

# Reporting Procedure for Child Protection and Welfare Concerns

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(A specified procedure under the Children First Act 2015)

## Responsibility to Report a Concern

- All child protection concerns should be brought to the attention of the Designated Liaison Person (DLP) without delay. If the child is in immediate danger, An Garda Síochána should be called.
- The responsibility to report child protection or welfare concerns applies to everyone working with children or family members.
- Confidentiality should never be used as a reason not to report a child protection concern.
- The safety and wellbeing of the child takes priority over all other considerations. If you ignore what may be indicators of abuse, it could result in ongoing harm to the child.
- SCP projects are autonomous bodies and retain responsibility for ensuring reports from SCP staff are made to Tusla following the SCP reporting procedure. **This SCP operates a procedure of joint reporting with mandated persons such as school teachers/principals.**

## Identifying Harm and Abuse

The Children First National Guidance defines four categories of abuse: neglect, emotional abuse, physical abuse and sexual abuse. A child may be subjected to one or more forms of abuse at any given time. Cyberbullying should also be considered. Please see Children First National Guidance for more information.

Children First Act 2015 defines 'harm' as, 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.

## Reasonable Grounds for Concern

You should always inform the DLP if you have reasonable grounds for concern that a child may have been, is being, or is at risk of being abused or neglected.

It is not necessary for you to prove that abuse has occurred to report a concern. All that is required is that you have reasonable grounds for concern. It is Tusla's role to assess concerns that are reported to it. If you report a concern, your information will be carefully considered with any other information available, and a child protection assessment may be carried out.

## Reasonable grounds for a child protection or welfare concern include (Children First National Guidance, p. 6):

- 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.

## If a child is in immediate danger/emergency situation

- Where you believe the child is at risk of immediate harm, you should contact the DLP. Immediate telephone contact should be made with the local Tusla Social Work Service, before making a written report. In the event of an emergency and the unavailability of a Tusla Duty Social Worker, the DLP will contact An Garda Síochána.
- Outside of office hours, if you think the child is in immediate danger, the DLP (and/or worker) should contact An Garda Síochána.
- Mandated persons can access Tusla's emergency out-of-hours social work service. If you are a mandated person and wish to report a case of child harm to Tusla, you can contact the out-of-hours social work service on 0818 776 315, between 6pm and 6am every night and between 9am and 5pm on Saturdays, Sundays and bank holidays.

- Under no circumstances should a child be left in a situation that exposes him or her to harm or risk of harm if waiting for an intervention.
- If you are a mandated person, you must follow up with a written mandated report to Tusla within three days of the emergency. Where you have agreed joint reporting procedures with the DLP, make this report jointly.

## Reporting A Concern (All Workers and Volunteers)

- Regardless of how a concern comes to a worker or volunteer's attention, it must be reported to the Designated Liaison Person without delay.
- The worker who has the concern should make a written record of the concern, how it was received, and any actions taken.
- If a worker/volunteer receives information regarding a suspicion of child abuse from a third party, this must be reported to the DLP, who will then consult with Tusla Duty Social Work.
- If you are a mandated person who also holds the role of Designated Liaison Person (DLP), you must fulfil your statutory obligations to report a concern as a mandated person.
- The Designated Liaison Person, in consultation with the worker/volunteer who has raised a concern, will decide if reasonable grounds for concern exist.
- If the DLP is unsure if a child protection concern meets the reasonable grounds for concern, they will contact the Tusla Duty Social Worker for informal advice and guidance.
- **Our local Tusla Duty Social Work Team No is: (053) 9198134.**

**Guidance Note: for your local Tusla Duty Social Work Team(s) see Tusla website: <https://www.tusla.ie/children-first/contact-a-social-worker3/>**

**Our local Garda Station Number is: 051-426030.**

The DLP will report all child protection and welfare concerns by completing the Child Protection and Welfare Report Form (CPWRF) which is available on the **Tusla web-portal**.

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**Guidance Note: DLP's should register on the Tusla web Portal and make reports electronically. For details on how to register, visit the [Tusla web-portal landing page](#).**

- If a concern relates to the DLP, reports should be made to the Chairperson of the Local Management Committee.
- If a concern is about a worker or volunteer, the procedure for addressing allegations of abuse against workers/volunteers should be followed.
- The Chairperson of the LMC will be informed when a report has been made by the DLP to Tusla. However, the details of the child and family will not be shared, unless there is a bona fide reason for this information to be shared. In such situations information must be shared on a strictly 'need to know' basis, in the best interest of the child.
- The DLP will record factual details of the concern, the decisions and actions taken. These records will be held securely and confidentially.

## Reporting if you are a Mandated Person

- If you are a mandated person, and are making a mandated report, you may do this with the DLP following the agreed reporting procedures. Guidance for mandated persons on the thresholds at or above which they have a statutory obligation to report a concern are detailed in the Children First Act 2015.
  - As a mandated person, if you have concerns that reach or exceed the threshold of harm you have a legal obligation to make a mandated report.
  - Mandatory reporting **cannot** be discharged by a DLP on your behalf. Mandated Persons can, however, make a joint report with a DLP.
  - As a mandated person, where you have a concern that you believe does not reach the threshold for a mandated report, **you should report the concern to the DLP** where you believe the concern meets reasonable grounds for concern.
  - As a mandated person, if you believe the threshold for reporting under the Act has been met, and the DLP does not wish to report to Tusla, you should report the child protection concern directly to Tusla, and inform the DLP that a report, under the Children First Act 2015, has been made. The Protections for Persons Reporting Child Abuse Act 1998 will apply in this instance.
  - If a child protection concern has come to the attention of several mandated persons, the report may be submitted jointly by them.
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- Mandated persons should inform the DLP if they have made a report.

## If a DLP Decides Not to Report a Concern

If, as a Designated Liaison Person, you decide not to report a concern to Tusla, the following steps should be taken:

- The reasons for not reporting should be recorded.
- Any actions taken as a result of the concern should be recorded.
- The worker or volunteer who raised the concern should be given a clear written explanation of the reasons why the concern is not being reported to Tusla.
- The worker or volunteer should be advised that if they remain concerned about the situation, they are free to make a report to Tusla or An Garda Síochána.
- The worker or volunteer who raised the concern should also be reassured that if they do choose to further pursue the matter, they are offered protection by the Protections for Persons Reporting Child Abuse Act 1998.

## Can I report anonymously?

SCP workers and Designated Liaison Persons cannot report anonymously. Similarly, mandated persons may not report anonymously as they are obliged by law to report.

## Responding to a disclosure from a child

Where a child discloses abuse, the reporting procedure should be followed.

You should deal with disclosures of abuse sensitively and professionally.

The following approach is suggested as best practice for responding to a disclosure.

**N.B.** Think before you promise anything – do not make promises you cannot keep.

In the moment:	At the earliest possible opportunity:
<ul style="list-style-type: none"> <li>• React calmly, listen carefully and attentively;</li> <li>• Take the child seriously;</li> </ul>	<ul style="list-style-type: none"> <li>• Record in writing, in a factual manner, what the child has said, including, as far</li> </ul>

<ul style="list-style-type: none"> <li>• Reassure the child that they have taken the right action in talking to you;</li> <li>• Do not promise to keep anything secret;</li> <li>• Ask questions for clarification only;</li> <li>• Do not ask leading questions;</li> <li>• Avoid asking about intimate details or suggesting that something else may have happened other than what you have been told;</li> <li>• Check back with the child that what you have heard is correct and understood;</li> <li>• Do not express any opinions about the alleged abuser.</li> </ul>	<ul style="list-style-type: none"> <li>• as possible, the exact words used by the child;</li> <li>• Ensure that the child understands the procedures that will follow;</li> <li>• Inform the DLP immediately as per reporting procedures;</li> <li>• Treat the information confidentially.</li> </ul>
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Additional guidance can be found on p.36 of Tusla’s [Child Safeguarding: A Guide for Policy, Procedure and Practice](#).

## Retrospective Abuse: Responding To Adults Who Disclose Childhood Abuse

- If you work with adults, they should be informed at the commencement of your work, that you have a responsibility to report retrospective disclosures where a current child may be at risk of harm.
- If you receive a disclosure from an adult client or service user that they were abused as a child (i.e. a disclosure of retrospective abuse) you should consider making a report as there may be a current or potential risk to children from the person subject to the abuse allegation.
- If you are unsure about whether to report or not, consult with your DLP and/or Tusla Duty Social Work.
- For mandated persons, where an adult discloses childhood abuse and you establish that there are reasonable grounds to suspect that a child has been, is being or is at risk of being harmed, you have a responsibility to make

a mandated report to Tusla under section 14(1) (a) of the Children First Act 2015.

- The Retrospective Abuse Report Form on the Tusla Online Portal should be used for these types of reports. Guidelines for completing a RARF can be found on the Tusla website: [www.tusla.ie/children-first/publications-and-forms/](http://www.tusla.ie/children-first/publications-and-forms/)

## Talking To Parents/Guardians About Child Protection or Welfare Concerns

- It is usually good practice to tell the most appropriate parent/guardian in the family that you are making a report.
- This means that the family is fully informed about the services they are being referred to and understand what information professionals are passing on and why. However, there are some exceptions to informing the family (see below). You do not need to tell the family that a report is being made, if:
  - By doing so, the child will be placed at further risk;
  - Where the family knowing about the report could affect Tusla's ability to carry out a risk assessment; or
  - You believe that doing so would place you at risk of harm from the family.
- Where you or the DLP are unsure whether a family should be informed – seek advice from the Tusla Social Work Service.