

Update 10/04/2018 SR

1. Collins Avenue Physiotherapy Child Protection and Welfare Policy Statement

Collins Avenue Physiotherapy Clinic is committed to safeguarding the children in our care and to providing a safe environment in which they can successfully benefit from our physiotherapy services.

We are committed to child centred practice in all our work with children and full compliance with 'Children First' and 'Our Duty to Care'.

We recognise the right of children to be protected from harm, treated with respect, listened to and have their views taken into consideration in matters that affect them.

Management, employees and contracted staff, volunteers and students in this service recognise that the welfare of children is paramount and our service will endeavour to safeguard children by:

- Having procedures to recognise, respond to and report concerns about children's protection and welfare.
- Having a confidentiality policy.
- Having a safe recruitment procedure.
- Having a procedure to respond to accidents and incidents.
- Having a procedure to respond to complaints.
- Having procedures to respond to allegations of abuse and neglect against staff members.

As part of the policy, this service will:-

- Appoint both a Designated Liaison Person for dealing with child protection concerns and a Deputy
- Provide induction training on the Child Protection and Welfare Policy to all staff, volunteers and students, which should include completion of the Child First e-learning programme as appropriate child protection training, and should include fully reading our Child Protection and Welfare Policy. The certification received following this training programme is valid for 3 years, and the programme must be revisited once valid certification has expired.
- Provide support for staff and volunteers in contact with children
- Share information about the Child Protection and Welfare Policy with families and children. This statement is visibly displayed in our clinic and this policy is available to all of our service users, staff or relevant statutory agencies on request.
- This policy will be reviewed by the Clinic Director each time an incident is reported or every 2 years if that is sooner
- Work and cooperate with the relevant statutory agencies as required.

Overall Responsibility of all Service Personnel

Although the Designated Liaison Person (for more detail on the designated liaison person see section 2) has a lead on issues relating to the protection and welfare of children, it is the responsibility of all service personnel to ensure the safety, protection and well-being of children in the care of the service. All employees, management, contracted staff and volunteers are required to read, understand and sign off on the Child Protection and Welfare Policy. It is expected that if personnel have any questions about the policy, or its implementation, they speak with the Designated Liaison Person. It is expected that all personnel should be aware if they are categorised as mandated persons, and then also be aware of the legally bound responsibilities that come with being mandated persons.

Note: All physiotherapists are mandated persons and as such should refer to

<http://www.tusla.ie/children-first/children-first-e-learning-programme>

We will ensure that all personnel:

- Are aware of their responsibilities and their obligations under Children First
- Are aware of their responsibilities for reporting concerns and/or incidents regarding
- Are aware of the specific responsibilities of mandated persons within the our legislation, which includes but is not exclusive to physiotherapists and other
- the safety or well-being of children to the Designated Liaison Person
- Attend child protection training as appropriate
- This policy is applicable at all times when children are in the care of the service, including
- on day trips and outings.

We will ensure this policy is observed by :

Clinic Director

Employees

Contracted Staff

Volunteers

Students

Children & Parents using the service where appropriate

2. Policy and procedure for appointment and role of the designated liaison person (DLP)

Children First requires that every organisation providing services to children appoint a **Designated Liaison Person (DLP)** for reporting neglect or abuse. The DLP is responsible for dealing with child protection and welfare concerns in accordance with the *Children First Act 2015*, the *Children First: National Guidance*, and *Tusla’s Child Safeguarding: A Guide for Policy, Procedure and Practice*. The Deputy DLP at Collins Avenue Physiotherapy Clinic is Sinead Roche, MISCSP, Clinic Director, and in her absence the Deputy Liaison Person will be Sarah Brady, MISCSP, Senior Chartered Physiotherapist.

Designated Liaison Person	Deputy Liaison Person
Sinead Roche	Sarah Brady

The Role of the DLP is to:

- Provide information and advice on child protection and welfare concerns and issues to the staff of the service
- Be accessible to all staff
- Ensure that they are knowledgeable about child protection and welfare and that they undertake any training considered necessary to keep updated on new developments
- Ensure that the Child Protection and Welfare Policy and procedures of the service are followed
- Be responsible for reporting concerns about the protection and welfare of children to TUSLA – Child & Family Agency or to An Garda Síochána
- Ensure that appropriate information is included in the report to the Child & Family Agency and that the reported is submitted in writing (under confidential cover) using the Standard Report form (see Appendix (i))
- Liaise with the Child & Family Agency, An Garda Síochána and other agencies as appropriate
- Keep relevant people within the organisation informed of relevant issues, whilst maintaining confidentiality
- Ensure that an individual case record is maintained of the action taken by the service, the liaison with other agencies and the outcome
- Act on all child protection training needs
- Maintain a central log or record of all child protection and welfare concerns in the service

3. Recognising, Responding and Reporting Concerns about a Child’s Welfare or Possible Abuse

- Staff and/or volunteers may at times be concerned about the general welfare and development of children they work with and they can discuss any concerns with the Designated Liaison Person at any time.
- All personnel should be familiar with the definitions of abuse as outlined in *Children First* e-learning programme and the *Child First Act 2015* (see Appendix (ii)) and the signs and symptoms of abuse (see Appendix (iii)).

In accordance with Children First:

- Everyone must be alert to the possibility that children with whom they are in contact may be suffering from abuse or neglect.
- The Child and Family Agency should always be informed when a person has reasonable grounds for concern that a child may have been, is being or is at risk of being abused or neglected.
- Child protection concerns should be supported by evidence that indicates the possibility of abuse or neglect.
- A concern about a potential risk to children posed by a specific person, even if the children are unidentifiable, should also be communicated to the Child and Family Agency.
- The guiding principles in regard to reporting child abuse or neglect may be summarised as follows:
 - the safety and well-being of the child must take priority
 - reports should be made without delay to the Child and Family Agency.
- Any reasonable concern or suspicion of abuse or neglect must elicit a response. Ignoring the signals or failing to intervene may result in ongoing or further harm to the child.
- Section 176 of the Criminal Justice Act 2006 introduced the criminal charge of reckless endangerment of children. It states:

‘A person, having authority or control over a child or abuser, who intentionally or recklessly endangers a child by – (a) 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 (b) 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.’

The penalty for a person found guilty of this offence is a fine (no upper limit) and/or imprisonment for a term not exceeding 10 years.

A concern could come to your attention in a number of ways:

- A child tells you or indicates that she/he is being abused. This is called a disclosure (see Appendix (iv) for guidance on responding to a disclosure from a child)
- An admission or indication from the alleged abuser
- A concern about a potential risk to children posed by a specific person, even if the children are unidentifiable
- Information from someone who saw the child being abused
- Evidence of an injury or behaviour that is consistent with abuse and unlikely to be caused in any other way
- Consistent indication over a period of time that a child is suffering from emotional or physical neglect
- An injury or behaviour which is consistent with abuse, but an innocent explanation is given
- Concern about the behaviour or practice of a colleague

All Personnel are expected to consult Children First and the Child Protection & Welfare Practice Handbook pg. 70-74) for detailed information on the signs and symptoms of abuse, soft PDF copy of which is available in clinic or downloadable from link ;
www.tusla.ie/uploads/content/CF_WelfarePracticehandbook.pdf - see appendix (iii)

Procedures for Responding to a Child Protection or Welfare Concern

- Under no circumstances should a child be left in a situation that exposes him or her to harm or risk pending Child & Family Agency intervention. In the event of an emergency and the unavailability of a Duty Social Worker, the DLP will contact An Garda Síochána
- If the child has made a disclosure, a written record will be made. If there are other grounds for concern that the child has been abused or neglected, a written record will be made
- If there are reasonable grounds for concern (see Appendix (v)) the DLP will complete the Standard Report Form without delay and send it to the Duty Social Work Team in the Child & Family Agency (see below for contact details)

Duty Social Work Team , Tusla- Child and Family Agency	An Garda Síochána
Child and Family Agency, Wellmount Health Centre, Wellmount Park, Finglas, Dublin 11 Ph 01-8567704	Clontarf Garda Station 01-6664800

If the concern is urgent and the child is in immediate danger, the report to the Child & Family Agency will be made by telephone and followed up with the completed Standard Report Form.

In the event of an emergency and the unavailability of a Duty Social Worker, the DLP will contact An Garda Síochána

The DLP may use the process of informal consultation with the Duty Social Work Team to discuss the response to a child protection and welfare concern and whether or not it warrants reasonable grounds for concern. Informal consultation is carried out without providing the name of the family or the child. If advised to do so, a formal report will be made.

The DLP will record information about the concern, informal consultation (if carried out) and details regarding if and when the parents were informed

If the clinic director is not on duty or available at the required time, then the deputy liaison officer will follow due procedure and will inform the clinic director when a referral or a report is made under the Child Protection and Welfare Policy.

Procedure when a referral is not made to the Child & Family Agency

Not all concerns will meet the reasonable grounds for concern. In this case, the concern and any informal consultation will be documented and kept confidentially and securely.

The DLP will inform the personnel who raised the concern that it is not being referred in writing, indicating the reasons. The DLP will advise the individual that they may make a report themselves or contact the Duty Social Work Team and that the provision of the Protection for Persons Reporting Child Abuse Act, 1998 will apply.

Informing Parents about Child Protection and Welfare Concerns

- Good communication with parents is very important in ensuring best outcomes for children and any concerns about the health and well-being of a child will always be discussed with parents from the outset.
- **When a child protection concern is being reported to the Child & Family Agency, good practice indicates that parents should be informed about the report unless doing so may put the child at further risk.** The DLP may seek advice from the Child and Family Agency Social Work Department in relation to this.

Responding to a Retrospective Disclosure by an Adult of abuse as a child

- In relation to retrospective disclosures, it is imperative that all child protection concerns are examined and addressed.
- An increasing number of adults are disclosing abuse that took place during their childhood. If a staff member becomes aware of a retrospective concern they should follow the reporting procedure and speak with the DLP. If any risk is deemed to exist to a child who may be in contact with an alleged abuser, the service should report the concern to the Children and Family Agency without delay.
- Information about relevant support services may be provided to the adult if appropriate

4. Confidentiality Statement

- The effective protection of a child often depends on the willingness of the staff in statutory and voluntary organisations involved with children to share and exchange relevant information. It is therefore critical that there is a clear understanding of professional and legal responsibilities with regard to confidentiality and the exchange of information.
- All information regarding a concern or assessment of child abuse or neglect should be shared on 'a need to know' basis in the interests of the child with the relevant statutory authorities.
- No undertakings regarding secrecy can be given. Those working with a child and family should make this clear to all parties involved, although they can be assured that all information will be handled taking full account of legal requirements.
- Ethical and statutory codes concerned with confidentiality and data protection provide general guidance. They are not intended to limit or prevent the exchange of information between different professional staff with a responsibility for ensuring the protection and welfare of children. The provision of information to the statutory agencies for the protection of a child is not a breach of confidentiality or data protection.
- It must be clearly understood that information gathered for one purpose must not be used for another without consulting the person who provided that information.

5. Allegations of Abuse or Neglect against Clinic Personnel to include any employee, contracted staff, volunteers or students

The protection and welfare of the children in the service are paramount and their safety and well-being is the priority. However, the service also has a duty and responsibility, as an employer, in respect of its employees. It is important to note that there are two procedures to be followed when an allegation of abuse or neglect is made against any personnel member:

- 1. Reporting procedure in respect of any child protection and welfare concern*
- 2. The procedure in respect to the allegation against the personnel member*

Where possible two different people will manage each procedure. Where necessary an external person who is independent to the parties may be called on.

- The Designated or Deputy Liaison Person will be responsible for reporting the matter to the Child & Family Agency (as per the reporting procedure) while the Clinic Director (or an externally appointed person if necessary) will be responsible for addressing the employment issues.
- If the concern meets the reasonable grounds for reporting then it should be referred without delay to the Child & Family Agency.
- To be reported to the Child & Family Agency the allegation must meet the reasonable grounds for reporting of a concern. Informal consultation with the Child & Family Agency may be used to determine if reasonable grounds are present.
- All staff and volunteers in the service should be aware of who to contact should they become aware of an allegation of abuse or neglect against any employee in the service.
- Written records are very important: If a disclosure is made by a child, a written record of the disclosure should be made as soon as possible by the person receiving it. Where an allegation of abuse or neglect is made by an adult, a written record of the allegation should be made and a written statement should be sought from this person.
- Where an employer becomes aware of an allegation of abuse by an employee while executing their duties, an employer should privately inform the employee of the following:
 - The fact that an allegation has been made against him/her
 - The nature of the allegation.
 - The employee should be afforded the opportunity to respond, the response should be noted and passed onto the Child & Family Agency with the formal report.
- All stages of the process should be recorded.

An investigation may be required and the policy should note who will carry this out, the time involved and any appeal process. In small staff teams, independent, external parties may be called upon.

Whether or not the matter is being reported to the Child & Family Agency, the employer is always informed of an allegation of abuse or neglect against an employee.

Confidentiality: It is essential that at all times the matter is treated in the strictest confidence and that the identity of the employee is not disclosed, other than as required under the procedures within the policy.

Protective measures may be required while the allegation is being investigated. The principles of natural justice, the presumption of innocence and fair procedures should be adhered to. It is very important to note protective measures are intended to be precautionary and not disciplinary.

The employer should maintain regular and close liaison with the Child & Family Agency and or An Garda Síochána and ensure that no action by the service frustrates or undermines any investigation.

Further action will be guided by employment legislation, the contract of employment, the details of the Collins Avenue Physiotherapy Employees Manual and the advice of the investigating agencies.

The Clinic Director may also seek legal advice when dealing with allegations of abuse or neglect against a personnel member or employee.

Parents and Allegations of Abuse or Neglect Against Employees

Parents have the right to contact the Child & Family Agency to report an allegation of abuse or neglect about the employee or service.

Parents of children who are named in an allegation of abuse or neglect will be kept informed of actions planned and taken, having regard to the rights of others concerned.

If there is any concern that a child may have been harmed, their parents will be informed immediately.

6. Record Keeping

As per the Irish Chartered Society of Physiotherapy Professional Code of Conduct accurate and up to date records in relation to patients and service provision must be kept.

Only personnel directly involved with a particular allegation of abuse or neglect should have access to confidential files.

Parents may have access to the files and records of their own children on request.

Where there are child protection or welfare concerns, observations/records will be kept on an ongoing basis and information shared with the Child and Family Agency as appropriate. These documents will be recorded and stored in a secure onsite location separate to usual clinical notes. Procedures are in place for archiving records.

All records are managed in line with the service Data Protection Policy

7.Code of Behaviour When Working with Children

We recognise the importance of a Code of Behaviour between staff and children as recommended in document *Our Duty to Care*. Our Code of Behaviour is kept under regular review. The Code of Behaviour supports all personnel to have a clear understanding of what is acceptable with respect to their behaviour with children.

We recognise that children have an equal right to our service provision in line with the Equal Status Act and the National Disability Strategy.

We are committed to –

- Valuing and respecting all children as individuals
- Listening to children
- Involving children in decision making as appropriate
- Encouraging children to express themselves
- Working in partnership with parents
- Promoting positive behaviour
- Valuing difference
- Implementing and adhering to all relevant policies to keep children safe

Regarding Individual Consultations or Class Based Physiotherapy Interventions

- It is the absolute policy of Collins Avenue Physiotherapy Clinic that all physiotherapy consultations with children shall require that they attend with a parent or guardian. These consultations should be performed in a room or treatment space where this parent/guardian is within vision of their child. If a child presents for a consultation without an appropriate accompanying adult that appointment should be rescheduled until an accompanying adult is available.
- Registration forms including personal details required from the child for service use should be signed by the parent/ guardian of the child in question.
- It is the policy of the clinic that, should an adult patient attend in the company of their own, or another child, then that child should stay within the vision of the attending adult at all times during their attendance in the clinic.
- Should it be deemed appropriate that a patient of under 18 years of age be enrolled for a class-based intervention, that class should be only include children as participants. The format of the class should be clearly outlined to the parent/ guardian and child prior to enrolment. The child should be supervised from leaving parental supervision until returning to parental supervision post class. Where possible, the child should never be alone in an exercise or treatment space with the class leading physiotherapist or other class attendees.
- Video or photograph footage of children availing of our physiotherapy service should only be used when all of factors below apply.
 - This activity is clinically indicated
 - Footage is recorded or captured only on the device of the parent or guardian
 - Footage is recorded or captured with informed consent from both the guardian and child.

- o No such footage should be retained on clinic files without the written consent of the parent or guardian.
- Personnel of Collins Avenue should ensure that children availing of clinic services should only be contacted through their parent/guardian eg to change or make appointments. The contact details retained for children under 18 should only be those of their parent and guardian.
- Clinic personnel should understand and respect professional staff/client boundaries. These boundaries also extend to the child's parents/guardians.
- Children should be involved as much as possible in their physiotherapy assessment and treatment. It is important that information is given to them in an age appropriate manner, their views are considered and that they are treated with dignity and respect.
- The manner of assessment and the nature of the treatment should be clearly explained to parent/guardian and to the child prior to any intervention and their consent recorded.
- Permission should always be sought before examining /touching, with a clear explanation as to what is going to happen. Collins Avenue Chartered Physiotherapists must ensure that such contact is appropriate for the particular intervention.
- Touch and physical contact should always be open and not secretive
- All touch and contact should be in response to meeting the child's physical needs and not the adult.
- The privacy of children should be respected.
- Chartered Physiotherapists should be aware that a child may feel uncomfortable if required to remove clothing for the purpose of treatment and should therefore offer enhanced levels of privacy if required. Blankets and/or shorts should always be offered as appropriate.
- It should be noted that this policy should be also enhanced by adherence to the Collins Avenue Physiotherapy Lone Working Policy (please see employees manual).
- It is expected that all personnel are familiar with this code and that any questions arising will be discussed with the clinic director.

8. Safe Recruitment

We will ensure that all clinic personnel are carefully selected and that the following will be undertaken:

- Development of job description which outlines the qualifications, skills and experience needed for each post
- Advertising vacancies externally and as widely as practicable
- Requesting candidates to supply personal information on an application form
- All physiotherapy applicants must provide proof of current state registration through CORU
- All physiotherapy applicants must provide proof of current ISCP membership and current professional indemnity insurance
- Prior to an offer of employment being made, two references from previous employers (including the most recent) should be supplied and kept on file
- Prior to commencement of position, proof of identity including address (passport, driving licence or ID card) will be requested and kept on file
- Prior to commencement of position, satisfactory Garda vetting will be in place for all personnel
 - Any child protection and welfare concerns that arise through the recruitment process should be dealt with through the reporting procedures as outlined in Section 3
 - All new appointments should be subject to a probationary period for a stated period and a review meeting held before the post is confirmed
 - All employees will be provided with an employment contract and also sign the final page of the master copy of the employees manual, in confirmation that they will comply with the detail outlined in said document.

Personnel File

An up-to-date and accurate personnel file is kept for each member of staff that includes the following records:

- o proof of identity and that the person is over 18 years of age
- o proof of satisfactory Garda Vetting
- o two validated references, including a reference from the most recent place of employment
- o verification of qualifications via ISCP membership and current state registration with CORU
- o verification of current professional indemnity insurance
- o investigation of any gaps in employment.
- o A current certificate proving completion of the Tusla Child First e-learning programme

9. Induction for new clinic personnel:

As part of the induction process, all new staff, contracted staff, volunteers and students will be briefed on all the elements of the Child Protection and Welfare Policy including the ethos of the service, child centred practice and the Code of Behaviour, within the first week of employment.

All clinic personnel will be required to commit to and abide by the Child Protection and Welfare Policy. They are required to confirm that they have read and understand the Child Protection and Welfare Policy with their signature.

Training on Child Protection:

All clinic personnel will complete the Child First E-Learning module and certification will be up to date, with each training period being valid for a 3 year period. This module is available at

<http://www.tusla.ie/children-first/children-first-e-learning-programme>

Staff will be provided with information in relation to particular skills training to encourage professional development and best practice.

10. Responding to Complaints

Policy Statement:

We work in partnership with parents by seeking their views and encouraging parents to participate in any decision making in relation to the service. We welcome comments/suggestions on the delivery of the service.

Procedures for Responding to a Complaint:

We undertake to ensure all complaints are taken seriously and dealt with fairly, impartially and confidentially.

We will endeavour to quickly and informally resolve complaints through discussion with parents and members of staff as appropriate.

A structured customer feedback form can be accessed on the clinic website and submitted accordingly.

If we find that we have made a mistake or that something could have been done better we will change the way we do things to avoid making the same mistake in future.

Complaints can be made by parents, guardians and other advocates on behalf of children.

For full detail of our general complaints procedure please see our customer service policy.

If a parent is not satisfied with any aspect of the service they are requested to resolve the issue informally through discussion with the treating therapist.

If the problem persists, re-occurs or the parent is not satisfied with the response, the complaint should be put in writing to the clinic director/ owner, Sinead Roche, sinead@dublinphysiotherapy.com

Most complaints are resolved at this stage. However if there are other or more serious issues arising from the complaint or it cannot be resolved then both sides may agree the need for a third party to mediate in relation to the complaint.

Written records of discussion and agreements made will be kept of this meeting and copies made available to parents, treating therapist, or other involved staff (as appropriate). All complaints will be dealt within in a timely manner.

Other Services

If the issue still remains unresolved the clinic director will ask the parents to put their complaint in writing to them, a further meeting may take place and agreements reached will be written up and copies forwarded to parents and other relevant personnel (as appropriate).

Depending on the nature of the complaint the Disciplinary Procedures may also be followed. If a complaint is made to CORU about any aspect of this service we will co-operate fully with the regulatory body to resolve the issue.

12 . Dealing with Accidents or Incidents

Policy Statement

It is our policy to promote the health, well-being and safety of all the children in our service through the implementation of robust policies and procedures and by developing and regularly reviewing accident prevention procedures and fire safety. Although we adhere to all safety precautions and guidelines, accidents may occur.

Procedures for Responding to an Accident/Incident

- All procedures are in line with the regular clinic accident/incident policy
- We will ensure that all personnel are aware of emergency numbers and that they are prominently displayed.
- We will ensure that all relevant personnel have relevant First Aid Training and that a complete First Aid Box is accessible.
- The safety and welfare of the child is always the first consideration if a child is injured or an accident occurs.
- After an accident, as soon as practicable, the accident Report Form is completed and recorded in the Accident book/log.
- The clinic director is informed of serious accidents or incidents.
- The manager will review the accident and incident reports annually

13. List of Appendices

Appendix (i) Standard Report Form (see <http://www.tusla.ie/children-first/publicationsand-forms>) Appendix (ii) Definitions of Abuse from Children First (pp. 8-10)

Appendix (iii) Signs and Symptoms of Abuse from Children First (pp. 70-74)

Appendix (iv) Guidance on responding to a disclosure from the Child Protection and Welfare Practice Handbook (Section 5)

Appendix (v) Reasonable Grounds for Reporting a child protection and welfare concern from Children First