



Child & Vulnerable Person Safeguarding Policy

UP TO DATE OCT 6, 2022

For review: April 2024 (or sooner if required)

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Designated Liaison Person (DLP): Aideen Gough +353 87 790 3659

Deputy DLP: Clíodhna Woods + 353 87 657 3875

1. Guiding Principles

Policy Statement

Helping Irish Hosts is a company limited by guarantee incorporated to support an organised group of hosts, working together with displaced and Irish based Ukrainians, to get people into Irish homes, quickly, to give them a soft landing, avoiding Direct Provision and long-term hotel / government accommodation stays. Our mission is to empower and support individuals and communities in Ireland to host Ukrainians in their homes, safely and sustainably.

As of April 13, 2022, we are incorporated as a CLG (717469) and we are in the process of applying to become a registered charity.

The aim is to enable displaced Ukrainians to integrate into Irish society and community life, so as to become self - sufficient and independent in advance of returning home or settling in Ireland. Helping Irish Hosts is committed to safeguarding children and vulnerable persons in host homes, as their welfare and safety is important to all of us.

Who is this policy for?

The policy is for all hosts supporting Ukrainian guests over the period of approximately one year. All staff, hosts and volunteers associated with HIH are obliged to be familiar with this Safeguarding Policy. The policy is sent to all hosts electronically by the HIH volunteer working with them to make the match. A hard copy can be provided if requested and this policy is freely available on our website www.helpingirishhosts.com

Aims and purpose of this policy

The policy states that all staff, hosts and volunteers have a duty to report concerns over the safety and welfare of children and other vulnerable persons to the Designated Liaison Person (DLP). It sets guidelines and procedures to follow if there are reasonable grounds for concern about the safety and welfare of the children / vulnerable persons. It also sets clear guidelines and procedures on actions to be taken if allegations of abuse are made against any of the staff, hosts or volunteers.

Helping Irish Hosts believes:

- The best interests of the children/vulnerable people should come first. Our guiding principles

to safeguard children reflect national policy and legislation in line with “Children First: National Guidelines for the Protection and Welfare of Children (2017)”

- It is the responsibility of all volunteers to protect the welfare and safety of the children/vulnerable people.
- Every child/vulnerable person has the right to be listened to, respected, protected from harm and have their views taken into account in all decisions affecting them.
- All displaced Ukrainians should be treated with the same level of respect irrespective of their gender, social or ethnic background, family status, sexual orientation, religion or disability.
- Any interaction by the volunteers with the children or vulnerable persons should reflect the principles of this Safeguarding Policy.
- Volunteers are required to report any concern regarding possible inappropriate treatment of a child/vulnerable person to the DLP

Who is the Designated Liaison Person (DLP)?

Aideen Gough Tel: +353 87 7903659

The DLP is responsible for dealing with concerns regarding the protection and welfare of children and vulnerable persons as well as liaising with the relevant statutory agencies (e.g. Tusla – child and family agency). The DLP ensures the standard reporting procedures as outlined in this Policy are followed. The DLP is also responsible for ensuring systems are in place for recording and retaining all relevant documentation in relation to child protection issues.

The Deputy DLP is Cliodhna Woods + 353 87 657 3875

Who is considered to be a Child or Young Person under this Policy?

For the purpose of this Policy a child/ young person is defined as a ‘person under the age of 18’.

Who is considered to be a Staff / Host / Volunteer under this Policy?

For the purpose of this Policy the following definitions apply:

Staff: Paid employees of Helping Irish Hosts, not including freelance contractors or pro bono partners, who may be employed to deliver training, comms and other services

Host: Any and all members of the host household and the designated household representative who is signatory of the Hosting Agreement.

Volunteer: Any person recruited, trained and empowered by HIH to deliver an agreed service on a voluntary basis. Persons who have entered into Volunteer Agreement with the organisation as part of the induction process, while rostered to volunteer with HIH.

What Legislation is covered in this Policy?

There are many pieces of important legislation that relate to the protection and welfare of

children. They can be found in Appendix 1

Policy review

The DLP will review this policy every two years or sooner if required. (next review date: April 2024)

2. Responding to and Reporting Protection or Welfare Concerns

Helping Irish Hosts is committed to having appropriate procedures in place to ensure that everyone will be able to make informed decisions and confident responses to specific protection issues. All staff, hosts and volunteers must be alert to the possibility of child abuse or abuse of a vulnerable person and of their obligation to report any concerns they may have to the DLP.

Should any staff, host or volunteer suspect a child, or a vulnerable person is at risk of harm and if the following occurs, they must act quickly:

- A child/vulnerable person has made a disclosure to them;
- A complaint is received by them from a member of the public relating to protection issues;
- They have a concern about the behaviour of another volunteer, host or HIH staff member;
- Concerns about a colleague's behaviour may relate to suspected or witnessed abuse; or
- A direct allegation has been made against you.

Dealing with a Disclosure by a Child

If as a HIH host, volunteer or staff member you receive a disclosure of harm from a child, which is above the thresholds set out above, inform the DLP or the Deputy DLP immediately and agree measures to protect the child. The DLP will then report the concern to Tusla.

Together with the DLP, record in writing in a factual manner, what the child said (exact words if possible). Should the DLP or the Deputy DLP be unavailable you can report your concern directly to Tusla yourself. You are not required to judge the truth of the claims or the credibility of the child.

Even if you think the concern does not meet the threshold to be reported you should report it to Tusla as a reasonable concern as per Children First: National Guidance for the Protection and Welfare of Children (2017).

If you receive a disclosure of harm from a child, you may feel reluctant to report this for a number of reasons. For example, the child may say that they do not want the disclosure to be reported, or you may take the view that the child is now safe and that the involvement of Tusla may not be desired by either the child or their family. However, you need to inform Tusla of all risks to children above the threshold, as the removal of a risk to one child does not necessarily mean that there are no other children at risk. The information contained in a disclosure may be critical to Tusla's assessment of risk to another child either now or in the future.

In the event of a child disclosing, it is important to respond to such disclosures of abuse sensitively. The following approach is suggested as best practice for dealing with these disclosures.

- React calmly
- Listen carefully and attentively
- Take the child seriously
- Reassure the child that they have taken the right action in talking to you. Do not promise to keep anything secret
- Ask questions for clarification only.
- Do not ask leading questions
- Check back with the child that what you have heard is correct and understood
- Do not express any opinions about the alleged abuser
- Ensure that the child understands the procedures that will follow by explaining the steps that need to be taken next.
- Inform the DLP and make a written record of the conversation as soon as possible, in as much detail as possible
- Treat the information confidentially, subject to the requirements of Children First: National Guidance for the Protection and Welfare of Children (2017). It is important that the child knows that their parents/guardians will have to be informed unless to do so would place them at further risk and that you will be discussing the concern with Tusla.

Procedure for Reporting Suspected or Alleged Child Abuse to the DLP/Deputy DLP

- Any child welfare suspicion or concern should be reported to the DLP/Deputy without delay;
- Where the concern relates to the DLP, reports should be made to the Deputy DLP;
- The DLP will consider if there are reasonable grounds for reporting the concern to Tusla;
- If the DLP is unsure of whether a report should be made, they will consult with the Duty Social Worker in Tusla;
- Where reasonable grounds for concern exist, the DLP will send a report directly to Tusla;
- Under no circumstances should a child be left in a situation that exposes them to harm or to risk of harm.

Where the child may be in immediate danger and contact cannot be made with Tusla, An Garda Síochána will be contacted by the DLP;

- A Child Protection and Welfare Report Form should be used when reporting child welfare and protection concerns to Tusla unless the Tusla Web Portal is used.
- If a concern is urgent and they believe that there is imminent risk to a child, an initial report can be made by telephone. The Child Protection and Welfare Report Form available on Tusla website should be completed and forwarded subsequently to Tusla; or via The Tusla Web Portal.
- The person who reported the concern will be provided with feedback as appropriate.
- Records will be kept by the DLP of all concerns or allegations of child abuse as well as any action/inaction taken in response to these concerns, any confidential records will be held in a secure place.
- If a concern arises out of hours or in an emergency situation and the Duty Social Worker cannot be reached, contact should be made with An Garda Síochána at any Garda station.
- Parents should always be consulted and informed that a report is being made unless doing so will increase risk to the child or create acuity of risk to life.

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

- The reasons for not reporting will be recorded.
- If any actions are taken as a result of the concern, these will be recorded;
- The person who raised the concern will be given a clear written explanation from the DLP detailing the reasons as to why the concern is not being reported to Tusla;
- The person will be advised that if they remain concerned, they are still entitled to make a report to Tusla or in an emergency, contact An Garda Síochána;
- The person who raised the concern will also be reassured that if they do choose to report the matter independently, they are covered by the 'Protections for Persons Reporting Child Abuse Act (1998)'.

Note: If a concern arises and the DLP/Deputy DLP are unavailable (and the concern cannot wait for them to become available), then you should contact the Duty Social Worker at Tusla directly.

Tusla Child and Family Agency, Dublin South Central, Carnegie Centre, 21-15 Lord Edward St, Dublin 2. Tel: 6486555

In an emergency, where none of the above are contactable and you are unable to locate a senior person on site at the time of the incident, you should call the local Gardaí.

Anonymous Reporting

All information provided will be dealt with in a professional manner and while Tusla cannot guarantee confidentiality, in general it will not reveal the names of members of the public who report suspected child abuse without their permission. Should any

HIH staff, host or volunteer receive an anonymous report concerning a child protection and /or welfare concern, the reporting procedure outlined above should be followed. DLPs cannot report anonymously, as to do so does not discharge the Statutory obligations for a mandated person under the 'Children First Act (2015)'.

Malicious Reports

Malicious false reporting is not a common occurrence but creates a significant impact on the innocent person. The 'Protections for Persons Reporting Child Abuse Act (1998)' includes the creation of an 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'. If any HIH staff, host or volunteer is concerned that a report is malicious, this should be immediately discussed with the Line Manager or a member of the board of Directors.

Legal Protection

The 'Protections for Persons Reporting Child Abuse Act (1998)' makes provision for the protection from civil liability of persons who have communicated child abuse 'reasonably and in good faith' to designated officers of Tusla or to any member of An Garda Síochána. This protection applies to organisations as well as to individuals. This means that even if a communicated suspicion of child abuse proves unfounded, a plaintiff who takes an action would have to prove that the person who communicated the concern had not acted reasonably and in good faith in making the report.

3. Internal procedures for dealing with abuse allegations

In making an immediate decision about the HIH staff, Host, Guest or Volunteer, the DLP / Deputy DLP will as a matter of urgency take any measures necessary to protect the child/vulnerable person. These will be proportionate to the level of risk. Protective measures do not presume guilt.

- The DLP / Deputy DLP will inform the HIH staff, host or volunteer that an allegation has been made against them and the nature of it.
- The DLP/Deputy DLP need to carry out an investigation to determine the facts of the case
- If a formal report is being made to Tusla, all recorded information gathered during the investigation will be shared;
- Any subsequent sanctions or restrictions will be advised to the relevant parties. For the HIH staff, host or volunteer, it could be exclusion from any further contact with the family in question.

Record-keeping and Confidentiality

The DLP will strive to ensure they will maintain a secure and confidential up-to-date record-keeping system that will support the recording of pertinent information in a manner that is accessible and sensible. Records will only be shared on a need-to-know basis in the best interests of the child/vulnerable person. Records will only be used for the purpose for which they are intended. Records including accident and incident reports, consent forms and any complaints or grievances will be retained in line with Data Protection legislation and HIH GDPR Policy Statement.

4. Working Safely with Children and Vulnerable Persons

Procedures for the safe recruitment and selection

Safe recruitment is central to the safeguarding of children and young people. HIH is committed to the highest standard in the selection of its staff, Hosts, Guests and volunteers.

All staff and volunteers dealing with children are required to consent to Garda vetting when requested by HIH. Vetting is carried out through our vetting partner, South County Dublin Volunteer Centre (SCDVC). See further information in section 5, below.

All staff, hosts and volunteers agree to familiarise themselves with all details of this policy, which is shared as part of the onboarding process.

Before staff are appointed, checks will be taken on identity, validity of qualifications, references and previous employment history.

Before Hosts are onboarded, checks will be taken on identity, spot checks of accommodation on offer carried out, and references obtained where possible.

Before Guests are placed in host accommodation, checks will be taken on identity and references obtained where possible. All guests are referred from within the HIH network and external referral organisations including The Irish Refugee Council, Scoop Foundation, Doras and The Irish Red Cross.

Recruitment checklists ensure all reference checks and screening activities have been carried out, communicated and completed. Interviews and reports from referees will provide cross-checking information where applicable.

Staff and volunteers and/or work experience people will not commence in posts until all reference checks including Garda vetting are shown to be fully satisfactory.

All staff and volunteers working with children will be re-vetted every five years.

A child and vulnerable person protection component will be part of induction training for all new staff, Hosts, volunteers and board members.

More detailed Staff and Volunteer Recruitment Policies are in place and available on request.

A process is in place for the onboarding of Hosts and Guests and is attached and is available on request.

Use of Photography, Video and/or Social/Digital Media, Personal Information

There are inherent risks in posting personal information about children or young adults and particularly about displaced persons. It can lead to being able to identify the person and their location or it is possible that images may be subject to inappropriate use. It is therefore the agreed policy of HIH that no volunteer will engage in the use of photography, or post video and/or social/ digital media of personal information relating to children, without express written permission by parents / guardians. This can be agreed by signing the media release form.

Guests will not post any video or photographs of the host or any other member of the household online or share videos or photographs of the host or any other member of the household on social media (including WhatsApp) unless with the host's permission. The host will do the same in respect of videos or photographs of the guest.

5. Garda Vetting

It is a statutory requirement under the National Vetting Act (Children and Vulnerable Persons) 2012 to 2016, that all individuals, volunteers or paid, working with Children and Vulnerable Persons have completed Garda vetting clearance before engaging with an Organisation or services. The Act creates offences and penalties for persons who fail to comply with its provisions. The Act commenced on the 29th April 2016.

All volunteers, staff and anyone hosting children will be Garda vetted and deemed suitable to work (have contact) with children in line with the Garda Vetting Bureau Act 2012-2016. Helping Irish Hosts carries out vetting through our vetting partner, South County Dublin Volunteer Centre (SCDVC). If a Garda vetting applicant is aged 16 or 17, the relevant documentation must be accompanied by a Parental/Guardian Consent form (NVB 3).

When the relevant checks have been completed, a Garda vetting disclosure will be returned to Helping Irish Hosts by our vetting partner, South Dublin County Volunteer Centre (SDCVC).

HIH Garda Vetting Policy is attached in this document as Appendix 4.

6. Vulnerable Persons - a note

Our aim is to enable displaced Ukrainians to integrate into Irish society and community life, so as to become self-sufficient and independent in advance of returning home or settling in Ireland. We prioritise the placement of mothers and children. Guests with Medical Requirements are the responsibility of the HSE / Red Cross / State matching programme. We will refer all such requests to IPAS and / or the Irish Red Cross.

HIH will continuously review whether other categories of vulnerable persons (including the aged, children and young people, the sick, disabled and handicapped), in particular elderly and disabled persons, come to comprise a significant or material proportion of the displaced Ukrainians and if so

shall consider whether it is necessary to introduce individual policies dealing with these distinct categories.

For the avoidance of doubt all staff, Hosts and Volunteers shall be required to follow the core principles outlined in this policy in respect of such persons and we have developed a Vulnerable Person Safeguarding Statement.

APPENDICES

APPENDIX 1 - Relevant Legislation

There are a number of key pieces of legislation that relate to child welfare and protection and safeguarding of vulnerable persons and HIH has consulted this legislation in drafting this policy document. The information here gives a brief overview of relevant legislation. It is not intended as legal opinion or advice and, if in doubt, you should consult the original legislation.

CHILD CARE ACT 1991

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

PROTECTIONS FOR PERSONS REPORTING CHILD ABUSE ACT 1998

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

CRIMINAL JUSTICE ACT 2006

Section 176 of this Act created an offence of reckless endangerment of children. This offence may be committed by a person who has authority or control over a child or an abuser who intentionally or recklessly endangers a child by: 1. Causing or permitting the child to be placed or left in a situation that creates a substantial risk to the child of being a victim of serious harm or sexual abuse; or 2. Failing to take reasonable steps to protect a child from such a risk while knowing that the child is in such a situation. Read in full [here](#).

CRIMINAL JUSTICE (WITHHOLDING OF INFORMATION ON OFFENCES AGAINST CHILDREN AND YOUNG 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 young person. The offence arises where a person knows or believes that a specified offence has been committed against a child or young 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. Read in full [here](#).

NATIONAL VETTING BUREAU (CHILDREN AND YOUNG PERSONS) ACTS 2012–2016

Under these Acts, it is compulsory for employers to obtain vetting disclosures in relation to anyone who is carrying out relevant work with children or young 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 young adults are set out in the National Vetting Bureau (Children and Young Persons) Acts 2012–2016.

CHILDREN FIRST ACT 2015

The Children First Act 2015 is an important addition to the child welfare and protection system as it will help to ensure that child protection concerns are brought to the attention of Tusla without delay. The Act provides for mandatory reporting of child welfare and protection concerns by key professionals; comprehensive risk assessment and planning for a strong organisational culture of safeguarding in all services provided to children; a provision for a register of non-compliance; and the statutory underpinning of the existing Children First Interdepartmental Implementation Group which promotes and oversees cross-sectoral implementation and compliance with Children First.

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.

THE CHILDREN (NORTHERN IRELAND) ORDER 1995

This Act provides the legislative framework for Northern Ireland’s child protection system: It sets out

- Parental responsibilities and rights, and
- Duties and powers public authorities have to support children and intervene if there are concerns about a child.

PROPOSED ADULT SAFEGUARDING BILL (2017 - currently before the Seanad)

In March 2017, the Adult Safeguarding Bill was introduced in the Seanad and the general principles of the Bill were debated. It received cross party support and was passed to committee stage and in October 2017 it was discussed at the Joint Health Committee. The main provisions under this Bill include: Definitions - “adult at risk” unable to protect him or herself from harm Establishment of a National Adult Safeguarding Authority Powers of investigation by the Authority Right of entry and inspection by authorised person Reporting Obligations Right to access an independent advocate.

APPENDIX 2 - Definitions of Child Abuse

There are four categories of child abuse defined in 'Children First: National Guidance for the Protection and Welfare of Children (2017)': (a) *Neglect*, (b) *Emotional Abuse*, (c) *Physical Abuse*, (D) *Sexual Abuse*. A child/young adult could be subjected to one or more forms of abuse at any given time.

a) Neglect

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

A range of factors influences the extent of the damage to the child's health, development or welfare. These factors include the extent, if any, of positive influence in the child's life as well as the age of the child and the frequency and consistency of neglect. Neglect is associated with poverty but not necessarily caused by it. It is strongly linked to parental substance misuse, domestic violence, and parental mental illness and disability.

A reasonable concern for the child's welfare would exist when neglect becomes typical of the relationship between the child and the parent. This may become apparent where you see the child over a period of time, or the effects of neglect may be obvious based on having seen the child once. The following are features of child neglect:

- Children being left alone without adequate care and supervision
- Malnourishment, lacking food, unsuitable food or erratic feeding non-organic failure to thrive, i.e. a child not gaining weight due not only to malnutrition but also emotional deprivation
- Failure to provide adequate care for the child's medical and developmental needs, including intellectual stimulation
- Inadequate living conditions – unhygienic conditions, environmental issues, including lack of adequate heating and furniture
- Lack of adequate clothing
- Inattention to basic hygiene
- Lack of protection and exposure to danger, including moral danger, or lack of supervision appropriate to the child's age
- Persistent failure to attend school
- Abandonment or desertion

b) Emotional Abuse

Emotional abuse is the systematic emotional or psychological ill treatment of a child as part of the overall relationship between a parent and a child. Once-off and occasional difficulties between a parent 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 recognize because the effects are not easily seen.

Emotional abuse may be seen in some of the following ways:

- Rejection
- Lack of comfort and love
- Lack of attachment
- Lack of proper stimulation (e.g., fun and play)
- Lack of continuity of care (e.g., frequent moves, particularly unplanned) Continuous lack of praise and encouragement
- Persistent criticism, sarcasm, hostility or blaming of the child
- Bullying
- Conditional parenting in which care or affection of a child depends on their behaviours or actions
- Extreme overprotectiveness
- Inappropriate non-physical punishment (e.g., locking child in bedroom)
- Ongoing family conflicts and family violence
- Seriously inappropriate expectations of a child relative to his/her age and stage of development

There may be no physical signs of emotional abuse unless it occurs with another type of abuse. A child may show signs of emotional abuse through their actions or emotions in several ways. These include insecure attachment, unhappiness, low self-esteem, educational and developmental underachievement, risk taking and aggressive behaviour.

It should be noted that no one indicator is conclusive evidence of emotional abuse. Emotional abuse is more likely to impact negatively on a child where it is persistent over time and where there is a lack of other protective factors.

c) Physical abuse

Physical abuse is when someone deliberately hurts a child physically or puts them at risk of being physically hurt. It may occur as a single incident or as a pattern of incidents. A reasonable concern exists where the child's health and/ or development is, may be, or has been damaged as a result of suspected physical abuse.

Physical abuse can include the following:

- Physical punishment
- Beating, slapping, hitting or kicking
- Pushing, shaking or throwing
- Pinching, biting, choking or hair-pulling
- Use of excessive force in handling
- Deliberate poisoning
- Suffocation
- Fabricated/induced illness

- Female genital mutilation

The Children First Act 2015 includes a provision that abolishes the common law defence of reasonable chastisement in court proceedings. A parent or other person in authority who physically disciplined a child could previously invoke this defence.

The change in the legislation now means that in prosecutions relating to assault or physical cruelty, a person who administers such punishment to a child cannot rely on the defence of reasonable chastisement in the legal proceedings. The result of this is that the protections in law relating to assault now apply to a child in the same way as they do to an adult.

d) Sexual abuse

Sexual abuse occurs when another person uses a child for his or her gratification or arousal, or for that of others. It includes the child being involved in sexual acts (masturbation, fondling, oral or penetrative sex) or exposing the child to sexual activity directly or through pornography.

Child sexual abuse may cover a wide spectrum of abusive activities. It rarely involves just a single incident and, in some instances, occurs over a number of years. Child sexual abuse most commonly happens within the family, including older siblings and extended family members. Cases of sexual abuse mainly come to light through disclosure by the child or his or her siblings/friends, from the suspicions of an adult, and/or by physical symptoms. It should be remembered that sexual activity involving a young person might be sexual abuse even if the young person concerned does not themselves recognize it as abuse.

Examples of child sexual abuse include the following:

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

- Exposing a child to inappropriate or abusive material through information and communication technology
- Consensual sexual activity involving an adult and an underage person

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

In relation to child sexual abuse, it should be noted that in criminal law the age of consent to sexual intercourse is 17 years for both boys and girls. Any sexual relationship where one or both parties are under the age of 17 is illegal. However, it may not necessarily be regarded as child sexual abuse. Details on exemptions for mandated reporting of certain cases of underage consensual sexual activity can be found in Chapter 3 of *Children First: National Guidance for the Protection and Welfare of Children*.

Bullying

In addition to the four categories described above bullying also needs to consider, as it is one of the possible causes of emotional abuse. It is recognized that bullying affects the lives of an increasing number of children and can be the cause of genuine concerns about a child's welfare. Bullying can be defined as repeated aggression – whether it is verbal, psychological or physical – that is conducted by an individual, or group against others. It is behaviour that is intentionally aggravating and intimidating and occurs mainly among children in social environments such as schools. It includes behaviours such as physical aggression, cyber bullying, damage to property, intimidation / exclusion, name-calling, malicious gossip, and extortion. Bullying can also take the form of abuse based on gender identity, sexual preference, race, ethnicity and religious factors. With developments in modern technology, children can also be victims of non – contact bullying, via mobile phones, the Internet and other personal devices.

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

There can be an increased tendency to bullying among children with special educational needs. This is particularly so among those who do not understand social cues and / or have difficulty communicating. Some children with complex needs may lack understanding of social situations and therefore trust everyone implicitly. Such children may be younger because they do not have the same social skills or capacity as others to recognize and defend themselves against bullying behaviour.

Bullying in schools is a particular problem due to the fact children spend a significant portion of their time there and are in large social groups. In the first instance, the

school authorities are responsible for dealing with such bullying. School management boards

must have a code of behaviour and an anti-bullying policy in place.

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

What constitutes reasonable grounds for a Child Protection or Welfare Concern? 'Children First: National Guidance for the Protection and Welfare of Children (2017)' lists the following as reasonable grounds for concern:

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

APPENDIX 3 - Definitions of Abuse (Vulnerable Persons)

Abuse may be defined as “ any act, or failure to act , which results in a breach of a vulnerable person’s human rights, civil liberties, physical and mental integrity, dignity or general well being, whether intended or through negligence, including sexual relationships or financial transactions to which the person does not or cannot validly consent, or which are deliberately exploitative. Abuse may take a variety of forms.” (*Health Information and Quality Authority (HIQA). The National Standards for Residential Services for Children and Adults with Disabilities. Dublin, 2013*)

This definition excludes self-neglect which is an inability or unwillingness to provide for oneself. However, the HSE acknowledges that people may come into contact with individuals living in conditions of extreme self-neglect. To address this issue the HSE has developed a specific policy to manage such situations.

Although this abuse definition focuses on acts of abuse by individuals, abuse can also arise from inappropriate or inadequacy of care or programmes of care.

There are several forms of abuse, any or all of which may be perpetrated as the result of deliberate intent, negligence or lack of insight and ignorance. A person may experience more than one form of abuse at any one time. The following are the main categories/types of abuse.

Types of Abuse

Physical abuse includes hitting, slapping, pushing, kicking, misuse of medication, restraint or inappropriate sanctions.

Sexual abuse includes rape and sexual assault, or sexual acts to which the vulnerable person has not consented, or could not consent, or into which he or she was compelled to consent.

Psychological abuse includes emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks.

Financial or material abuse includes theft, fraud, exploitation, pressure in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

Neglect and acts of omission includes ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life such as medication, adequate nutrition and heating.

Discriminatory abuse includes ageism, racism, sexism, that based on a person's disability, and other forms of harassment, slurs or similar treatment. Institutional abuse may occur within residential care and acute settings including nursing homes, acute hospitals and any other in-patient settings, and may involve poor standards of care, rigid routines and inadequate responses to complex needs.

APPENDIX 4 - HIH Child Safeguarding Statement 2022

Helping Irish Hosts Child Safeguarding Statement August 2022

For review: April 2024 (or sooner if required)

Helping Irish Hosts (HIH) is a limited company formed by a group of hosts, working together with displaced and Irish based Ukrainians, to get people into Irish homes – quickly – to give them a soft landing, while avoiding Direct Provision and long term hotel / government accommodation stays.

We arose in direct response to the Ukraine crisis, to empower and support individuals and communities in Ireland to host Ukrainians in their homes, safely and sustainably.

We achieve this via:

- an open source resource website www.helpingirishhosts.com containing up to date information for hosts and displaced Ukrainians
- a comprehensive host toolkit, downloads and templates are freely available on our linktree
- online support groups on Facebook and Whatsapp
- in person host community meetups
- wide collaboration and partnership with experts
- advocacy for hosts with government and decision makers
- public awareness campaigns in traditional and social media

We are registered CLG (717469, April 13, 2022). We employ a small team of full and part time staff members to deliver our services, with the support of volunteers. There are hundreds of hosts in our support network, welcoming grandparents, parents and children who are fleeing their homes due to the invasion of Ukraine.

Our aim is to enable displaced Ukrainians to integrate into Irish society and community life, so as to become self-sufficient and independent in advance of returning home or settling in Ireland. Helping Irish Hosts is committed to safeguarding children and vulnerable persons in host homes, as their welfare and safety is vitally important to all of us.

Helping Irish Hosts has completed an assessment of potential for harm to a child while availing of our services. Below is a list of the areas of risk identified and procedures identified for managing these risks.

Risk Assessment

Risk Identified	Procedure in place to manage identified risk
<p>Inappropriate action by one of HIH staff, hosts or volunteers</p>	<p>All staff, hosts and volunteers are provided with Child / Vulnerable Person Safeguarding Policy and requested to adhere to and follow procedures outlined therein</p> <p>Induction training is carried out for all board, staff and volunteers, in line with our detailed Volunteer and Recruitment Policies</p> <p>All events and placements involving children or vulnerable persons are facilitated by trained, vetted personnel</p> <p>Ukrainian translation of all relevant materials, policies and procedures (written and oral)</p>
<p>Risk of harm not being recognised or reported by HIH personnel (board members, staff or volunteers)</p>	<p>All staff, hosts and volunteers to complete online Child / Safeguarding course (via Tusla)</p> <p>Clear reporting procedures are in place for and communicated to Hosts, Guests, Staff and Volunteers</p> <p>Policy for Child Protection and Handling Suspected Abuse is communicated clearly during training and induction and DLP and Deputy DLP are in place</p> <p>Volunteer Policy and Recruitment Policy</p> <p>Ukrainian translation on hand and access to Ukrainian support line (via Irish Refugee Council) in addition to Ukrainian team members</p>
<p>Risk of child / vulnerable person being harmed by host/s / guests / volunteers / staff</p>	<p>Selection Policy for hosts and guests includes home check, trusted third party referral and background checks in line with Garda Vetting Policy</p> <p>Provision of support, training and resources for hosts, including Tusla online training / safeguarding course</p> <p>We will never place an unaccompanied minor in the care of a host and refer all such requests to Tusla</p> <p>Code of Conduct for Hosts, Guests, staff and volunteers</p> <p>Home Sharing Agreement in place for all placements</p> <p>Partnerships with NGOs including Irish Refugee Council, The Open Community,</p>

	<p>Irish Red Cross, Doras, Nasc and IOM to ensure best practice, training and resources</p> <p>Recruitment Policy (Staff and Volunteers) in place</p> <p>Ukrainian translation of all relevant materials, policies and procedures (written and oral)</p>
<p>Allegation of abuse or misconduct against one of HIH staff, hosts, guests or volunteers</p>	<p>If a report is received, the DLP will investigate and consult with Tusla (children) and / or HSE (vulnerable adult), as per Child / Vulnerable Person Safeguarding Policy</p> <p>Ukrainian / Russian translation service always on hand</p>
<p>Risk of Host being harmed by Guest</p>	<p>Guest Recruitment process in place</p> <p>Guest requests are made by referral, with vouch for system and identity checks in place</p> <p>Red Line Policy in place</p> <p>Home Sharing Agreement in place for Hosts & Guests</p> <p>Contact phone number for DLP / assigned Case Worker shared</p> <p>Code of Conduct for Hosts, Guests and Staff</p>
<p>Risk of harm due to inappropriate use of images of children and/or vulnerable people</p>	<p>Policy on Use of Images, requiring written permission for use of images/video</p> <p>Code of Conduct for staff/volunteers</p> <p>Home Sharing Agreement for Hosts & Guests outlines responsibilities of all parties</p> <p>Written consent is required for use of images in publicity or other materials</p> <p>Ukrainian translation of all relevant materials and permission</p>
<p>Risk of harm due to inappropriate use of personal</p>	<p>GDPR Data Protection Policy</p> <p>Confidentiality Policy</p>

data	Code of Conduct for Hosts, Guests and Staff Ukrainian translation of all relevant materials and permissions
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Procedures

Our Child Safeguarding Statement has been developed in line with requirements under the Children First Act 2015, 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 policies and procedures listed in our risk assessment, the following procedures support our intention to safeguard children and vulnerable people while they are availing of our service:

- Procedure for responding to suspected child abuse or disclosure of abuse from a child
- Procedure for the management of allegations of abuse or misconduct against HIH staff, hosts, guests or volunteers
- Procedure for suspension and withdrawal of HIH workers, Hosts, Guests or volunteers where necessary
- Procedure for the safe recruitment of HIH staff, hosts, guests or volunteers
- Procedure for provision of 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
- Red Line Policy in place to ensure those with medical needs or requiring additional assistance are referred to IPAS / IRC / HSE or other relevant authority

Implementation

We recognise that implementation is an ongoing process. Helping Irish Hosts is committed to the implementation of this Safety Statement and the procedures that support our intention to keep children safe from harm while availing of our service.

The Safeguarding Statement will be reviewed every two years, or as soon as practicable after there has been a material change in any matter to which the statement refers.

SIGNED: _____

Date: _____

On behalf of the Board of Directors
Helping Irish Hosts

THIS DOCUMENT IS ALSO AVAILABLE IN UKRAINIAN

Helping Irish Hosts CLG , 30 Molesworth Street, Dublin 2, D02 AY19 Registered in Ireland. No 717469
Directors: Prof. Joe Carthy, Aideen Gough, Anton Krasun, Matt Lunson, Dominic Rigby, Jill Robinson.

APPENDIX 5 - HIH Vulnerable Person Safeguarding Statement 2022

Helping Irish Hosts
Vulnerable Persons Safeguarding Statement
August 2022

For review: April 2024 (or sooner if required)

Helping Irish Hosts (HIH) is a limited company formed by a group of hosts, working together with displaced and Irish based Ukrainians, to get people into Irish homes – quickly – to give them a soft landing, while avoiding Direct Provision and long term hotel / government accommodation stays.

We arose in direct response to the Ukraine crisis, to empower and support individuals and communities in Ireland to host Ukrainians in their homes, safely and sustainably. We achieve this via:

- an open source resource website www.helpingirishhosts.com containing up to date information for hosts and displaced Ukrainians
- a comprehensive host toolkit, downloads and templates are freely available on our linktree
- online support groups on Facebook and Whatsapp
- in person host community meetups
- wide collaboration and partnership with experts
- advocacy for hosts with government and decision makers
- public awareness campaigns in traditional and social media

We are registered CLG (717469, April 13, 2022). We employ a small team of full and part time staff members to deliver our services, with the support of volunteers. There are hundreds of hosts in our support network, welcoming grandparents, parents and children who are fleeing their homes due to the invasion of Ukraine.

Our aim is to enable displaced Ukrainians to integrate into Irish society and community life, so as to become self-sufficient and independent in advance of returning home or settling in Ireland. We prioritise the placement of mothers and children. Guests with Medical Requirements are the responsibility of the HSE / Red Cross / State matching programme. We will refer all such requests to the Irish Red Cross.

Helping Irish Hosts is committed to safeguarding children and vulnerable persons in host homes, as their welfare and safety is vitally important to all of us. Helping Irish Hosts has completed an assessment of potential for harm to a vulnerable person while availing of our services. Below is a list of the areas of risk identified and procedures identified for managing these risks.

Risk Assessment

Risk Identified	Procedure in place to manage identified risk
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<p>Inappropriate action by one of HIH staff, hosts or volunteers</p>	<p>All staff, hosts and volunteers are provided with Child & Vulnerable Person Safeguarding Policy and requested to adhere to and follow procedures outlined therein</p> <p>Induction training is carried out for all board, staff and volunteers, in line with our detailed Volunteer and Recruitment Policies</p> <p>All events and placements involving vulnerable persons are facilitated by trained, vetted personnel</p> <p>Ukrainian translation of all relevant materials, policies and procedures (written and oral)</p>
<p>Risk of harm not being recognised or reported by HIH personnel (board members, staff or volunteers)</p>	<p>HSE training video and written guidelines for working with and protecting Vulnerable Adults are shared with all staff, hosts and volunteers</p> <p>Clear reporting procedures are in place for and communicated to Hosts, Guests, Staff and Volunteers</p> <p>Volunteer Policy and Recruitment Policy</p> <p>Ukrainian translation on hand and access to Ukrainian support line (via Irish Refugee Council) in addition to Ukrainian team members</p>
<p>Risk of vulnerable person being harmed by host/s / guests / volunteers / staff</p>	<p>Selection Policy for hosts and guests includes home check, trusted third party referral and background checks in line with Garda Vetting Policy</p> <p>Provision of support, training and resources for hosts including The Open Community and HSE online resources</p> <p>We will never place a person with high medical needs in the care of a host and refer all such requests to the Irish Red Cross as per our Red Line Policy</p> <p>Code of Conduct for Hosts, Guests, staff and volunteers</p> <p>Home Sharing Agreement in place for all placements</p> <p>Partnerships with NGOs including Irish Refugee Council, The Open Community, Irish Red Cross, Doras, Nasc and IOM to ensure best practice, training and resources</p> <p>Recruitment Policy (Staff and Volunteers) in place</p> <p>Ukrainian translation of all relevant materials, policies and procedures (written and oral)</p>

<p>Allegation of abuse or misconduct against one of HIH staff, hosts, guests or volunteers</p>	<p>If a report is received, the DLP will investigate and consult with HSE (vulnerable adult), as per Child / Vulnerable Person Safeguarding Policy</p> <p>Ukrainian / Russian translation service always on hand</p>
<p>Risk of Host being harmed by Guest</p>	<p>Guest Recruitment process in place</p> <p>Guest requests are made by referral, with vouch for system and identity checks in place</p> <p>Red Line Policy in place</p> <p>Home Sharing Agreement in place for Hosts & Guests</p> <p>Contact phone number for DLP / assigned Case Worker shared</p> <p>Code of Conduct for Hosts, Guests and Staff</p>
<p>Risk of harm due to inappropriate use of images of vulnerable people</p>	<p>Policy on Use of Images, requiring written permission for use of images/video</p> <p>Code of Conduct for staff/volunteers</p> <p>Home Sharing Agreement for Hosts & Guests outlines responsibilities of all parties</p> <p>Written consent is required for use of images in publicity or other materials</p> <p>Ukrainian translation of all relevant materials and permission</p>
<p>Risk of harm due to inappropriate use of personal data</p>	<p>GDPR Data Protection Policy</p> <p>Confidentiality Policy</p> <p>Code of Conduct for Hosts, Guests and Staff</p> <p>Ukrainian translation of all relevant materials and permissions</p>

Procedures

This Vulnerable Person safeguarding Statement has been developed in line with HSE Safeguarding Vulnerable Persons at Risk of Abuse – National Policy and Procedures 2014 and CRA’s Practice and Safeguarding Guidance for Charitable Organisations working with Vulnerable Persons (adults).

HIH will continuously review whether other categories of vulnerable persons (including the aged, children and young people, the sick, disabled and handicapped), come to comprise a significant or material proportion of the displaced Ukrainians and if so shall consider whether it is necessary to introduce individual policies dealing with these distinct categories.

For the avoidance of doubt all staff, Hosts and Volunteers shall be required to follow the core principles outlined in the HIH Child & Vulnerable Person Safeguarding policy in respect of such persons.

In addition to the policies and procedures listed in our risk assessment, the following procedures support our intention to safeguard vulnerable people while they are availing of our service:

- Red Line Policy in place to ensure Vulnerable Adults and those with medical needs or requiring additional assistance are referred to IPAS / IRC / HSE or other relevant authority
- Procedure for responding to suspected abuse or disclosure of abuse from a child / vulnerable person
- Procedure for the management of allegations of abuse or misconduct against HIH staff, hosts, guests or volunteers
- Procedure for suspension and withdrawal of HIH workers, Hosts, Guests or volunteers where necessary
- Procedure for the safe recruitment of HIH staff, hosts, guests or volunteers
- Procedure for provision of access to safeguarding training and information, including the identification of the occurrence of harm
- Safeguarding Vulnerable Persons Procedure Flow chart (via HSE)

Implementation

We recognise that implementation is an ongoing process. Helping Irish Hosts is committed to the implementation of this Safeguarding Statement and the procedures that support our intention to keep people safe from harm while availing of our service.

The Safeguarding Statement will be reviewed every two years, or as soon as practicable after there has been a material change in any matter to which the statement refers.

SIGNED: _____

Date: _____

On behalf of the Board of Directors
Helping Irish Hosts

THIS DOCUMENT IS ALSO AVAILABLE IN UKRAINIAN

Helping Irish Hosts CLG , 30 Molesworth Street, Dublin 2, D02 AY19 Registered in Ireland. No 717469
Directors: Prof. Joe Carthy, Aideen Gough, Anton Krasun, Matt Lunson, Dominic Rigby, Jill Robinson.

www.helpingirishhosts.com

APPENDIX 6 - HIH Red Line Policy

Our commitment is to make quality matches that are sustainable.

In order to ensure best chance of ongoing success and to deliver on duty of care to our hosts and guests, HIH has agreed the following Red Lines in accepting referrals and making matches:

Unaccompanied Guests under the age of 18 are the responsibility of Tusla / State matching programme. We will refer all such requests to Tusla.

Guests with Medical Requirements are the responsibility of the HSE / Red Cross / State matching programme. We will refer all such requests to the Irish Red Cross.

Guests currently matched by external organisations or operators are the responsibility of those organisations and cannot be accepted for onward matching by HIH. We will refer all such requests back to the source organisation or to IPAS.

Guests matched by HIH (HIH Guests) who's hosting arrangement has come to an end, whatever the reason, will be re-matched where possible by HIH. HIH Guests who wish to move must complete rematch request form (pending)

ALL Guest requests must go through the HIH system and will be prioritised by the matching team in date order.

All matches are made on a case by case basis.

We prioritise the placement of women and children.

APPENDIX 7 - HIH Garda Vetting Policy

Garda Vetting Policy - view original policy [here](#)

Introduction

Helping Irish Hosts is committed to take all necessary steps to ensure all individuals who host, are hosted, volunteer or work with us are safe and protected from harm as far as reasonably possible. Our vetting policy is one of many policies that help us to achieve a high record in child welfare and safeguarding within the organisation. As such, this policy should not be considered in isolation.

Other relevant policies and procedures include:

- Health and Safety statement;
- Volunteer Policy;
- Home Hosting Agreement
- Child & Vulnerable Person Protection and Safeguarding Policy; and
- Child & Vulnerable Person Safeguarding Statement

This vetting policy has been developed with these in mind, as well as best practice, our legal obligations, and the values that underpin our work.

Since the introduction of the National Vetting Bureau (Children and Vulnerable Persons) Act 2012-2016, there is now a statutory requirement that people who carry out relevant work (i.e. work that involves regular and necessary access to and/or contact with children and/or vulnerable adults) must be vetted prior to commencing employment or carrying out relevant volunteer work.

At the outset, it is important to note that having a criminal record will not automatically exclude an individual from employment or volunteering with Helping Irish Hosts. Factors that will be considered in such circumstances, including:

- The individual's abilities, skills, experiences, and qualifications;
- The nature of the conviction(s) and sentence(s) imposed;
- Disclosure of the offence(s) by the person;
- The length of time since the offence(s) took place;
- The age of the person when the offence(s) was/were committed;

- The potential risk to service users, volunteers, employees and the reputation of the organisation; and
- Conduct of the person before and after the offence

Helping Irish Hosts is registered in the register of relevant Organisations with the Garda Central Vetting Unit for the purposes of Garda vetting. Garda vetting is a process which involves an individual giving consent for An Garda Síochána to furnish HIH, via the Designated Vetting Officer and our vetting partner - South County Dublin Volunteer Centre - with a statement that there are no convictions recorded in the Republic of Ireland or elsewhere or a statement of all convictions and / or prosecutions, successful or not, pending or completed in the State or elsewhere as the case may be.

Garda vetting must be completed prior to the commencement of any position for those who will be working with Children and/or Vulnerable Persons in any capacity. This is a Statutory requirement under the National Vetting Bureau (Children and Vulnerable Persons) Act 2012 to 2016. The Act creates offences and penalties for persons who fail to comply with its provisions.

Garda vetting is not a substitute for safe recruitment but provides another element in determining a person's suitability to work with Children or Vulnerable Persons. HIH does not solely rely upon vetting checks but also seeks to determine an individual's suitability for a position through normal recruitment processes including interviews, reference checks and - in some cases - home visits.

What is Vetting?

Vetting is a criminal background check undertaken by an organisation on prospective new employees, volunteers, students, and others carrying out relevant work. It is carried out with the permission of an applicant to establish what, if any, criminal record (4), pending or completed, relating to them is held by the Gardaí which may deem them unsuitable to work with children or vulnerable adults.

Vetting will also include a check for any relevant "specified information (5)" - which is information other than criminal convictions held by the Gardaí that leads to a genuine belief that a person poses a threat to children or vulnerable persons.

What is included in a vetting disclosure?

A vetting disclosure will include the following information:

The criminal record (if any) relating to the person and a statement of specified information (if any) relating to the person which the Chief Bureau Officer has determined in accordance

with Section 15 of the Act should be disclosed.

If specified information is going to be disclosed to HIH, the National Vetting Bureau (NVB) must, in advance, notify the person of their intention to disclose this.

or

State that there is no criminal record or specified (soft) information in relation to the person

Information of a conviction that falls under the Spent Convictions Act (2016) will not be included in a disclosure. The following convictions will always be disclosed:

- Offences against the person (except minor public order offences)
- Sexual offences
- Convictions on indictment that go to circuit court or higher court

Only certified copies of police clearance documentation should be submitted. Applicants should note that uncertified documents and photocopies will **not** be accepted.

Why we undertake vetting

Vetting is undertaken primarily to ensure that the people who access our services are safe and protected. Vetting is one of many steps that we take during the recruitment and selection process to help ensure that only those suitable to host or work with young people and vulnerable adults are given the opportunity to do so.

Who is responsible for vetting?

It is the responsibility of the Board of Directors to ensure that the correct policies are in place to facilitate vetting within the organisation.

Day to day operational management of vetting and the design of specific vetting processes has been delegated to the Designated Liaison Person (DLP) and the CEO of the organisation.

Who should be vetted?

The Vetting Act defines people who should be vetted in schedule 1, parts 1 and 2. It is the policy of Helping Irish Hosts to review each role (whether paid or voluntary) against the requirements of the Act to determine if the occupants of those roles should be vetted in accordance with the Act.

HIH Vetting Obligations:

- All those engaging with persons under the age of 18 and Vulnerable Persons shall be Garda Vetted.
- All those hosting any person Under 18 or Vulnerable Persons shall be Garda Vetted.

- Any other person working or volunteering with Children or Vulnerable Persons in any capacity on behalf of the HIH shall be Garda Vetted.

Failure to ensure that persons are vetted in accordance with this Policy and/or legislation may result in disciplinary action against the individual and may also constitute a legal offence under relevant legislation.

HIH shall not accept confirmation of the Garda vetting status of any individual prior to confirmation being received by the individual from SCDVC that the Garda vetting of the individual is in order, which the individual will receive in the form of written correspondence.

Re-vetting and retrospective vetting

It is the practice of HIH to re-vet every three years.

For relevant staff or board members and volunteers who have heretofore not been required to be vetted, until the commencement of this policy, HIH will seek to complete the vetting process for them as soon as practicable.

Hosts are not required to be Garda vetted if their arrangement is a private agreement between them and a friend or family member. If a host has made an arrangement in this way, it is not possible to seek to be vetted retrospectively.

How does vetting happen? HIH e-Vetting Process:

This process will be explained to vetting subjects prior to them beginning the process by the relevant HIH contact person (Matchmaker, Line Manager). All persons requiring vetting receive a copy of the up to date [HIH Garda Vetting Guidelines document](#), which outlines the process.

Step 1 – Identification Check

Identification of the vetting subject will be verified by either their (prospective) line manager or the assigned Matchmaker (if host).

Each applicant 18+ yrs being vetted should complete a separate form. Please note this is not the official Garda application form for vetting. This is so **Helping Irish Hosts (HIH)** can verify identity in order to move to the next stage of the process.

Subjects will be required to upload two files to this form:

- A photo of the subject holding their ID.
- Image of a utility bill/bank statement in their name(<6 months old)

For subjects aged 16 or 17, parents / consenting adults will be asked to consent to them being Garda Vetted and will be invited to complete a second section on the **Garda Vetting Invitation Form**. Consenting Adult will need to note the Name(s), Date of Birth(s), Proof of ID (a photo holding their ID) of the subjects aged 16 or 17.

The identification provided must be accepted under the *NVB 100-point* check list below.

Copies of the identification documents provided shall be taken and held on file. The **100-point check** is a personal identification system. We require vetting subjects to present identification totalling 100 points to ensure the NVB are checking the correct person. At least one form of photographic evidence must be supplied, along with proof of current address.

100 Point Check for over 18's

Identification Types	Score
Irish driving licence or learner permit (new credit card format)	80
Irish Public Services Card	80
Passport (from country of citizenship or an Irish Passport Card)	70
P60, P45 or Payslip (with home address)	35
Utility Bill e.g. gas, electricity, television, broadband (must be no more than 6 months old, online prints acceptable, mobile bills unacceptable)	35
Social Services Card or Medical Card (with Photo)	40
Bank, Building Society or Credit Union Statement	35
National Age Card (issued by An Garda Síochána)	25

100 Point Check for under 18's

Identification Types	Score
Birth Certificate	100
Passport	100
Written Statement by a Principal confirming attendance at educational institution on a letter head of that institution.	100

Step 2 – Completion of Vetting Invitation Form

HIH submits completed details to South Dublin Volunteer Centre. (Liaison Officer Sharon Crowe) who will trigger the official e-vetting process. The HIH Designated Person sends the forms to the SCDVC for processing and not to An Garda Síochána.

When the application is received by SCDVC, if correctly completed, an email will be sent from the National Vetting Bureau to the applicant requesting that they complete the next part of the process.

Step 3 - E-vetting link by email

This involves the applicant providing further personal details such as their previous address history, any criminal convictions, changes in names, passport numbers and place of birth.

After the applicant has completed the online part of the process, the National Vetting Bureau e-vetting system will request that the SCDVC Liaison Person review the application data. If the SCDVC Liaison Person is satisfied with the data it will be submitted to the National Vetting Bureau to conduct the relevant checks. The National Vetting Bureau will keep the applicant up to date with each part of the online process.

Step 4 – Vetting Disclosure

A vetting disclosure will either be:

- a statement from the NVB that there is no criminal record or specified information in relation to the person (subject to the Spent Convictions Act 2016), or

- A statement from the NVB detailing a criminal record(s) and/or specified information related to the applicant.

If specified information is to be disclosed to HIH, the NVB's Chief Bureau Officer will have, in advance, notified the vetting subject of the intention to disclose such information. The vetting subject will have had an opportunity to make an appeal against that decision. Should a disclosure of a criminal record be made, HIH shall as soon as practicable give the vetting subject an opportunity to verify the information. They may be asked to provide additional details to the incident(s) relating to any offence committed. Any discussion should be noted, particularly where a conviction was not disclosed by the vetting subject in advance.

The vetting subject should be given details of the disclosure made against them and told of their right to dispute the disclosure with the NVB. They should also be informed of the vetting decision-making process.

Disputing a vetting disclosure

Where a vetting subject disputes the details contained in a vetting disclosure from the National Vetting Bureau, they may dispute the disclosure in one of two ways.

1. In relation to disputes around a **criminal record** they may refer the issue to the National Vetting Bureau dispute process.

This process is activated by the vetting subject and the following procedure should be implemented:

The vetting subject should outline the exact basis of their dispute and submit it in writing to HIH within 5 working days of them becoming aware of the disclosure.

HIH will submit the report received from the vetting subject, along with the vetting subject's original Garda Vetting Application Form to the Liaison Person in SCDVC who will submit them to National Vetting Bureau for further checks to be conducted.

If the vetting subject indicates there were errors or omissions made by them while completing the original application form, they should be requested to complete a new application form; and both the original and the new application forms should then be submitted together with the request for further checks to be conducted via SCDVS

If, following the result of further checks, the vetting subject still disputes any detail in the Garda Vetting Disclosure issued in respect of them, arrangements will be made for further validation procedures to be undertaken in order to resolve the matters at issue in the dispute.

At the conclusion of the dispute resolution procedure, decisions in respect of the suitability of the vetting subject for a position are solely the responsibility of HIH.

2. In relation to disputes around **specified information** a vetting subject should follow the process as outlined in section 18 of the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 and 2016. Further details on this can be found at the following website: <https://vetting.garda.ie/Disputes/Appeal>

Vetting decision-making

The vetting process is one of the factors to take into account when an individual is being considered for a role in HIH. Where there are no disclosures of a criminal record or specified information, HIH will proceed with the recruitment process as prescribed by our relevant policies.

In all matters relating to a vetting disclosure being received from the National Vetting Bureau, or self-disclosure by an individual, the decision to issue an offer of employment / volunteer / host position or the continuation of their position, is a matter for HIH.

Minor charge(s)/prosecution(s) and/or conviction(s)

In the cases of a previously unknown to HIH minor charge/prosecution and/or conviction, which within the absolute discretion of HIH are not considered to pose any risk to children, vulnerable adults or the wider community, they will be discussed with the vetting subject by one or more of the HIH Safeguarding Sub Committee (Committee).

Following discussions, if the vetting has been cleared, a written assurance to the recruiting officer/line manager that the vetting subject has been subject to vetting and has been deemed appropriate to take up/retain their position.

If the vetting subject has not been cleared, the case will be escalated and considered in accordance with Serious charge(s)/prosecution(s) and/or conviction(s).

Serious charge(s)/prosecution(s) and/or conviction(s)

In the case of a previously unknown serious charge/prosecution and/or conviction, the nature of which could indicate a potential risk to children, vulnerable adults or the wider community, at least 2 members of the Safeguarding Sub Committee, will seek to meet with the vetting subject to discuss the circumstances of the charge/prosecution and/or conviction. In consideration of a disclosure, the members of the Committee will be guided by factors that include but not limited to:

- The nature of the conviction(s) and sentence(s) imposed;
- Disclosure of the offence(s) by the person;

- The individual's abilities, skills, experiences, and qualifications;
- The length of time since the offence(s) took place;
- The age of the person when the offence(s) was/were committed;
- The potential risk to service users, volunteers, employees and the reputation of the organisation;
- Conduct of the person before and after the offence; and
- The paramountcy principle of the protection of children and vulnerable people within our service.

It is important to note that whilst the factors above shall be considered, the list is not exhaustive and the assessment shall be made taking into account all relevant factors and circumstances pertaining to the particular vetting subject and their current/prospective position.

Following review by the Committee, it will be decided if the vetting subject has cleared the vetting process and if they can continue with their (current/prospective) position. If the Committee is of the view clearance has not been obtained, the case shall be escalated and the disclosure shall require further review in accordance with the section on Further review of serious charge(s)/prosecution(s) and/or conviction(s) as laid out below.

If the vetting subject has been cleared at this point, the Committee will provide written assurance to the recruiting officer/line manager that the vetting subject has been subject to vetting and has been deemed appropriate to take up/retain their position.

Further review of serious charge(s)/prosecution(s) and/or conviction(s)

If a further review is required, the assessment criteria outlined in the previous section, plus any other relevant factors or circumstances will be considered by at least 3 members of the Safeguarding Sub Committee (plus the prospective/current line manager) and a further meeting with the vetting subject may be requested. It will be evaluated whether there are sufficient grounds on which the vetting subject can continue/take up their position.

If sufficient grounds do not exist, it will be decided that the vetting subject cannot retain/take up their position. Following the review the vetting subject will be advised of the decision in writing.

Appeals Mechanism

In the event that the vetting subject is dissatisfied with the decision of the Safeguarding Sub Committee, they may appeal the decision within 10 days to HIH, to have their case reviewed by the Board of Directors.

Confidentiality and Data Protection

All information in the vetting process will be held in a manner consistent with HIH's GDPR policy. HIH also complies fully with good practice regarding the secure storage, handling and use of the Vetting Bureau disclosures and personal vetting information as per Data Protection Policy and legal obligations under Data Protection Legislation.

HIH will not rely on vetting disclosures conducted by a previous employer or organisation, nor shall it forward on disclosures of past staff or volunteers to their new or prospective employers.

APPENDIX to HIH GV POLICY 1: Definitions

The Child Care Act 1991 defines a **child** as any person under the age of 18 years, excluding a person who is or who has been married.

"Vulnerable person" means a person (including, a child aged 17 years old) who—

(i) is suffering from a disorder of the mind, whether as a result of mental illness or dementia,
or

(ii) has an intellectual disability, which is of such a nature or degree as to severely restrict the capacity of the person to guard himself or herself against serious exploitation or abuse, whether physical or sexual, by another person,
or

(b) who is suffering from an enduring physical impairment or injury which is of such a nature or degree as to severely restrict the capacity of the person to guard himself or herself against serious exploitation or abuse, whether physical or sexual, by another person or to report such exploitation or abuse to the Garda Síochána or both.

(4) A **criminal record** in relation to a person means:

- a) A record of the persons convictions, whether within or outside the State, for any criminal offences together with any ancillary or consequential orders made pursuant to the convictions concerned
- b) A record of prosecutions pending against the person whether within or outside the state for any criminal offence
- c) Or both

(5) **Specified information** relates to a finding or allegation of harm to another person

received by the National Vetting Bureau from An Garda Síochána

(6) **The Spent Conviction Act** allows for certain convictions to become “spent” after a period of time has elapsed (7 years being the standard).

The following convictions will always be disclosed:

- a) Offences against the person (except minor public order offences)
- b) Sexual offences
- c) Convictions on indictment that go to circuit court or higher court

(7) This is operated by the **South County Dublin Volunteer Centre**. It provides a vetting service in order to ensure access to the NVB for HIH.

APPENDIX to HIH GV POLICY 2: Certificate of Registration for Garda Vetting

HIH is registered as a Relevant Organisation for the purposes of Garda Vetting. Certificate can be found [here](#).