties concerned.
- ✚ Bullying & harassment at work by the employer, employees and by non-employees, such as clients, customers, sub-contractors and business contacts, will not be tolerated and the organisation will deal with the complaint in line with these procedures, which could lead to disciplinary procedures being applied.
- ✚ Following the application of the disciplinary procedure, if a vexatious complaint of bullying/harassment is substantiated it may result in disciplinary sanction.
- ✚ All complaints of bullying/harassment will be taken seriously and will be followed through to resolution and employees who make a complaint will not be victimised.
- ✚ The interchangeable use of the words harassment and bullying can lead to a misunderstanding of what each one relates to. They are legally distinct concepts and so a behaviour can be deemed either bullying or harassment, not both.
- ✚ All employees will be expected to comply with this policy and management will take appropriate measures to ensure that bullying/harassment does not occur. Appropriate disciplinary action, including dismissal for serious offences, may be taken against any employee who violates this policy.

#### Scope

The policy applies to employees both in the workplace and at work associated events such as meetings, conferences and work-related social events, whether on the premises or off-site.

The Limerick Youth Service also understands that Bullying and Harassment impacts performance and productivity at work as well as a person's mental wellbeing.

#### What is Bullying?

Workplace bullying is repeated inappropriate behaviour, direct or indirect, whether verbal, physical/written/digital/cyber or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment, which could be reasonably regarded as undermining the individual's right to dignity at work. A pattern and trend must be involved so that a reasonable person would regard such behaviour as clearly wrong, undermining and humiliating.

It involves repeated incidents or a pattern of behaviour that is usually intended to intimidate, offend, degrade, or humiliate a particular person or group of people.

Behaviour which can be construed as Bullying is likely to include not one but a range of the following behaviours: This list is not exhaustive.

- Exclusion with negative consequences
- Verbal abuse/insults
- Being treated less favourably than colleagues in similar roles
- Belittling a person's opinion
- Disseminating malicious rumours, gossip or innuendo
- Socially excluding or isolating a person within the work sphere
- Intrusion – pestering, spying, or stalking.
- Intimidation/aggressive interactions
- Excessive monitoring of work
- Withholding information necessary for proper performance of a person's job
- Repeatedly manipulating a person's job content and targets
- Blaming a person for things beyond their control
- Use of aggressive and obscene language.
- Shouting at staff in public and/or private.
- Other menacing behaviour

#### 4.1 What is considered not Bullying?

- Disrespectful behaviour, while not ideal, is not of itself bullying.
- Conflicts and disagreements do not, of themselves, make for a bullying pattern either. There are various workplace behavioural issues and relationship breakdowns which are troubling, upsetting and unsettling but are not of an adequate level of destructiveness to meet the criteria required for a bullying case.
- Behaviour considered bullying by one person may be considered routine interaction by another.
- Objective criticism and corrections that are intended to provide constructive feedback to an employee are not usually considered bullying, but rather are intended to assist the employee with their work.
- Reasonable corrective action taken by an employer or supervisor relating to the management and direction of employees (for example managing a worker's performance, taking reasonable disciplinary actions, or assigning work)

#### Harassment

Harassment is any unwanted conduct related to any of the discriminatory grounds (gender, civil status, family status, sexual orientation, religion, age, disability, race and membership of the Traveller community). The unwanted conduct may consist of acts, requests, spoken words, gestures or the production, display or circulation of written words, pictures or other material. This behaviour has the purpose or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person.

Sexual harassment is any form of unwanted verbal, non-verbal or physical conduct of a sexual nature.

Examples of sexual harassment include:

- sexual gestures.
- displaying sexually suggestive objectives, pictures, calendars.
- sending suggestive and pornographic correspondence including e-mails or text messages.

- unwelcome sexual comments and jokes.
- unwelcome physical conduct such as pinching, unnecessary touching, etc.
- Same sex sexual harassment.

### Allocation of responsibilities as regards prevention of bullying/harassment at work

#### Managers and employees with a position of Authority should:

1. Provide good example by treating all in the place of work with courtesy and respect.
2. Promote awareness of the policy and complaints procedures.
3. Be vigilant for signs of bullying/harassment at work through observation and through seeking employee feedback and take action before a problem escalates.
4. Deal sensitively with employees involved in a bullying/harassment complaint whether as complainant or alleged bully/harasser.
5. Explain the procedures to be followed if a complaint of bullying at work is made.
6. Ensure that an employee making a complaint is not victimised for doing so; and monitor and follow up the situation after a complaint is made so that the bullying/harassment at work does not recur.

### Responding to a workplace bullying/harassment complaint at the workplace

Should an employee experience or observe unwanted conduct, they are encouraged to raise the issue so that it can be resolved speedily. There is both an informal and formal procedure to deal with the issue of bullying/harassment at work. Any investigation will be completed as quickly as possible.

#### **Informal:**

An informal approach may effectively address the unwanted behaviour without recourse to any other action. Sometimes the person who is alleged to be engaging in the behaviour is genuinely unaware that the behaviour being complained of is disrespectful or unwelcome or undermining and/or causing distress. A prompt informal discussion is often sufficient to alert the person concerned to the effects of the behaviour alleged and can lead to a greater understanding and an agreement that the behaviour will stop.

#### **Steps to be Taken.**

1. In the first instance a person who believes that they are the subject of bullying/harassment should ask the person responsible to stop the offensive behaviour if they are comfortable doing so.
2. Alternatively, the recipient of the unwanted behaviour can put their concerns in writing focusing on the offending acts and the effects on them.
3. The person making the complaint should make their Line Manager/ manager aware of the situation. Where concerns relate to a manager, it may be more appropriate to discuss this with the managers manager or another manager. A person may also seek help and advice on a confidential basis from a supervisor / line manager/HR personnel) particularly where a person finds it difficult to approach the alleged perpetrator directly.
4. A brief written record of the matter will be kept, in line with relevant data protection legislation, and agreed outcomes and dates noted by the relevant person responsible for managing the complaint.

#### **Secondary Informal Process**

If the above is unsuccessful or if the employee making the complaint or a manager deem it inappropriate due to the seriousness of the issues, the following steps may be taken.

1. A manager who is not involved in the issue may be appointed to address the concerns raised.
2. If the concerns are verbal, the manager nominated will record this in writing and give a copy to the employee raising the concern.

3. The manager will establish the facts, the context and the next course of action agreed with the employee.
4. If it is established that Bullying/Harassment has taken place the manager will then present the complaint to the person being complained against and establish their response.
5. An approach will then be agreed to progress the issue to establish a resolution and return to a harmonious work environment.
6. If the behavior as outlined does not meet the Threshold for Bullying/Harassment as outlined above, then an alternative approach will be put in place and a rationale recorded.
7. Where it has been identified that Bullying/Harassment has taken place then appropriate measures will be put in place to stop the Behaviour. This could take the form of Counselling, Training, or Mediation etc. A proposal will be made, considered, and an action and time frame established, signed and dated, by both parties.
8. The manager will obtain closure after a resolution is found keep a record of all stages of the complaint, from initial investigation to resolution. Periodic reviews on both employees will take place.

### Formal Process

The formal process will only be invoked after the Informal process has been exhausted. This process includes a formal complaint and a formal investigation. Escalating a complaint to a formal process will only be done following a review of all aspects of the circumstances surrounding matters complained about.

#### **Steps to be Taken.**

1. The employee with the grievance should make a formal complaint in writing to the HR Manager that should be signed and dated. Where this is not possible, a person assigned to address the issue can take a written record and have the employee sign and date it.
2. The complaint should include details of alleged incidents of bullying/harassment, including their dates, and names of witnesses, where possible.
3. Both parties will be met with and advised of the possible timeframe, the procedure involved and possible outcomes.
4. Each person(s) will be met with separately and a copy of the complaint and or Bullying/Harassment policy and any other relevant documentation will be given to the person allegedly causing the harm/behaviour.

### Investigation

The objective of an investigation is a fact-finding approach to ascertain whether, on the balance of probabilities, the behaviours complained about occurred, having already been established that the behaviours come within the description of workplace bullying/harassment. The investigation will be carried out by a manager with no conflict of Interest/ HR Manager or another designated person who may be another manager or member of the F. The outcome of an investigation may eventually, separately lead to a disciplinary process being instigated.

1. The investigator will meet with the complainant, the person complained against, and any witnesses or relevant persons on an individual confidential basis with a view to establishing the facts.
2. A work colleague or employee/trade union representative may accompany the employees if so desired.
3. If the person Chairing the Investigation concludes that the accused employee has a case to answer, on the balance of probability, then they may recommend whether the Disciplinary Procedure should be invoked.
4. The person making the complaint and the person being complained against will be formally written to with the outcomes of the meeting and the next steps.

### Action Post Investigation

Where a complaint is upheld, the Disciplinary process will be invoked. The disciplinary action to be taken will be in line with the organisation's disciplinary policy. Should a case of bullying or harassment be proven then the organisation will take appropriate disciplinary action. This can include a warning, or other appropriate action up to and including dismissal. Please refer to the Disciplinary & Grievance Policy for full procedures and appeals process.

### If internal procedures do not resolve the Bullying Complaint.

If full utilisation of the range of available internal procedures has not resolved a bullying complaint, the matter may be referred to a WRC Adjudicator.

The Adjudicator will not rehear the material of the case. A number of outcomes are possible:

- a. The Adjudicator may conclude that the investigation was conducted properly and fairly and hence its conclusions should stand.
- b. The Adjudicator may, on the other hand, conclude that the investigation process was flawed in some respect and could recommend, for example, that the investigation be reheard.

### Management of Malicious Complaints

A malicious complaint can be described as an allegation being made without foundation, and with malicious intent, where a person knowingly or without regard to whether it is true or not, accuses another person of allegedly bullying them. Being accused of bullying/harassment can have a serious impact on any person and reduce his or her reputation in the eyes of others, even if later shown to not have been proven.

The Limerick Youth Service takes a very serious view of malicious complaints. Making a malicious complaint, if proven, can have serious implications for the employment of the person making such a complaint and this includes disciplinary action, up to & including dismissal where established.

The examples stated in this policy are not an exhaustive list and the organisation reserves the right to take action against these and other inappropriate behaviours.

### Review

The Limerick Youth Service commits to review this policy on a regular basis in line with experience in the employment, changes in the law, relevant case law or other developments.

I have read, understood and agree to abide by this policy and understand that any breach of this policy including but not limited to discrimination, bullying, harassment will not be tolerated by the Limerick Youth Service.

Signed: \_\_\_\_\_

Dated: \_\_\_\_\_

## SUPPORT AND SUPERVISION

Volunteering and working with children is both worthwhile and fulfilling, but also challenging. Once recruited, all staff and volunteers of the Limerick Youth Service will be well informed, trained, supervised and supported, so that they are less likely to become involved in actions which can lead to harm, or can be misunderstood.

The following processes will apply:

### **Induction**

All applicants will go through an initial induction period, which will enable them to get to know the organisation, the staff/volunteers, their role and responsibilities. Contracts of employment, where applicable, will be discussed and signed. The induction period will also cover expectations, conditions and procedures for dealing with discipline, grievances and allegations and the Child Safeguarding policy and procedures.

### **Supervision and Support**

Staff and volunteers participate in support and supervision sessions with their youth worker /line manager on a monthly basis. Interim sessions can be arranged should the need arise and there is access to email/telephone support as needed. Team/area support meetings are also held on a monthly basis throughout the organisation. The support and supervision sessions ensure that Limerick Youth Service personnel are supported in their work and given the appropriate guidance and assistance to develop professionally within best practice guidelines.

Sessions include regular reviews of performance/activity with staff in order to:

- Ensure that the requirements of the role are fulfilled
- Give / receive feedback on person / work performance
- Identify any additional training and development needs
- Plan objectives for the weeks / months / years ahead

Support and supervision provide staff with the opportunity to:

- ✚ Discuss their work in a structured and supportive environment. It is a process for encouraging and enabling personal development through dialogue.
- ✚ Support and supervision also involves monitoring and directing work undertaken to ensure accountability to the organisation.
- ✚ At least one hour will be set aside for each supervisory session.
- ✚ After the first session, progress achieved against the objectives agreed at the last meeting is evaluated and key objectives set for the period to come.

## **Employee Training & Development Policy**

### **Purpose**

Limerick Youth Service recognises its staff as its most valuable resource and believes in investing in their continuous development. The organisation is committed to providing opportunities for training and development where feasible. The purpose of this policy is to outline a framework to ensure that staff are equipped with the skills and knowledge to competently and effectively carry out their roles in line with current and future needs of the organisation. The staff training & development plan is driven by the needs of the organisation overall, department or programme priorities and the personal goals of individual staff members.

It is the aim of the organisation to encourage staff to make the most of learning opportunities, to realise their own personal potential and to ensure job satisfaction. The organisation recognises that broader study contributes to the professionalism of the organisation and raises the contribution made by individuals. Wherever possible Limerick Youth Service will assist with fees and study leave within the confines of the training budget/plan for each project.

### **Scope**

This policy is applicable to all Limerick Youth Service employees in accordance with the Organisations policy on Equality.

### **Aims of the Staff Training & Development Plan**

- Review and monitor training needs of the Organisation
- Provide each employee with the opportunity to become more experienced in their role and adaptable to meet changing external needs and demands.
- Ensure there is an active training plan in place at the start of each financial year to cover the forthcoming 12 month period.
- Ensure that value for money is achieved by planning, delivering and effectively evaluating all training.
- Provide support and guidance to employees in relation to both individual and career development.
- Ensure sufficient funding is set aside to cover the planned training expenditure.
- Acknowledgement that there is a considerable pool of expertise built up amongst a range of staff members within the Organisation and as far as possible, we will endeavour to draw on and share this expertise in the delivery of training activities.

## **Types of Training**

There are a number of different training interventions:

- Internal training courses
- On the job learning/mentoring
- e-Learning
- Formal Presentations
- External training courses
- Further education ie. Certificate/Diploma or Degree
- Attendance at various events/conferences etc.
- Interdepartmental Teamwork

## **Mandatory Training**

Certain courses are mandatory as a result of the nature of the organisation. These include Health & Safety, manual handling, Child protection, etc. There may also be ongoing training needs that Limerick Youth Service believes to be essential for all staff, or one off needs in response to a particular issue. Examples might include confidentiality, report writing, critical incident etc. Retraining or refresher training will be provided where appropriate.

In general all training should be planned well in advance. If however, an immediate need arises that is considered critical to the success of the project and therefore the organisation, the Line Manager concerned must present a case directly to a member of the management team.

## **How Training Needs Are Identified**

1. Induction
2. Complaints
3. Supervision/Staff appraisal.

## **Recruitment & Induction**

The Organisation's Recruitment & Selection procedure identifies the successful applicants strengths & weaknesses in terms of key areas of their work. Each new staff member will undergo a period of induction. Each line manager in conjunction with HR will arrange an induction programme that:

- Ensures an understanding of the key policies and procedures, health and safety requirements and work practices.
- Explains the structure and functions of the organisation
- Explains the aims of the role concerned and the possibility of collaborative work and support from other areas/projects
- Clarify expected behaviours and the organisation's values.
- Provision of Mandatory Training

## **New employees**

For any new employee joining the organisation the Line Manager/Supervisor should complete a new starter Trainee Assessment form. This is a structured assessment of the new employee's potential training needs gathered during the interview process. The Line Manager/Supervisor should give appropriate feedback to the new staff member in identifying relevant training opportunities to address any weak points.



## Complaints

Complaints from the public or other can also assist in identifying training needs or highlighting areas of improvement. Complaints will be dealt with in accordance with the organisations policy on complaints procedure.

## Supervision & Appraisal

Each employee in consultation with their manager should identify both job related and personal training and development needs through performance appraisal/supervision meetings and individual requests from employees. They should then discuss these areas with their line manager at least on a bi-yearly basis.

S. & A. should be used as an opportunity to review the development and training that has taken place, evaluate how useful it has been, how it has impacted on the individual's work and how the learning could be shared with the others in the organisation. It is also a means of ensuring that goals that have been identified have been met.

The purpose of the annual appraisal is to identify possible changes in work to be done and any new direction work will take. It is also a means for reviewing any areas whereby the staff member requires further support and development. This could mean drawing up a **Training Needs Analysis** which would encompass:

- Identifying any specific training and development requirements
- Prioritising needs within given constraints e.g. time, monetary, staffing.

Training Needs Analysis should be carried out for all staff during the month of November and training needs should be forwarded by all Line Managers to the Senior Manager by the end of November. The individual training plans will then be collated into the overall organisational plans for consideration with goals and objectives.

### Provision of training is dependent upon:

1. Setting priorities where there are competing demands and a number of people applying to attend which cannot all be met. Priority will be afforded to job related development and relevance of course to a particular individual/function.
2. Ensuring as far as possible that all staff have an equal opportunity to avail of training and individuals do not get more than their fair share at the expense of others.
3. Ability to allocate funds for financial assistance towards training. Each Line Manager will receive notification of training budget and criteria for expenditure, which may differ from one project to another according to funders specifications.

All approved training courses for the following year require relevant staff to complete a Training Application form This is then signed by the relevant Line manager/supervisor/Senior Manager and submitted to HR for the staff members personnel file.

### **Procedure for attending Short Seminars and Conferences.**

Applications for attendance at work related conferences and seminars that are not part of the agreed training plan will be made a minimum of 2 weeks in advance and are subject to approval by Line Manager/Senior Manager. Consideration will be given to the following:

1. The course is work related and or relevant to the work of the organisation.
2. The course is relevant to the applicants development.

### **Development**

Development opportunities can arise internally in the form of promotion, transfer, secondment, substitution, and temporary posts. Job opportunities are advertised internally through e-mail and the Limerick Youth Service website.

### **Financial Support & Assistance**

To be eligible for assistance staff members must have one years continuous service. The request will be considered alongside all other project and organisational needs such as financial resources available, relevance of course and benefit to the organisation & individual personal development. If financial support cannot be given then consideration will be given to the possibility of flexible working hours which do not conflict with operational requirements.

Types of costs that may be eligible for financial assistance

- Course Tuition Fees (part/full) (dependant on funding source)
- Exam Fees
- Costs for membership of a professional body

To enable employees to prepare for and sit examinations in a positive frame of mind, Exam and Study Leave may be available for educational courses approved by the organisation.

Study leave is discretionary and both Study and Exam leave must be applied for in writing one month in advance. Staff pursuing a post-graduate course, degree or equivalent third level courses may be allowed study leave with pay during the course. Prior approval for study leave must be granted and must be agreeable to the business environment at the time. If an employee successfully completes a formal, recognised qualification course, for which there is a conferring ceremony, then one day's paid leave may be granted on the day of the ceremony. However, if this falls on a weekend, no time off in lieu will be given.

- Study Leave: In general five days study leave per academic year will be granted for a post-graduate, primary degree or equivalent course. Three days study leave will be granted for certificate or diploma standard courses. These days may be used for attendance at the course during work time or kept for study prior to exams.
- Exam Leave: normally one half-day per exam, however on occasion it may be necessary to allow for travel to and from the exam location and the exam could be in excess of the average 3 hours. If an exam falls on a weekend day, no time off in lieu will be granted

If a staff member fails to complete the course, is unsuccessful in passing their exams, terminates their employment prior to course completion or within a year of obtaining qualification, then the organisation will retain all rights to be reimbursed for the current years fees and any other associated costs. Such payments may be deducted from the employee's final salary

### **Systematic Review of Training**

#### **Recording training**

All training records and courses completed (hard & soft copy) will be maintained by HR. All managers should forward training records and records of attendees on courses to HR. HR will periodically review and analyse the individual and overall training activities of the organisation.

#### **Evaluation of Training**

It is important that we evaluate both internal and external courses in order to assess the benefit and suitability of the course. This should assess if the aims of the course were met in terms of improvement in skill area etc. Each participant should complete the Training Evaluation form on completion of each course both internal and external and return it to their Line Manager in the first instance who will forward to HR for recording and any further analysis. The HR Manager will collate and analyse the forms and provide feedback as appropriate to the Management Team.

The Line Manager through regular supervision will evaluate with the staff member the relevance of training; and determine if the training has been implemented in the workplace to ensure added value and best practice. The Line manager has the responsibility for ensuring that appropriate feedback or debriefing occurs post course attendance and is disseminated to relevant staff through staff meetings or another appropriate medium where necessary.

#### **Roles and responsibilities**

In determining training needs, the line manager in consultation with staff will consider the following:

- Are there areas of the job description where he/she may need further development/training?

- In what areas of the work does he/she need further skills?
- How would the training benefit the employee?
- How would the training benefit the organisation? (How would he/she apply the learning?)

All staff are responsible for:

- Identifying their own training and development needs and bringing these to the attention of their line manager
- Undertaking training and development activities which will enable them to perform their work efficiently and effectively
- Managing their own learning and professional updating

Human Resources is responsible for:

- Overall co-ordination of training and development
- Supporting the production of a corporate training plan and ensuring it is delivered effectively
- Sourcing appropriate specialist training
- Working collaboratively with other managers to evaluate the impact of development.

**Review & Monitoring:**

Overall responsibility for the operation of this policy lies with the Management Team and will be monitored on an annual basis. All commitments under this policy are subject to review and budgetary constraints.

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## Limerick Youth Service Child Protection Oversight Report to the Board

This CPOR check list relates to the period since the last board meeting.

1	<b>Allegations of abuse against any staff/volunteers/students of Limerick Youth Service</b>	<b>N u m b e r</b>
( a )	State the number of reports made to Tusla since the last board meeting in respect of an allegation of abuse against a member of Limerick Youth Service	
( b )	State the number of cases, since the last board meeting, where the DLP sought advice from Tusla in relation to an allegation of abuse against a member of Limerick Youth Service and the matter was not reported by the DLP based on the advice of Tusla.	
( c )	State the number of cases, since the last board meeting, where an allegation of abuse has been made against a member of Limerick Youth Service and the DLP has not sought any advice from Tusla in relation to the matter and has not reported the matter to Tusla	
( D )	State the number of cases, since the last board meeting, where an allegation of abuse has been made against a member of Limerick Youth Service and the DLP did not report the matter to Tusla in circumstances where Tusla advised the DLP that it should be reported.	
2	<b>Other child protection concerns in respect of young people (i.e., cases that do not involve any allegation of abuse against a member of the organisations personnel)</b>	
( a )	Any case where a member of Limerick Youth Service personnel has submitted a report to Tulsa in respect of a child in the school in circumstances where the DLP has decided that the matter did not warrant reporting	
( b )	Any case where the DLP has sought the advice of Tusla in respect of a concern about a young person in the Organisation and Tusla has advised that the matter should not be reported	
( c )	Any case where the DLP has sought the advice of Tusla in respect of a concern about a young person and Tusla advised that the matter should be reported but the DLP has not reported the matter in question.	
3	<b>Child protection concerns arising from alleged bullying behaviour amongst Young People</b>	
( a )	State the number of cases where the DLP has reported a concern about a child arising from alleged bullying behaviour amongst other young people	
( b )	State the number of cases where the DLP has sought Tusla advice as to whether to report a concern about a child arising from alleged bullying behaviour amongst other young people	
4	<b>Summary data in respect of reporting</b>	<b>T o t a l</b>
	Reports made to DLP including area/ project/team	

( a )		
	CTC      Tusla                      YDP              Be Well              Other	
	Mandated Reports forwarded to Tusla by DLP	
	CTC      Tusla                      YDP                                      Be Well Other	
	Nature of Concern (Categories)	
	Physical              Sexual                      Neglect                      Emotional	
	State whether any of the reports related to concerns regarding staff/volunteer/student	
( b )	State the total number of cases where the DLP sought advice from Tusla and as a result of this advice, no report was made by the DLP	
	State whether or not any of those cases at (b) concerned a member of the organisation	
( c )	State the total number of cases where a staff member/volunteer provided the DLP with a copy of a report submitted by that person to Tusla in relation to a matter that the DLP had considered did not require reporting or did not require reporting as a mandated report	
	State whether or not any such cases concerned a member of Limerick Youth Service	
<b>5</b>	<b>Advice Sought from Staff</b>	
	Details/Nature	
<b>6</b>	<b>Advice Sought from Tusla</b>	
	Details/Nature	
<b>7</b>	<b>CP Training Record of Staff &amp; Volunteers</b>	
	Staff                                      Volunteers	

	Garda Vetting Record of Staff & Volunteers	
	Staff	Volunteers
<b>8</b>	<b>Safer Recruitment updates relating to Staff &amp; Volunteers (Additional or Amended Policies)</b>	
	List:	
<b>9</b>	<b>CPAP registered</b>	

Date of Board meeting: \_\_\_\_\_

Date of last Board meeting: \_\_\_\_\_

Signed \_\_\_\_\_  
CEO

Date: \_\_\_\_\_