



## Child Safety Policies and Procedures

Graffiti Theatre Company CLG

Last reviewed 2023

**Please note** that these guidelines were drafted in line with Children First, National Guidance for the Protection and Welfare of Children 2017 and Children First Act 2015.

**Disclaimer:** Every effort has been made to ensure that the information included in these guidelines is accurate and based on the best advice available at the time this document was drafted. Examples and lists are not exhaustive, and Graffiti does not make any warranties or guarantees about the accuracy, completeness or usefulness of any of the information it contains. We accept no legal liabilities for any losses or damages arising out of any errors or omissions.

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This policy will be reviewed in March 2023

A handwritten signature in blue ink, appearing to read "Niamh" followed by a stylized flourish.

Signed:

Date: \_\_\_\_\_01/04/2023\_\_\_\_\_

## **GRAFFITI THEATRE COMPANY**

### **Graffiti's Vision**

We create theatre and quality arts experiences to help children to imagine a better world.

### **Graffiti's Mission**

Every child should have the right to access culture and discover the world through the arts. We nurture young people's curiosity and imagination to enrich their lives.

We celebrate the voices of all children and young people. We value inclusion.

We believe in building community through creativity, kindness and the power of imagination.

We develop children's confidence and mental wellbeing through participation in the arts.

We inspire them to forge a greater connection with the world and a sense of belonging through a guided and transformative discovery of the arts. We, Graffiti Theatre Company, are committed to a child-centred approach to our work with children and young people.

We undertake to provide a safe environment and experience, where the welfare of the child/young person is paramount.

We adhere to the recommendations of *Children First: National Guidelines for the Protection and Welfare of Children*, published by the Department of Health and Children in 2017.

The Board and Management of Graffiti Theatre Company recognise the need to ensure the safety and welfare of all young people involved with the company and are aware of their responsibility to see that appropriate policies and procedures are in place and operating effectively.

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### **SECTION 1.**

## **GRAFFITI THEATRE COMPANY STATEMENT**

Graffiti Theatre Company is committed to placing respect for children and young people at the heart of all its work: respect for their creativity, intelligence, engagement, learning and their aesthetic capacities, respect for their infinite variety and for their physical and emotional safety.

We wish the young people we work with in all our varied programmes to enjoy the experience, to explore challenges, to have fun, to reflect seriously and, above all, to engage with the art forms of drama and theatre. The services we provide for children and young people are:

Theatre Productions (at Graffiti and at other theatre venues)  
Theatre Workshops (at Graffiti and in educational settings)  
Youth Theatre and other longer term programmes of engagement for children and young people  
Early Years arts experiences  
Fighting Words Workshops  
Arts Encounters at Graffiti and other venues

In order to achieve this commitment to young people and the art-form we underpin the work with an equal commitment to Child Safety in all its forms within our practice.

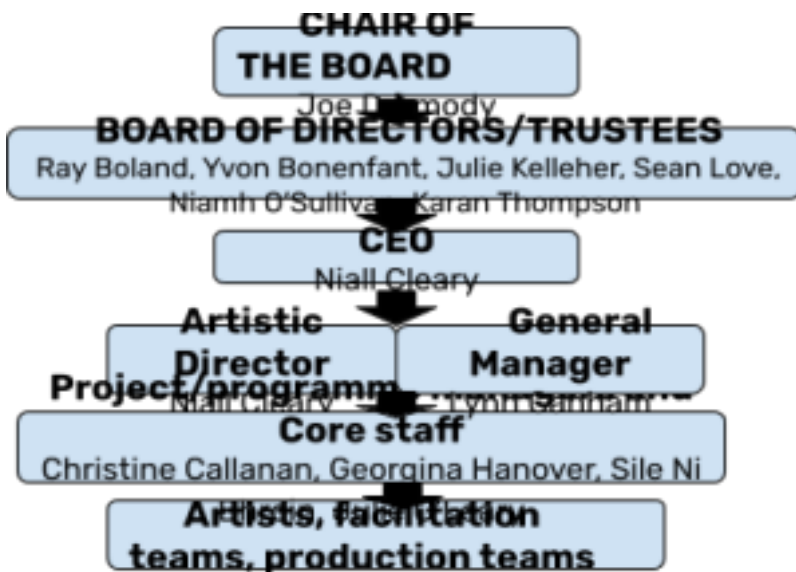
The policies and procedures in this document have been designed so that their implementation will protect both young people and staff and allow everyone to focus on quality of engagement, participation and creativity.

**We have implemented procedures on:**

- Welfare and Child Protection
- Health and Safety
- Code of behaviour for all staff;
- Reporting of suspected or disclosed abuse;
- Data Protection and Confidentiality;
- Recruitment and selection of staff;
- Management and supervision of staff;
- Involvement of primary carers;
- Allegations of misconduct or abuse by staff;
- Complaints and comments;
- Incidents and accidents;
- Health and Safety
- Youth Theatre
- Partnerships

We will review these policies every year, or sooner if a change is made to policy, structure or legislation.

Graffiti Theatre Company Ltd. is a registered charity. It is governed by:



The following staff members have been allocated specific areas of responsibility in relation to Child Protection and Safeguarding of Children and Young People

**Niall Cleary** is the current Mandated person, and Niall and **Julie O'Leary** are the Designated persons to contact if you have an issue or concern about any aspect of a child's or young person's safety or welfare. **Lynn Canham** is the General Manager, and a relevant person for communication on Child Protection Policies.

It is the responsibility of these persons to support and advise staff about policy and procedures in relation to child protection and to ensure that procedures are followed. It is also the responsibility of the Designated Person to liaise with the Health Service Executive or Gardaí where appropriate.

Niall Cleary can be contacted at 021 4397111 or 087 6827446

Julie O'Leary 021 4397111 or 087 1869009

Lynn Canham on 021 4397111 or 087 6173845

**Further contacts are in the Child-Safety Guidelines and Procedures Handbook in the main office, and on the staff contact sheet in the main office.**

## **Section 2. Child Safeguarding Statement**

In accordance with the Children First Act 2015, Graffiti Theatre Co. has conducted a risk assessment of our services to young people. The risk assessment is included in our Child Safeguarding Statement which has also been created in accordance with the act.

Graffiti's Child Safeguarding Statement details how we meet our obligations under the Children First Act 2015. We circulate it to all staff and volunteers and it is displayed publicly in the Graffiti Theatre building, in the office. A copy of our Child Safeguarding Statement can be made available to parents, guardians and carers on request. The Child Safeguarding Statement is also available to TUSLA on request.

We will review our Child Safeguarding Statement every year or sooner if there is a material change in any of the issues to which it refers.

A copy of our Child Safeguarding Statement is included in this document **(Appendix 1)**.

## **Section 3. Child Protection Guidance**

### **Key Principles of Best Practice in Child Protection and Welfare (Children First: National Guidance)**

The key principles that should inform best practice in child protection and welfare are:

(A) The welfare of children is of paramount importance.

(B) Early intervention and support should be available to promote the welfare of children and families, particularly where they are vulnerable or at risk of not receiving adequate care or protection. Family support should form the basis of early intervention and preventative interventions.

(C) A proper balance must be struck between protecting children and respecting the rights and needs of parents/carers and families. Where there is conflict, the child's welfare must come first.

(D) Children have a right to be heard, listened to and taken seriously. Taking account of their age and understanding, they should be consulted and involved in all matters and decisions that may affect their lives. Where there are concerns about a child's welfare, there should be opportunities provided for their views to be heard independently of their parents/carers.

(E) Parents/carers have a right to respect and should be consulted and involved in matters that concern their family.

(F) Factors such as the child's family circumstances, gender, age, stage of development, religion, culture and race should be considered when taking protective action. Intervention should not deal with the child in isolation; the child's circumstances must be understood within a family context.

(G) The criminal dimension of any action must not be ignored.

(H) Children should only be separated from parents/carers when alternative means of protecting them have been exhausted. Re-union should be considered in the context of planning for the child's future.

(I) The prevention, detection and treatment of child abuse or neglect requires a coordinated multidisciplinary approach, effective management, clarity of responsibility and training of personnel in organisations working with children.

(J) Professionals and agencies working with adults who for a range of reasons may have serious difficulties meeting their children's basic needs for safety and security should always consider the impact of their adult client/patient's behaviour on a child and act in the child's best interests.

### **Guidance for Organisations on meeting this Responsibility and Duty of Best Practice:**

**Children First: National Guidance For The Protection And Welfare of Children** (2017) emphasises that the wider community, beyond parents and primary carers, has a responsibility for the welfare and protection of children. Organisations that work with children and young people, be they statutory or not, are specifically indicated as having responsibility and corporate duty to care. The following is taken directly from Children First: National Guidance -

All organisations in contact with or providing services to children have an overall corporate duty and responsibility to safeguard children by the following means:

(A) Promoting the general welfare, health, development and safety of children

(B) Adopting and consistently applying a safe and clearly defined method of recruiting and selecting staff and volunteers;

(C) Developing guidance and procedures for staff and volunteers who may have reasonable grounds for concern about the safety and welfare of children involved with the organisation. These procedures should not deviate from these Children First National Guidance, but could offer



further elaboration to ensure local relevance and applicability. It is the responsibility of each organisation's Board of Directors or Management to ensure that such policies and procedures are in place and are operating effectively;

(D) Identifying a designated liaison person to act as a liaison with outside agencies and a resource person to any staff member or volunteer who has child welfare and protection concerns. The designated liaison person is responsible for reporting allegations or suspicions of child abuse to HSE Children and Family Services or to An Garda Síochána;

( E) Ensuring that the organisation has clear written procedures on the action to be taken if allegations of abuse against employees/volunteers are received;

(F) Raising awareness within the organisation about potential risks to children's safety and welfare.;

(G) Developing effective procedures for responding to accidents and complaints;

(H) Ensuring that clear procedures in relation to record-keeping of child protection and welfare concerns are in place and are operating effectively, taking appropriate account of the need to ensure that such records are kept securely. Organisations that administer services through a number of individual units should standardise recording procedures in cases of children at risk. All agencies dealing with children must have a policy of cooperating with the HSE Children and Family Services on the sharing of their records where a child welfare or protection concern arises.

All personnel involved in organisations working with children should be alert to the possibility of child abuse. They need to be aware of their obligations to convey any reasonable concerns or suspicions to the Children and Family Services of the HSE or to An Garda Síochána. They also need to be informed of the correct procedures for reporting such concerns. As part of its duty of care to members, Graffiti has procedures in place to deal with both suspicions and disclosures of abuse.

## **SECTION 4**

### **CODE OF BEHAVIOUR FOR ALL STAFF AND VOLUNTEERS**

**This must be read and implemented by all members of staff and volunteers**

A code of behaviour for staff is an essential element of our Child Protection Policy and is embedded in the core values of the company. It is not designed to create difficulties for staff or impediments to working creatively with children and young people but rather to create a safe working environment for both staff and the young people we work with.

The Code of Behaviour can be categorised under the following

headings: • Commitment to a child-centred approach;

- Good practice;
- Definitions of abuse
- Guidance on Physical Contact for Staff
- Health and safety;
- Confidentiality;
- Dealing with Disclosure.

**All details of practices and procedures under those headings will be found on the following pages.**

Specific codes of behaviour which relate to different facets of the organisation – Professional Touring Company, Creative Learning, Fighting Words, Youth Theatres and Early Years – are included in Section H. Staff must ensure that they are familiar with all the policies and procedures which apply to all staff and to their relevant section in particular. Members of Staff will be required to sign the document stating familiarity with all relevant procedures.

The Codes of Behaviour and the Procedures arising from them are designed to protect the children and young people, you the staff and the organisation as a whole.

### **(A) A Child-Centred Approach**

The **Principle of Paramountcy** applies to all activities.

*“...the welfare of the child is of paramount importance.”*

*(Children First: Principles for Best Practice in Child Protection)*

In order to ensure the respect Graffiti Theatre Company's demands towards children and young people staff should:

- Treat all children and young people fairness and equity;
- Listen to and respect children and young people;
- Involve children and young people in decision-making, as appropriate;

- Provide encouragement, support and praise (regardless of ability);
- Use appropriate language (physical and verbal);
- Have fun and encourage a positive atmosphere;
- Offer constructive criticism when needed;
- Treat all children and young people as individuals;
- Respect a child's or young person's personal space;
- Discuss boundaries on behaviour and related sanctions, as appropriate; with children and young people and their primary carers;
- Agree a group 'contract' before beginning a session;
- Encourage feedback from group;
- Use age-appropriate teaching aids and materials;
- Lead by example;
- Be aware of a child's or young person's other commitments when scheduling rehearsals or activities, e.g., school or exams;
- Be cognisant of a child's or young person's limitations, due to a medical condition for example;
- Create an atmosphere of trust;
- Respect differences of ability, culture, religion, race and sexual orientation.

### **(B) Good Practice**

In order that the practice of the company reflects the above child-centred approach staff engaging with children and young people should:

- Register each child/young participant with whom we have sustained contact (name, address, phone, email address, special requirements, attendance, emergency contact);
- Make primary carers, children/young people, visitors, facilitators and

- volunteers aware of the Child Protection Policy and procedures;
- Have emergency procedures in place and make all staff aware of these procedures;
  - Be inclusive of all children and young people;
  - Plan and be sufficiently prepared, both mentally and physically;
  - Report any concerns to the Designated Liaison Persons (Niall Cleary and Julie O'Leary)
  - Follow reporting procedures;
  - Encourage children and young people to report any bullying, concerns or worries and to be aware of anti-bullying policy.
  - Observe appropriate dress and behaviour;
  - Report and record any incidents and accidents;
  - Where possible, keep primary carers informed of any issues that concern their children;
  - Ensure proper supervision based on adequate ratios according to age, abilities and activities involved;
  - Observe appropriate gender balance, where possible, for residential (in relation to staff/facilitators)
  - Encourage an open environment with children;
  - Don't be passive in relation to concerns; i.e., don't 'do nothing';
  - Don't let a problem get out of control;
  - Avoid taking a session on your own. All situations where a worker and an individual child are completely unobserved should be avoided;
  - Avoid if at all possible giving a lift to a child/young person and if you do then make sure that primary carers are informed;
  - Maintain awareness around language and comments made. If you think that something you said may have caused offence or upset, then try to address it in a sensitive manner.

### **The organisation is committed to:**

- Providing appropriate training for staff and volunteers;
- Updating and reviewing policies and procedures regularly;

Seeking guidance from relevant authorities such as aslam,

Belong2 etc, when needed;

- Ensuring clear communication between the actors/workshop facilitators and the schools/organisations with which we work;
- Having guidelines and specific work practices for each area of the company's work;
- Evaluating work practices on a regular basis.

### **( C ) Introduction to Child Protection - Definitions of Abuse**

It is essential that anyone who works with young people is open to the possibility of abuse taking place both within the organisation and in other contexts such as within the family. No organisation that works with children and/or young people can ignore the duty they have to those who access their services. An integral part of this duty is to help safeguard them from serious harm and in particular to inform the statutory authorities if there is a belief that a young person is being subjected to abuse or neglect.

According to ***Children First***, child abuse can be categorised into four different types: neglect, emotional abuse, physical abuse and sexual abuse. **The information below is taken directly from *Children First: National Guidance (2017)* and it is indicated that it can't be adapted or changed in any way:**

#### **Types of child abuse**

Child abuse can be categorised into four different types: neglect, emotional abuse, physical abuse and sexual abuse. A child may be subjected to one or more forms of abuse at any given time. In the *Children First: National Guidelines*, 'a child' means a person under the age of 18 years, excluding a person who is or has been married.

#### **Definition of '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, and/or medical care.
- Harm can be defined as the ill-treatment or the impairment of the health or development of a child. Whether it is *significant* is determined by the child's health and development as compared to that which could reasonably be expected of a child of similar age.
- Neglect generally becomes apparent in different ways *over a period of time* rather than at one specific point.

For example: a child who suffers a series of minor injuries may not be having his or her needs met in terms of necessary supervision and safety; a child whose ongoing failure to thrive or whose height is significantly below average may be being deprived of adequate nutrition; a child who consistently misses school may be being deprived of intellectual stimulation.

The *threshold of significant harm* is reached when the child's needs are neglected to the extent that his or her well-being and/or development are severely affected.

### **Definition of 'Emotional Abuse'**

Emotional abuse is normally to be found in the *relationship* between a parent/carer 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.

Examples of emotional abuse of children include:

- the imposition of negative attributes on children, expressed by persistent criticism, sarcasm, hostility or blaming;
- conditional parenting in which the level of care shown to a child is made contingent on his or her behaviours or actions;
- emotional unavailability of the child's parent/carer;
- unresponsiveness of the parent/carer and/or inconsistent or inappropriate expectations of the child;
- premature imposition of responsibility on the child;
- unrealistic or inappropriate expectations of the child's capacity to

understand something or to behave and control himself or herself in a certain way;

- under- or over-protection of the child;
- failure to show interest in, or provide age-appropriate opportunities for, the child's cognitive and emotional development;
- use of unreasonable or over-harsh disciplinary measures;
- exposure to domestic violence;
- exposure to inappropriate or abusive material through new technology.

Emotional abuse can be manifested in terms of the child's behavioural, cognitive, affective or physical functioning. Examples of these include insecure attachment, non-organic failure to thrive, unhappiness, low self-esteem, educational and developmental underachievement, and oppositional behaviour.

The *threshold of significant harm* is reached when abusive interactions dominate and become *typical* of the relationship between the child and the parent/carer.

### **Definition of 'Physical Abuse'**

Physical abuse of a child is that which results in actual or potential harm from an interaction, or lack of interaction, which is reasonably within the control of a parent or person in a position of responsibility, power or trust. There may be single or repeated incidents. Physical abuse can involve:

- severe physical punishment;
- beating, slapping, hitting or kicking;
- pushing, shaking or throwing;
- pinching, biting, choking or hair-pulling;
- terrorising with threats;
- observing violence;
- use of excessive force in handling;
- deliberate poisoning;
- suffocation;

- fabricated/induced illness;
- allowing or creating a substantial risk or a significant harm to a child.

### **Definition of 'Sexual Abuse'**

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

- exposure of the sexual organs or any sexual act intentionally performed in the presence of the child;
- intentional touching or molesting of the body of a child whether by a person or object for the purpose of sexual arousal or gratification;
- masturbation in the presence of the child or the involvement of the child in an act of masturbation;
- sexual intercourse with the child, whether oral, vaginal or anal;
- sexual exploitation of a child, which includes inciting, encouraging, propositioning, requiring or permitting a child to solicit for, or to engage in, prostitution or other sexual acts. Sexual exploitation also occurs when a child is involved in the exhibition, modeling or posing for the purpose of sexual arousal, gratification or sexual act, including its recording (on film, video tape or other media) or the manipulation, for those purposes, of the image by computer or other means. It may also include showing sexually explicit material to children, which is often a feature of the 'grooming' process by perpetrators of abuse;
- consensual sexual activity involving an adult and an underage person.

### **Notes:**

#### **Age of consent**

In relation to child sexual abuse, it should be noted that, for the purposes of the criminal law, the age of consent to sexual intercourse is 17 years for both boys and girls. An Garda Síochána will deal with the criminal aspects of the case under the relevant legislation.

It should be noted that the definition of child sexual abuse presented in this section is not a legal definition and is not intended to be a



description of the criminal offence of sexual assault.

In cases where abuse is not suspected or alleged but the boy or girl is underage, consultation must be held between the HSE and An Garda Síochána, and all aspects of the case will be examined. Both agencies must acknowledge the sensitivity required in order to facilitate vulnerable young people in availing of all necessary services, while at the same time satisfying relevant legal requirements.

## **Peer Abuse and Bullying are listed as Special Considerations**

### **Peer Abuse:**

In a situation where child abuse is alleged to have been carried out by another child, the child protection procedures should be adhered to for both the victim *and* the alleged abuser – i.e. it should be considered a child care and protection issue for *both* children.

Abusive behaviour that is perpetrated by children must be acted upon. If there is any conflict of interest between the welfare of the alleged abuser and the victim, the victim's welfare is of paramount importance.

As in all cases of child abuse, it is essential to respond to the needs of children who are abused by their peers. Each individual case will require its own unique intervention. Appropriate support and services should be provided to the child and his or her parents/carers as quickly as possible. In the case of child sexual abuse by peers, treatment approaches may include individual treatment and/or group therapy for the child or adolescent.

Children who are abusive towards other children also require comprehensive assessment and therapeutic intervention by skilled childcare professionals. Treatment is more likely to be effective if begun early in the child's life. It is known that some adult abusers begin abusing during childhood and adolescence, that significant numbers will have suffered abuse themselves and that the abuse is likely to become progressively more serious. Early referral and intervention is therefore essential.

There is a high probability that future abuse can be prevented if intervention takes place early in the child's life. Therefore, it is essential to refer concerns about peer abuse immediately to the Children and Family Services of the HSE. The HSE should establish appropriate treatment programmes to cater for children who engage in abusive behavior with other children.

It should be anticipated that an allegation of peer abuse will have a detrimental impact on relationships between the alleged abuser, his or her parents/carers and other family members. A negative impact on other social relationships, such as with peers and neighbors, should also be anticipated. As a result, the child and family may experience isolation, and

in some situations victimisation, following an allegation of abuse. The child's parents/carers will need support and advice to help them understand the abusive behavior and to deal with the situation. Active participation and commitment by parents/carers can be an important factor in the success of treatment and may be crucial in influencing the general outcome of the case. It is therefore essential to provide adequate support services to the child and family throughout the assessment and treatment processes.

### **Sexual abuse by children and young people:**

Research shows that teenagers perpetrate a considerable proportion of child sexual abuse. Such cases should be referred to the Children and Family Services of the HSE. It is important that the different types of behaviour are clearly identified and that no young person is wrongly labelled 'a child abuser' without a clear analysis of the particular behaviour. Four categories of behaviour warrant attention: normal sexual exploration, abuse reactive behaviour, sexually obsessive behaviour, and abusive behaviour by adolescents and young people.

#### **Normal sexual exploration:**

This could consist of naive play between two children that involves the exploration of their sexuality. This type of behaviour may be prompted by exchanges between children, such as 'You show me yours and I'll show you mine'. One of the key aspects of this behaviour is its tone: there should not be any coercive or dominating aspects to this behaviour. Usually, there is no need for child protection intervention of any kind in this type of situation.

#### **Abusive reactive behaviour:**

In this situation, one child who has been abused already acts out the same behaviour on another child. This is serious behaviour and needs to be treated as such. In addition to responding to the needs of the abused child, the needs of the child perpetrator in this situation must also be addressed.

#### **Sexually obsessive behaviour:**

In this type of situation, the children may engage in sexually compulsive behaviour. An example of this would be excessive masturbation, which may well be meeting some other emotional need. Most children masturbate at some point in their lives. However, where children are in care or in families where care and attention is missing, they may have extreme comfort needs that are not being met and may move from masturbation to excessive interest or curiosity in sex, which takes on excessive or compulsive aspects. These children may not have been sexually abused, but they may be extremely needy and may require very specific help in addressing those needs.

## **Abusive behaviour by adolescents and young people:**

Behaviour that is abusive will have elements of domination, coercion or bribery, and certainly secrecy. The fact that the behaviour is carried out by an adolescent, for example, does not, in itself, make it 'experimentation'. However, if there is no age difference between the two children or no difference in status, power or intellect, then one could argue that this is indeed experimentation. On the other hand, if, for example, the adolescent is aged 13 and the child is aged 3, this gap in itself creates an abusive quality that should be taken seriously.

## **Bullying**

Bullying can be defined as repeated aggression – whether it be 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 teasing, taunting, threatening, hitting or extortion by one or more persons against a victim. Bullying can also take the form of racial abuse. With developments in modern technology, children can also be the victims of non-contact bullying, via mobile phones, the Internet and other personal devices.

Bullying of children can also be perpetrated by adults, including adults who are not related to the child. Bullying behaviour when perpetrated by adults, rather than children, could be regarded as physical or emotional abuse. However, other major forms of child abuse, such as neglect and sexual abuse, are not normally comprehended by the term 'bullying'.

## **Bullying in schools**

It is recognised that bullying in schools is a particular problem. It is imperative that school management boards should have a policy in place to deal with bullying and that teachers are aware of this policy and of procedural guidelines to deal with it. In situations where the incident is serious and where the behaviour is regarded as potentially abusive, the school should consult the HSE Children and Family Services with a view to drawing up an appropriate response, such as a management plan.

In the first instance, it is the school authorities that are responsible for dealing with bullying in school. School authorities should exercise this responsibility by having regard to the existing advice and to the Guidelines on countering bullying behaviour in primary and post-primary schools from the Department of Education (1993).

Serious instances of bullying behaviour should be referred to the HSE Children and Family Services.

## **(d) Inappropriate Behaviour and Guidance on Physical Contact**

Staff should observe the following rules:

- Avoid spending excessive amounts of time alone with children/young people;
- Don't use or allow offensive or sexually suggestive physical and/or verbal language (unless, of course, it is required by the performance);
- Don't single out a particular child/young person for favouritism, criticism, ridicule, or unwelcome focus or attention;
- Don't allow/engage in inappropriate touching of any form; ▪

Don't hit or physically chastise children/young people;

- Don't socialise inappropriately with children/young people, e.g., outside of structured organisational activities.

With regard to Physical contact, staff should:

- Seek the consent of the child/young person in relation to physical contact (except in an emergency or a dangerous situation);
- Avoid horseplay or inappropriate touch \*;
- Check with children/young people about their level of comfort when doing touch exercises;
- Be aware of each person's personal boundaries;

\*Touching should:

- Be in response to the need of the child and not of the adult;
- Be with the child's permission – resistance from the child should be respected;
- Avoid breasts, buttocks and groin;
- Be open and not secretive;
- Be governed by the age and development of the child.

## **(e) Health and safety**

Staff should:

- Never leave children unattended or unsupervised;
- Manage any dangerous materials or equipment;
- Provide a safe environment;
- Be aware of accident procedures and follow them accordingly;
- Refer to and observe the Health and Safety Statement ○  
(Available in the main Office in Graffiti, a digital copy is also available)

Graffiti will maintain an up-to-date register of the contact details of all children/young people regularly involved in the organisation (see section on youth theatre).

**Youth Theatre Members' details are kept locked in a secure cabinet in the Board Room.**

Children/young people's details may be cross-referenced between the incident book and file;

### **Accidents Procedure**

Graffiti Theatre Company will ensure that:

- First-aid boxes are available and regularly re-stocked;
- The location of the first-aid box(es) is made known to staff. One First Aid box is kept in the kitchen, another First Aid Box is kept in the studio, both are clearly visible. The touring company has a First Aid box in the van.
- The availability of first-aid is in accordance with the organisation's Health and Safety guidelines. The location of accident/incident books is made known to staff. The incident book is kept in the kitchen, near the First Aid box and is clearly visible.
- Children and young people are advised of risks of any dangerous material and that care is taken to minimize that risk;
- Details of any risky equipment used are recorded and steps are taken to minimise risk;
- Cognisance is taken of responsibility for first-aid on off-site trips.

## **Section 5. Reporting and Grounds for Concern**

### **(a) Confidentiality Statement**

Graffiti Theatre Company are committed to ensuring people's rights to confidentiality. However, in relation to child protection and welfare we undertake the following:

- Information will only be forwarded on a 'need to know' basis in order to safeguard the child/young person;
- We note that giving such information to others for the protection of a child or young person is not a breach of confidentiality; ● We cannot guarantee total confidentiality where the best interests of the child or young person are at risk;
- We acknowledge that primary carers, children and young people have a right to know if personal information is being shared and/or a report is being made to the Health Service Executive, unless doing so could put the child/young person at further risk;
- Images of a child/young person will not be used for any reason without the consent of the parent/carer (however, we cannot guarantee that cameras/videos will not be used at public performances or in an online context);
- Procedures are in place in relation to the use of images of children/young people;
- Procedures are in place for the recording and storing of information in line with our confidentiality policy (appendix 2)

### **(b) Grounds for Concern**

**The following instances show what would constitute reasonable grounds for concern:**

- Specific indication from the child or young person that s/he has been abused;
- An account by the person who saw the child being abused; ● Evidence, such as injury or behaviour which is consistent with abuse and unlikely to be caused another way;
- An injury or behaviour which is consistent both with abuse and with an innocent explanation but where there are corroborative indicators supporting the concern that it may be a case of abuse [an example would be a pattern of injuries, an implausible explanation, other indications of abuse, dysfunctional behaviour];
- Consistent indication, over a period of time, that a child is suffering from emotional or physical neglect.

### **(c) Handling a disclosure of abuse**

Should a young person in your group disclose to you abuse/abuses perpetrated against him/her:

● **Do** listen openly without comment. **Do not** interview; ● **Do not** inquire in detail about the alleged incident or incidents with the young person. This should only be done by a trained health professional. This protects the young person concerned and also protects the leader in the event of a criminal case being pursued. **Remember that you have only one piece of the jigsaw: leave it to the professionals to see the whole;**

- **Do not** ask leading or invasive questions;
- **Do stay calm.** This may be difficult but it is important not to show an extreme reaction to what you are hearing;
- **Do avoid** making personal assumptions and **do not** make any judgmental statements against the alleged perpetrator;
- **Do not** ask the young person to repeat unnecessarily what s/he has told you;
- **Do** take what the young person says seriously;
- **Do** acknowledge the risk taken by the young person in telling you;
- **Do** reassure the young person that it is OK to tell you.

### **BUT**

- **Do not** make promises you cannot keep around the area of confidentiality. You have to report the incident;
- **Do inform** the young person of what your next step will be, that you have to report this information to your designated child protection person;
- **Under NO circumstances** be tempted to investigate yourself; that
- responsibility lies with the HSO and the Gardaí;
- **Do** write a detailed account as soon as possible and keep a record of all your own actions;
- **Do** follow the procedure laid down by Graffiti and report immediately to the Designated Person, or , if she isn't available , to the Deputy Designated Person.

**A disclosure by a youth member over 18 years old must be handled with the same sensitivity as that of a younger person. With the consent of the person you must follow the same procedures as above.**

**Remember that the alleged perpetrator may still be in a position to offend.**

#### **(d) Recording procedures for staff members**

Any observation of a child with potential difficulties should:

- Be recorded in the Incident Book;
- Be reported to the Designated Person.

Members of staff should record the following:

- Suspicions;

- Concerns;
- Worrying observations;
- Behavioural changes;
- Actions and outcomes.

The Child Safety Incident Book is kept securely in the upstairs safe and access is to be had by senior members of staff. If you haven't immediate access to those personnel then write down your observations immediately and seek access later.

Always report as soon as you can to the Designated or Deputy Designated Person.

If there is a serious and immediate threat to the child you will find the appropriate HSE contacts on the contact sheet displayed in the kitchen.

## **THE ONE THING YOU MUST NOT DO IS NOTHING**

### **FOR YOUR INFORMATION:**

Under 'The Protection of Persons Reporting Child Abuse Act' there is a provision of immunity to any person who 'reasonably and in good faith' reports child abuse. It is an offence to report 'knowing that statement to be false'.

### **PROCEDURES TO BE FOLLOWED IF AN INCIDENT OR A DISCLOSURE OCCURS:**

#### **WE WILL:**

- Remember that we are committed at all times to the primacy of the safety of the child/young person;
- Ensure that the young person is safe, comfortable and exposed to no unnecessary risk;
- Undertake that the young person is dealt with in an age-appropriate manner;
- In the case of an emergency phone the Gardaí and the HSE contact;
- In case of suspicion of abuse immediately inform the Designated Person or Deputy Designated Person, being clear that it is NOT our function to investigate.

### **(d) Reporting Procedures**

Graffiti has adopted the following internal reporting procedure for dealing with disclosures/suspected abuse.



- Any person working with us who has a child protection concern or has received a disclosure of abuse should contact [our](#) Designated Liaison Person immediately. The person who has the concern should proceed to create a written report outlining the reasons for their suspicions/details of the disclosure with as many facts as possible recorded. Graffiti's Internal Reporting Form should be used (Appendix 3). This report should be passed on to the DLP as soon as possible.
- The DLP may also contact Tusla – Child and Family Agency for advice in advance of making a formal report. In the case of an emergency, the DLP can make a report without consulting the Welfare Committee.
- When making a report to Tusla, the Designated Liaison Person will follow the standard reporting procedures detailed below. • The Designated Liaison Person informs the mandated person and relevant person if they are making a report.
- Graffiti's confidentiality policy and procedures should be adhered to. Details should only be provided to those with a direct need to know and information will only be shared when it is in the interest of safeguarding the young person.
- We will consider whether to inform the parents/guardians that a report is being made. The parents/guardians will be informed except in cases where there is a belief that doing so will further endanger the child or the person making the report. Advice on informing parents can be sought from Tusla.
- If a decision is taken to inform the parents/guardians, an assessment will be made by Julie O'Leary, Niall Cleary or Lynn Canham of the best way to communicate the information and as to whether the Designated Liaison Person is putting his/herself at any risk by doing so.
- The person who made the original report will be informed of the outcome of the decision-making process.

**If a decision is taken not to report**

- If a decision is taken not to report, a confidential written record of how and why this decision was taken should be created and kept by the Designated Liaison Person. Any incident reports should be retained. It may be that a report will be made in the future in light of other developments.
- Any actions taken as a result of the concern should be recorded. • The staff member who made the original report should be informed of the decision taken. If a report hasn't been made, they should be

provided with the reasons for this decision in writing and informed that they can still make a report in their personal capacity. All staff members should be made aware of the steps to take to make a report and the provisions of the **Protection for Persons Reporting Child Abuse Act (1998)** which offers protection from civil liability for anyone who makes a report, once they are acting in good faith.

### **Record-Keeping**

- Child protection records should be factual and include details of contacts, consultations and any actions taken.
- Child protection records should be updated as required and reviewed regularly by the Designated Liaison Person.
- Graffiti and its DLP will cooperate in the sharing of records with TUSLA where necessary for the protection or welfare of a child.
- All child protection records will be kept safely and securely and managed in line with the youth theatre's Data Protection and Confidentiality Policy

### **Reporting for Mandated Persons**

Mandatory reporting, as provided for under Children First 2017, places a legal obligation on certain individuals known as 'mandated persons' to report harm or potential harm to children.

Mandated Persons have two principal legal obligations:

1. To report concerns which meet or exceed a particular threshold
2. To assist Tusla in the assessment of mandated reports, where requested to do so.

### **Making A Mandated Report**

- Any Mandated Persons employed by Graffiti must report concerns of harm or potential harm to children to Tusla by following the Standard Reporting Procedures in Section 6.7. They must indicate on the report form that it is a Mandated Report.
- Guidance for mandated persons on the thresholds at which, or above which, they have a statutory obligation to report the concern under the Children First Act 2017 can be found in Chapter 3 of Children First: National Guidance for the Protection and Welfare of Children.
- Additionally, Graffiti requires Mandated Persons to make reports jointly with the DLP.

## **Mandated Assisting**

Any Mandated Person employed by Graffiti, should be aware that they may be required by Tusla to assist them in the assessment of mandated reports.

### **Important Note:**

Mandated persons cannot make anonymous reports under the Act.

## **Standard Reporting Procedure for Designated Liaison Persons and Mandated Persons**

Staff and volunteers wishing to report a concern should in the first instance contact the Designated Liaison Person (DLP). The below procedures are for making a report directly to Tusla and should be followed by the DLP and any mandated person employed by Graffiti

Any staff member /volunteer who is unhappy with a decision made by the DLP not to make a report based on a concern held by the staff member/volunteer, may follow the Standard Reporting Procedure to report a concern directly to Tusla.

## **Standard Reporting Procedure for Designated Liaison Persons and Mandated Persons**

**Children First 2017:** You should always inform Tusla if you have **reasonable grounds for concern** that a child may have been, is being, or is at risk of being abused or neglected. You can report your concern in person, by telephone or in writing – including by email – to the local social work duty service in the area where the child lives.

**Contact numbers for Tusla offices nationwide are** available on the Tusla website ([www.tusla.ie](http://www.tusla.ie)) or through the Tusla National Office (Tel. 01-7718500).

**Children First 2017:** If you are concerned about a child but unsure whether you should report it to Tusla, you may find it useful to contact Tusla to informally discuss your concern. This provides an opportunity to discuss the query in general and to decide whether a formal report of the concern to Tusla is appropriate at this stage. If the concern is below the threshold for reporting, Tusla may be able to provide advice in terms of keeping an eye on the child and other services that may be more suitable to meeting the needs of the child and/or family.

- **Under no circumstances should a child be left in a situation that exposes him or her to harm or to risk of harm pending Tusla intervention.** In the event of an emergency where you think a child is in immediate danger and you cannot get in contact with Tusla, you should contact the Gardaí. This may be done through any Garda station. Graffiti's local garda station is Anglesea St, 021 4522000 If you do not have the number of a local garda station, phone 999 or 112. An emergency out-of-hours social work service provides social work consultation and advice to the Gardaí. The Gardaí have access to an on-call social worker and placements for children who need them due to the immediate risk to their safety.
- The **Standard Report Form for reporting child welfare and protection concerns to Tusla** (Appendix 4) should be used when reporting child welfare and protection concerns to Tusla. If a report is made by telephone, this form should be completed and forwarded subsequently to Tusla within three days.

### **Children First 2017:**

**Information to include when making a report:** To help Tusla staff assess your reasonable concern, they need as much information as possible. You should provide as much relevant information as you can about the child, his/her home circumstances and the grounds for concern. These could include:

- The child's name, address and age
- Names and addresses of parents or guardians
- Names, if known, of who is allegedly harming the child or not caring for them appropriately
- A detailed account of your grounds for concern (e.g. details of the allegation, dates of incidents, and description of injuries)
- Names of other children in the household
- Name of school the child attends
- Your name, contact details and relationship to the child

You should give as much information as possible to social workers at an early stage so that they can do a full check of their records. For instance, they can see if the child and/or a sibling have been the subject of a previous referral, or if an adult in the household had previous contact with the child protection services.

As outlined in **Children First** (2017), child protection is a multiagency, multidisciplinary activity. Agencies and professionals must work together in the interests of children.

### **Role of the Child and Family Agency**

**Children First 2017:** Tusla has responsibility for child welfare and protection services, family support, educational welfare and a range of other services, including those relating to domestic, sexual and gender-based violence.

The specific role of Tusla is to promote the welfare of children who are at risk of not receiving adequate care and protection. Under the Child Care Act 1991, Tusla is obliged to coordinate information from all relevant sources about a child who may not be receiving adequate care and protection. If it is found that a child is not receiving adequate care and protection, Tusla has a duty to take appropriate action to promote the welfare of the child. This may include supporting families in need of assistance in providing care and protection to their children.

### **Role of An Garda Síochána**

**Children First 2017:** The involvement of An Garda Síochána in cases of alleged child abuse and neglect stems from its primary responsibility to protect the community and to bring offenders to justice. Where it is suspected that a crime has been committed, An Garda Síochána has overall responsibility for the direction of any criminal investigation. It is the function of An Garda Síochána to interview and take any statements that will form part of the criminal investigation file.

**Children First (2017)** describes in detail how these two agencies should work together.

Graffiti takes the following approach to working with other agencies and organisations in relation to child protection:

- We recognise the necessity of a coordinated approach to child protection and will cooperate with the Gardaí, Tusla - Child and Family Agency and any other appropriate agency or organisation.
- We are aware that there are a number of organisations that have specific expertise in relation to child protection and the welfare of children/young people. The youth theatre's Designated Liaison Person, or another staff member/volunteer, may seek advice from these organisations on a specific issue. There may be circumstances when it is more appropriate to refer a young person to another organisations/services.

If the youth theatre is working with another organisation on a programme/event involving young people, there will be discussion around the welfare and child protection policy and procedures to be used and where responsibility lies in terms of reporting. We will recommend that good practice is followed and that the most robust policy and procedures take precedence.

### **(e) Policy Statement on the involvement of Primary Carers**

Graffiti Theatre Company is committed to being open with all primary carers.

**We undertake to:**

- \*Advise primary carers of our child protection policy;
- \*Inform primary carers and schools of all activities and potential activities involving the young people;
- \*Issue consent forms where relevant;
- \*Comply with health and safety practices;
- \*Operate child centred policies in accordance with best practice in the field;
- \*Adhere to our recruitment guidelines;
- \*Ensure, as far as possible, that our activities are age-appropriate; \*Encourage and facilitate the involvement of parents, carers or responsible adults where appropriate.

**If we have concerns about the welfare of a child/young person we will:**

- \*Respond to the needs of the child or young person;
- \*Inform the primary carers on an on-going basis unless the action puts the child or young person at further risk;
- \*Be conscious of our legal obligation where there are child protection and welfare concerns to pass those on to the Duty Social Worker and, in an emergency, the Gardaí;
- \*Immediately ensure the safety of the child in the event of a complaint against a member of staff and inform primary carers as appropriate.

**As a child-centred organisation we are committed to putting the interest of the child/young person first. To that end we will:**

- \*Contact local HSE and Gardaí where there is a child protection welfare concern;
- \*Encourage primary carers to work in partnership with us under the guidelines set out by our organisation to ensure the safety of their children;
- \*Have a designated contact person available for consultation with primary carers in the case of any concern over a child or young person's welfare

The designated person in this instance is Julie O'Leary

## **Section 6. STAFF MANAGEMENT POLICIES AND PROCEDURES**

### **(a) Policy Statement**

To protect all staff members (paid and voluntary) and children/young people, we undertake that:

New staff will:

- Take part in a mandatory induction training session;
- Be made aware of the organisation's code of conduct, child protection procedures, and the identity and role of who has been designated to deal with issues of concern;
- Be vetted before beginning their role
- Undergo a probationary period

All staff will:

- Receive an adequate level of supervision and review of their work practices;
- Be expected to have read and signed the Child Protection Policy Statement;
- Be provided with child protection training, and updated on changes to Graffiti's policies and procedures

### **(b) Recruitment Procedures**

Graffiti Theatre Company formulates recruitment and selection procedures that ensure – as far as possible – the safety and protection of children and young people. The organisation's Recruitment and Selection policy will operate in tandem with its Human Resources policy.

All staff who will have or are likely to have contact with children and young people will undergo a recruitment process in line with these procedures and appropriate to their level of contact with children and young people.

In formulating policy, the organisation will take cognisance of equal opportunities legislation. Ultimately, common sense and sound judgment will be applied in the process of selecting and recruiting staff.

Graffiti Theatre Company will ensure that staff are carefully selected, trained and supervised to provide a safe environment for all children and young people, by observing the following principles:

- We will endeavour to select the most suitably qualified personnel; •

Candidates will be required to submit a C.V.

- Candidates will be asked to sign a declaration form;
- At least two written references that are recent, relevant, independent and verbally confirmed will be necessary;
- Staff will be selected by a panel of at least two (or more) representatives through an interview process;
- No person who would be deemed to constitute a 'risk' will be employed- some of the reasons for exclusions would include: any child-related convictions; refusal to sign application form and declaration form; insufficient documentary evidence of identification; concealing information on one's suitability to working with children
- There will be a probationary period of six months in the case of core staff;
- All staff will be required to consent to Garda clearance, and where available, this will be sought.

### **(c) Garda Vetting Policy**

As detailed already Graffiti has a robust recruitment/selection policy. While we recognise the importance of garda vetting in safeguarding the wellbeing of our members, we also recognise that it is only one aspect of safe recruitment.

Graffiti is a member of Youth Theatre Ireland's Garda Vetting Consortium. As a member of the Consortium we have agreed to the following:

- We are familiar with the provisions of the **National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016**. We are also confirming representatives from the youth theatre/organisation have read Youth Theatre Ireland's Garda Vetting Consortium Policy and we agree to adhere to the policy.
  - It is an offence to engage a person, paid or voluntary, to carry out relevant work without having first received a garda vetting disclosure.
  - We cannot issue a contract of employment or make any agreement with an employee or volunteer until the vetting process is complete. • It is an offence to use garda vetting disclosures in any way that contravenes the legislation including the sharing of garda vetting disclosures with any third party.
  - We are required to inform all applicants they can request a copy of their garda vetting disclosure. If requested, we will provide a copy of his/her disclosure to an applicant.
- The Minister for Justice may set a period for re-vetting of



employees/volunteers. It will be an offence under the legislation not to submit employees/volunteers for re-vetting within this period. (Until this period is prescribed the re-vetting period is a matter of organisational policy. Youth Theatre Ireland recommends re-vetting takes place every three years, and Graffiti follows this recommendation).

- We will not accept an existing garda vetting disclosure from an individual.
  - We will inform any person to whom we have provided a copy of their garda vetting disclosure, that the disclosure cannot be used as proof of vetting.
  - We will retain a vetting disclosure on file for each staff member/volunteer in the youth theatre who works with children or young people.
  - We have nominated a Designated Liaison Person for garda vetting. We recognise that the DLP is the only person with whom Youth Theatre Ireland's Liaison Person will share or discuss garda vetting disclosures.
  - We will inform Youth Theatre Ireland as soon as is practicable should we appoint a new Designated Liaison Person.
    - We will follow the procedure for eVetting as outlined in the policy. ●
- We recognise that each applicant must complete a Vetting Invite Form and we will provide applicants with a copy of the **Information For Vetting Applicants** provided by Youth Theatre Ireland. We will also supply them with a copy of the Garda Vetting Consortium Policy should they request it.
- We will validate the identity of all vetting applicants as outlined in the policy. The DLP will forward a copy of the proof of identity documents to Youth Theatre Ireland's Liaison Person with the completed Vetting Invite Form.
  - We will adhere to the guidance provided by the National Vetting Bureau when validating identity.
  - We accept that garda vetting is only one aspect of good recruitment and child protection/welfare practice.
  - We accept it is the Graffiti's responsibility and not that of Youth Theatre Ireland to ensure all employees/volunteers who carry out relevant work submit a garda vetting application.
  - We will ensure all applicants are aware of the necessity of submitting their vetting application without delay.
  - We understand that vetting disclosures are of a highly sensitive nature and subject to data protection legislation. We will follow the guidance on confidentiality and retention of garda vetting disclosures provided in the policy.

- We agree to develop a mechanism and procedure for decision-making and appeals based on best practice as contained in the policy.
- We recognise the necessity of managing disclosures within a legislative, human rights and natural justice framework. ● We acknowledge that it is the responsibility of Graffiti, and not that of Youth Theatre Ireland, to make decisions on garda vetting disclosures.
- We give permission for the name of the company and the contact address to be provided to the National Vetting Bureau as is required of all consortia members under the legislation.
- We are aware that if Graffiti ceases to be affiliated to Youth Theatre Ireland, their membership of the Consortium is automatically terminated.
- We are aware that Youth Theatre Ireland retains the right to terminate a youth theatre/organisation's membership of the Consortium at any time should they be in breach of the policy and this agreement.
- Youth Theatre Ireland reserves the right to make amendments to this policy. Amendments become binding once written notification is sent to Consortium Members.

**A copy of Youth Theatre Ireland's Garda Vetting Consortium is available from the youth theatre on request.**

Our Designated Liaison Persons for Garda Vetting are Julie O'Leary and Niall Cleary

### **Who do we Vet?**

We will adhere to the garda vetting legislation and vet those who carrying out relevant work:

### **Relevant work is defined by the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016 as follows:**

*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 in:*

- *Childcare Services*
- *Schools*
- *Hospitals and health services*
- *Residential services or accommodation for children or vulnerable persons*
- *Treatment, therapy or counselling services for children or vulnerable*

*persons*

- *Provision of leisure or physical activities to children or vulnerable persons (unless this is incidental to the provision of services to a mixed group including adults)*
- *Promotion of religious beliefs*

The only exemptions to vetting listed are:

***Persons who assist occasionally and on a voluntary basis*** in certain activities or events be they school, sport or recreational. This provision recognises the occasional but necessary involvement or assistance of parents or other persons in certain activities in which children or vulnerable persons are participating. [The National Vetting Bureau Act]....will apply where such involvement includes coaching, mentoring, counselling, teaching or training of children or vulnerable persons.

Hence we require all staff/volunteers who have any facilitation, training or teaching role in the youth theatre to submit a vetting application form.

We also vet those who fall into the following categories:

- Any person whose role involves supervision of young people e.g. a leader for a trip away or an volunteer/staff member who fulfills the 'second adult' in the workshop space role. Also included is anyone engaged to carry out extra supervision for productions etc.
- Any person with an admin role who may carry out supervision of members or have direct contact with members through their role. ●  
Directors/Assistant Directors of productions
- Stage Managers and Production Managers
- Costume/Lighting/Sound Designers and Operatives
- Those documenting events involving members
- Those evaluating events involving members
- Any person whose role may involve communicating directly with young people.

We recognise that we cannot issue a contract or engage the services of anyone carrying out relevant work without receiving a garda vetting disclosure. Therefore, when planning our programme, we will make an assessment of the individuals we will need to deliver elements of the programme that involve relevant work with children/young people. Once these potential staff members have been identified, we will contact them to begin the garda vetting process.

## **Decision-Making on Garda Vetting Disclosures**

We recognise that while the well-being of children/young people is of paramount importance, receiving a disclosure outlining a conviction in relation to a potential staff member does not necessarily mean this person cannot be employed by the youth theatre.

We will adhere to the decision-making guidance provided in Youth Theatre Ireland's Garda Vetting Consortium Policy including the factors to be considered when making decisions on garda vetting disclosures.

We will also follow Youth Theatre Ireland's advised procedure for Disputes/Appeals as contained in the organisation's Garda Vetting Consortium Policy.

For details of our approach to confidentiality and retention of garda vetting disclosures, see our **Confidentiality Policy(appendix 2)**

## **International Vetting**

Under the Irish vetting system, even if an applicant has no Irish addresses, they are still required to make an application for garda vetting. The e-Vetting system allows inclusion of addresses from anywhere in the world.

Where a potential staff member/volunteer has no Irish addresses (or has spent a considerable period of time outside Ireland) we will also request a copy of the standard police clearance available in the jurisdiction(s) in question.

### **(d) Dealing with an allegation against staff**

When dealing with an allegation against a staff member, two separate procedures will be followed in parallel:

1. In respect of the child/young person: Niall Cleary will deal with issues related to the child/young person.
2. In respect of the person against whom the allegation is made: Lynn Canham will deal with issues related to the staff member.

***In the event of complaints against Lynn Canham, or the mandated or DLP staff member then the person who should be contacted is Niamh Menton: 086 3736242***

The first priority is to ensure that no child or young person is exposed to unnecessary risk.

Subject to not putting the child in any further danger:

- both the primary carers and child/young person will be informed of actions planned and taken.
- The child/young person will be dealt with in an age-appropriate manner;
- The staff member will be informed as soon as possible of the nature of the allegation;
- The staff member should be given the opportunity to respond;
- The chairperson/head of the organisation will be informed as soon as possible;
- Any action following an allegation of abuse against an employee will be taken in consultation with Health Service Executive and Gardaí;
- After consultation, the Chairperson/head of organisation will advise the person accused and agreed procedures will be followed;
- Complaints or comments will be responded to within 3 weeks; Niall Cleary, Lynn Canham and Niamh Menton have responsibility for directing complaints/comments to the appropriate person;
- Verbal complaints will be logged and responded to.

### **(e) Complaints Procedures**

In the event of a grievance expressed by a child or young person to a member of staff:

The receiver of the complaint must bring that grievance or complaint to his/her line manager or to the General Manager or CEO;  
The complainant will be informed that the issues will be investigated and that they will receive a response within three weeks.  
The issues/incidents will be investigated by senior staff.

#### **In the event of a grievance expressed by a primary carer to a member of staff:**

The receiver of the complaint must bring that information to the line manager or to the General Manager or to the CEO;  
The complainant will be informed that the issues will be investigated and

that they will receive a response within three weeks.  
The issues/incidents will be investigated by senior staff.

**In the event of staff complaints**, the procedures followed will be in accordance with those laid down in the Staff Handbook.

The ultimate responsibility for dealing with complaints rests with The Artistic Director & CEO (Niall Cleary) and the General Manager (Lynn Canham) but in practice – and depending on the severity of the complaint – complaints/grievances/comments are dealt with by the line managers of the various aspects of the company:

Associate Director: Sile Ní Bhroin

Touring Company: The on-tour Production Manager

Schools Work: Christine Callanan

Creative Workshops: Julie O’Leary

#### **(f) Information for Designated Personnel**

A designated person should be in a senior position, have knowledge of the organisation, have good listening / feedback skills , be approachable and accessible and be familiar with the topic of abuse.

Their role is to provide information and advice , receive and consider child protection concerns , consult with the Health Service Executive, make a formal referral , maintain confidential records, inform parents and carers

#### **Key Contacts for the Designated Persons**

**Duty Social Worker, South Lee 021 – 4923001**

**Duty Social Worker, North Lee 021 – 4927000**

**Duty Social Worker, North Cork 022 – 30200**

**Duty Social Worker, West Cork 066 – 7184887**

**Gardai, Anglesea Street 021 – 4544000**

**Sexual Assault Treatment Unit 021 – 4926297**

**HSE South 021 – 4529028**

**Sheelagh Broderick**

**Information Officer – Children First 087 - 2224829**

[www.tusla.ie](http://www.tusla.ie)

## **Louise Holihan at Youth Theatre Ireland**

### **Information notes for Designated Personnel**

- The HSE is available to do a one hour briefing for staff or organisations which have a policy in place.
- When developing the Policy imagine someone reading it for the first time and ensure that they have instant access to the procedures.
- If a report is made to you, you can contact the relevant person in the young person's area, describe what you have been told and ask them for advice. Ask early and avoid anxiety for both yourself and the staff member concerned. The hours are 9 – 5 and in an emergency, they will come out to you.
- Your role is to be the cool head!
- Parents/carers should be informed about the reporting but not if it is felt that to do so would further endanger the young person.
- The manner of contacting the parents is crucial. Remember the whole thing is about making things better, not demonising. Parents have a right to know about their children. The Designated Person will contact any parent or carer by phone in the case of any report filed with her by a member of staff.
- The recruitment policy should be in the info pack for all new members of staff.
- It is a good idea to ask for confirmation of identity as well as references when employing new staff.
- Remember that the Guidelines are quite generic but procedures are specific and it's having those procedures in place which protects the individuals and company
- Remember that there is an inter-agency approach to Child protection - seek help or advise when needed

## Section 7. Youth Theatre

### (a) Welfare and Child Protection

Activate Youth Theatre and other long term projects that are resident at Graffiti Theatre will require additional administrative and health and safety measures to ensure that children and young people are safe in our care.

**The most important element of these measures is to ensure that every member completes a registration form when they join the youth theatre or any other long term project.**

The registration form will require parents or legal guardians to provide information on participants name, age, contact details, contact for guardians, medical conditions, special requirements or any other information that could inform a young person's ability to participate in the project. Members that are over the age of 18 can complete their own registration form, but they must provide a contact for a parent or guardian in the case of an emergency.

The Youth Theatre or project leader should:

- Be familiar with the Youth Theatre's Policies and Procedures
- Be familiar with any medical or other factors that may affect a young person's participation. If privy to sensitive personal information ensure it is managed in line with the Youth Theatre's **Confidentiality and GDPR Policy (Appendix 2)**
- Report any concerns about the wellbeing of a member to the youth theatre Designated Liaison Person (Julie O'Leary) and follow reporting procedures.
- Respect a young person's personal space and privacy. • Never behave in a way that could be interpreted as inappropriate.
- Never let a situation get out of control -often the worst thing to do is nothing.
- Avoid taking a session alone. Primary carers should be informed if this is going to be the case.
- Be sensitive to instances of bullying and follow the Youth Theatre's Policy.
- Try to avoid giving lifts to members if at all possible. Use common sense if a scenario arises where you feel it is necessary to bring a young person home.



- Avoid spending excessive amounts of time alone with young people and don't socialise inappropriately with members e.g. outside of organised youth theatre activities.
- Be mindful of how meeting an individual young person could be interpreted. Ideally have another adult present or meet in a public place.
- Be mindful of the danger of creating "dependent" relationships with specific young people. Such relationships can be problematic for both leader and member and often if a young person needs support with a particular issue or situation, you should refer them to a third party with specific expertise. Let the Designated Person know should an issue arise.
- Recognise the importance and weight of personal promises to members. Never make promises you can't keep e.g. if a young person makes a disclosure of abuse to you, you can't promise confidentiality.

### **(b) Youth Theatre Leaders**

In Youth Theatre and Project Practice - workshops, productions, special projects - youth theatre leaders should remember to:

- Treat all young people fairly and equitably – do not discriminate on the grounds of gender, race, religion, ethnicity, cultural background, sexual orientation or socioeconomic status, family status, age or disability;
- Listen to and respect the opinions of members;
- Act in a way that is professional and responsible;
- Help create an environment in which members feel comfortable, accepted and able to express themselves;
- Ensure that the material/approach is age appropriate and suits the developmental needs of the group;
- Provide encouragement and support to all young people regardless of their ability;
- All criticism should be constructive and not overly focused on any one individual;
- Adhere to and enforce the group contract;

\*See note on contract below\*

- Encourage feedback and discussion
- Use appropriate language. Avoid jokes or comments that could be interpreted as inappropriate;
- If delivering a workshop session or leading a rehearsal, ensure adequate preparation;
- Be willing to participate in evaluations;
- Never use an individual's personal trauma as material for the drama process;
- Be prepared for situations whereby issues raised in the drama workshop may make a young person uncomfortable or upset. This may even happen with material that seems 'safe';
- Be aware of their own level of competence and expertise. Do not introduce exercises or material that he/she doesn't feel comfortable in delivering, especially if it is physically demanding and/or involves increased risk;
- Be aware that their work with the group and how they conduct themselves will have a bearing on the reputation of the youth theatre;
  - Be mindful of the participant's level of comfort when doing exercises that require physical contact. Ask a young person's permission before making physical contact with them.

**\*\*See note on Physical contact below\*\***

- All Youth Theatre Staff will abide by Graffiti's GDPR policy in relation to images, recordings and data for YT members. All images and recordings will be stored in line with Graffiti's policy (Appendix 2).
- The contact numbers of the Designated Child Safety personnel, the contact number for your line manager and the location of the location of emergency numbers
- The location of the contact numbers of the parents/carers of all the people involved in the Youth Theatre (emergency contact list with Julie O'Leary in main office)
- The location of Fire Exits, appointed Assembly Points and emergency procedures.

### **\*Group Contract\***

A group contract can function to ensure that everyone is aware of what is expected of them and what they can expect from the youth theatre. Discussions around the contract can lead to an open and honest debate. If young people are involved in the drafting process they have a greater

sense of ownership and a greater investment in ensuring that the contract is adhered to. Both the rights and responsibilities should be up for discussion. The group contract can also be used to inform parents of the terms and conditions of membership or participation in an event. It is a good idea for members to sign a copy of the final document.

The youth theatre should make a clear statement that **bullying** is not acceptable and has also developed an anti bullying policy to support the contract.. This can be included in your welfare/child protection statement, but this should also be made clear to members and parents.

It is important that the issue of bullying is raised during the discussions around a group contract. The facilitator should encourage the members to openly discuss what they understand by bullying and its possible effects on a young person and they should also familiarise themselves with different types of bullying so they can raise examples that aren't covered in discussion.

### **\*\*Physical Contact with Members\*\***

There can be confusion around this whole area. Often in the drama space, physical contact can be necessary to an exercise or scene. It is important that leaders use their common sense. Ask a young person if it is ok to make physical contact with them, for example, if demonstrating an exercise. After a performance it should be ok for the director to congratulate a young person with a hug. If in doubt, some organisations use the principle, that once the young person initiates the physical contact it is ok (within limits of course!)

Don't forget: The relationship between leaders and members is integral to youth theatre and can be a make or break factor for youth theatres.

The leader has to think of his/her own welfare too! It can be an intensive and demanding role. Be aware of your own limitations and don't over-reach or exhaust yourself. It is important to have a mentor, friend to act as a sounding board for ideas as well as an occasional shoulder to cry on.

### **(c) Youth Theatre Members**

It is important that young people get the most out of their time in youth theatre. As with anything that involves a group of people working together, it is essential to have a shared sense of purpose, for each person to be aware of their responsibilities and to have a shared code of behaviour so that everyone involved understands what is and what is not acceptable. If there is clarity on such matters, it should mean that all involved get on with the business of youth theatre knowing what the boundaries and limits are.

Young people are at the centre of the work and as stated previously should be listened to and valued. They should openly discuss what they expect from the youth theatre and be able to voice any concerns they may have.

The Youth Theatre will elect members to sit on a council who will represent the Youth Theatres at regular meetings with the Activate Director and Graffiti Management.

### **Members over 18**

Members of the youth theatre who are over 18 are legally adults and therefore have the same legal rights and responsibilities as an adult. This should be considered when drawing up any policy or document that concerns members. The youth theatre needs to decide what its approach will be i.e. do the same rules apply to all members.

The youth theatre should take particular care when dealing with topics that may be divisive e.g. alcohol, smoking, group rules such as going off on their own when away. Activate YT chooses to state that all rules pertain to all members regardless of age.

Young adult members do not have to seek parental consent. It is, however, good practice to still have emergency contacts for them.

A disclosure of abuse by a member over 18 years of age must be handled with the same sensitivity as that of a disclosure by a young person under 18. Ideally with the consent of the victim\*, the youth theatre may decide

to follow the same reporting procedures as with a young person, as the alleged perpetrator may still be in a position to offend. Advice can be sought from the HSE Children and Family Services.

**\*As outlined in the paragraph below, if there is a concern that the alleged abuser may pose a current risk to any child/young person, a report should be made to the HSE (or Gardaí in the case of an emergency). No child should ever be left at risk of abuse.** *Children First (2017)* gives the following guidance on retrospective disclosures by adults:

*An increasing number of adults are disclosing abuse that took place during their childhoods. Such disclosures often come to light when adults attend counselling. **It is essential to establish whether there is any current risk to any child who may be in contact with the alleged abuser revealed in such disclosures.** If any risk is deemed to exist to a child who may be in contact with an alleged abuser, the counsellor/health professional should report the allegation to the HSE Children and Family Services without delay. The HSE **National Counselling Service** is in place to listen to, value and understand those who have been abused in childhood. The Service is a professional, confidential counselling and psychotherapy service and is available free of charge in all regions of the*

country (see hse.ie) The service can be accessed either through healthcare professionals or by way of self-referral (Freephone 1800 477477).

### **(d) Dealing with Challenging or Disruptive Behaviour**

It can be difficult to deal with a member who is behaving in such a way that they are disrupting the work of the group and making other members frustrated and annoyed or even putting themselves or others in danger. It is important that leaders know how to react to such behaviour. The following are points to consider:

It is recommended that more than one leader be present when dealing with a disruptive member.

A written record of any serious incidents of disruptive behaviour should be kept. Follow Graffiti's procedures for reporting incidents (section 5) This record should be given to the Designated Liaison Person.

The DLP should be informed if a member displays such behaviour consistently.

Regardless of how frustrating the situation becomes, leaders should always follow the agreed code of behaviour and never use means such as physical punishment or verbal abuse.

It may be that dealing with a particular young person is beyond the expertise of the youth theatre leaders. It is important that leaders recognise their own limitations. The youth theatre may have to seek advice from a specialist organisation. They could seek advice for instance from the external welfare contact or from Youth Theatre Ireland's Designated Person, Louise Hollahan: [louise@youththeatre.ie](mailto:louise@youththeatre.ie)

Leaders should refer to the group contract and the agreed consequences of breaking the contract.

Keep in mind that the young person is behaving this way for a reason and there may be issues at home or in school. They may: disclose a concern or details of an incident to someone in the youth theatre. Treat them with sensitivity. Take any disclosure or concerns seriously and report to the Designated Person who should follow Graffiti's internal reporting procedures if they have a serious concern about the young person's welfare.

### **Possible ways of reacting to challenging or disruptive behaviour:**

Follow through on agreed sanctions from the group contract.  
Some suggested sanctions:

- 1.** Taking a time out – this could be from a particular exercise or exercises.
- 2.** Finding a way for the young person to make amends e.g. if they broke something to replace it.

**3.** Remind them of the benefits of YT - take part in a theatre trip, performances etc and the consequences if their behaviour doesn't improve i.e. they will not participate in a trip or maybe a specialist workshop. Refer them to the contract.

**4.** If their behaviour continues to be seriously disruptive, the youth theatre may have to consider suspension from the group and even maybe expulsion. Expulsion should be a last resort as the youth theatre may be one of the few positives in a young person's life especially if they are having difficulties at home and/or school. The youth theatre should keep the lines of communication open with the young person even if they are excluded. They may gain some perspective once they don't have youth theatre anymore and realize how important their participation is and be willing to behave differently on re-admittance.

### **(e) Youth Theatre and Technologies**

Young people need to be informed of the risks involved in using new technologies. Most youth theatres have an online presence in the shape of their own website or use a third party site such as a page on a social networking site like Facebook. As part of their commitment to safeguarding the wellbeing of their members, youth theatres should develop guidelines and/or a policy for safe use of such sites. Mobile phones are increasingly being used to communicate with members and there should also be guidelines for their use in relation to the youth theatre.

### **Working Online using Video Conferencing**

Due to the circumstances with regard to COVID-19, working remotely and communicating a lot more online with young people has become the new normal.

Tips for managing Video Meetings: (*Youth Theatre Ireland, Safeguarding Young People when working online, 2020*)

- Do not require young people to have an account to participate, instead invite participants by email with a link to the meeting.
- Meetings should be hosted from an account held and managed by the youth theatre and not from a leader's personal account. More than one youth theatre staff member or volunteer should have access to the account details.

- Ensure that meetings are password protected and can only be

joined by invitees.

- Never invite anyone to join a meeting unless they are a member or leader with the youth theatre.
- It is not advisable to record the meeting. If you do record the meeting, store the recording securely on youth theatre equipment for a specified period of time. It is essential that you inform participants and their parents and guardians that you will be recording the meeting, and get their permission to do so in line with the youth theatre data protection policy, as this is classified as data processing.
- Make yourself familiar with the features of the chosen app in advance, and provide clear guidance for young people on safe use of the app prior to working online.
- Time-limit meetings. As you would with a drama workshop be clear on the planned duration of the online interaction in advance. It is likely that the concentration span possible will be less than that in a regular workshop.
- Be clear on the code of conduct for participants. Set expectations for dressing appropriately, participating fully and working together etc. Work with members to adapt the group contract to cover working online. This includes protocols around image sharing, recording, live streaming, taking screenshots etc, without consent of the group and knowledge of the facilitator.
- Check with members that they are comfortable with using the app and whether they are experiencing any barriers to participation (e.g. no broadband access or access to equipment; a disability that impacts their ability to interact via screen such as visual impairment etc.) Make accommodations as appropriate.
- Reconsider working online if it leads to the significant exclusion of members.

### **Informing Parents and Guardians of Online Workshops**

- Review the parental permissions in place in respect of your members. Even if the existing permissions cover online communications and working, it is worth reviewing if this covers the downloading and use of apps that you may be using for online working. Seek consent and permission from parents with regard to specific Video conferencing technologies (Zoom, Meet, Hangouts, Whatsapp etc) when members are completing the registration form.
- The digital age of consent is 16 so if working with anyone online under that age permission will especially need to be sought from a parent/ guardian for use of each individual app / social media site. However, it is best practice to have relevant parental permissions in place for all members aged 18 and younger. For information on the digital age of consent see: <https://www.webwise.ie/news/gdpr-digital-age-consent/>

### **(f)Transport Arrangements**

It can be difficult as a leader to find yourself in a situation whereby you are

left with a young person who has not been collected or you are concerned that a young person may not get home safely. It is advised that adults use their common sense on such an occasion rather than having a blanket rule about lifts. It should be made clear to parents that if they are collecting their son/daughter and are delayed, that they need to ring and inform a leader. If a leader decides that the best thing is to give the young person a lift, they should ideally have another adult or failing that another young person in the car. They should inform the parent that they will be bringing their son/daughter home. If there are no other adults present, it is a good idea to inform another leader or maybe the Designated Person that they are giving a member a lift.

### **(g): Trips Away From Home**

Participation in an exchange or a festival can be one of the most enjoyable and rewarding aspects of youth theatre involvement both for members and leaders. To be sure that such trips run smoothly it is important to adopt clear guidelines and to prepare properly in advance. Below are some points to consider:

- Leaders should be given a clear description of roles and responsibilities. When choosing leaders try to ensure you choose individuals who are comfortable with the level of responsibility and are equipped to react appropriately should an issue arise or an emergency occur. It is important to choose leaders that the group feel comfortable with and will approach should they have a concern. Ideally adult leaders should have received child protection and other relevant training. They should have completed the Garda Vetting process and have been recruited in line with the youth theatre's Recruitment and Selection policy. Ideally the gender of the leaders should reflect the makeup of the group. A mixed group should have leaders of both genders.
- Give clear information about the trip to parents. Ensure that you have parental consent and contact details for all members aged under 18. Medical details such as allergies and medication should be requested. Parents should be requested to ensure that young people have an adequate supply of medication with them. It is a good idea to have home contact details for those over 18 just in case of an emergency. If members will be doing additional activities that involve some risk such as swimming, permission should be sought.
- Parents/primary carers should be informed that in the event of an emergency that renders the young person unable to travel home with the group, they may have to travel to the location of the event/exchange.
- Agree group rules in advance with the members travelling and provide a copy to parents. It is strongly recommended that all trips



be alcohol-free, regardless of whether over-18's are involved. It is important to recognise that there will probably be shared festival/exchange rules and they will need to be followed. Members should be given clear information on which rules take precedence.

- If travelling abroad it is important that the leaders are familiar with relevant laws and customs of the destination country.
- Adhere to recommended ratio i.e. one leader to every eight young people plus allow an additional one adult for every ten young people. If the group is younger or some have special needs, you may decide to bring more leaders.
- Leaders should bring the youth theatre's Incident/Accident Report forms with them. They should also be familiar with the youth theatre's Welfare/Child Protection policy and have contact details for the Designated Person. They should adhere to the youth theatre's agreed reporting procedures should a child protection concern arise. They should also inform the organisers should an incident/accident arise as depending on the nature of the occurrence, it may be the responsibility of the organisers to deal with the situation or to remedy a health and safety issue.
- Youth theatres should ensure that the trip is covered by their Insurance or if not that they take out adequate insurance for the trip. This is especially important for trips abroad. Contact Youth Theatre Ireland for advice.
- Ensure that the organisers of the exchange/festival provide information such as local doctors and where the nearest hospital is.
- Ideally one of the leaders should be a competent first aider. Bring a well stocked First Aid kit.
- It is recommended that there is discussion around the What if's..... of bringing a group away. A risk assessment basically. For example, decide what would happen if a young person was taken to hospital. In this case it is recommended that one leader go with the young person and one leader remain with the group. Also, what would the process be if a young person was in serious violation of the group rules? For example, it might be decided that parents should come and collect the young person immediately. If so, this should probably be clearly stated on the parental consent form.
- There should be an on-call youth theatre liaison person for the leaders. Someone who is on call should the leaders need assistance or advice. It makes sense for this to be the youth theatre's Designated Person (Julie O'Leary)

- Leaders should have access to money in case of an emergency.
- Leaders should be prepared to raise issues with the organisers. For example, if they feel the accommodation poses a health and safety concern.
- There needs to be a balance struck between the members' privacy and the necessity of supervision especially when they are in the accommodation. For example, leaders should always knock before entering a room.

## **(h) Communications**

**Graffiti** is committed to ensuring all communications with young people are safe, respectful, appropriate, and professional. We communicate with young people and their parents using:

### **Mobile phones**

#### **Email**

Graffiti is aware of the potential for such media to be used by those who would wish to exploit and harm young people and is committed to taking all reasonable measures to ensure all young people who are in receipt of communications are not put at risk of any harm.

### **TELEPHONE/MOBILE PHONE:**

- Staff should not provide members with their own personal mobile phone numbers. All communications via mobile phone should be on Graffiti's mobile phone.
- Any phone communication with young people should only be used for the effective and efficient delivery of the youth theatre programme.
- Access to phones that include members' contact details are controlled and restricted to those with a direct need to access them. Adults involved in the youth theatre should not have members' contact details on their own phone.
- Graffiti does not provide young people's phone numbers to any third party unless there is a legitimate reason and the young person in question gives their permission. An example of this is where a

member is being interviewed by a local newspaper. Parents/guardians must also give permission if a young person is under 18.

- If contacting young people by text message, **\*group texts** will be used instead of text messages to individuals.(see note on groups below).
- In a circumstance when it is necessary to send a text to an individual young person, the text should also be sent to the young person's parent/guardian.
- Copies of all text messages sent to young people should be retained.
- In the case of an emergency, where a young person cannot be located or if they are in danger of harm a staff may contact a young person on their personal phone.
- No images of members should be taken by staff on their personal phone. Images may be taken on the youth theatre phone. Any such images should be managed in line with the youth theatre Use of Images policy.
- Staff should never send any communication that could be interpreted as offensive or inappropriate.
- Graffiti requires that staff members be aware of the possibility of bullying via mobile phone, not only among young people participating in its programmes, but also the possibility that a staff member may use a mobile phone to bully a young person. There is also a possibility that a young person may use a mobile phone to harass or target a staff member]. Any such occurrences will be taken seriously and should be reported to the Designated Liaison Person. All such instances will be managed in line with the youth theatre's **Anti-Bullying Policy**
- The youth theatre requires that all adults involved in the youth theatre be aware of the risk of abuse being carried out/initiated by mobile phone. Any [ member who has any concerns about a mobile phone communication received by a young person should follow Graffiti's **Internal Reporting Procedure**.
- Staff Members should be aware that the sending of offensive or indecent material by mobile phone is treated very seriously under Irish Law.

### **\*Group Texts**

While it is best to communicate with youth theatre members as a group, it is important to note that creating 'groups' on certain communication platforms such as What's App may cause a data protection issue. Some platforms (like What's App) make individual phone numbers visible to each

group member - so members have access to each other's phone numbers. If this is the best form of communication for the group **you must make everyone aware of this, and ask for permission from each member of the group.** You must also offer an alternative communication method should members prefer - email, text message etc. No young person or parent should feel that the 'group' is the only option.

### **USE OF EMAIL:**

- Staff members should not use their own personal email account to communicate with young people. A dedicated youth theatre email account has been set up for this purpose.
- All email communications with young people should be professional, appropriate and respectful.
- Any email communication with young people should only be used for the effective and efficient delivery of the youth theatre programme.
- Copies of emails sent to members are to be retained on the Graffiti email account(s).
- In circumstances where an adult engaged by the youth theatre needs to contact members in relation to a project from an email address other than the youth theatre email address, he/she is required to get permission from the Designated Liaison Person in advance and set up an email address specifically for the purpose. He/she should cease to use this email account once the project is completed. All emails should be CC'd to a Graffiti email address and all replies to the email from members should also be forwarded to a Graffiti email address.
- 'Joke' and 'circular' emails, even if they seem innocuous, should not be forwarded to members.
- Emails sent to and received from members should be retained on the youth theatre email account.
- Graffiti requires that all staff/volunteers be mindful of the possibility of email communications being used not only by a member to bully another member but also as a means for an adult to bully a young person or vice versa. Any such occurrence should be taken seriously and reported to the Designated Liaison Person. All instances will be managed in line with our **Anti-Bullying Policy.**
- Email communications can be used as a means of abuse/initiating abuse. Any staff member who becomes aware of any suspicious communication, should follow the youth theatre's **Internal Reporting Procedure.**

### **(i) Use of Images**

Graffiti is conscious of the responsibility it has for ensuring any

images/video footage of young people are used in a safe and responsible manner that does not put any young person at risk. Photographs and visual images are regarded as personal data under the Data Protection Acts 1998/2003. Therefore all images must be obtained fairly and used only for one or more specified legal purpose.

We have developed the following policy on use of images/footage, informed by the **Arts Council's Guidelines for taking and using images of children and young people in the arts sector (2009)**:

- Images/videos of young people will only be recorded if there is a valid reason relating to the youth theatre programme.
- Consent for the use of images/footage is sought from members and from the parents/guardians where a participant is under 18. ● A refusal of permission will not restrict the participation of a young person in the youth theatre.
- No images should be taken by staff members with their own mobile phone.
- Participants and guardians are informed in advance as to the specific uses of any images/video (e.g. promotional and archival purposes) and as to whether they will be provided to third parties. We will only use images/footage for the reasons specified.
- Care will be taken that young people whose images are captured are dressed in a way that is appropriate to their age.
- Every precaution will be taken to ensure no image/footage used will expose any member to embarrassment or distress.
- We only provide images/video footage to reputable third parties when there is a legitimate reason for doing so e.g. distributing images to the media when promoting a production. We may also share images with funders when requested to do so.
- We will only identify/provide names of individual young people to third parties in a situation where they are being publicly acknowledged. Parental consent will be sought before providing any details of a young person aged under 18.
- When using images/video the youth theatre will not provide information that could be used to make contact with a young person.
- Images/video will only be used in the context in which they were captured.
- Information such as date taken, names, context of images, and whether consent was provided will be stored with images that are retained.

- While in the vast majority of cases images of groups will be used rather than images of individual participants there may be exceptions e.g. in the case of a publicity image when it is agreed that an image of an individual young person is the best way to represent a production or event. If the image of a single young person is used, we will be especially careful that the image is appropriate and that tight control is maintained over how the image is used and distributed.
- Images will be reflective of the diversity of our members. • We will be particularly sensitive when using images of young people whom we are aware are vulnerable and/or have additional needs.
- Any misuse of images/footage should be reported to the Designated Liaison Person as soon as possible.
- If any individual is unhappy with the manner an image/footage is obtained, used or retained by Graffiti, they should follow our Complaints Procedure. Any such complaint will be taken very seriously and procedures will be followed in full.
- While we can not completely control and regulate the taking of photos or video footage at our productions/events by youth theatre members or members of the public, we request that any such images/video are not made available in the public sphere, are used in a way that is appropriate and are kept within the context in which they were captured.
- It will be made clear to members that there are situations when it is inappropriate to capture photos/footage of each other. For example, while young people are getting dressed or undressed. During the drafting of the group contract, young people will be made aware of safe capturing and use of images. It will be made clear to them that they need to think carefully before they post an image where it can be viewed by others and should not take images out of context. They will be reminded there are unscrupulous individuals who might use images to identify young people and may seek to make contact with them.
- Staff members should be alert to the possibility of members capturing and distributing images with a view to causing another young person embarrassment or upset. Participants will be informed that any such occurrence will be taken extremely seriously and will be treated as an instance of bullying. Depending on the circumstances, it may be treated as a child protection issue and a report may be made to the statutory authorities.

### **Use of Images/Footage on the Internet**

The posting of images/footage on the Internet is an area of particular risk

and Graffiti is cognisant of the possibility of images and video being used and manipulated by those who seek to harm children and young people and the danger of any information provided being used to contact a young person with a view to grooming them for abuse.

Graffiti takes the following steps for the use of images/footage on the Internet:

- Particular care will be taken when posting such content on the Internet that it is appropriate, does not provide any information that could be used to contact or locate a young person and does not put a young person at risk in any other way.
- While it is impossible to completely control use of images once they are posted to the internet, we request that all users of our own website and any third party sites on which we have a presence adhere to the following, taken from our usage policy:
  - Do not use any content including images from the site without receiving permission from Graffiti
  - Do not misuse or take out of context any content on the site including images or video footage.
  - Do not tag young people .
  - Any comments added should be respectful and not targeted at any particular young person.
  - Do not add comments to photos that may identify young people in the photo.

### **Legislation and the Internet**

Graffiti is aware that there is legislation in Ireland that has relevance to misuse of the Internet such as the Criminal Law (Sexual Offences) (Amendment) Act 2007, the Non-Fatal Offences Against the Person Act (1997) and the Child Trafficking and Pornography Act 1998. We will make a report to the statutory authorities if there is a criminal dimension to any misuse that relates to the youth theatre's internet presence.

## **Section 8. Projects Housed at Graffiti**

### **(A) BEAG Artists:**

- Are aware of the Graffiti's Health and Safety policy and equipment is checked regularly.
- Are alerted to the need to treat children with dignity and not to ask them to do anything which might embarrass them or be contrary to their cultural or religious precepts.
- Will always be informed of any changes regarding child protection laws or best practise by Graffiti's Designated Liaison, Julie O Leary.
- Understand that the language and tone they adopt are important factors in a child's sense of safety and reassurance. They are trained to consider the impact of the language used by others may have on children and of the need to take steps to avoid a situation where language could be used to unsettle or intimidate children.
- Are trained to consider the safety of the event they are responsible for, the appropriateness of the equipment to be used given the age and ability of the children expected to attend the performance and of the need to take steps to eliminate any activity or equipment that could endanger the children attending the event.
- Encourage independent learning and adults should have minimal physical contact with children. In drama, it is sometimes necessary to have some physical contact when demonstrating exercises or joining in activities to encourage others but staff should be mindful of what/how much contact is appropriate. Where possible staff should demonstrate physical exercises with other workshop staff. Beag artists adhere to the Children's First Safe Touch guidelines.
- Are instructed not to touch children at any time unless the child is at risk of hurting themselves or another person or in a medical emergency.
- Will remove assumptions, judgements and expectations about the cultural and linguistic backgrounds of all families and the team.
- Will regard all individuals equally, showing sensitivity and providing equal opportunities for all children of all backgrounds.
- Will actively intervene in situations when bias is shown and encourage children to challenge bias
- Will demonstrate positive attitudes when making changes to accommodate all children.
- Work as a team with parents and other professionals to develop, carry out and review plans for children with additional support needs.
- Adhere to the company policies around inclusion, safeguarding and use of media.



## **(B) Participation in in-house workshops/events**

Graffiti is feeding-friendly and will endeavor to make a comfortable space for parent and child.

## **(C) If an accident or illness occurs during a BEAG Experience**

- The parents/teacher/guardian and BEAG artists will assess the situation and if necessary remove the child from the activity to be cared for.
- Where appropriate, we will offer first aid assistance and or access to first aid kit and our phone to contact the emergency services, depending on what is necessary. If a child does not need the emergency services, but the child continues to feel ill, BEAG will request that the parent/guardian will take the child home.
- If a child needs to take medication or may need a space where they can be administered medication, the parent must discuss this with BEAG prior to the workshop so a private room can be set up. BEAG staff will not be responsible for personal care.

## **(D) Toilet breaks and personal care**

- Children are taken to the toilet if they need to go, by parents or guardians.
- We advise that younger children are taken to the toilet before the BEAG session commences.
- Parents/guardians/teachers are asked to alert BEAG staff before a visit or performance if their child has any specific needs associated with their health or has a disability which will require BEAG to make a reasonable adjustment in order to enable them to participate in the event.

## **(E) Participation in events outside of Graffiti**

BEAG staff will comply with Graffiti's Child Protection Policies and Procedures at all times when working in an outside setting. Staff should be aware that teachers/parents and staff members in the external venue will have ultimate responsibility for the welfare and safety of the children. School/creche staff and or parents and guardians will also know the children better, and so will be best placed to respond to any concerns or make a report should an incident occur. Each school/venue will have their own policy, and Graffiti staff members should adhere to a school policy, should it differ from ours. It is best practice for the parents and/or staff to remain in the room for the duration of the workshop.

## **Section 9.Partnerships**

Graffiti partners with freelance artists, other organisations, venues and festivals as part of its core work and special project. The important thing to remember is that the principals of Children First and the Code of Behaviour for all staff members apply regardless of whether Graffiti is hosting a project or we are delivering in another venue.

If Graffiti is working with another organisation on a programme/event involving young people, there will be discussion around the welfare and child protection policy and procedures to be used and where responsibility lies in terms of reporting. We will recommend that good practice is followed and that the most robust policy and procedures take precedence.

The following list gives examples of

### **Workshops in Schools or other Venues**

Graffiti staff will comply with Graffiti's Child Protection Policies and Procedures at all times when working in a school setting. Staff should be aware that teachers and staff members in the school will have ultimate responsibility for the welfare and safety of the children. School staff will also know the children better, and so will be best placed to respond to any concerns or make a report should an incident occur. Each school/venue will have their own policy, and Graffiti staff members should adhere to a school policy, should it differ from ours. It is best practice for the class teacher to remain in the room for the duration of the workshop.

### **Theatre Venues**

If Graffiti tours a production to an external venue, the producer or production manager must liaise with the venue to ensure that they have a child protection policy in place, and to share Graffiti's policy and Safeguarding Statement where appropriate. It should also be noted that there may be a separate policy in relation to audience members who are under 18, and that production content may inform the production managers risk assessment for the production.

### **Fighting Words Partnership**

Graffiti hosts weekly workshops as part of the Fighting Words creative writing programme. Fighting Words supports the delivery of the programme, and works with Graffiti to ensure that all Child Protection Policies and Procedures are adhered to. As this is a long-standing partnership, there are particular agreements in place:

- (a) Fighting Words and Graffiti agree to inform each other of any changes to their Child Protection Policies and procedures, especially where those changes may impact the workshop delivery.
- (b) The Fighting Words Child Safeguarding Statement is displayed in the studio at Graffiti where all Fighting Words workshops take place.
- (c) Volunteers who work with Fighting Words at Graffiti are vetted through Fighting Words and not Youth Theatre Ireland. Both organisations have an agreement, which has been approved by Tusla, that staff members who work across both Fighting Words and Graffiti projects such as Youth Theatre do not have to be vetted by both organisations.
- (d) Fighting Words staff are available to provide training on Child Protection for volunteers who are working with Fighting Words Cork.

## **SECTION 10 Relevant Legislation**

There are a number of key pieces of legislation that relate to child welfare and protection. The information here gives a brief overview of relevant legislation. It is not intended as legal opinion or advice and, if in doubt, you should consult the original legislation.

### **CHILD CARE ACT 1991**

This is the key piece of legislation which regulates child care policy in Ireland. Under this Act, Tusla has a statutory responsibility to promote the welfare of children who are not receiving adequate care and protection. If it is found that a child is not receiving adequate care and protection, Tusla has a duty to take appropriate action to promote the welfare of the child. This may include supporting families in need of assistance in providing care and protection to their children. The Child Care Act also sets out the statutory framework for taking children into care, if necessary.

**PROTECTIONS FOR PERSONS REPORTING CHILD ABUSE ACT 1998** This Act protects you if you make a report of suspected child abuse to designated officers of Tusla, the Health Service Executive (HSE) or to members of the Gardaí as long as the report is made in good faith and is not malicious. Designated officers also include persons authorised by the Chief Executive Officer of Tusla to receive and acknowledge reports of mandated concerns about a child from mandated persons under the Children First Act 2015.

This legal protection means that even if you report a case of suspected child abuse and it proves unfounded, a plaintiff who took an action would have to prove that you had not acted reasonably and in good faith in

making the report. If you make a report in good faith and in the child's best interests, you may also be protected under common law by the defence of qualified privilege.

You can find the full list of persons in Tusla and the HSE who are designated officers under the 1998 Act, on the website of each agency ([www.tusla.ie](http://www.tusla.ie) and [www.hse.ie](http://www.hse.ie)).

### **CRIMINAL JUSTICE ACT 2006**

Section 176 of this Act created an offence of reckless endangerment of children. This offence may be committed by a person who has authority or control over a child or abuser who intentionally or recklessly endangers a child by:

1. Causing or permitting the child to be placed or left in a situation that creates a substantial risk to the child of being a victim of serious harm or sexual abuse; or
2. Failing to take reasonable steps to protect a child from such a risk while knowing that the child is in such a situation.

### **CRIMINAL JUSTICE (WITHHOLDING OF INFORMATION ON OFFENCES AGAINST CHILDREN AND VULNERABLE PERSONS) ACT 2012**

Under this Act, it is a criminal offence to withhold information about a serious offence, including a sexual offence, against a person under 18 years or a vulnerable person. The offence arises where a person knows or believes that

a specified offence has been committed against a child or vulnerable person and he or she has information which would help arrest, prosecute or convict another person for that offence, but fails without reasonable excuse to disclose that information, as soon as it is practicable to do so, to a member of An Garda Síochána.

The provisions of the Withholding legislation are **in addition** to any reporting requirements under the Children First Act 2015.

### **NATIONAL VETTING BUREAU (CHILDREN AND VULNERABLE PERSONS) ACTS 2012-2016**

Under these Acts, it is compulsory for employers to obtain vetting disclosures in relation to anyone who is carrying out relevant work with children or vulnerable adults. The Acts create offences and penalties for persons who fail to comply with their provisions. Statutory obligations on employers in relation to Garda vetting requirements for persons working with children and vulnerable adults are set out in the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012-2016.

### **CHILDREN FIRST ACT 2015**

The Children First Act 2015 is an important addition to the child welfare and protection system as it will help to ensure that child protection concerns are brought to the attention of Tusla without delay.

The Act provides for mandatory reporting of child welfare and protection

concerns by key professionals; comprehensive risk assessment and planning for a strong organisational culture of safeguarding in all services provided

to children; a provision for a register of non-compliance; and the statutory underpinning of the existing Children First Interdepartmental Implementation Group which promotes and oversees cross-sectoral implementation and compliance with Children First.

### **CRIMINAL LAW (SEXUAL OFFENCES) ACT 2017**

This Act addresses the sexual exploitation of children and targets those who engage in this criminal activity. It creates offences relating to the obtaining

or providing of children for the purposes of sexual exploitation. It also creates offences of the types of activity which may occur during the early stages of the predatory process prior to the actual exploitation of a child, for example, using modern technology to prey on children and making arrangements to meet with a child where the intention is to sexually exploit the child. The Act also recognises the existence of underage, consensual peer relationships where any sexual activity falls within strictly defined age limits and the relationship is not intimidatory or exploitative.

### **Appendix 1 - Child Safeguarding Statement**

## **Graffiti Theatre Company Child Safeguarding Statement**

### **1. Nature of the service and principles to safeguard children from harm:**

Creative engagements with Early Years, Primary and Post-Primary children and young people in childcare centres, schools and in the Graffiti Theatre. All the activities are designed to develop the creativity and hearing the voices of young people in a space and atmosphere where young people can be assured of their personal and group safety.

Graffiti Theatre Company is committed to a young person-centred approach in all our work.

We undertake to provide a safe environment and a positive experience, the welfare of the child/young person being of paramount importance.

We will adhere to *Children First: National Guidance for the Protection and Welfare of Children (2017)*.

We have developed policies and procedures to ensure that this commitment is enshrined in all aspects of Graffiti's work. Our Welfare and Child Protection Policy gathers together all policies and procedures that relate to work with young people. The Board recognises it holds ultimate responsibility for the wellbeing of both the staff/volunteers and of all the

children and young people we encounter. The Policy is targeted at all adults, be they staff or volunteers, involved in Graffiti programmes of work. Parents and members of Youth Theatres will be informed of relevant policies and procedures and Youth Theatre members will be informed of procedures and policies as they relate to their participation.

Graffiti works with babies (and their carers/parents) in the BEAG Programme and, for the same grouping, in full-scale productions; with Primary school children (in Creative Learning Workshops and as audience members of professional theatre productions); with two age groups in regular Youth Theatre workshops: ACTIVATE Youth Theatre 14 – 18 and ACTIVATE Junior Youth Theatre (10 – 13); with the Youth Theatres in rehearsals, trips away, theatre visits.

## **2.Risk Assessment**

We have carried out and detailed assessment of any potential for harm to a child while availing of our services. Below is a list of the areas of risk identified and the list of procedures for managing these risks.

**Risk  
identified**

**identified Procedure in place to manage  
risk.**

---

**A.** Risk of harm not Procedure for provision of and being recognised by access to child safeguarding GTC personnel training, induction and information, including the identification of the occurrences of harm.

---

**B.** Risk of harm not All personnel are provided

being reported with procedures for the properly and reporting of child protection promptly by GTC or welfare concerns to Túsla, Personnel including information on the role and responsibilities of the Designated Person and Mandated Persons.

---

**C.** Risk of a young Procedure for the safe

person being harmed recruitment of staff and by GTC personnel volunteers to work with children and young people, including procedure for Garda Vetting. Policy for the supervision/ Training and support of staff/volunteers. Code of Behaviour for staff/volunteers.

---

**D.** Risk of harm due Anti-Bullying Policy

to bullying of a child/  
young person Group Contacts created with participants on all Youth Theatre Programmes

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**E.** Risk of harm Policy on Adult/Young

caused to a young Person Ratios person due to an insufficient number Code of Behaviour for of trained staff staff/volunteers present at an event. Procedure for Residentials

---

**F.** Risk of continued Procedure for the harm arising from the management of mishandling of an allegations of abuse

allegation of misconduct or misconduct or abuse by a young against workers/ person against a volunteers by a young Member of GTC person availing of GTC Personnel services.

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**G.**Risk of harm caused by Policy on GTC personnel communications with communicating with young people young people in an inappropriate manner Code of Behaviour for via social media, Staff/volunteers texting, digital device or other manner.

**H.**Risk of harm caused to Policy on Use of Images a young person by GTC /footage of young personnel through people inappropriate use of video/ images taken by a Code of Behaviour for staff member/ volunteer/ staff/volunteers leader or participant while attending a GTC event or Addressed when activity creating a Group

Contract with participants & staff  
Policy on Interagency Cooperation  
Guidelines for GTC involving young people working with other youth groups.

**I.**Risk of harm due to Confidentiality Policy inappropriate use of young person's personal data.

**J.** Risk of harm to GTC takes account of young people from third the safety of young parties when sharing people when booking accommodation and accommodation and other facilities. travel.



## 2.1 BEAG Child Safeguarding Risk Assessment

### Risk assessment

In accordance with the Children First Act 2017, we have carried out an assessment of any potential for harm to a child while attending Performances or participating in activities with BEAG. A written assessment setting out the areas of risk identified and the service procedures for managing those risks is summarised below:

#### PLEASE NOTE:

**The substantial majority of my projects are performances or workshops where parents/guardians are required to be present throughout the project activity. This substantially minimises risks.**

#### (A) Risk identified:

Potential of harm to a child by a staff member while availing of our services

Procedure in place to manage:

- We have undergone Tusla's Child First Safety Training to spot potential warning signs associated with child protection or welfare.
- Staff candidates are subject to assessment of relevant qualifications, experience and track record in relation to children.
- All staff are expected to adhere to the relevant codes and policies in their interactions with children and young people.
- Non-compliance with these policies and failure to uphold the expected standards of behavior will result in disciplinary action up to and including dismissal.
- Staff are subject to Garda vetting/clearing procedures. Management provides guidance and advice to staff to ensure that children are provided a safe and comfortable environment. Parent/guardian participation is encouraged.
- Parent/guardian feedback is encouraged.

#### (B) Risk identified:

Potential of harm to a child by physical surroundings while availing of our services

Procedure in place to manage:

- Children are supervised at all times. Group numbers are kept small to ensure effective supervision.
- Parents/guardians/teachers and caregivers are on site at all times to supervise their child.
- First aid kit and best practice procedures provided to staff.
- Teacher/Parent/guardian feedback is encouraged.

#### (C) Risk identified:

Potential of harm to a child by another child while availing of our services

Procedure in place to manage:

- We have undergone Tusla's Child First Safety Training to spot potential warning signs associated with child protection or welfare.
- Children are supervised at all times. Group numbers are kept small to ensure effective supervision. Peer-to-peer learning is encouraged and nurtured at workshops.

#### (D) Risk identified:

Potential of a child or co-worker contracting contagious diseases while attending one of our workshops.

Procedure in place to manage:

- We have developed a Guidance document outlining all our strategies with which we will combat the risks associated with the spread of contagious diseases at our workshops.

In undertaking this risk assessment, BEAG has endeavored to identify as far as possible the risks of harm that are relevant to their practice and to ensure that adequate procedures are in place to manage all risks identified. While it is not possible to foresee and remove all risk of harm, the artist has in place the procedures listed in this risk assessment to manage and reduce risk to the greatest possible extent.

#### **4. Procedures.**

Our Child Safeguarding Statement has been developed in line with requirements under the Children First Act 2015 and in line with *Children First: National Guidance for the Protection and Welfare of Children (2017)*. In addition to the procedures listed in our risk assessment, the following procedures support our intention to safeguard children and young people while they are availing of our service:

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- Procedure for maintaining a list of persons in the relevant service who are mandated persons
- Procedure for appointing a relevant person
- Complaints Policy/Procedures
- Disciplinary/Appeals Procedures
- Procedures on giving lifts to young people
- Health and Safety Policies and Procedures
- Policy for informing parents for mandated and non-mandated persons

All procedures listed are available upon request.

#### **5. Implementation**

We recognise that implementation is an ongoing process. Graffiti Theatre Company is committed to the implementation of this Child Safeguarding Statement and the procedures that support our intention to keep children safe from harm while availing of our service.

This Child Safeguarding Statement was reviewed on March 3rd 2022 and will be reviewed again in March 2023, or as soon as practicable after there has been a material change in any matter to which the statement refers.

Signed:



Julie Kellener  
Chairperson  
Graffiti Theatre Company

For queries please contact Lynn Canham, Relevant Person under the Children First Act 2015.

Tel: 021 4397111  
Email: lynn@graffiti.ie

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## **Appendix 3 Data Protection Policy**

### **Graffiti Theatre Company Data Protection Policy**

#### **Introduction**

The purpose of this document is to provide a concise policy statement regarding the Data Protection obligations of Graffiti Theatre Company. This includes obligations in dealing with personal data, in order to ensure that the organisation complies with the requirements of the relevant Irish legislation, namely the Irish Data Protection Act (1988), and the Irish Data Protection (Amendment) Act (2003) and The General Data Protection Regulation (GDPR) (EU) 2016/679

#### **Rationale**

Graffiti Theatre Company must comply with the Data Protection principles set out in the relevant legislation. This Policy applies to all Personal Data collected, processed and stored by Graffiti in relation to its staff, service providers and clients in the course of its activities. Graffiti makes no distinction between the rights of Data Subjects who are employees, and those who are not. All are treated equally under this Policy.

#### **Scope**

The policy covers both personal and sensitive personal data held in relation to data subjects by Graffiti. The policy applies equally to personal data held in manual and automated form.

All Personal and Sensitive Personal Data will be treated with equal care by Graffiti Theatre Company. Both categories will be equally referred-to as

Personal Data in this policy, unless specifically stated otherwise.

This policy should be read in conjunction with the associated Subject Access Request procedure, the Data Retention and Destruction Policy, the Data Retention Periods List and the Data Loss Notification procedure.

### **Graffiti Theatre Company as a Data Controller**

In the course of its daily organisational activities, Graffiti acquires, processes and stores personal data in relation to:

- Employees of Graffiti Theatre Company
- Customers of Graffiti Theatre Company

In accordance with the Irish Data Protection legislation, this data must be acquired and managed fairly. Not all staff members will be expected to be experts in Data Protection legislation. However, Graffiti Theatre Company is committed to ensuring that its staff have sufficient awareness of the legislation in order to be able to anticipate and identify a Data Protection issue, should one arise. In such circumstances, staff must ensure that the General Manager is informed, and in order that appropriate corrective action is taken.

Due to the nature of the services provided by Graffiti Theatre Company, there is regular and active exchange of personal data between Graffiti and its Data Subjects

This policy provides the guidelines for this exchange of information, as well as the procedure to follow in the event that a Graffiti staff member is unsure whether such data can be disclosed.

In general terms, the staff member should consult with the General Manager to seek clarification.

### **Subject Access Requests**

Any formal, written request by a Data Subject for a copy of their personal data (a Subject Access Request) will be referred, as soon as possible, to the General Manager, and will be processed as soon as possible. It is intended that by complying with these guidelines, Graffiti will adhere to best practice regarding the applicable Data Protection legislation.

### **Third-Party Processors**

From time to time Graffiti will need to engage third parties to process personal data on our behalf as necessitated by the nature of the processing. This will be notified to the Data Subject at the point of seeking consent for use of personal data.

Graffiti exercises reasonable care to ensure that the Data Processor carries out the processing in strict compliance with the GDPR, including

ensuring that GDPR compliant Agreements exist between Graffiti and the data processor in respect of the processing.

Third parties that currently process data on our behalf include: Facebook, Twitter, Instagram, Youtube

### **The Data Protection Principles**

The following key principles are enshrined in the Irish legislation and are fundamental to Graffiti's Data Protection policy.

In its capacity as Data Controller, Graffiti ensures that all data shall:

#### **1. Be obtained and processed fairly and lawfully.**

For data to be obtained fairly, the data subject will, at the time the data are being collected, be made aware of:

- The identity of the Data Controller (Graffiti Theatre Company)

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- The purpose(s) for which the data is being collected
- The person(s) to whom the data may be disclosed by the Data Controller
- Any other information that is necessary so that the processing may be fair.

#### **Graffiti Theatre Company will meet this obligation in the following way.**

- Where possible, the informed consent of the Data Subject will be sought before their data is processed;
- Where it is not possible to seek consent, Graffiti will ensure that collection of the data is justified under one of the other lawful processing conditions – legal obligation, contractual necessity, etc.;
- Where Graffiti intends to record activity on CCTV or video, a Fair Processing Notice will be posted in full view;
- Processing of the personal data will be carried out only as part of Graffiti's lawful activities, and Graffiti will safeguard the rights and freedoms of the Data Subject;
- The Data Subject's data will not be disclosed to a third party other than to a party contracted to Graffiti and operating on its behalf.

#### **2. Be obtained only for one or more specified, legitimate purposes.**

Graffiti will obtain data for purposes which are specific, lawful and clearly stated. A Data Subject will have the right to question the purpose(s) for which Graffiti holds their data, and Graffiti will be able to clearly state that purpose or purposes.

**3. Not be further processed in a manner incompatible with the specified purpose(s).**

Any use of the data by Graffiti will be compatible with the purposes for which the data was acquired.

**4. Be kept safe and secure.**

Graffiti Theatre Company will employ high standards of security in order to protect the personal data under its care. Appropriate security measures will be taken to protect against unauthorised access to, or alteration, destruction or disclosure of any personal data held by Graffiti in its capacity as Data Controller.

Access to and management of staff and customer records is limited to those staff members who have appropriate authorisation and password access.

**5. Be kept accurate, complete and up-to-date where necessary.**

Graffiti Theatre Company will:

- ensure that administrative and IT validation processes are in place to conduct regular assessments of data accuracy;
- conduct periodic reviews and audits to ensure that relevant data is kept accurate and up-to-date.
- Staff contact details and details on next-of-kin are reviewed and updated every five years.
- conduct regular assessments in order to establish the need to keep certain Personal Data.

**6. Be adequate, relevant and not excessive in relation to the purpose(s) for which the data were collected and processed.**

Graffiti will ensure that the data it processes in relation to Data Subjects are relevant to the purposes for which those data are collected. Data which are not relevant to such processing will not be acquired or maintained.

**7. Not be kept for longer than is necessary to satisfy the specified purpose(s).**

Graffiti will only retain data (in both a manual and automated format) for as long as a retention period of Eight years

Once the respective retention period has elapsed, Graffiti undertakes to destroy, erase or otherwise put this data beyond use.

**8. Be managed and stored in such a manner that, in the event a Data Subject submits a valid Subject Access Request seeking a copy of their Personal Data, this data can be readily retrieved**

## **and provided to them.**

Graffiti Theatre Company will implement a Subject Access Request procedure by which to manage such requests in an efficient and timely manner, within the timelines stipulated in the legislation.

### **Data Subject Access Requests**

As part of the day-to-day operation of the organisation, Graffiti's staff engage in active and regular exchanges of information with Data Subjects. Where a formal request is submitted by a Data Subject in relation to the data held by Graffiti such a request gives rise to access rights in favour of the Data Subject.

There are specific time-lines within which Graffiti must respond to the Data Subject, depending on the nature and extent of the request. These are outlined in the attached Subject Access Request process document. Graffiti's staff will ensure that, where necessary, such requests are forwarded to the General Manager in a timely manner, and they are processed as quickly and efficiently as possible, but within not more than 40 days from receipt of the request.

### **Implementation**

As a Data Controller, Graffiti ensures that any entity which processes Personal Data on its behalf (a Data Processor) does so in a manner compliant with the Data Protection legislation.

Failure of a Data Processor to manage Graffiti's data in a compliant manner will be viewed as a breach of contract, and will be pursued through the courts.

Failure of Graffiti's staff to process Personal Data in compliance with this policy may result in disciplinary proceedings.

### **Definitions**

For the avoidance of doubt, and for consistency in terminology, the following definitions will apply within this Policy.

**Data** This includes both automated and manual data. Automated data means data held on a computer, or stored with the intention that it is processed on the computer.

Manual data means data that is processed as part of a relevant filing system, or which is stored with the intention that it forms part of a relevant filing system.

**Personal Data** Information which relates to a living individual, who can be identified either directly from that data, or indirectly in conjunction with other data

which is likely to come into the legitimate possession of the Data Controller. (If in doubt, [The Company] refers to the definition issued by the Article 29 Working Party, and updated from time to time.)

**Sensitive**

**Personal Data**

A particular category of Personal data, relating to: Racial or Ethnic Origin, Political Opinions, Religious, Ideological or Philosophical beliefs, Trade Union membership,

Information relating to mental or physical health, information in relation to one's Sexual Orientation, information in relation to commission of a crime and information relating to conviction for a criminal offence.

**Data Controller** A person or entity who, either alone or with others, controls the content and use of Personal Data by determining the purposes and means by which that Personal Data is processed.

**Data Subject** A living individual who is the subject of the Personal Data, i.e. to whom the data relates either directly or indirectly.

**Data Processor** A person or entity who processes Personal Data on behalf of a Data Controller on the basis of a formal, written contract, but who is not an employee of the Data Controller, processing such Data in the course of his/her employment.

**Data Protection Officer**

staff members and service recipients

**Relevant Filing System**

A person appointed by [The Company] to monitor compliance with the appropriate Data Protection legislation, to deal with Subject Access Requests, and to respond to Data Protection queries from

Any set of information in relation to living individuals which is not processed by means of equipment operating automatically (computers), and that is structured, either by reference to individuals, or by reference to criteria relating to individuals, in such a manner that specific information relating to an individual is readily retrievable.



## Appendix 4 - Sample Report Form , Child Protection

### Welfare / Child Protection Reporting Form

<b>Your Name:</b>	
<b>Your Role</b>	
<b>Your Contact Phone No:</b>	
<b>Name of Young Person:</b>	
<b>Date when you had this concern:</b>	
Nature of the concern (Please provide as much factual detail as possible. If the young person or someone else has made a disclosure of abuse/spoken to you about the concern, please try to record his/her own words as accurately as possible.)	

Any other relevant information (e.g. are you aware of any other person who has a concern? have you observed anything relevant previously?)

Signed \_\_\_\_\_

Date\_\_\_\_\_

## Appendix 5 - Sample Report Form for Tusla

Use block letters when filling out this form.

Fields marked with an \* are mandatory.

**1. Tusla Area (this is where the child resides)\***

**2. Date of Report\***

### **3. Details of Child**

First Name*	
Surname	
Date of Birth/ Estimated Age*	
Male* <input type="checkbox"/> Female* <input type="checkbox"/>	
Address/ School Name School Address	
Details of Concerns*	

Please complete the following section with as much detail about the specific child protection or welfare concern or allegation as possible. Include dates, times, incident details and names of anyone who observed any incident. Please include the parents and child's view, if known. Please attach additional sheets, if necessary

### 5. Type of Concern

<b>Child Welfare Concern</b>	<input type="checkbox"/>	
<b>Emotional Abuse</b>	<input type="checkbox"/> <b>Physical Abuse</b>	<input type="checkbox"/>
<b>Neglect</b>	<input type="checkbox"/> <b>Sexual Abuse</b>	<input type="checkbox"/>

### 6. Details of Reporter

<b>First Name</b>		<b>Surname</b>
<b>Address</b> If reporting in a professional capacity, please use your professional address		<b>Organisation</b>
		<b>Position Held</b>
		<b>Mobile No.</b>
		<b>Telephone No.</b>
<b>Eircode</b>		<b>Email Address</b>

<b>Is this a Mandated Report made under Sec 14, Children First Act 2015?*</b> Yes <input type="checkbox"/>	No <input type="checkbox"/>	
<b>Mandated Person's Type</b>		

### 7. Details of Other Persons Where a Joint Report is Being Made

<b>First Name</b>		<b>Surname</b>
<b>Address</b> If reporting in a professional capacity, please use your professional address		<b>Organisation</b>
		<b>Position Held</b>
		<b>Mobile No.</b>
		<b>Telephone No.</b>
<b>Eircode</b>		<b>Email Address</b>

<b>First Name</b>		<b>Surname</b>
<b>Address</b> If reporting in a professional capacity, please		<b>Organisation</b>
		<b>Position Held</b>
		<b>Mobile No.</b>

use your professional address		<b>Telephone No.</b>
<b>Eircode</b>		<b>Email Address</b>

### 8. Parents Aware of Report

<b>Are the child's parents/carers aware that this concern is being reported to Tusla?*</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
<b>If the parent/carer does not know, please indicate reasons:</b>		

### 9. Relationships

<b>Details of Mother</b>		
<b>First Name</b>		<b>Surname</b>
<b>Address</b>		<b>Mobile No.</b>
		<b>Telephone No.</b>
		<b>Email Address</b>
<b>Eircode</b>		

<b>Is the Mother a Legal Guardian?*</b> Yes <input type="checkbox"/>	No <input type="checkbox"/>
--	-----------------------------

<b>Details of Father</b>
--------------------------

<b>First Name</b>		<b>Surname</b>
<b>Address</b>		<b>Mobile No.</b>
		<b>Telephone No.</b>
		<b>Email Address</b>

<b>Eircode</b>		
----------------	--	--

<b>Is the Father a Legal Guardian?*</b> Yes <input type="checkbox"/>	No	<input type="checkbox"/>
--	----	--------------------------

**10. Household Composition**

<b>First Name</b>	<b>Surname</b>	<b>Relationship</b>	<b>Date of Birth Estimated Age</b>	<b>Additional Information e.g. school, occupation, other</b>

**11. Details of Person(s) Allegedly Causing Harm**

<b>First Name*</b>		<b>Surname*</b>
<b>Male*</b>	<input type="checkbox"/>	<b>Female*</b> <input type="checkbox"/>
<b>Address</b>		<b>Date of Birth</b>
		<b>Estimated Age</b>
		<b>Mobile No.</b>
		<b>Telephone No.</b>
<b>Eircode</b>		<b>Email Address</b>
<b>Occupation</b>		<b>Organisation</b>
<b>Position Held</b>		

<b>Relationship to Child</b>	
<b>Address at time of alleged</b>	

<b>incident</b>	
<b>If name unknown please indicate reason</b>	

<b>First Name*</b>		<b>Surname*</b>
<b>Male*</b>	<input type="checkbox"/>	<b>Female*</b> <input type="checkbox"/>
<b>Address</b>		<b>Date of Birth</b>
		<b>Estimated Age</b>
		<b>Mobile No.</b>
		<b>Telephone No.</b>
<b>Eircode</b>		<b>Email Address</b>
<b>Occupation</b>		<b>Organisation</b>
<b>Position Held</b>		