

HSE Staff Responsibility for the Protection and Welfare of Children

This policy applies to all staff employed by the HSE

The HSE has specific responsibilities regarding the protection of children. As an employee of the HSE, irrespective of the position you hold, you have a share in this responsibility.

If you have any queries regarding the content of this document please contact your line manager or the Child Care Manager's office in your area.

Introduction:

There are two agencies in Ireland that have responsibilities set out in law regarding the care and protection of children. These are the Health Service Executive (HSE) and An Garda Síochána (The Irish Police Force).

Sometimes people working in the HSE believe that child protection is the responsibility only of social workers. This is false. Nowhere in child care legislation will you see social work named as having responsibility, you will see the HSE (previously Health Board). This is what is known as a *Corporate Responsibility*. As an employee of the HSE you have a share in that responsibility.

This booklet explains your role and that of your colleagues in understanding and discharging your responsibility.

Where do you fit in?

As a staff member of the HSE, for the purpose of dealing with suspected cases of child abuse, you are in either of the two following categories of staff:

1. You are a Designated Officer under the provisions of the Protection for Persons Reporting Child Abuse Act, 1998;
2. You are a member of the wider staff group.

There are different responsibilities for both of these categories of staff but both are extremely important as reports of suspected child abuse can come through many different pathways.

How do you know which category you are in?

The next page contains a list of grades and professions who by virtue of their employment with the HSE are designated officers. These designated officers have a basis in law. This means that under the provisions of the Protections for Persons Reporting Child Abuse Act, 1998 people are protected if they make a genuine or bona fide report of suspected abuse to a designated officer of the HSE.

Check the list on the next page to find out if you are a designated officer. If you are then please ensure you read Section A for designated officers. If you are not a designated officer then please read Section B.

Remember if in doubt, check it out. If you are concerned about the safety of a child and are unsure what to do, talk to your line manager, or a HSE Social Worker or in an

emergency where you believe the risk is real and immediate and you cannot contact anyone call the Gardaí.

Section A: HSE Designated Officers

Under the Protections for Persons Reporting Child Abuse Act, 1998 persons are protected by law if they in good faith report suspected child abuse to a designated officer of the HSE. For the purposes of the 1998 Act the following staff groups have been appointed as designated officers.

Access Workers	Inspectors Of Children’s Residential Centres And Foster Care Services
Advocacy Workers	Non Consultant Hospital Doctors
Care Assistants	Nurses – All Grades And Services
Child Care Managers	Occupational Therapists
Social Care (All Grades)	Pre-School Services Officers
Children First Implementation Officers	Project Workers
Children First Information And Advice Officers	Psychologists
Childminder Coordinators	Psychiatrists
Community Welfare Officers	Physiotherapists
Counsellors In Services For AVPA	Public Health Nurses
Coordinators Of Disability Services	Quality Assurance Officers – Including Monitoring Officers For Children’s Residential Centres And Foster Care Services
Environmental Health Officers	Radiographers
Family Support Coordinators	Residential Child Care Managers / Residential Child Care Workers
Family Support Workers	Substance Abuse Counsellors
Hospital Consultant Doctors	Social Workers – All Services And Grades
HIV And Aids Service Workers	Speech And Language Therapists
Health Education And Health Promotion Personnel	Training And Development Officers
HSE Dental And Medical Personnel	

If you are employed by the HSE in the foregoing list of grades/functions you are a designated officer.

What is your responsibility as a designated officer?

If a person reports suspected child abuse to you, your responsibility in the first instance is;

- To clarify with the person making the report that he/she is making a formal report.
- To inform that person that they are protected in law from civil liability if the report to you as a designated officer is reasonable and in good faith.
- To establish if reasonable grounds exist.

How do you establish if reasonable grounds exist?

You examine the report you receive by looking at the information which has been reported to you and asking questions if necessary to give further clarity.

The following examples constitute reasonable grounds for concern.

- A specific indication from a child that they were abused or are at risk of abuse.
- A statement/report (verbal or written) from a person who allegedly witnessed the abuse occurring.
- An injury, illness or behaviour consistent with the abuse.
- Corroborative evidence of deliberate harm or negligence.
- Consistent signs of neglect over a period of time.

A suspicion not supported by any objective signs does not constitute a reasonable suspicion or reasonable grounds for concern.

Remember if in doubt, check it out. If you are concerned about the safety of a child and are unsure what to do, talk to your line manager, or a HSE Social Worker or in an emergency where you believe the risk is real and immediate and you cannot contact anyone call the Gardaí.

What do you do if reasonable grounds for concern exist?

Use the Standard Reporting Form (see below or available from the Social Work Department). the form and any other information to a social worker in the Children and Families Services. If you believe the concern is urgent and that there is imminent risk to a child make the report by telephone and then follow it up with the form. The quality of the information you provide will influence the ability of the social work department to respond. If you intend to contact the Social Work Department, you should firstly inform the parents of the child concerned, unless there is good reason not to do so.

What type of reports could you receive?

There are two main types of report. The first is suspected child abuse of which there are four categories **Physical Abuse, Emotional Abuse, Sexual Abuse and/or Neglect**. The second is a child welfare report where report where the circumstances of a child indicate he/she is experiencing difficulty in one or more aspects of their lives due to issues which are present in the lives of their parents/carers or other family members. Both are important.

How could you receive reports?

You might receive a report verbally by phone or in person. You might receive a report in writing. You may witness something which gives rise to concern in which case you become a reporter. You may receive an anonymous report from a member of the public which should still be followed up depending on the information available. If you receive an anonymous report you should;

- Outline that HSE capacity to respond is limited when the report is anonymous.
- Remind the person making the report that child protection is everyone's responsibility.
- Encourage and support the person to reconsider the issue of anonymity.

It is official policy of the HSE that HSE Staff and partner organisations should not make anonymous reports.

As a designated officer you should if you are involved with or have access to the parent/carer of the child tell them you are making the report unless to do so would further compromise the safety of the child.

What happens after a designated officer makes a report to social workers?

The social worker will further screen the report you have made. An intake record will be completed after which the case will either be closed or proceed to an initial assessment. After the initial assessment the case will be classified as;

- Closed no further action.
- Suspected child abuse requiring a child protection response. The Gardaí are notified by the social work team in such instances.
- Welfare, requiring a family support approach.

Do you have a role after making a report to social workers?

This depends on a number of factors. After you submit the Standard Reporting Form to the social work department you may, depending on your professional competence, setting and dealings with the child/family be requested to:

- Co-work the assessment of the case.
- Attend subsequent HSE convened meetings to discuss the concern and the response to same.
- Be called to provide evidence if Court proceedings follow.

The social work team will assume overall responsibility for the management of the case, based on the report you have submitted.

Further Information and Training:

For further information regarding the protection and welfare of children and training which may be beneficial to you and your colleagues please contact the child care manager's office in your area.

Section B: All Staff (Non-designated officers).

Should a member of the public make contact with you indicating they are concerned about a child who may be at risk you should advise them to make contact with a social worker in the HSE Children and Families services.

Each weekday there is a social worker on duty with the specific task of receiving such reports.

You can assist the member of the public in the following ways:

- 1. DON'T assume they will be able to easily contact the social worker on duty.**
- 2. DON'T assume they will have the confidence to express their concern again as it will not necessarily have been easy for them to raise it with you.**
- 3. DON'T guarantee them absolute anonymity but you can advise them that normally names of members of the public are not revealed without this being discussed further with the social worker. There may be other events such as court proceedings or Garda investigations where this is not possible.**
- 4. DO help them to contact the duty social worker by ringing the nearest Health Centre and finding out who is on duty that day and how they can be contacted.**

5. **DO go further if you have to and contact the local child care manager's office.**
6. **DO check the department you work in and if the member of the public is dealing with a designated officer in that department then advise the member of the public to talk to the designated officer. If the report is being made in good faith the person is protected in law by reporting it to a designated officer of the HSE.**
7. **DO advise the member of the public to report to the Gardaí if they believe the concern is urgent and it is outside normal working hours or they can't access help elsewhere.**

If you yourself, without a report from a member of the public, have concerns about a child at risk then follow the same steps as set out above and report your concerns to a designated officer or social worker on duty.

Remember if in doubt, check it out. If you are concerned about the safety of a child and are unsure what to do, talk to your line manager, or a HSE social worker or in an emergency where you believe the risk is real and immediate and you cannot contact anyone call the Gardaí.

Standard Report Form – For staff and specifically designated officers reporting a child protection or welfare concern to the social work department.

A. To Duty Social Worker:

1. Date of Report

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2. Details of Child

Name:		Male	<input type="checkbox"/>	Female	<input type="checkbox"/>
Address:		DOB			Age
		School			
Alias		Correspondence address (if different)			
Telephone No.		Telephone No.			

3. Parents

Details of Mother		Details of Father	
Name:		Name:	
Address: (if different to child)		Address: (if different to child)	
Telephone No's:		Telephone No's:	

4. Household composition

Name	Relationship	DOB	Additional information, e.g. School/ Occupation/ Other

5. Details of Persons reporting Concern(s)

Name:		Telephone No.	
Address:		Occupation	
		Relationship to client	
Reporter discussed concern with parents/guardians			Yes <input type="checkbox"/> No <input type="checkbox"/>

6. Parents Aware of Report

Are the child's parents/carers aware that this concern is being reported to the	Yes <input type="checkbox"/>	No <input type="checkbox"/>
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7. Details of Report

(Details of concern(s), allegation(s) or incident(s) dates, times, who was present, description of any observed injuries, parent's view(s), child's view(s) if known.)

8. If child abuse is being alleged, who is believed to be responsible for causing it?

Relationship to		Age		Male	<input type="checkbox"/>	Female	<input type="checkbox"/>
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Name:		Occupation	
Address:			

9. Name and Address of other personnel or agencies involved with this child:

	Name	Address
Social Worker		
PHN		
GP		
Hospital		
School		
Gardaí		
Pre-School/Crèche/YG		
Other (specify):		

10. Signed _____

Date

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