



GARDA Vetting Policy & Procedures

EMTS offers a number of educational programmes that require learners to undertake placements, with external agencies, which will bring them into contact with children and vulnerable adults and in which they will assume positions of trust.

Purpose

To ensure the protection of the public, and justify public trust and confidence, EMTS is committed to ensuring that only suitable Trainers/Instructors are allowed to deliver these programmes.

Scope

This policy refers to the requirement of EMTS to ensure the safety and welfare of all our learners and faculty members.

Responsibility

The overarching responsibility to ensure the safeguarding of all children and vulnerable people with lie with EMTS management and the assigned Garda Vetting Co-ordinator and the designated liaison person.

Faculty/Student Application

- All offers will be conditional on the successful completion of the Garda Vetting process.
- EMTS requires all faculty members and NQEMT students to be vetted by the National Vetting Bureau of An Garda Síochána before their registration on the faculty listing is deemed complete or prior to a student commencing clinical placements/internships.
- EMTS reserves the right to suspend and/or withdraw any Faculty/Student/Staff Member from the faculty/Course/Organisation in accordance with the terms of this Policy and the Procedure for Garda Vetting.

Vetting disclosures

Vetting disclosure may contain the following types of information.

- Statement of specified information (if any) relating to that person which is information concerning a finding or allegation of harm to another person.
- Particulars of a criminal record (if any) or prosecution pending
- Statement that there is no criminal record or specified information.

The Garda Vetting Co-Ordinator is responsible for considering cases where criminal convictions are returned on the Garda Vetting disclosure and deciding on the suitability of the applicant for the faculty membership in line with Safeguarding guidelines.

eVetting

The National Vetting Bureau provide Garda Vetting applicants with the ability to apply online using our eVetting facility.

To use our eVetting service you must:

- Be over 16 years old.
- If aged 16 – 18 years, have submitted signed “Parent / Guardian” consent form (NVB 3 Form)
- Have or have access to a valid email address.
- Have access to the Internet.
- Have completed the “Proof of Identity” process.

eVetting Steps

Step 1

The vetting subject manually completes and forwards to the Relevant Organisation a vetting Invitation Form (obtained from the Relevant Organisation) and provides proof of identity.

Step 2

The Relevant Organisation validates proof of identity and sends the vetting subject an e-mail with a link attached inviting him/her to complete a Vetting Application Form.

Step 3

The vetting subject completes a Vetting Application Form online and submits it to the Relevant Organisation.

Step 4

The Relevant Organisation reviews the Vetting Application Form and submits it to the National Vetting Bureau.

Step 5

The National Vetting Bureau processes the application and forwards a vetting disclosure to the Relevant Organisation.

Step 6

The Relevant Organisation reviews the vetting disclosure and as soon as is practicable provides a copy of the disclosure to the vetting subject.

Vetting Procedure

Vetting by the National Vetting Bureau (formerly known as the Garda Vetting Central Unit) is now MANDATORY for persons who wish to undertake relevant work or activities (see definition below)* with children or vulnerable adults. This requirement applies to anyone who will have regular access to children and/or vulnerable persons in the course of their employment. It is now a criminal offence for organisations to fail to conduct the necessary vetting of such employees, contractors, volunteer’s students. If you have any queries regarding this process or wish to seek advice in determining whether the nature of work is considered ‘relevant’ for the purpose of vetting, please email info@emts.ie

Vetting Procedure

Step 1. Provide proof of ID to a designated person* as per the Vetting –Proving Identity instructions sheet. This person must check and verify **original** copies of identification documents, complete and sign the Vetting - Identity Check Declaration Form.

*The designated person can be office manager/faculty manager/company director.

Step 2. Complete an NVB1 Vetting Invitation Form. [NVB1 Vetting Invitation Form](#) (332kB) (332kB)

Step 3. Complete the Relevant Work Verification Form [Relevant Work Verification Form](#)

Step 4. Once the identification documents have been checked, please submit the following to the vetting Liaison person for processing: Andrew Laste, EMTS Company Director. A.laste@emts.ie

- Completed NVB1 Vetting Invitation Form
- Completed Relevant Work Verification Form
- The signed Vetting – Identify Check Declaration Form
- Copies of verified identification

Step 5. You will then receive an automated invitation to apply for Garda Vetting through the online evetting system. Once you receive the invitation please complete and submit this form online. N.B. Please take in completing this form as any omission of detail or will result in the process having to recommence.

You should expect a response within 5 to 10 working days.

Step 6. (Only applies to individuals who resided outside of Ireland for three years or more). If the applicant has resided outside Ireland for a cumulative period of 36 months or more over the age of 18, they must also furnish a Foreign Police Certificate (FPC) from the country or countries of residence. EMTS however, reserves the right to request an FPC for a less period if it so requires. This certificate should disclose any convictions recorded against the applicant during their term of residence. EMTS may, at its sole and absolute discretion afford an employee or a potential candidate a period of up to six months to obtain the appropriate Foreign Police Certificate. However, the National Vetting Bureau process (Irish Vetting process - Step 1 to Step 3) must be completed without delay. Information on obtaining an FPC from most countries is available at the following web address: <http://www.canadavisa.com/canadian-immigration-police-clearance.html>. Any costs incurred in obtaining foreign police certificates can be reimbursed via employee expenses.

DEFINITIONS

***Relevant Work or Activities**

Any work or activity which is conducted by a person, a necessary and regular part of which consists mainly of the person having access to, or contact with, children or vulnerable adults.

- Act shall not apply where a person gives assistance on an occasional basis at a school, sports or community event or activity, other than where such assistance includes the coaching, mentoring, counselling, teaching, or training of children or vulnerable persons.
- Each relevant organisation will have to assess the positions involved in accordance with the Act.

Child/Vulnerable Adult:

- A “child” means a person under the age of 18 years.
- A “vulnerable” person” means a person, other than a child, who (a) is suffering from a disorder of the mind, whether as a result of mental illness or dementia, (b) has an intellectual disability, (c) is suffering from a physical impairment, whether as a result of injury, illness or age, or (d) has a physical disability, which is of such a nature or degree as to restrict the capacity of the person to guard himself or herself

against harm by another person, or that results in the person requiring assistance with the activities of daily living including dressing, eating, walking, washing and bathing.

Decision Makers

Garda Vetting Where it is established that a vetting subject has a criminal conviction the following decision-makers will make determinations on behalf of EMTS Director - Garda Vetting Review Committee (GVRC).

Evaluation of information

Once the vetting disclosure has been received, it is then reviewed by the EMTS Garda Vetting Review Committee and classified as follows:

- No convictions recorded
- Minor Offence
- Serious Offence
- Very Serious Offence
- Specified Information

Thereafter, EMTS will deal with the information as outlined below.

EMTS response to information provided by National Vetting Bureau for incoming staff/contractors/students/visitors.

(a) No convictions recorded.

Where no convictions have been recorded, the offer of employment will be confirmed (subject to all other conditions associated with the offer being met).

(b) Minor Offence

i. With regard to minor offences, i.e. offences that, within the absolute discretion of EMTS, are not considered to pose any risk to children or vulnerable adults, EMTS response is different depending on whether or not the applicant openly disclosed the offence:

ii. If the offence has not been disclosed the GVRC will discuss and assess the potential risk of the offence and decide whether to proceed with the offer. If deemed appropriate, the decision-makers may wish meet with the vetting subject to seek an explanation for the non-disclosure.

- If a satisfactory explanation is received, the offer of employment will be confirmed (subject to all other conditions associated with the contract being met).
- If the explanation is found to be unsatisfactory, the offence will be deemed to be a serious offence and be dealt with as outlined in section c

(ii) below. ii. If the offence has been disclosed the offer of employment will be confirmed (subject to all other conditions associated with the offer being met).

(b) Serious Offence

Regarding serious offences, i.e. offences the nature of which could potentially indicate a risk to children or vulnerable adults, EMTS response will be different depending on whether or not the vetting subject openly disclosed the offence.

- i. If the offence has not been disclosed the GVRC will meet to discuss and assess the potential risk of the offence. If deemed appropriate, the decision-makers may also meet with the vetting

subject. Other than in very exceptional circumstances, the vetting subject will be advised that their offence is being treated as a profoundly serious offence and the procedure outlined in section (d) below will be followed.

- ii. If the offence has been disclosed the GVRC will meet to discuss and assess the potential risk of the offence. If necessary, the decisionmakers will meet with the vetting subject. • If there has been evidence of significant rehabilitation and/or evidence of appropriate behaviour modification by the vetting subject since the event took place, then the vetting subject will be advised that the offer of employment is confirmed (subject to all other conditions associated with the offer being met). • If there is no evidence of significant rehabilitation and/or evidence of appropriate behaviour modification by the vetting subject they will be advised that their offence is being treated as a profoundly serious offence and the procedure outlined in section (d) below will be followed.

(c) Very Serious Offence

Regarding very serious offences, i.e. offences, the nature of which could potentially indicate a serious risk to children and vulnerable adults or other members of the public, the vetting subject will be required to meet with the GVRC and advised that owing to the nature of their conviction(s) the offer of employment no longer stands and is being withdrawn. Following the meeting, the vetting subject will be advised in writing of EMTS's decision. They may, within two weeks of the date of the letter, make an appeal to EMTS to have their case reviewed as outlined in the Appeal section below.

(d) Specified Information

In the case of a vetting disclosure containing specified information i.e. information which gives rise to a bona fide concern that the vetting subject may harm (or cause to be harmed) a child or a vulnerable person, the vetting subject will be required to meet with the GVRC and advised that owing to the nature of their conviction(s) the offer of employment no longer stands and is being withdrawn. Following the meeting the vetting subject will be advised in writing of EMTS's decision. They may, within two weeks of the date of the letter, make an appeal to EMTS to have their case reviewed as outlined in the Appeal section below.

International Police Clearance

Garda Vetting only covers addresses in the Republic of Ireland and Northern Ireland. If the applicant has resided outside Ireland for a period of 6 months or more, they must also furnish a Foreign Police Certificate from the country or countries of residence. This Certificate should state that there have been no convictions recorded against them while residing there. This clearance must be dated after the date the applicant left the country/countries and must cover the full duration of residence in those country/countries. Seeking security clearances from other countries is the responsibility of the candidate.

Disclosure of Criminal Conviction

It is EMTS policy to ask all applicants for positions within EMTS, which involves unsupervised access to children and/or vulnerable adults in the course of their employment/engagement, if they previously have been convicted of a criminal offence(s) that is of a serious nature that would deem them unsuitable for appointment. All EMTS staff and job applicants must inform EMTS of any such conviction at the earliest possible opportunity. If during the course of the recruitment process it transpires that an applicant has a criminal conviction (either by way of Garda Vetting or by applicant disclosure) full details of the conviction will be sought and the Garda Vetting process will commence. The provision of false, inaccurate, or misleading information will disqualify applicants from the selection process and for existing staff members may result in disciplinary action (up to and including dismissal).

Appeals

A decision not to confirm an offer of employment can be appealed by the applicant to EMTS within 14 days of issue of the decision. The appeal should be made in writing to the EMTS HR Representative and will be heard by the following: - HR Director None of the original decision makers shall hear the appeal. Full details of the applicant will be considered, and the Human Resources Department will communicate a decision to the applicant. This decision shall be final and binding.

This document is designed as a template that can be adapted by EMTS Training Solutions for their own use. It is intended to provide an outline for parents/guardians on the policies and procedures that are in place in EMTS Training Solutions attended by their child.

All EMTS Training Solutions courses are generally aimed at the adult education and pre-hospital emergency care sector. As such learners are generally over the age of 18 which constitutes an adult.

On occasion EMTS will be required to provide non-accredited training to Transition year students or to staff working in the childcare sector. Whilst we take measures to offer our courses on our own premises, there is of course situations where training is required on site where children are either in attendance in the organisations premises or are attending the course or talk.

In such instances it shall be the policy of EMTS Training Solutions to require EMTS Faculty Members to.

- Provide Director Andrew Laste with a recent Safeguarding & Children First Certificate.
- Declare on EMTS Course Approval Document stating children are in attendance or will be on the premises.
- Have a staff member/teacher pertaining to the organisation in attendance with the EMTS Faculty member at all times children are present.
- Report any accidents or ill health however trivial to EMTS Director Andrew Laste.
- Report an allegations/accusation, instances of bullying or harassment between students or otherwise to EMTS Company Director Andrew Laste.
- Perform their duties with the utmost professionalism, courtesy and refraining from foul language.

Failure to report any such instances could result in legal action or Gardai investigation or put EMTS reputation at risk.

Please note:

- No individual faculty member may work or train with children delivering EMTS accredited courses until a satisfactory outcome of the Garda vetting process in accordance with these guidelines is obtained by EMTS.
- No individual faculty member may work or deliver accredited training in an **unsupervised** capacity with other vulnerable adults until a satisfactory outcome of the Garda vetting process in accordance with these guidelines is obtained.
- Continuation on relevant training programmes is subject to a satisfactory outcome in accordance with Garda vetting procedures.

- Overall responsibility for this policy is Alison Laste, she shall be known as the relevant person in the EMTS organisation.
- In developing policies and procedures in the area of child protection, regard must be had to the various legislative provisions and government publications concerning child protection.

Procedure for the reporting of a Child Protection or Welfare concerns to TUSLA:

- Staff should seek advice and guidance from the Designated Liaison Person (EMTS Director) or TUSLA if they are unsure about whether or not to report a concern.
- Staff have a responsibility to report to TUSLA using the Report Form where there are reasonable grounds for concern.
- Reporting concerns: The concern is reported to TUSLA (and the Gardaí if necessary), a written record is securely retained. The written record should have all of the information available; what they have observed and when, signs of physical injury described in detail, any comment by the child concerned, or any other person, about how an injury occurred. The record should be signed and dated and given to the DLP who securely retains it.
- It is not advised to talk to parents/guardians before reporting, as it may further endanger the child or the person making the report.
- EMTS Director Alison Laste will ensure appropriate action is taken in the event of incidents/concerns of abuse and support provided to the individuals who raise or disclose the concern.
- EMTS Director Alison Laste will ensure the confidential, detailed, and accurate records of all safeguarding concerns are maintained and securely stored. Mandated Persons should never guarantee confidentiality to a child who reports a concern. There MUST be an awareness, that the concern will have to be reported to the DLP, once the Mandated Person is made aware of it.

Introduction

EMTS Training Solutions recognises the rights of the young people living in the centre to protection from all forms of abuse as defined in 'Children First'. EMTS Training Solutions is committed to providing a safe environment for the young people training with the company and will enforce all measures possible to ensure that they are protected from abuse.

This policy **must** be read in conjunction with national policy and training in 'Children First' and the Children First Act 2015.

Children First: National Guidance for the Protection and Welfare of Children, 2017

EMTS Training Solutions acts in accordance with Children First guidelines in relation to all child protection matters and the safeguarding of young people. EMTS Training Solutions achieves this by ensuring the following:

- All staff/contractors/students/visitors of the company 'mandated persons' under the Children First Act and therefore must report any concerns about the protection and welfare of young people.
- EMTS Training Solutions has appointed a Designated Liaison Person (a board member) to whom any person can raise a child protection concern.

- EMTS Training Solutions has a Child Safeguarding Statement that is available for all young people and their parent(s)/ carers.
- EMTS Training Solutions has a Child Safeguarding Risk Assessment in place that outlines the processes in the company that aim to keep young people safe from harm and abuse.
- EMTS Training Solutions has a copy of Children First: National Guidance for the Protection and Welfare of Children, 2017 available for all company staff/contractors/students/visitors to consult when required.
- EMTS Training Solutions makes all staff/contractors/students/visitors of the company available for regular training on Children First.
- EMTS Training Solutions requires that all staff/contractors/students/visitors of the company act in accordance with Children First training when responding to child protection concerns.

EMTS Training Solutions is committed to providing a supportive environment for its young people staff/contractors/students/visitors, ensuring that they are treated with dignity and respect.

EMTS Training Solutions believe that the best interest of children and young people attending our company are paramount. We believe that all young people attending our company have the right to be protected, treated with respect, listened to, and have their views taken into consideration in all decisions affecting them. All young people have an equal right to attend a company that respects them as individual and encourages them to reach their full potential regardless of their background.

Our guiding principles are unpinning by this policy draws heavily from the following:

- Children First: National Guidelines for the Protection and Welfare of Children, 2017,
- Tusla's Child Safeguarding: A guide for Policy, Procedure and Practice,
- The United Nations Convention of the Rights of the Child
- Children First Act 2015,
- Childcare Act 1991,
- National Vetting Bureau Act 2012
- Protections for Persons Reporting Child Abuse Act 1998,
- Data Protection Acts 1988 and 2003,
- Criminal justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012.

EMTS Training Solutions takes a dual approach to child protection policies and procedures, firstly by assessing preventative measures design to reduce or eliminate risk and secondly by procedural measures in relation to the systems in place.

- Preventative measures: Policy and procedural measures aimed at eliminating the risk of abusive behaviour through adequate measures, including appointment of trainers, and information sharing.
- Procedural measures: In relation to reporting, clarifying, and investigating concerns or allegation of abusive practice.

In addition to this policy, company staff/contractors/students/visitors are also obliged to know and adhere to other safe care policies and guidelines, in particular, Children First, National Guidelines for the Protection and Welfare of Children (2017).

Principles of Child Protection

Our guiding principles apply to all staff/contractors/students/visitors/students of EMTS Training Solutions. All staff/contractors/students/visitors must abide by these guiding principles and our child safeguarding procedures.

EMTS Training Solutions will review child safeguarding procedures every year or sooner if necessary due to any issues or change in the legislation or national policy. The company must have its own appointment Designated

Liaison Persons and Deputy Designated Liaison person who are outlined, and contact information provided in each centre Safeguarding statement.

The committee is responsible for leading the development of the child safeguarding procedures and for ensuring that policies and procedures are consistent with the best practice. The committee also ensures the review of the policy every year.

Policy Statement

Safe Care and Dignity are essential constituents of respectful living for all young people. EMTS Training Solutions and its staff/contractors/students/visitors accept a duty of care to protect young people from any and all forms of behaviour which can potentially contravene their dignity. They will achieve this through:

- Appropriate training
- Support of company staff/contractors/students/visitors
- Application of approved policies.

Training also includes modules designed to protect company from situations which may leave them vulnerable to 'child protection' related allegations of abuse or neglect. Where allegations of abuse of young people are made against a company member, the welfare and safety of the young person is of paramount importance. It is also acknowledged that company staff/contractors/students/visitors may be subjected to unfounded allegations which can have a devastating effect on the person's wellbeing, career, and character.

EMTS Training Solutions is committed to safeguarding people's rights, where allegations are made through a fair and impartial investigation of any allegation.

EMTS Training Solutions will fulfil its responsibilities to protect the dignity and welfare of young people and support its staff, contractors & students, through the following actions:

- Ensuring (as is practically feasible) that sufficient resources are available to enable 'safe practice' standards can be met.
- Providing safe systems of supervision (thus minimising potential for abuse)
- Providing information on 'Reporting Concerns' and 'Allegations' to company, young people, and their families.
- Provision of effective support and training for all company staff/contractors/students/visitors.
- Application of 'complaints' and 'allegations' reporting and investigation procedures, where appropriate, to manage allegations of abuse against company staff/contractors/students/visitors promptly and with due regard for their rights whilst safeguarding welfare of young people.

Definitions of Abuse

The term 'abuse' can be subject to wide interpretation. For the purpose of this policy, abuse is considered to be any form of behaviour that violates the dignity of the young person. Abuse may consist of a single act or repeated acts. It may be physical, sexual, or psychological/emotional. It may constitute neglect and poor professional practice. It may take the form of isolated incidents of poor or unsatisfactory professional practice, at one end of the spectrum or pervasive ill treatment or gross misconduct at the other.

There are four broad definitions of abuse which can be used to illustrate the type of behaviour which may constitute abuse: physical, sexual, psychological/emotional or neglect.

Neglect can be defined in terms of an omission, where the child suffers significant harm or impairment of development by being deprived of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, attachment to and affection from adults, medical care.

Emotional abuse is normally to be found in the relationship between a caregiver and a child rather than in a specific event or pattern of events. It occurs when a child's need for affection, approval, consistency, and security are not met. Unless other forms of abuse are present, it is rarely manifested in terms of physical signs or symptoms.

Physical abuse is any form of non-accidental injury or injury which results from wilful or neglectful failure to protect a child.

Sexual abuse occurs when a child is used by another person for his or her gratification or sexual arousal or for that of others.

Abuse Prevention

EMTS Training Solutions is highly committed to their company staff/contractors/students/visitors/students and to providing them with the necessary support and training to enable them to provide the highest standards of training and care. The proper operation of policies helps to ensure that company are aware of the standards of care expected from them and are protected from situations which may render them vulnerable to allegations of abuse. Particular attention is paid to the following:

- Staff/Contractor recruitment and selection
- Training
- Supervision
- Clinical placements
- Work experience.

Induction

All new company members should be made aware of the policy through induction to ensure that they are clear about the standards of care expected from them and any protocols to be followed when interacting with young people (see Induction Policy). The standards are also conveyed through a written 'Company Code of Practice'.

Committee Requirements

EMTS Training Solutions staff/contractors/students/visitors have a duty to be vigilant and to ensure that the required standards of care are maintained. If a company member breaches the organisation's rules, or his/her work falls short of the required standards, the committee is responsible for addressing these shortfalls and, where appropriate, operating the progressive stages of the disciplinary procedure. Early intervention is key to ensuring that poor working practices do not develop and culminate in a more serious incident.

Communicating the 'Safeguarding and Child Protection' Policy

Each company member is given a copy of this policy as part of the induction rollout. Upon each annual/bi-annual review of the policy, it shall also be discussed at committee meetings, committee sub-groups and all company staff/contractors/students/visitors will be required to read the reviewed and updated versions of the document.

During these forums, company staff/contractors/students/visitors are informed of their role in promoting a positive culture and a culture of respect and vigilance and that they are clearly informed that the safety and wellbeing of young people must have priority over all other considerations, including loyalty to work colleagues. Company staff/contractors/students/visitors are assured that their concerns shall be treated seriously, and they will be fully supported throughout any subsequent process, regardless of whether or not abuse is found to have occurred.

As per Children First 2015, a named member of the committee is the Designated Liaison Person (DLP) for the centre or in his/her absence the deputy designated-on call person. This role does not override each individual company member's obligation under Children's First. Mandated company are company who have the following:

- Qualification
- Training
- Experience

Company staff/contractors/students/visitors who are not mandated as above report to the DLP or the DDLP to submit concerns.

Role of Company Member where a disclosure is made or abuse suspected.

If a member of company witnesses or suspects that a child may have or is being abused, they, as a mandated person, must report this immediately to TUSLA using the online portal system. If the company member is unqualified then they must report to the Designated Liaison Person or Deputy Designated Liaison Person, who in turn as a mandated person reports this through the online portal. The following examples would constitute reasonable grounds for concern:

- Disclosure by the young person
- An account by a person who witnessed the young person being abused.
- Evidence, such as an injury, which is consistent with a child being abused and unlikely to be caused another way.
- An injury or behaviour, which is consistent with abuse and with an innocent explanation where there are corroborative indicators supporting the claim that there may have been abuse.
- Consistent indication, over a period of time that a child is suffering from emotional or physical neglect.

Role of Company Member/Person receiving disclosure

In the circumstances of a disclosure by the young person, the company member should reassure the young person that he or she has done the correct thing in telling the member of company about the alleged abuse. It is important that both young people and company realise that young people cannot be given absolute guarantees of confidentiality in this situation and that no 'secrets' can be kept. It is essential that a good relationship be built up between young people and the company so that the young people can trust them over a range of issues. When a young person alleges abuse, current or historical, a company should listen to what they have to say. The young person must not be pressed for detail at this point or questioned regarding the disclosure, the task is to reassure the young person and record what has been disclosed.

The young person should be sensitively told that the company is concerned with what has been said and it will need to be reported to the appropriate people. The information should be recorded in the language used by the young person. If you feel urgent intervention may be required to make the child safe, you can alert Tusla of the concern in advance of submitting a written report. You must then submit a mandated report to Tusla on the report form or via the web portal within three days. Tusla has two forms for reporting child protection and welfare concerns:

- The Child Protection and Welfare Report Form (CPWRF)
- The Retrospective Abuse Report Form (RARF).

CPWRF

The Child Protection and Welfare Report Form is to be completed and submitted to Tusla for concerns about children under the age of 18. A web portal has been developed for mandated persons to securely submit CPWRFs.

RARF

The Retrospective Abuse Report Form is to be completed and submitted to Tusla for cases of adults disclosing childhood abuse. It is not currently possible to submit RARFs using the web portal. Both the CPWRF and RARF can be downloaded. In circumstances where company staff/contractors/students/visitors have witnessed abuse taking place, they should take the appropriate and immediate steps to stop the abuse and to protect the young person involved.

The company on duty, upon receiving notification of suspected abuse shall immediately notify Tusla through the online portal (Child and Family Agency, 2019).

Role of the DLP & DDLP

These persons will be the resource person for any company member or contractor who has child protection concerns and will consult with outside agencies. The Designated Liaison Person or the Deputy Designated Liaison Person should be knowledgeable about child protection and should be provided with any training considered necessary to fulfil this role.

The Designated Liaison Person and the Deputy Designated Liaison Person is responsible for ensuring that reporting procedures within EMTS Training Solutions are followed, so that child welfare and protection concerns are referred promptly to Tusla.

Designated Liaison Persons, DDLP and Mandated Persons

It is important to note that a mandated person is responsible for fulfilling their obligations under the Children First Act 2015. This cannot be done on their behalf by the Designated Liaison Person or the Deputy Designated Liaison Person.

If you are a mandated person and also have the role of Designated Liaison Person in \EMTS Training Solutions, you must fulfil your statutory obligations as a mandated person. If, as a Designated Liaison Person, you are made aware of a concern about a child that meets or exceeds the thresholds of harm for mandated reporting, you have a statutory obligation to make a report to Tusla arising from your position as a mandated person.

While mandated persons have statutory obligations to report mandated concerns, they can make a report jointly with another person. This means that a mandated person can make a joint report with a designated liaison person.

Allegations of abuse by a company member

Should a young person make an allegation of abuse by a company member/contractor/student, the same reporting procedure is followed. However, the company member must be removed from duty immediately and the protocol as outlined in this policy will be followed.

Procedures for Receiving an Allegation of Abuse

Information suggesting that abuse may have occurred can come from a variety of sources. The matter may, for example, be raised by the person who is abused, a concerned relative, or a member of company. It may come in the form of a complaint, or it may be an expression of concern, or it may become known during a needs assessment. Any company member who receives information, suspects or is concerned that a young person has been abused, is being abused or is at risk of abuse has a duty of care to report the matter as soon as possible to the committee and An Garda Siochana. The company member is not responsible for deciding whether or not abuse has occurred but is obliged to report suspicions or allegations of abuse so that appropriate action can be taken.

Company staff/contractors/students/visitors who make an allegation or express concerns that abuse may have occurred will be reassured that:

- They will be taken seriously.

- They will be protected from the risk of reprisals or intimidation.
- Allegations made in good faith are covered by the defence of qualified privilege.
- They will be kept informed of any action that has been taken and its outcome.

Reporting Procedures

The following reporting procedures should be followed by company in the event of abuse being suspected or alleged. The CPWRF should be completed through the portal. If a company member feels inhibited for any reason from reporting his or her concerns to the committee or if they feel that inappropriate or insufficient action has been taken, they should raise the matter with a more senior member of management or the Social Work Department. In all cases, the CPWRF should be submitted through the online portal on the Tusla Website.

If a company member receives an allegation of abuse they should:

- Ensure that the details of the alleged abuse are fully documented including dates, times, and any witnesses to the alleged incident.
- Read the report / statement back to the person making the allegation (to ensure accuracy).
- Report the matter immediately.

If a company member suspects that a young person may have been abused, they should:

- Notify their immediate a committee member without delay.
- Outline in writing the grounds on which their concerns are based.
- Submit this report without delay.

If a company member witnesses another company member engaging in inappropriate behaviour towards a young person, they should:

- Intervene or seek help to stop the behaviour.
- Ensure that the young person is not in any immediate danger and receives the necessary treatment and support.
- Immediately report the incident to his/her supervisor.
- Complete a written report as soon as possible within the timeframe outlined above.

The Protection for Persons Reporting Child Abuse Act, (1998), provides immunity from civil liability to any person who reports child abuse “reasonably and in good faith” to designated officers of health boards or any member of An Garda Síochaná. It also provides significant protections for employees who report child abuse covering all forms of discrimination up to, and including, dismissal.

Managing Allegations of Abuse

The committee is responsible for maintaining the required standards of care within their area of responsibility and for dealing with any shortfalls in standards or reports of suspected or alleged abuse. In the event that a committee member receives an allegation of abuse, the reporting procedures will be followed. When dealing with the allegation, the committee should ensure, insofar as possible, that confidentiality is maintained and the company member against whom the allegation is made is fully protected throughout the process.

In line with Children First: National Guidelines for the Protection and Welfare of Children and Our Duty to Care, there will be two separate parallel procedures, one dealing with the company member and one concerning the child. There will be two DLPs, one as per Child Protection procedure and one for the company member. Both will consult with each other and Tusla throughout regarding protective measures and the outcome of the assessment by Tusla.

Should EMTS Training Solutions require to investigate for disciplinary procedures, this investigation will not take place until Tusla has concluded the outcome of their own investigation into the allegation of abuse of a company member. This is to ensure that there is only the once investigation taking place at the one time and any Tusla investigations in relation to allegations of abuse supersede a disciplinary investigation. An investigation for disciplinary purposes will not include interviewing the young person.

Should an allegation of abuse be made against a member of EMTS Training Solutions, they will be immediately removed from duties and may be placed on paid suspension or may be redirected to and will have no interactions with young people.

The matter will be reported to the committee and the Principal Social Worker who will decide whether the company member has a case to answer or whether the matter is capable of being dealt with at local level. If it is decided that a formal investigation is warranted, the following procedure will be applied which will include:

- A meeting should be arranged to advise the company member of the intention to conduct a formal investigation.
- The company member should be advised of his/her right to be accompanied at this meeting by a work colleague.
- The company member should be given details of the allegation at the meeting and afforded an opportunity to make an initial response if s/he so wishes to the Tusla employee who is conducting the investigation. She/he shall be advised as to what happens next and told not to make contact with the complainant.
- The company member should be advised of support and counselling services that are available.

Allegations of child abuse against a company member shall be dealt with in accordance with the provisions of the Children First Act 2015.

Protective Measures

At an appropriate stage in the process, management shall take whatever protective measures are necessary to ensure young people and company staff/contractors/students/visitors are not exposed to unacceptable risk. These protective measures are not disciplinary measures and may include, providing an appropriate level of supervision and/or putting the company member off-duty pending the outcome of the investigation.

The views of the company member shall be taken into consideration when determining the appropriate protective measures to take in the circumstances but the final decision rests with the committee (putting the company staff/contractors/students/visitors off duty pending the outcome of the investigation shall be reserved for only the most exceptional of circumstances). It shall be explained to the company member/s concerned that the decision to put him/her off duty is a precautionary measure and not a disciplinary sanction.

Conducting the Investigation

The investigation will be conducted thoroughly and objectively in strict accordance with the terms of reference and with due respect for the rights of the complainant and the rights of the company staff/contractors/students/visitors to be treated in accordance with the principles of natural justice.

- Tusla will have the necessary expertise to conduct an investigation impartially and expeditiously.
- Confidentiality will be maintained throughout the investigation to the greatest extent consistent with the requirements of a fair investigation. It is not possible however to guarantee the anonymity of the complainant or any person who participates in the investigation.
- A written record will be kept of all meetings and treated in the strictest confidence.
- The Tusla investigation may interview any person who they feel can assist with the investigation.
- Staff/contractors/students/visitors are obliged to co-operate fully with the investigation process and will be fully supported throughout the process.

- Company staff/contractors/students/visitors participating in the investigation process will be required to respect the privacy of the parties involved by refraining from discussing the matter with other persons outside the company.
- It will be considered a disciplinary offence to intimidate or exert pressure on any person who may be required to attend as a witness or to attempt to obstruct the investigation process in any way.

Steps in conducting the Investigation.

The investigation will be conducted a Tusla representative. The investigation will be governed by clear terms of reference based on the written allegation and any other matters relevant to the allegation. The terms of reference shall specify the following:

- The investigation will be conducted in accordance with this policy and Children First Act 2015
- The timescale within which the investigation will be completed.
- The investigation in Tusla may set time limits for completion of various stages of the procedure to ensure the overall timescale is adhered to.
- Scope of the investigation i.e. the investigation will determine whether or not the allegation has been upheld and may make recommendations (other than disciplinary sanction where appropriate)
- The member against whom the allegation is made will be advised of the right to representation and given copies of all relevant documentation prior to and during the investigation process, i.e. allegation witness statements (if any).

The Tusla investigation will interview any witnesses and other relevant persons.

- Confidentiality will be maintained as far as practicable.
- Persons may be required to attend further meetings to respond to new evidence or provide clarification on any of the issues raised.
- The investigation will form preliminary conclusions based on the evidence gathered in the course of the investigation and invite any person adversely affected by these conclusions to provide additional information or challenge any aspect of the evidence.
- On completion of the investigation, the investigation will form its final conclusions based on the balance of probabilities and submit a written report of its findings and recommendations to senior management.
- The member against whom the allegation is made will be given a copy of the investigation report and an opportunity to comment before any action is decided upon by management.
- If the allegation is upheld, the matter will be referred to the senior company committee who is empowered to take disciplinary action up to and including dismissal.

Communication with Parents or Guardians

Young people's parents or guardians shall be notified by an appropriate member of the committee as soon as practicable and advised that an investigation into the allegation is being conducted. The identity of the company member against whom the allegation is made must not be disclosed at this stage. The parents/guardian shall also be assured that the young person has received appropriate support or treatment and that appropriate measures have been taken to ensure that they are not at any risk.

Follow-on Action

Where abuse has occurred, the following actions must be taken:

- The young person who has been the victim of the abuse and, where appropriate, his/her family shall be provided with assistance to ensure their full recovery from the trauma suffered as a result of the incident.
- Where the abuse is found to have occurred, this can have an adverse effect on member morale. Assistance shall be made available to company who have been affected by the allegation to help them to come to terms with what has happened and to restore a normal training environment.
- The member shall be advised of what will happen next and his/her right to due process.
- A review of systems shall be conducted where deficiencies have been identified.

Where abuse has not occurred

- Where the allegation is not upheld, the committee shall ensure that the reputation and career prospects of the member concerned are not adversely affected by reason of the allegation having been brought against him/her.
- The member shall be offered counselling and any other support necessary to restore his/her confidence and morale.
- The member who made the allegation shall be reassured that management appreciates that the allegation was made in good faith.
- A review of systems shall be conducted where deficiencies have been identified.
- Where it is found that a report of abuse was brought maliciously, the member who made the allegation should be dealt with under the disciplinary procedure.

Informing An Garda Síochaná

Even where the alleged abuse could potentially constitute a criminal offence, EMTS Training Solutions shall conduct an internal investigation into the allegation and take appropriate action in the context of the committee/company staff/contractors/students/visitorship relationship. Where there are reasonable grounds to suspect that a criminal act has been committed, the matter shall be reported immediately to An Garda Síochaná. Where the Gardaí are notified, EMTS Training Solutions shall conduct its own independent investigation following the criminal investigation.

If the company member refuses to co-operate with the internal investigation this shall not necessarily deter the company from proceeding with its investigation. The member shall be advised that if s/he is not prepared to co-operate with the internal investigation, the company may have to form its conclusions on the basis of the information available and then proceed to take appropriate action in accordance with the Disciplinary Procedure (which could include dismissal).

[Policy on Safe Practice and Working Alone](#)

Definition

Safe practice is defined as the implementation of appropriate safeguarding measures necessary for training with young people in a manner that acknowledges their need to live in as normal an environment as possible.

Safe practice and child protection

Safe practice is a cornerstone in child protection. Having a policy on safe practice cannot ensure that abuse will not occur, but it can assist in creating a culture in the centre that will reduce the opportunity for the exploitation or abuse of young people. Following safe practice guidelines will also minimise the likelihood of false allegations of abuse being made against staff/contractors/students/visitors of the company and young people. In this way safe practice is considered to be both protective and preventative in matters pertaining to child protection.

Working Alone

Working alone refers to the various planned or unplanned circumstances when a member of the company or public is alone with a young person on a one-to-one basis, either inside or outside of designated company areas.

Policy

Staff/contractors/students/visitors of EMTS Training Solutions will:

- Take care to ensure that their interactions with young people are conducted in a manner appropriate to the needs of each young person.
- Take all reasonable steps to prevent their interactions with young people being interpreted as offensive or abusive.
- Ensure that they are dressed appropriately for their duties and are not dressed in a manner that may be construed as being offensive or unnecessarily provocative.
- Monitor interactions between the young people in the company and be alert to signs of bullying or peer abuse.
- Monitor other company staff/contractors/students/visitors' interactions with young people and be alert for signs of bullying or abuse.
- Monitor other company staff/contractors/students/visitor's interactions with young people and be alert for signs of bullying or abuse.
- Report any concerns about interactions to the Designated Liaison Person in the company.

Prior to being alone with a young person on a one-to-one basis, company staff/contractors/students/visitors will agree and confirm the following with their fellow company staff/contractors/students/visitors:

- Where they will be with the young person
- What they will be doing with the young person
- The anticipated period of time involved.
- Why it is not required or appropriate to have another adult company member present with them during the interaction.

Purpose

The purpose of this policy is to:

- Minimise the likelihood of any form of abuse occurring.
- Minimise the likelihood of deliberate false allegations of abuse being made against any person volunteering or training with the company.
- Respect the young person's right to privacy and dignity in their interactions with the staff/contractors/students/visitors of the company.
- Strike a balance between employing necessary safeguarding practices and the creation of a normal living environment for the young person.

Version	Date	Details	Author
1	Sept 2019	Initial creation	Andrew Laste, Alison Laste, John Laste
2	Nov 2023	Expansion of policy and procedures. Combined Child Protection & Safeguarding into Garda Vetting Policy.	Andrew Laste, Alison Laste, John Laste
3	Feb 2024	Update post NQEMT application assessor report. Rewording of the Garda Vetting of Existing Staff.	Andrew Laste, Alison Laste, John Laste
4	April 2024	Update post NQEMT application assessor report 2. Rewording of pg.6, Existing staff section.	Andrew Laste, Alison Laste, John Laste