

NATIONAL CHILD SAFEGUARDING PROGRAMME

for Early Learning &
Childcare Services



Procedure for Managing Allegations of Abuse Against Workers

A **Procedure for Managing Allegations of Abuse Against Workers** is a specified procedure under the [Children First Act 2015](#). As providers of a relevant service for children, early years services must have this procedure in place.

An allegation may be made against a worker who has:

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

All workers in the service should be aware of who to contact should they become aware of or make an allegation of abuse or neglect against any worker in the service.

The following must be considered when developing this procedure:

- Management must always ensure that the safety and welfare of the child are paramount, balanced with fairness to the employee and based on the laws of natural justice and employment legislation.

If an allegation is made against a worker in an early years' service, the owner/BOM must ensure that everyone involved is dealt with appropriately and in accordance with the organisation's guiding principles and Child Safeguarding Procedures.

When an allegation is made against a worker in an early years' service, there are two separate procedures to be followed:

1. The child safeguarding reporting procedure in respect of the child
2. The internal procedure for dealing with the Person Subject to the Abuse Allegation (PSAA).

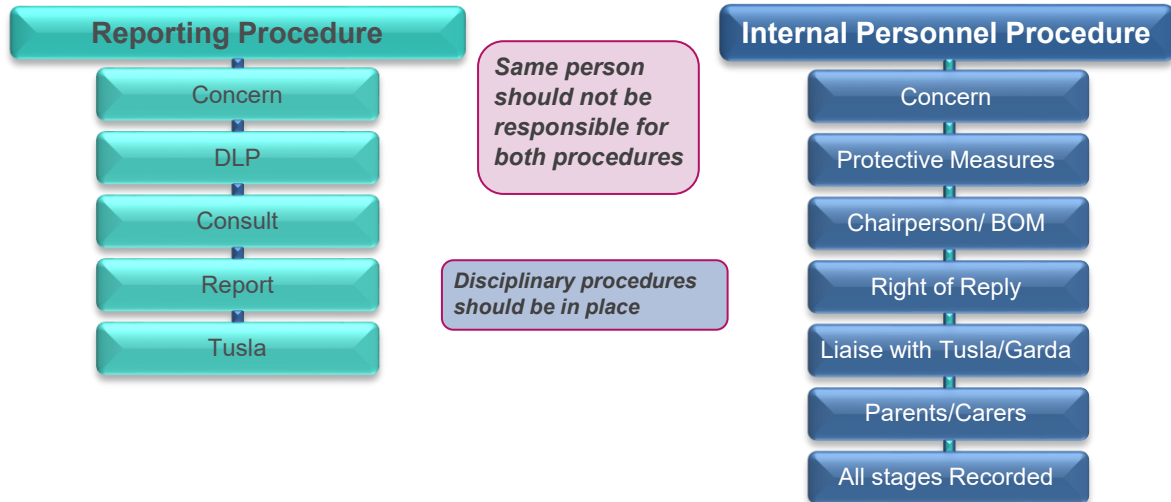
The organisation has a dual responsibility in respect of both the child and the worker.

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All concerns relating to the safety or welfare of children must be brought to the attention of the Designated Liaison Person (DLP) in the service. The DLP will ensure that the service's Child Safeguarding Reporting Procedure is followed, ensuring that all reasonable concerns about the safety or welfare of a child are reported to Tusla without delay.

When the concern is in relation to the actions or behaviour of a worker or volunteer in the service, the **Procedure for Managing Allegations of Abuse Against Workers** must also be followed.

The Reporting Procedure to Tusla In Respect Of The Child:

When implementing the **Child Safeguarding Reporting Procedure**, the DLP will establish, alongside the person who raised the concern, if reasonable grounds for concern exist and in the case of mandated persons, if the threshold of harm has been met or exceeded. This may involve [informal consultation](#) with Tusla's Social Work Department, through the [Dedicated Contact Points](#). Concerns that have reached either threshold must be reported to Tusla without delay, following your service's reporting procedure.

IF IT IS SUSPECTED THAT THERE IS A CRIMINAL ELEMENT TO AN ALLEGATION, THE DLP MUST ALSO MAKE A REPORT TO AN GARDA SÍOCHÁNA.

ALL REASONABLE CONCERNS RELATING TO THE PROTECTION OR WELFARE OF CHILDREN MUST BE REPORTED TO TUSLA SOCIAL WORK WITHOUT DELAY

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Concerns that do not reach the threshold for reasonable grounds for concerns may be considered a breach of the Code of Behaviour and may be subject to procedures to address breaches of the Code of Behaviour and others such as Disciplinary Procedures. Tusla's Early Years Inspectorate welcomes feedback relating to early years services from parents/guardians and other interested parties. Where anybody wishes to raise concerns about the welfare and safety of children who attend a service these should first, where possible, be brought to the attention of the registered provider. Where concerns need to be escalated to the Early Years Inspectorate they should be submitted by through the [Feedback and Concerns](#) process.

The Internal Procedure For Dealing With The Person Subject to the Abuse Allegation (PSAA)

The service's Internal Personnel Procedures for dealing with a worker who is the subject of an allegation of abuse should be clearly outlined and

The first priority is always the safety of the child, protective measures that are proportionate to the level of risk must be taken. Liaison with Tusla and An Garda Síochána should be maintained, as appropriate. All stages of the procedure should be recorded and these records should be maintained in line with Data Protection regulations and legislation.

Disciplinary Procedures should be in place and followed, as appropriate and employers must ensure that the rights of workers are considered at all times.

ORGANISATIONS SHOULD ALWAYS SEEK INDEPENDENT LEGAL ADVICE WHEN RESPONDING TO ALLEGATIONS OF ABUSE AGAINST WORKERS.

[INFORMATION ON DEVELOPING THIS PROCEDURE CAN BE FOUND IN THE CHILD SAFEGUARDING RESOURCE DOCUMENT. CHILD SAFEGUARDING STATEMENT, POLICY AND PROCEDURES; GUIDANCE FOR EARLY YEARS SERVICES IN IRELAND WHICH CAN BE ACCESSED HERE](#)