



TUS

Ollscoil Teicneolaíochta na Sionainne:

Lár Tíre, An tIarthar Láir

Technological University of the Shannon:

Midlands Midwest

Child Protection Procedures 2026 - 2028



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1.0 Introduction

The protection and safety of children is of paramount importance to the Technological University of the Shannon (hereafter referred to as TUS or the Technological University). These *Child Protection Procedures* accompany the *TUS Child Safeguarding Statement*,^[1] *TUS Child Protection Policy*^[2], and inform members of the TUS community of their obligations to recognise child protection and welfare concerns and to respond appropriately. The policy and these procedures are based on the *Children First Act, 2015*^[3] and the “*Children First: National Guidance for the Protection and Welfare of Children (2017)*”^[4a] and *2019 addendum re: online safety*.^[4b] These procedures should be read in conjunction with the *TUS Child Safeguarding Statement*^[1] and the *TUS Child Protection Policy*^[2].

The Child and Family Agency (TUSLA) (hereafter referred to as Child and Family Agency or TUSLA) has a statutory responsibility under the *Child Care Act 1991* and *2001*^[5], the *Child and Family Agency Act 2013*^[6] and *Children First Act, 2015*^[3] to promote the protection and welfare of children. The Child and Family Agency therefore has an obligation to receive information about any child who is not receiving adequate care and/or protection.

2.0 Relevant Definitions including Statutory Context and National Guidance

The statutory obligations of TUS in relation to child protection are outlined in Section 2.0 of the *TUS Child Protection Policy*^[2].

Particular attention is drawn to the following definitions:

Child

A child is a person under 18 (*Child Care Act, 1991*),^[5] excluding a person who is or has been married. Therefore, anyone under the age of eighteen (excluding a person who is or has been married) is a child as a matter of law.

TUS may have some students who commence their studies before their eighteenth birthday. TUS is not *in loco parentis* for such students.

Harm in Relation to a Child

The Children First Act 2015^[3] defines
“harm in relation to a child -

- a) assault, ill-treatment or neglect of the child in a manner that seriously affects or is likely to seriously affect the child's health, development or welfare, or
- b) sexual abuse of the child, whether caused by a single act, omission or circumstance or a series or combination of acts, omissions or circumstances, or otherwise".

The *Children First: National Guidance for the Protection and Welfare of Children*^[4] describes four types of abuse as Neglect, Emotional abuse/ill-treatment, Physical abuse, and Sexual abuse. These descriptions are reproduced in [Appendix 1](#) and are also available at: <https://www.Tusla.ie/services/child-protection-welfare/definitions-of-child-abuse/>. It should be noted that these are not legal definitions. They are intended to describe ways in which a child might experience abuse and how this abuse may be recognised.

The following should be taken into consideration:

- 1) A child may be subjected to one or more forms of abuse at any given time.
- 2) Abuse and neglect can occur in any setting.
- 3) The abuser may be someone known to the child or a stranger, and can be an adult, or another child.
- 4) In a situation where abuse is alleged to have been carried out by another child, it should be considered a child welfare and protection issue for both children and child protection procedures should be followed for both.
- 5) The important factor in deciding whether the behaviour is abuse or neglect is the impact of that behaviour on the child rather than the intention of the alleged perpetrator.

Bullying

The *Children First National Guidance for the Protection and Welfare of Children 2017*^[4] defines Bullying as follows:

"Bullying can be defined as repeated aggression – whether it is verbal, psychological or physical – that is conducted by an individual or group against others. It is behaviour that is intentionally aggravating and intimidating and occurs mainly among children in social environments such as schools. It includes behaviours such as physical aggression, cyberbullying, damage to property, intimidation, isolation/exclusion, name calling, malicious gossip and extortion. Bullying can also take the form of abuse based on gender identity, sexual preference, race, ethnicity

and religious factors. With developments in modern technology, children can also be the victims of non-contact bullying, via mobile phones, the internet and other personal devices.”

The *Children First National Guidance* further notes:

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

3.0 Purpose of the Procedures

The purpose of the procedures is to promote best practice in child protection by:

- a) ensuring the protection of children in all TUS activities;
- b) providing a safe, appropriately monitored environments for all children at TUS;
- c) treating all children with dignity and respect;
- d) adopting the safest possible practices to minimise the likelihood of harm to children;
- e) establishing practices and procedures to give direction and guidance to TUS members to enable them to deal with allegations or suspicions of child abuse in line with national policy;
- f) assisting members to make informed decisions and appropriate responses to specific child protection issues;
- g) ensuring information relating to child protection issues are shared on a “need to know” basis only.

In the event of allegations or suspicions of child protection issues, including child abuse, emerging or being disclosed, these procedures provide a clear framework for managing such cases, while placing Child Protection as a central imperative and assisting and supporting all members of TUS in that regard.

4.0 Scope of the Procedures

These Procedures apply to all members of the TUS community. For the purposes of this document, the term “member of the TUS community” includes staff and students

of TUS, Student's Union Officers, Student's Union Staff, those working for TUS through Contract for Services, Agency Workers, and those working on a voluntary/unpaid basis on behalf of the Technological University.

The Procedures should be read in conjunction with the *TUS Child Protection Statement*^[1] and *TUS Child Protection Policy*^[2].

TUS shall require its subsidiary companies to put in place and implement a Child Safeguarding Statement, Child Protection Policy and Child Protections Procedures, in line with the equivalent TUS documentation. Subsidiary companies shall confirm in writing to the TUS DLP that they have established Safeguarding Statement, Child Protection Policy and Procedures, and shall confirm in writing their biennial review thereafter. Subsidiary companies shall notify the TUS DLP of any report of allegations of Child Neglect/Abuse against a subsidiary company staff member. The TUS DLP shall inform TUS HR on receipt of such notice.

In the area of Child Protection, the Child Protection Policy and these accompanying Procedures take precedence over all other TUS Policies. The Procedures do not supersede the statutory responsibilities of the Technological University and its members.

5.0 Statement Associated with the Procedures

TUS acknowledges that each child has a right to be protected, to be treated with respect and listened to, and to have their views taken into account. These *TUS Child Protection Procedures*, together with the *TUS Child Safeguarding Statement*^[1] and the *TUS Child Protection Policy*^[2], outline the TUS commitment to safeguarding the well-being of children with whom it works and interacts with, both in-person and online.

- 1) TUS is committed to creating a safe environment for children and to ensuring their safety and welfare at all times.
- 2) All children, who are not registered students of the TUS, entering the University campuses are required to be accompanied by a responsible adult (e.g. parent, guardian, teacher, carer, youth worker etc.), while on campus.
- 3) TUS is committed to mandatory reporting of any and all disclosures of child abuse to TUSLA and/or An Garda Síochána.
- 4) TUS will carry out a biennial review of these procedures, in line with a biennial

review of the *TUS Child Safeguarding Statement* and *TUS Child Protection Policy*. External advice and expertise, e.g. TUSLA, may be sought as necessary/appropriate.

6.0 The TUS Designated Liaison Person

In accordance with the *TUS Child Protection Policy*^[2], TUS has appointed a Designated Liaison Person (DLP) who shall act as a resource to any member of the TUS community who has child protection queries or concerns. The DLP shall liaise with external agencies as required and is responsible, on behalf of TUS, for reporting suspicions or allegations of child abuse to TUSLA and/or An Garda Síochána. The responsibilities of the DLP are outlined in [Section 8.3](#).

A Deputy Designated Liaison Person (DDLDP) has been appointed to assume the responsibilities of the DLP, if the DLP is unavailable or unable to act for any reason. Any references in this document to DLP should also read as applying to the DDLDP.

The names and contact details of the DLP and DDLDP are provided in [Appendix 2](#).

7.0 Garda Vetting

TUS has adopted appropriate policy and procedures, in line with under the *National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016*^[7], for the vetting of all applicable staff who carry out relevant work with children and certain students whose work or study brings them into contact with children.¹ These include the *TUS Staff Garda Vetting Policy and Procedures*^[8] and the *TUS Student Garda Vetting Policy and Procedures*.^[9]

- 1) All relevant staff in TUS are obliged to undergo Garda Vetting, in accordance with the *TUS Staff Garda Vetting Policy*.^[8]
- 2) TUS staff who sanction the participation of volunteers in university activities involving children must ensure that volunteers are subject to vetting under the *National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016*^[7] and are informed of the *TUS Child Safeguarding Statement*^[1], *TUS Child Protection Policy*^[2], and these *Procedures*.

¹ Any work or activity which is carried out by a person, a necessary and regular part of which consists mainly of the person having access to, or contact with, children or vulnerable persons.^[7]

- 3) All students whose studies require them to work with children will be required to comply with Garda Vetting, in accordance with the *TUS Student Garda Vetting Policy and Procedure*^[9] and/or the specific Garda Vetting Policy and Procedures as determined by their Placement Provider.

In the case of students on placement in schools, the *Child Protection Procedures for Primary and Post-Primary Schools (revised 2023)*^[10] provides an important reference.

8.0 Roles and Responsibilities

These procedures are intended to assist members of TUS, who for teaching, research, or occupational reasons have contact with children, and may need to deal with any concerns they may have in relation to children's safety and well-being. Accordingly, they provide notice to members of the TUS on their responsibilities in relation to child protection issues as outlined in this section. Relevant personnel with contact details are provided in [Appendix 2](#) of these procedures.

TUSLA have published a useful *Child Safeguarding Resource List (December 2024)*^[11], promoting best practice in child safeguarding.

8.1 Responsibility for the Implementation of the Policy and Procedures

The ultimate responsibility for the implementation of the *TUS Child Protection Policy* and these accompanying *TUS Child Protection Procedures* rests with the President of TUS. The President discharges this responsibility through the appointment of a Designated Liaison Person (DLP) ([Section 6.0](#)).

8.2 Responsibility of TUS

- 1) TUS shall approve, disseminate, and publish TUS Child Safeguarding Statement, TUS Child Protection Policy and TUS Child Protection Procedures and review these on a biennial basis or where necessary.
- 2) TUS shall display the TUS Child Safeguarding Statement in a prominent location all its campuses.
- 3) TUS shall provide training to members of the TUS community as outlined in [Section 13](#) of these Procedures and maintain records appropriately.

The DLP shall have overall responsibility for ensuring that these responsibilities of TUS are fulfilled.

8.3 Responsibility of Designated Liaison Person

The DLP shall familiarise themselves with these Procedures which support the Policy to include the legislative provisions and key publications referred to in the Bibliography and keep abreast of any updates of these provisions and publications.

The DLP shall:

- 1) provide advice internally to any member of the TUS community who has child protection queries or concerns.
- 2) act as a liaison with outside agencies;
- 3) ensure that the reporting framework and associated reporting procedures ([Section 10](#) and [Section 11](#)) are implemented, so that suspected cases of child neglect or abuse are referred promptly to TUSLA and/or to An Garda Síochána;
- 4) ensure that they are knowledgeable about child protection and undertake any training necessary to keep updated on new developments;
- 5) maintain a list of TUS staff who are mandated persons;
- 6) ensure that training of TUS staff in accordance with these procedures is appropriately facilitated;
- 7) ensure that all records in relation to child protection concerns are retained appropriately and securely, in line with these procedures;
- 8) submit timely updates regarding the number of reporting instances to the President and to the Governing Body.

A collation of important reference points for the role of the DLP as delineated by this Procedure is provided in [Appendix 3](#).

8.4 Responsibility of Members of TUS Community

These Procedures apply to all members of TUS community as defined in [Section 4.0](#), Scope of the Procedures.

- 1) TUS members will adhere to the TUS Child Safeguarding Statement, TUS Child Protection Policy and TUS Child Protection Procedures.
- 2) If a member of TUS community has a Child Protection concern, this should be reported as soon as possible to the DLP.
- 3) It is the duty of members of the TUS community to become familiar with and comply with the TUS Child Protection Statement, TUS Child Protection Policy and

these Procedures.

- 4) Knowingly producing, distributing, printing, publishing or showing child pornography, or possessing it for any of these purposes, is a criminal offence under *Child Trafficking and Pornography Act 1998*.^[12] If a member of TUS is concerned that child pornography images are being downloaded, this should be reported as soon as possible to the DLP. The DLP is then responsible for ensuring that the matter is reported to An Garda Síochána.
- 5) Members of TUS community are obliged to participate in training as outlined in [Section 13](#).
- 6) Each member of the TUS community is obliged to cooperate with any investigation by TUS, the Child and Family Agency, and/or An Garda Síochána.

8.5 Responsibility of Mandated Persons

Mandated persons (in accordance with the provisions of the *Children First Act 2015*^[3]) are people who have contact with children or adults and who, because of their qualifications, training, and/or employment role, are in a key position to help protect children from harm.

- 1) A Schedule of Mandated Persons under the *Children's First Act 2015*,^[3] is provided in [Appendix 4](#).
- 2) Mandated persons who are employed by TUS, or mandated persons who are providing services to TUS, have a statutory obligation to report mandated concerns to TUSLA, in accordance with [Section 10.5](#), *Mandated Reporting Procedure*.

8.6 Responsibility of the Student Counselling Service

As the Student Counselling Service is in a unique position of dealing with cases involving child protection as part of its everyday work. In accordance with [Section 10.5](#), *Mandated Reporting Procedure*, student Counsellors, may make a report directly to TUSLA in consultation with the Head of Counselling/senior member of the counselling team, in those cases that present to the Student Counselling Service only:

- 1) The relevant Head of Student Counselling/senior member of the counselling team, must expeditiously notify the TUS DLP that a report had been made;
- 2) Students who engage with the Counselling Service will be informed of TUS's responsibility with respect to mandatory reporting.

8.7 Responsibility of Schools/External Parties for Child Protection and Welfare When Visiting TUS

Primary and Post-Primary Schools, Further Education Colleges and other external parties are welcome and encouraged to visit TUS campuses.

- 1) The school/external party is responsible for children brought on to TUS campuses by the school/external party, including that the appropriate supervisor to children ratios for different age groups is adhered to.
- 2) Under National child protection legislation, all schools/external party working with children are obliged to comply with the governing National legislation when visiting TUS.

The Child Protection Procedures for Primary and Post-Primary Schools (revised 2023)^[10] provides a useful reference.

8.8 Responsibility of Third Parties for Child Welfare when Renting/Leasing TUS Sporting and other Facilities

The use and enjoyment of TUS sporting and other facilities by outside agencies is welcome and encouraged.

- 1) The third party is responsible for children brought on to TUS campuses, including that the appropriate supervisor to children ratios for different age groups is adhered to.
- 2) Under National child protection legislation, all third parties working with children are obliged to comply with the governing National legislation when visiting TUS.

The Department of Health and Children document titled 'Our Duty to Care: *The Principles of Good Practice for the Protection of Children and Young People*^[13], which is aimed at community and voluntary organisations of any size or type that provide services for children provides a useful reference.

9.0 TUS Practices and Procedures for Child Protection

By virtue of their age and dependency, children are entitled to a particular care and protection when on a TUS Campus and/or in the care of the Technological University. Staff and Students shall:

- a) Treat all children equally with respect and dignity.
- b) Demonstrate exemplary behaviour in the presence of children.

If you have a Child Protection concern or if someone discloses a child protection

concern to you it is imperative that you act promptly by alerting the Technological University's DLP who can provide support and guidance.

Advice and guidance may be sought from the DLP. Further information in relation to child protection is available at:

- the TUSLA website: [Child Protection & Welfare TUSLA – Child and Family Agency](#);
- *TUSLA (2018) Child Protection and Welfare Practice Handbook 2*, Dublin, TUSLA;^[15]
- Irish Sports Council and Sports Council Northern Ireland. (2000) *Code of Ethics and Good Practice in Children's Sport*.^[15]

9.1 Dealing with Immediate Risk to a Child

Members of the TUS community should be alert to the possibility that children with whom they are in contact could be victims of neglect and/or abuse.

- 1) If staff members or students have any concerns, or anyone raises concerns with them, they must contact the DLP immediately to seek advice.
- 2) In cases of an on-campus emergency, where it is believed that a child is at serious and imminent risk, the member of the TUS community with the concern should immediately contact the most senior member of Estates staff/campus security who will take the relevant steps to ensure the safety of the child on campus. The Campus Security Contact Numbers for each campus are provided in [Appendix 2](#).
- 3) The DLP should be informed as soon as possible. The DLP shall assess the concern, in accordance with these procedures, including informing TUSLA, as appropriate.

9.2 General Practices for Staff and Students in Working Safely with Children

Staff and students of the Technological University must ensure that they comply with the following:

- 1) treat all children equally, and with respect and dignity;
- 2) avoid being alone with a child ensure that they work in an open environment when working with children (i.e. avoid private or unobserved environments), where a one-to-one meeting is necessary, it should be conducted in a room with visual access;
- 3) adopt the safest practices to minimise the possibility of any harm happening to

children;

- 4) provide a safe, appropriately monitored environment for any children visiting the campus;
- 5) ensure online safety is considered and adopted when delivering online initiatives to children;
- 6) photographic material of children must not be taken and/or used without the consent of parents/legal guardians;
- 7) never use any form of physical punishment;
- 8) always refer Child abuse, welfare and safety concerns to the DLP as soon as possible.
- 9) comply with the provision of [Section 9.4](#) of these Procedures where research activities involve children.

9.3 Specific Practices for Staff in Working Safely with Children

- 1) All applicable staff in TUS who carry out relevant work with children, are obliged to undergo Garda Vetting, in accordance with the *TUS Staff Garda Vetting Policy* (C.f. [Section 7.0](#)) and are required to complete Child Protection training in accordance with [Section 13](#).
- 2) All applicable staff in TUS who carry out relevant work with children, shall inform their line manager and confirm completion of Garda Vetting and Child Protection training in advance of commencing such work or activity with children.
- 3) The line manager (Head of Department/Head of Function) shall inform both Human Resources and the DLP of all instances where staff in their department/function carry out relevant work.
- 4) The line manager (Head of Department/Head of Function) shall arrange for the completion of an appropriate risk assessment for activity that involves children in their respective department/function. A record of such risk assessment shall be maintained by the Head of Department/function in accordance with the TUS Data Retention Schedule.
- 5) All staff who carry out relevant work with Children must ensure the safest possible practices through consideration of the associated risk assessments for activity that involves children.

9.4 Research Activities Involving Children

Research involving children must be approved through the TUS Research Ethics process prior to the commencement of the research. When working with children, the researcher must comply with the TUS Child Protection Policy^[2], these Procedures and best practice in research. Guidance on undertaking research with children is provided in the *Department of Children and Youth Affairs Ethical Review and Children's Research in Ireland (2010)*^[16] and in the associated guidance document 'Guidance for Developing Ethical Research Projects Involving Children (2012)'.^[17]

- 1) Students registered on Taught Programmes undertaking research with children should comply with the *TUS Research Ethics Guidelines for Undergraduate and Taught Postgraduate Programmes*.^[18]
- 2) Students registered on Research Programmes undertaking research with children should comply with the *TUS Research Ethics Policy for Research Programmes*.^[19]
- 3) TUS students who undertake work placements in schools where some of their work involves an element of research as well as teaching practice do not usually require Ethics process approval.

In situations where research involves children who are, or have been, in state care, such children and their care proceedings are governed by principles of confidentiality under the *Child Care Act 1991*.^[5] Legal advice should always be sought in advance of undertaking such research.

9.5 TUS Students on Placement Who Work with Children

As outlined in [Section 7.0](#), *Garda Vetting*, all students whose studies require them to work with children will be required to comply with Garda Vetting, in accordance with the *National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016*^[7] and the *TUS Student Garda Vetting Policy and Procedures*.^[9] In accordance with the *TUS Student Garda Vetting Policy and Procedure*, a written formal agreement must be in place between the Technological University and the Placement Provider.

- 1) Students on Placement who work with Children must familiarise themselves with the *TUS Child Protection Statement*,^[1] *TUS Child Protection Policy*^[2] and these Procedures and those external stakeholders where the Placement is being undertaken.
- 2) The students on placement must also comply with the Policy and Procedures of the Provider where the placement is being undertaken.

9.6 TUS Promotion Activities

Care should be taken to ensure that images of children are not included in TUS promotional material or TUS social media sites without the expressed written permission of the parent(s) or guardian(s). It is acknowledged that under Data Protection Commission (DPC) guidance, individuals aged 16 and above may consent to the use of their own personal data.

9.7 Children of Staff or Students on Campus

Where staff or students bring their children to visit the Technological University, they should remain with them and ensure that they are safe and supervised.

Staff and Students are not permitted to bring their children into TUS classes, lectures, meetings and restricted areas.

9.8 Suspected Downloading of Child Pornography

Knowingly producing, distributing, printing, publishing or showing child pornography or possessing it for any of these purposes is a criminal offence under the *Child Trafficking and Pornography Act 1998*.^[12]

If a member of TUS is concerned that child pornography images are being downloaded, this should be reported as soon as possible to the DLP. The DLP is then responsible for ensuring suspicions or allegations are managed as per these Procedures.

Members of the TUS community should be aware of the following TUS relevant disciplinary Policies:

- *TUS Student Code of Conduct and Discipline* ^[20]
- *TUS Employees Code of Conduct* ^[21]
- *TUS Staff Disciplinary Procedure*^[22]

10.0 The Reporting Framework

The *Children First National Guidance for the Protection and Welfare of Children 2017*^[4] notes that the guiding principles on reporting child abuse or neglect may be summarised as follows:

- 1) the safety and well-being of the child must take priority over concerns about adults against whom an allegation may be made;

2) reports of concerns should be made at earliest opportunity to TUSLA.

TUSLA have published *A Guide for the Reporting of Child Protection and Welfare Concerns, TUSLA 2024*^[23], which serves as an important resource.

As outlined in [Section 6.0](#), TUS has appointed a DLP to act as a liaison with outside agencies and ensure that this reporting framework and associated reporting procedures are implemented.

The Reporting Framework described here includes the following reporting forms:

- 1) a *TUS Internal Report Form*, provided in [Appendix 5](#);
- 2) TUSLA Report Forms, provided in [Appendix 6](#);
 - a) Child Protection and Welfare Report Form,
 - b) Retrospective Abuse Report Form.

These report forms are for use, as detailed in this reporting framework, by any professional, individual or group involved in services to children, who becomes aware of a child protection or welfare concern, or to whom a child protection or child welfare concern is reported.

It should be noted that under no circumstances should a child be left in a situation that exposes them to harm, or risk of harm, while waiting to contact TUSLA, or for TUSLA to intervene. If you think the child is in immediate danger and you cannot contact TUSLA, you should contact An Garda Síochána.

10.1 Reasonable Grounds for Concern

It is imperative that, if members of TUS have reasonable grounds for concern or have knowledge or suspicions that a child may have been neglected/abused, is being neglected/abused or is at risk of being neglected/abused, they act promptly and sensitively in reporting the matter to the DLP. The primary consideration must be the protection and welfare of children.

The *Children First National Guidance for the Protection and Welfare of Children 2017*^[4] notes that the reasonable grounds for a child protection or welfare concern include:

- evidence, for example an injury or behaviour, that is consistent with abuse and is unlikely to have been caused in any other way;
- any concern about possible sexual abuse;

- consistent signs that a child is suffering from emotional or physical neglect;
- a child saying or indicating by other means that he or she has been abused;
- admission or indication by an adult or a child of an alleged abuse they committed;
- an account from a person who saw the child being abused.

As outlined in [Section 2.0](#), descriptions of the four categories of abuse are described in the *National Guidance for the Protection and Welfare of Children, 2017*,^[4] namely: Neglect, Emotional abuse/ill-treatment, Physical abuse, and Sexual abuse), and are reproduced in [Appendix 1](#). As noted in [Section 2.0](#), that these are not legal definitions. They are intended to describe ways in which a child might experience abuse and how this abuse may be recognised.

The following indicative examples would constitute reasonable grounds for concern:

- specific indication from the child that was abused;
- disclosure of abuse by a child to a member of TUS;
- retrospective reporting of child abuse by an adult;
- downloading of child pornography;
- observed signs of physical neglect or physical or sexual abuse.

If you become aware that a child is at serious imminent risk on campus, the procedures as outline in [Section 9.1](#) *Dealing with Immediate Risk to a Child* should be implemented.

Further information in relation to child protection concerns is available at:

[Reporting Concerns TUSLA - Child and Family Agency](#)

10.2 Confidentiality

Complete confidentiality must never be promised to a child or young person making a disclosure. All information regarding possible or suspected child abuse should be shared only “on a need-to-know basis”, in the interests and safety of the child.

The requirements to report to the DLP and/or the Child and Family Agency TUSLA should always be explained in a supportive manner to the child.

10.3 Sharing of Information for Protection of Children

Information may be communicated to personnel who have a legitimate involvement or role in dealing with the issue. Giving information reasonably and in good faith, to those who need to have the information, for the protection of a child who may have been or is in danger of being abused, including a DLP, Child and Family Agency Social Worker or An Garda Síochána, is not a breach of confidentiality or data protection laws.

- 1) At all stages in the process (disclosure, reporting and dealing with an abuse allegation), confidentiality is of extreme importance. Statements, letters and other communications shall be confidential to those involved.
- 2) It is noted that it is an offence to withhold information about a serious offence against a person under 18 years or a vulnerable person under the *Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012*.^[24]

Where the DLP or any other person reports suspicions of child abuse “reasonably and in good faith” to designated officers of TUSLA or any members of An Garda Síochána, the *Protection of Persons Reporting Child Abuse Act, 1998*^[25] protects them from civil liability for doing so. This means that even if a communicated suspicion of child abuse proves unfounded, any person taking an action would only be successful if they could prove the person who communicated the concern had not acted reasonably and in good faith in making the report. The Act^[25] also makes it an offence to falsely make a report of child abuse to the appropriate authorities “knowing the statement to be untrue”. This is designed to protect innocent persons from malicious reports.

10.4 Standard Reporting Procedure

A TUS member, who has a child protection concern, shall, in all cases, inform the DLP as soon as possible. The TUS member shall complete the *TUS Internal Report Form* provided in [Appendix 6](#), and submit it to the DLP. The DLP shall then assess the concern and consider what action to take in accordance with procedures outlined in [Section 11.0](#). Responsibilities and *Actions to be Taken by the DLP on Receipt of Report of Suspected Child Neglect/Abuse*

However, if a member of TUS is inhibited for any reason in reporting an incident internally to the DLP, or where they are dissatisfied with a response, they should contact the Child and Family Agency, TUSLA, and make a report using the relevant TUSLA Report Form ([Appendix 6](#)).

In circumstances, where a member of TUS receives information relating to a concern about persons who are not members of TUS, but are in contact with children through other organisations, it is important that these organisations are made aware of any concerns. The TUS member shall complete the TUS Internal Report Form provided in [Appendix 5](#), and submit it to the DLP. The DLP may seek the advice of TUSLA on how the matter should be handled (C.f. [Section 11.0](#)).

10.5 Mandated Reporting Procedure

Mandated persons (in accordance with the provisions of the Children First Act 2015^[3]) are people who have contact with children or adults and who, because of their qualifications, training, and/or employment role, are in a key position to help protect children from harm.

The Schedule of Mandated Persons is outlined in [Appendix 4](#).

Mandated persons have two main legal obligations under the *Children First Act 2015*^[3]. These are:

- 1) to report the (alleged/suspected) harm of children above a defined threshold to TUSLA;
- 2) to assist TUSLA, if requested, in assessing a concern which has been the subject of a mandated report.

Mandated persons who are employed by TUS, or mandated persons who are providing services to TUS, have a statutory obligation under the *Children First Act 2015*^[3] to report mandated concerns to TUSLA.

- 1) Where appropriate, this obligation is discharged by mandated persons making a joint report with a Designated Liaison Person to TUSLA, using the relevant TUSLA Reporting form ([Appendix 5](#)).
- 2) Certain professionals may report directly to TUSLA, with notification that a report has been made provided to the DLP ([Appendix 4](#)).

The *National Guidance for the Protection and Welfare of Children, 2017*^[4], provides *Criteria for Reporting Mandated Concerns: Definitions and Thresholds* including the threshold of harm for each category of abuse at which mandated persons have a legal obligation to report concerns. These are reproduced in [Appendix 7](#).

- 1) If a mandated person is in doubt about whether a concern reaches the legal definition of harm for making a mandated report, they may liaise with TUSLA who

can provide advice in this regard.

- 2) Under the National Guidance^[4], if, a mandated person, receives a disclosure of harm from a child, which is above the thresholds set out ([Appendix 7](#)), they must make a mandated report of the concern to TUSLA. TUSLA must be informed, in all circumstances, of all risks to children above the threshold.
- 3) The mandated person is not required to judge the truth of the claims or the credibility of the child.
- 4) If the concern does not meet the threshold to be reported as a mandated concern the mandated person should report it to TUSLA as a reasonable concern under this National Guidance.^[4]
- 5) If a mandated person works with or treats persons with mental health difficulties, intellectual disability, addiction or domestic violence issues, or if they work in the probation services, they must consider the welfare and safety of any children in that person's family and/or children in regular contact with the person. If there are concerns which meet or exceed the thresholds outlined above, then they must report them to TUSLA under the *Children First Act 2015*.^[3] The National Guidance further advises that reasonable concerns below that threshold should also be reported.^[4]

11.0 Actions of the DLP on Receipt of Report of Suspected Child Neglect/Abuse

When the DLP receives a report of suspected child neglect/abuse they should consider whether there are reasonable grounds for reporting the matter to TUSLA and/or An Garda Síochána. (C.f. [Section 10.1](#) *Reasonable Grounds for Concern*).

The DLP should refer to the National Guidance for the Protection and Welfare of Children, 2017^[4] when considering a concern and deciding whether to report a matter to TUSLA. If the DLP is not sure whether to report a matter to TUSLA, the DLP should seek advice from TUSLA personnel who are available to liaise with the DLP and provide advice on child protection issues. The DLP should make it clear that they are not making a report but simply seeking advice.

- 1) If the Child and Family Agency personnel advise that a report should be made to TUSLA, the DLP should act on that advice.
- 2) If the Child and Family Agency personnel advise that no action is required, the DLP should keep a record in writing of that fact together with a record of any advice given by the Child and Family Agency personnel.

If the DLP remains concerned about a child's welfare, a report in writing may be made to a TUSLA and/or An Garda Síochána.

A suspicion, which is not supported by any objective indication of neglect/abuse, would not constitute a reasonable suspicion or reasonable grounds for concern. However, such suspicions should be recorded or noted internally by the DLP as future suspicions may lead to the decision to make a report, and earlier suspicions may provide important information for TUSLA and/or An Garda Síochána.

If an allegation is made against a member of the TUS community, action should be guided by these procedures, and the rules of natural justice.

11.1 Actions to be Taken by the DLP on Receipt of Report of Suspected Child Neglect/Abuse

- 1) The TUS member with a concern should inform the DLP as soon as possible on becoming aware of a concern. The TUS member shall complete the TUS Internal Report Form provided in [Appendix 5](#), and submit it to the DLP, in accordance with [Section 10.4 Standard Reporting Procedure](#).
- 2) The DLP shall immediately assess if the concern meets the threshold of reporting (*Reference Criteria for Reporting Mandated Concerns: Definitions and Thresholds, Appendix 6*). This may include:
 - a) seeking clarification and/or further information on the concern;
 - b) where there is any doubt or uncertainty, consulting initially and informally with TUSLA to ascertain their view of the situation.
- 3) The consultation, if required, and the assessment shall be conducted with immediacy and urgency.
- 4) The DLP should not investigate whether the allegations or complaints are valid. Such an investigation is the responsibility of the Child and Family Agency and An Garda Síochána
- 5) If the DLP finds that there are reasonable grounds for concern, and meet the thresholds for reporting, that a child may have been abused, is being abused or is at risk of abuse, they shall make a formal referral to TUSLA, using the relevant TUSLA Report Form ([Appendix 6](#)), and/or to An Garda Síochána, as appropriate. The DLP report should be made without delay and should include as much of the information as possible that was provided in the *TUS Internal Report Form*

received.

- 6) If the DLP decides that reasonable grounds for reporting a concern to TUSLA or An Garda Síochána do not exist, or seeks advice from the Child and Family Agency and is advised that there are no grounds for a report, the DLP shall inform, in writing, the member of the TUS Community who made the report of this decision and the reasons for it. The DLP shall advise the member of the TUS Community who made the report that they may use the relevant TUS Policy to make a formal complaint under the respective Code of Conduct for Staff or Students.
- 7) In accordance with the *Children First National Guidance*^[4], if a decision is made not to report a concern to TUSLA/An Garda Síochána, the DLP shall take the following steps:
 - 8) the reasons for not reporting the concern shall be recorded;
 - 9) any actions taken as a result of the concern shall be recorded;
 - 10) the TUS member who raised the concern shall be given a clear written explanation of the reasons why the concern is not being reported.
 - 11) The member of the TUS Community shall be advised if they remain concerned that they are free to consult with, or report to, the TUSLA Social Worker and/or An Garda Síochána themselves, and that such a report is made independently and not on behalf of TUS.
 - 12) In the case of an emergency where it is believed that a child is at serious and imminent risk, and it is not possible to make contact with TUSLA, the DLP must contact An Garda Síochána.

11.1.1 Further Considerations and Actions for Allegations of Child Neglect/Abuse Against a Student Member of TUS

- 1) TUS should as a matter of urgency take any necessary protective measures to ensure that no child is exposed to unnecessary risk. These measures should be proportionate to the level of risk and should not unreasonably penalise the TUS student member, unless necessary to protect children.
- 2) Any allegation of abuse must be dealt with sensitively and the student member of TUS treated fairly. This includes the right not to be judged in advance of a full and fair enquiry.
- 3) The DLP shall arrange a meeting with the student and inform them of the fact that an allegation has been made against them and that a Report has been/is being

forwarded to TUSLA/Garda Síochána. The student shall be advised of any relevant supports available within TUS.

- 4) The DLP shall advise the student in writing of the following:
 - a) the fact that an allegation has been made against them;
 - b) the details of the nature of the allegation;
 - c) that they should not make contact the person making an allegation.
- 4) If an allegation is made against a TUS student, they may be subject to the *TUS Student Code of Conduct and Discipline*.^[28] The outcome of any referral to TUSLA may be taken into consideration as part of such proceedings. The DLP shall not be involved in these proceedings.
- 5) In the event that an allegation is made against a TUS student who is under 18 years of age, these procedures should also be followed in such circumstances.

11.1.2 Further Considerations and Actions for Allegations of Child Neglect/Abuse Against a TUS Staff Member

- 1) TUS should as a matter of urgency take any necessary protective measures to ensure that no child is exposed to unnecessary risk. These measures should be proportionate to the level of risk and should not unreasonably penalise the staff member, unless necessary to protect children.
- 2) Any allegation of abuse must be dealt with sensitively and the TUS staff member treated fairly. This includes the right not to be judged in advance of a full and fair enquiry.
- 3) The Designated Liaison Person shall notify Human Resources where a report of a child protection concern involves an employee of the organisation.
- 4) The DLP shall arrange a meeting, in conjunction with the Vice President People, Culture and EDI/HR function, and inform the staff member of the fact that an allegation has been made against them and that a Report has been/is being forwarded to TUSLA/Garda Síochána. The staff member shall be advised of any relevant supports available within TUS.
- 5) The DLP shall formally advise the staff member in writing of:
 - a) the fact that an allegation has been made against them;
 - b) the details of the nature of the allegation;
 - c) that they should not make contact the person making an allegation.
- 5) Where a formal report is made to TUSLA, and/or An Garda Síochána, in

accordance with [Section 11.1](#), the DLP shall formally report the matter in writing to the TUS President.

- 6) If an allegation is made against a TUS staff member, they may be subject to internal TUS procedures, as determined by the TUS Human Resources function. Internal procedures may include the initiation of disciplinary procedures, administrative leave, or implementation of a safety plan to safeguard children within the organisation, inter alia. The outcome of any referral to TUSLA may be taken into consideration as part of such proceedings. The DLP shall not be involved in these procedures.

11.2 Notifying a Child's Parent/Guardian of a Report to be Made

The DLP should inform the parent/guardian of the child who is the subject of a report, if a report is likely to be submitted to TUSLA, unless doing so is likely to endanger the child. Guidance should be sought from the Child and Family Agency in this regard.

- 1) If the DLP decides not to inform a parent/guardian, this decision and the reasons for it should be recorded.
- 2) If, for any reason it is not possible to inform the child's parent/guardian, the DLP should inform the Child and Family Agency of the reason why.
- 3) The Child and Family Agency must be told if the child's parents have not been informed so that it can take the necessary appropriate steps.

12.0 Data Protection and Management of Records

These Procedures will be implemented in a manner compliant with the Data Protection Acts 1988 to 2018^[26]; and the General Data Protection Regulation (EU) 2016/679^[27] and the *TUS Data Protection Policy*^[28].

All records of any allegations in relation to child protection issues which are made to a member of TUS should be regarded as highly confidential and should be provided to the DLP and stored in a secure location, in accordance with data protection requirements including the *TUS Data Protection Policy*^[28] and *TUS Data Retention and Records Management Policy*.^[18]

- 1) The DLP should keep a written note of any communication made and any advice received in relation to a child protection concern.
- 2) All records are highly confidential and access to such records should be restricted. It is the responsibility of the DLP to ensure that these are kept securely.

12.1 Recording Allegations/Incidents

Details of allegations and reports of alleged incidents of abuse must be recorded. The records shall include:

- 1) the date and time of disclosure, allegation or actual abuse incident;
- 2) an indication of the parties involved (including third parties), including relevant contact details available;
- 3) any suspicions consequent on the information and the factual grounds for such suspicions;
- 4) details of actions TUS has taken;
- 5) the response of the parents/guardians to the information, if applicable;
- 6) the report from the TUS member who received the information or who has concerns;
- 7) a decision not to inform the parents/guardian together with the reason for same, if applicable;
- 8) details (dates, times, people, place) of any subsequent meetings and communications of interested parties;
- 9) decisions re referral, or not, as applicable, to TUSLA or AnGarda Síochána.

13.0 TUS Child Protection Policy Dissemination and Training of Staff

These Procedures together with the TUS Child Protection Policy and TUS Child Safeguarding Statement shall be published on the TUS Webpage.

13.1 Training for TUS Staff Members

Relevant and appropriate information and training sessions shall be provided to members of TUS community to ensure that members have the necessary familiarity with the TUS Child Protection Policy and these Procedures to enable them to comply with statutory obligations and TUS Policy and Procedures on child protection.

- 1) As part of general awareness approach, at the beginning of September each academic year, the DLP shall issue an email to all Staff and students bringing attention to the *TUS Child Safeguarding Statement*, ^[1] *TUS Child Protection Policy*, ^[2] *and TUS Child Protection Procedures*. This notice shall include reference to the responsibilities of members of the TUS community as laid out in these documents,

and links to the published documents on the TUS website.

2) The following must be completed by the members of TUS staff indicated:

- TUSLA online training:
<https://www.Tusla.ie/children-first/children-first-e-learning-programme/>
 - Bespoke and role-specific training on the TUS Child Protection Policy and these Procedures
- a) Members of TUS staff who have a designated role in the implementation and operationalisation of the TUS Child Protection Policy and these Procedures. This includes:
- Designated Liaison Person;
 - Deputy Designated Liaison Person;
 - Mandated Persons who are employees of TUS (See [Appendix 3](#), *Schedule of Mandated Persons Under the Children's First Act 2015*).^[3]
- b) Members of TUS Management.

The TUS DLP, in conjunction with an expert in the field, shall identify a Provider for the bespoke training.

- 3) Members of TUS community who have access to, or contact with, children as a necessary and regular part of their work, and consequently are required to undertake Garda Vetting in line with the *TUS Staff Garda Vetting Policy and Procedures*^[8] must undertake the TUSLA training: <https://www.Tusla.ie/children-first/children-first-e-learning-programme/>
- 4) The frequency of training shall be cyclical and aligned with the biennial revision of the TUS Child Protection Statement, Policy, and Procedures, ordinarily every two years. Any significant changes to statutory requirements and associated revision of the TUS Child Protection Policy and/or Procedures outside of the biennial review process shall require associated training.
- 5) The following records in relation to staff training shall be compiled and maintained by HR, with oversight responsibility by the DLP:
- a) a list of all staff who should participate in training as outlined in [Section 13.1](#);
 - b) a list of all staff who have completed training as outlined in Section 13.1.
- 6) The TUS DLP, working with HR, shall ensure that notice is issued to designated staff, as outlined in [Section 13.1](#), of the requirement to participate in training and send reminders to staff who have not completed child protection training sessions. Automated systems to facilitate the processing of notification and reminders shall be utilised.

- 7) It is the responsibility of the staff member who is notified of a requirement to undertake training to complete the training. A record of completion of the TUSLA Online training must be submitted to TUS HR.

13.2 Training for Staff Members of TUS Subsidiary Companies

- 1) In accordance with the Scope of these Procedures ([Section 4.0](#)), TUS will require its subsidiary companies (e.g. campus companies), to put in place and implement a Child Protection Statement, Child Protection Policy and Child Protections Procedures in line with the equivalent TUS documentation.
- 2) TUS Subsidiary Companies shall have the same obligations for the provision and recording of staff training as outlined in [Section 13.1](#) of these Child Protection Procedures, *Training for TUS Staff Members*.

14.0 Bibliography

- 1) TUS Child Safeguarding Statement. [TUS Academic Quality Assurance and Enhancement Handbook](#)
- 2) TUS Child Protection Policy. [TUS Academic Quality Assurance and Enhancement Handbook](#).
- 3) [Children First Act, 2015](#)
- 4) (a) [*Children First: National Guidance for the Protection and Welfare of Children 2017*](#).
(b) [2019 Addendum re: Online Safety](#).
- 5) [Child Care Act, 1991 and 2001](#)
- 6) [Child and Family Agency Act, 2013](#)
- 7) [National Vetting Bureau \(Children and Vulnerable Persons\) Acts 2012 to 2016](#)
- 8) [TUS Staff Garda Vetting Policy and Procedures](#)
- 9) [TUS Student Garda Vetting Policy and Procedures](#)
- 10) [Child Protection Procedures for Primary and Post-Primary Schools \(revised 2023\)](#)
- 11) [Child Safeguarding Resource List \(December 2024\)](#)
- 12) [Child Trafficking and Pornography Act 1998](#)
- 13) [Our Duty to Care: The principles of good practice for the protection of Children and Young People](#). Department of Health and Children 2004.
- 14) [Tusla \(2018\) Child Protection and Welfare Practice Handbook 2, Dublin, Tusla](#)
- 15) [Irish Sports Council and Sports Council Northern Ireland. \(2000\) Code of Ethics and Good Practice in Children's Sport](#)
- 16) [Department of Children and Youth Affairs Ethical Review and Children's Research in Ireland](#)
- 17) [Government Publications, Dublin. Guidance for Developing Ethical Research Projects Involving Children. Government Publications, Dublin ISBN: 9781406426793.](#)
- 18) [TUS Research Ethics Guidelines for Undergraduate and Taught Postgraduate Programmes](#)
- 19) [TUS Research Ethics Policy for Research Programmes. TUS Academic Quality Assurance and Enhancement Handbook](#)

- 20)TUS Student Code of Conduct and Discipline
- 21)TUS Employees Code of Conduct
- 22)TUS Staff Disciplinary Procedure
- 23)A Guide for the Reporting of Child Protection and Welfare Concerns, TUSLA 2024.
- 24)Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012
- 25)Protection of Persons Reporting Child Abuse Act,1998
- 26)Data Protection Acts 1988 to 2018
- 27)General Data Protection Regulation (EU) 2016/679
- 28)TUS Data Protection Policy
- 29)TUS Data Retention and Records Management Policy

15.0 Appendices

Appendix 1. Descriptions for Neglect, Emotional Abuse/Ill-treatment, Physical Abuse and Sexual Abuse

The following descriptions are provided by the Children First National Guidance for the Protection and Welfare of Children 2017.^[4]

Neglect

Child neglect is the most frequently reported category of abuse, both in Ireland and internationally. Ongoing chronic neglect is recognised as being extremely harmful to the development and well-being of the child and may have serious long-term negative consequences.

Neglect occurs when a child does not receive adequate care or supervision to the extent that the child is harmed physically or developmentally. It is generally defined in terms of an omission of care, where a child's health, development or welfare is impaired by being deprived of food, clothing, warmth, hygiene, medical care, intellectual stimulation or supervision and safety. Emotional neglect may also lead to the child having attachment difficulties. The extent of the damage to the child's health, development or welfare is influenced by a range of factors. These factors include the extent, if any, of positive influence in the child's life as well as the age of the child and the frequency and consistency of neglect.

Neglect is associated with poverty but not necessarily caused by it. It is strongly linked to parental substance misuse, domestic violence, and parental mental illness and disability.

A reasonable concern for the child's welfare would exist when neglect becomes typical of the relationship between the child and the parent or carer. This may become apparent where 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

Emotional abuse/III-treatment

Emotional abuse is the systematic emotional or psychological ill-treatment of a child as part of the overall relationship between a caregiver and a child. Once-off and occasional difficulties between a parent/carer and child are not considered emotional abuse. Abuse occurs when a child's basic need for attention, affection, approval, consistency and security are not met, due to incapacity or indifference from their parent or caregiver. Emotional abuse can also occur when adults responsible for taking care of children are unaware of and unable (for a range of reasons) to meet their children's emotional and developmental needs. Emotional abuse is not easy to recognise because the effects are not easily seen.

A reasonable concern for the child's welfare would exist when the behaviour becomes typical of the relationship between the child and the parent or carer.

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

- Rejection
- Lack of comfort and love
- Lack of attachment
- Lack of proper stimulation (e.g. fun and play)
- Lack of continuity of care (e.g. frequent moves, particularly unplanned)
- Continuous lack of praise and encouragement
- Persistent criticism, sarcasm, hostility or blaming of the child
- Bullying
- Conditional parenting in which care or affection of a child depends on his or her behaviours or actions

- Extreme overprotectiveness
- Inappropriate non-physical punishment (e.g. locking child in bedroom)
- Ongoing family conflicts and family violence
- Seriously inappropriate expectations of a child relative to his/her age and stage of development

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

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

Physical abuse

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

- Physical abuse can include the following:
- Physical punishment
- Beating, slapping, hitting or kicking
- Pushing, shaking or throwing
- Pinching, biting, choking or hair-pulling
- Use of excessive force in handling
- Deliberate poisoning
- Suffocation
- Fabricated/induced illness
- Female genital mutilation

The Children First Act 2015 includes a provision that abolishes the common law defence of reasonable chastisement in court proceedings. This defence could

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

Sexual abuse

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

Child sexual abuse may cover a wide spectrum of abusive activities. It rarely involves just a single incident and, in some instances, occurs over a number of years. Child sexual abuse most commonly happens within the family, including older siblings and extended family members.

Cases of sexual abuse mainly come to light through disclosure by the child or his or her siblings/friends, from the suspicions of an adult, and/or by physical symptoms.

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

Examples of child sexual abuse include the following:

- Any sexual act intentionally performed in the presence of a child.
- An invitation to sexual touching or intentional touching or molesting of a child's body whether by a person or object for the purpose of sexual arousal or gratification.
- Masturbation in the presence of a child or the involvement of a child in an act of masturbation.
- Sexual intercourse with a child, whether oral, vaginal or anal.
- Sexual exploitation of a child, which includes:
 - Inviting, inducing or coercing a child to engage in prostitution or the production of child pornography [for example, exhibition, modelling or posing for the

purpose of sexual arousal, gratification or sexual act, including its recording (on film, videotape or other media) or the manipulation, for those purposes, of an image by computer or other means]

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

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

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



Appendix 2: Relevant Contact Information

TUS Contact Details Relevant to Child Protection Procedures

Contact	Name	Contact Details
Designated Liaison Person Designated Technological University Officer to be informed if an allegation has been made against a student, staff member and/or or other person.	VP Academic Affairs & Registrar	Email.: DLP@tus.ie
Deputy Designated Liaison Person	VP Student Education and Experience	Tel.: Email.: DLP@tus.ie
TUS Student Counselling Service	TUS Midlands	Tel.: 090 6468063 Email.: counselling.midlands@tus.ie
	TUS Midwest	Tel.: 061 293129 Email.: counselling.midwest@tus.ie

TUS Campus Security Numbers

Campus	Security Number
Athlone	
Moylish	
Coonagh	
Clare Street	
Georges Quay	
Thurles	
Clonmel	
Ennis	

Child and Family Agency (TUSLA)

Child and Family Agency	Contact Information
Child and Family Agency (TUSLA) Head Offices	+353 1-7718500 About Us TUSLA - Child and Family Agency

Social Worker, TUSLA Note: To report a child protection concern, contact should be made with the child protection team where the child lives.	The TUSLA contact number for each county is available at the following TUSLA weblink: Contact a Social Worker TUSLA - Child and Family Agency
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An Garda Síochána

An Garda Síochána	The Station Directory for An Garda Síochána is available at: Station Directory - Garda
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Appendix 3. Collation of Important Reference Points for the Role of the DLP as Delineated by this Procedure

Selected Reference Points	Section No
Scope of the Procedures	Section 4.0
Responsibilities of the DLP	Section 8.3
The Reporting Framework	Section 10.0
Standard Reporting Procedure	Section 10.4
Actions to be Taken by DLP on Receipt of Report of Suspected Child Neglect/Abuse	Section 11.0
Data Protection and Management of Records	Section 12.0
TUS Child Protection Policy Dissemination and Training of Staff	Section 13.0

Appendix 4. Schedule of Mandated Persons Under the Children's First Act, 2015

The Children First Act, 2015 specifies the following classes of persons as Mandated Persons for the purposes of the Act:

- 1) Registered medical practitioner within the meaning of section 2 of the Medical Practitioners Act 2007.
- 2) Registered nurse or registered midwife within the meaning of section 2(1) of the Nurses and Midwives Act 2011.
- 3) Physiotherapist registered in the register of members of that profession.
- 4) Speech and language therapist registered in the register of members of that profession.
- 5) Occupational therapist registered in the register of members of that profession.
- 6) Registered dentist within the meaning of section 2 of the Dentists Act 1985.
- 7) Psychologist who practises as such and who is eligible for registration in the register (if any) of members of that profession.
- 8) Social care worker who practises as such and who is eligible for registration in accordance with Part 4 of the Health and Social Care Professionals Act 2005 in the register of that profession.
- 9) Social worker who practises as such and who is eligible for registration in accordance with Part 4 of the Health and Social Care Professionals Act 2005 in the register (if any) of that profession.
- 10) Emergency medical technician, paramedic and advanced paramedic registered with the Pre-Hospital Emergency Care Council under the Pre-Hospital Emergency Care Council (Establishment) Order 2000 (S.I. No. 109 of 2000).
- 11) Probation officer within the meaning of Section 1 of the Criminal Justice (Community Service) Act 1983.
- 12) Teacher registered with the Teaching Council.
- 13) Member of An Garda Síochána.
- 14) Guardian ad litem appointed in accordance with Section 26 of the Child Care Act 1991 and 2001.
- 15) Person employed in any of the following capacities:
 - a) manager of domestic violence shelter;

- b) manager of homeless provision or emergency accommodation facility;
- c) manager of asylum seeker accommodation (direct provision) centre;
- d) addiction counsellor employed by a body funded, wholly or partly, out of moneys provided by the Oireachtas;
- e) psychotherapist or a person providing counselling who is registered with one of the voluntary professional bodies;
- f) manager of a language school or other recreational school where children reside away from home;
- g) member of the clergy (howsoever described) or pastoral care worker (howsoever described) of a church or other religious community;
- h) director of any institution where a child is detained by an order of a court;
- i) safeguarding officer, child protection officer or other person (howsoever described) who is employed for the purpose of performing the child welfare and protection function of religious, sporting, recreational, cultural, educational and other bodies and organisations offering services to children;
- j) child care staff member employed in a pre-school service within the meaning of Part VIIA of the Child Care Act, 1991 and 2001;
- k) person responsible for the care or management of a youth work service within the meaning of section 2 of the Youth Work Act 2001;
- l) Youth worker who— (i) holds a professional qualification that is recognised by the National Qualifications Authority in youth work within the meaning of section 3 of the Youth Work Act 2001 or a related discipline, and (ii) is employed in a youth work service within the meaning of section 2 of the Youth Work Act 2001;
- m) Foster carer registered with the Agency;
- n) A person carrying on a pre-school service within the meaning of Part VIIA of the Child Care Act 1991 and 2001.

Appendix 5. TUS Internal Report Form

Note: Please complete this form as fully as possible. There may be instances where some of the information requested is not available. In such instances, please provide available information, as relevant and appropriate.

1. Name and contact information person reporting.	
2. Name of and contact information of Child (if this available):	
3. Age and Date of Birth of Child (if known):	
4. Who does the child live with (if known):	
5. Address/place of residence of theChild.	
6. Childs contact details:	
7. Brief description of what has prompted the concerns, citing the facts only. Include dates and times of any specific incidents and names of persons involved or witnesses.	
8. Observations made by you. Reference as appropriate: 9. Physical signs; Behavioural signs; 10. Indirect signs.	
11. Have you spoken to the child/youngperson. If so what was said?	
12. Have you consulted an external agency or reported this to anyone else?	
13. Does the child require medical attention?	
Signature:	
Date:	xx/xx/202x

Appendix 6. Child and Family Agency (TUSLA) Report Forms

The following common Report Forms are provided by TUSLA for both Non-Mandated Persons and Mandated Persons ([Section 10.0 The Reporting Framework](#)):

- 1) [TUSLA Child Protection and Welfare Report Form](#)
- 2) [Retrospective Abuse Report Form](#)

The relevant Form is to be completed and submitted to TUSLA for concerns about children under the age of 18, in accordance with the Reporting Framework outlined in these procedures.

Considerations for completing the TUSLA Reporting Form

- 1) Please consult the following:
 - [A Guide for the Reporting of Child Protection and Welfare Concerns, TUSLA 2024](#)
 - [TUSLA Guidance Note to help you fill in the Standard Report Form](#)
- 2) Please fill in as much information and detail as is known to you. This will assist the Social Work Department in assessing the level of risk to the child or the support services required.
- 3) If the information requested is not known to you, please indicate this by putting a line through the question. It is likely that a social worker will contact you to discuss your report.

Additional notes

- 1) If you are unsure if you should report your concerns, please contact TUSLA and discuss your concerns with them.
- 2) If you are making this report in confidence, you should note that TUSLA cannot guarantee absolute confidentiality for the following reasons:
 - a Court could order the information be disclosed.
 - under the Freedom of Information Acts 1997 and 2003, the Freedom of Information Commissioner may order that information be disclosed.
- 3) In making a “reasonably and in good faith”, you are protected under the Protection for Persons Reporting Child Abuse Act 1998.

Appendix 7. Criteria for Reporting Mandated Concerns: Definitions and Thresholds

Reproduced From: Children First: National Guidance for the Protection and Welfare of Children 2017.

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.**

Emotional Abuse/Ill-treatment

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

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

Physical Abuse

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

Sexual Abuse

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

Sexual abuse to be reported under the Children First Act 2015 [as amended by section 55 of the Criminal Law (Sexual Offences) Act 2017] is defined as an offence against the child, as listed in Schedule 3 of the Children First Act 2015.