



Seetec

Safeguarding Children & Adults Policy

Republic of Ireland

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1. Introduction

- 1.1 Seetec is committed to safeguarding all children, young people and adults that it comes into contact with. Whilst the organisation has a statutory obligation it also has a moral duty to ensure it functions in a way that safeguards and promotes the welfare of its staff, customers, service users and learners.

2. Purpose / Aim of policy

- 2.1 The purpose of this policy and its subsequent procedures are to outline a clear framework to safeguarding children, young people and adults so that all staff and those working on behalf of the Seetec Group are aware of their roles and responsibilities in identifying concerns, sharing information, and taking prompt action.

3. Scope

- 3.1 This policy applies to all staff, including senior managers, paid staff, volunteers and sessional workers, agency staff, learners, customers, supply chain, contractors, or any other persons who may work on, visit or receive training on Seetec premises or at work placements.
- 3.2 We expect everyone to have read, understood and adhere to this policy and its related procedures.

4. Governing Legislation

- 4.1 The principle pieces of legislation and inter-agency frameworks governing this policy and procedures are:
- Child Care Act 1991
 - Children Act 2001
 - Health Act 2004
 - Protection for Persons Reporting Child Abuse Act 1998
 - Children First: National Guidance 2011
 - Child Protection and Welfare Practice Handbook 2011
 - Safeguarding Vulnerable Persons at Risk of Abuse 2014
 - National Consent Policy HSE 2014
 - The Equal Status Act 2004
 - Data Protection (Amendment) Act 2003

4. Linked Policies

- Whistleblowing policy
- Staff Safeguarding policy
- Code of Conduct
- Bully and Harassment policy
- Complaints procedures
- Individual User Agreement

6. Child Protection and Welfare

- 6.1 The Health Service Executive (HSE) Child Protection & Welfare Practice Handbook defines the term 'child protection concern' as reasonable grounds for believing that a child may have been, is being or is at risk of being physically, sexually or emotionally abused or neglected.
- 6.2 A 'Child Welfare Concern' is defined as being a problem experienced directly by a child, or by the family of a child, that is seen to impact negatively on the child's health, development and welfare, and that warrants assessment and support, but may or may not require a child protection response. The child protection and welfare concerns for the unborn may need to be considered during pregnancy
- 6.3 The Child Care Act 1991 defines a child as anyone under the age of 18 years who is not married.

7. Principles to Protecting Children and Young People

- 7.1 Children First National Guidance (2011) highlights 10 key principles to inform best practice in child protection and welfare. The key principles which explicitly link with this policy are:
- Welfare of the child is of paramount importance.
 - Children have a right to be heard, listened to and taken seriously.
 - Parents and carers have a right to respect and should be consulted and involved in matters that concern their family.
 - The criminal dimension of any action should not be ignored.
 - The prevention, detection and treatment of child abuse or neglect requires a coordinated multi-disciplinary approach, effective management, clarity of responsibility and training of personnel in organisations working with children.

- Professionals and agencies working with adults, who for a range of reasons have serious difficulties meeting their children basic needs for safety and security, must consider the impact of the behaviour on their child and act in the child's best interests.

8. Safeguarding Vulnerable Adults

- 8.1 The Health Service Executive (HSE) states that all adults have the right to be safe and to live free from abuse. All persons are entitled to this right regardless of their circumstances. It identifies safeguarding as ensuring vulnerable adults are treated with respect and dignity, have their welfare promoted and received support in which every effort is made to promote welfare and to prevent the abuse.
- 8.2 The Health Service Executive (HSE) considers a vulnerable person as an adult who may be restricted in capacity to guard him/her self against harm or exploitation or to report such harm or exploitation. This may arise as a result of physical or intellectual impairment and risk of abuse may be influenced by both context and individual circumstances. Because of his or her vulnerability the individual may be in receipt of a care service in his or her home, in the community or be a resident in a residential care home, nursing home or other setting.

9. Principles to Safeguarding Adults

- 9.1 Vulnerable adults have a right to be treated with respect and to feel safe. Health Service Executive outline the following principles as critical to safeguarding of vulnerable persons from abuse:
- Human Rights
 - Person centeredness
 - Advocacy
 - Confidentiality
 - Empowerment
 - Collaboration

10. Policy Statement

- 10.1 Seetec believes that all individuals have an equal right to protection from abuse, regardless of their age, gender, race, religion, ability, language, background, membership of the travelling community, or sexual identity and consider the welfare of the individual as paramount.
- 10.2 The organisation will take every reasonable step to ensure that children, young people and adults are protected. We will safeguard individuals by:
- Valuing them, listening to and respecting them.

- Providing a safe environment for children, young people and adults to learn in.
- Identifying individuals who are suffering, or likely to suffer, significant harm, and report concerns swiftly to relevant agencies.
- Working in partnership with other relevant agencies to support multi-agency safeguarding work.
- Responding effectively to any circumstances giving grounds for concern, or where formal complaints or expressions of anxiety are relayed.
- Providing safeguarding training to all staff to ensure they are aware of their responsibilities and are knowledgeable of the types and signs of abuse.
- Recruiting all staff safely by ensuring that all the necessary checks are made.
- Regularly monitoring and evaluating how our policies, procedures and practices are working to safeguard children and adults.

11. Extremism and Radicalisation

- 11.1 Whilst there are no statutory obligations in Ireland to have regard to the need to prevent people from being drawn into terrorism, preventing radicalisation remains part of Seetec's commitment to protecting children, young people and adults. We see no difference between protecting children, young people and adults from radicalisation than from other forms of harm.
- 11.2 We will ensure this through our vision, values, rules, diverse curriculum and teaching, promoting tolerance and respect for all cultures, faiths and lifestyles.
- 11.3 We will also ensure that:
- Staff understand the issues of radicalisation, can recognise the signs of vulnerability or radicalisation and know how to refer their concerns.
 - We work with An Garda Síochána, HSE, Tusla and other agencies where appropriate about concerns about radicalisation.
 - All staff conduct is consistent with preventing radicalisation.

12. Private Foster Care

- 12.1 The Children's Act 2001 defines private fostering care arrangements as one where a child is in full time care for more than 14 days with a person other than their parent, guardian or a person cohabiting with a parent, guardian or relative.

- 12.2 A person arranging or undertaking a private foster care arrangement must give notice to the Health Service Executive (HSE) of certain matters not less than 30 days before the placement. Failure to do so constitutes a criminal offence.
- 12.3 Where a child is placed in a private foster care arrangement due to an unforeseen emergency, both the person making the arrangements and the person undertaking must notify HSE within 14 days after placement. Failure to notify HSE or take all reasonable measures to safeguard the health, safety and welfare of the child concerned may result in private fostering arrangements being terminated.
- 11.4 Seetec will ensure that all its employees are aware of the regulations set out within the Children's Act 2001 and will contact HSE / Tusla if we become aware that an individual has arranged or been involved in arranging private fostering care. This is to ensure all essential welfare checks for the child are completed plus other support services such as benefits are offered.

13 Safeguarding Allegations Against an Employee

- 13.1 In rare incidences where an allegation has been made about the conduct of a member of staff towards a child or an adult with care and support needs whilst carrying out their work, and it is assessed that there are reasonable grounds for concern, a formal report will be made to the relevant HSE Children and Family Services or Safeguarding and Protection team within the Community Healthcare Organisation. An Garda Síochána will also be notified if it is suspected that the concern or complaint of abuse may be criminal in nature.
- 13.2 The relevant HSE Children's and Family Service will be informed on all cases where there are reasonable grounds for concern that a child may have been, is being or is at risk of being abused or neglected.
- 13.3 Seetec will also inform HSE Children and Family Services the response of the employee after they have been privately informed the fact that an allegation has been made against him / her, and the nature of the allegation.

14. Recording and Information Sharing

- 14.1 All safeguarding concerns, decisions and actions will be recorded promptly and saved securely. This includes retaining a copy of a referral and evidence of prompt completion of any agreed actions to protect a child or adult.
- 14.2 Information sharing decisions will be recorded whether or not the decision is taken to share. Reasons to share should also include what information has been shared and to whom.

- 14.3 Consideration must be given about what information to share and the impact of disclosing information on the individual or any third party. Any information shared must be proportionate to the need and level of risk. It must also be accurate, relevant, and adequate to the purpose of sharing the information.
- 14.4 From the outset of identifying safeguarding concerns we will be open and transparent with the individual about why, what, how and with whom information will, or could be shared. We will also seek their agreement to share information, unless it is unsafe or inappropriate to do so.
- 14.5 All information should be shared in a timely manner to reduce the risk of harm, and in an appropriate and secure way.

15. Accountability / Implementation

- 15.1 Seetec's Managing Director holds the overarching accountability for the Group's safeguarding arrangements.
- 15.2 A senior executive officer / Director will hold the Safeguarding Board lead with strategic responsibility for safeguarding across the Group. They will also ensure any organisational blocks to meeting legislative requirements, this policy and compliance processes are reported to Board to address.
- 15.3 Functional Directors must ensure service specific procedures are implemented and reviewed to ensure compliance with this policy and our statutory obligations. Directors must also ensure safeguarding roles within their functions of responsibility are supported by the provision of sufficient time, funding, and support to fulfil our children's and adults safeguarding responsibilities effectively.
- 15.4 A senior manager will hold the Group policy and operational safeguarding lead. They must ensure policies are contemporary with legislative requirements and that processes across the Group are supporting swift and effective practices.
- 15.5 A human resources manager will be identified as a safeguarding officer to oversee the management of safeguarding allegations and the safer recruitment of staff.
- 15.6 All line managers, including area leads and business managers are responsible for following through the related safeguarding procedures and ensuring their staff have the sufficient training and case management support.
- 15.7 Whilst all service users / learners must be informed of Seetec safeguarding policy and complaints procedures, line managers, area leads, and supply chain managers must ensure that all young persons and adults with special

educational needs and disabilities next of kin or advocate and employment placements are also all informed of these policies.

**Named safeguarding leads are identified within the Safeguarding Department in the Resource Hub.*

16. Training and Caseload Review Meetings

- 16.1 All Seetec employees are required to undertake child and adult safeguarding and prevent training relevant to their role.
- 16.2 Specialist safeguarding roles will attend appropriate training to support them in fulfilling their duties. Where required this training will be sourced externally.
- 16.3 Safeguarding training will be repeated as required and whenever changing legislation and responsibilities requires it. All operational staff and safeguarding leads must attend / complete at least one safeguarding training event every two years.
- 16.4 Caseload review meetings will include a regular review of safeguarding practice to ensure every staff member reflects on the quality of their practice, receives appropriate support and attends the required training.

17. Safer Recruitment

- 17.1 Seetec will have in place safer recruitment practices to ensure those recruited are the best candidates for the role and are suitable to work with children and adults with care and support needs.
- 17.2 Seetec will also adhere to safer recruitment procedures to utilise sessional, volunteers and agency workers. This includes undertaking the appropriate level of vetting and referencing.

18. Children and Young Persons (15 to 18 yrs) on Seetec premises

- 18.1 Thorough risk assessments must be undertaken to ensure that when young people (15-18years olds) are attending Seetec premises they are safe, supported and their presence is managed to minimise the risk of vulnerability.
- 18.2 Due to health and safety and wider safeguarding requirements, children under the age of 16 years who are not participating within a programme should not be brought onto Seetec premises. This also includes the children of Seetec staff.

19. Definition of Abuse and Neglect.

- 19.1 Abuse may be defined as “any act, or failure to act, which results in a breach of a vulnerable person’s human rights, civil liberties, physical and mental integrity, dignity or general wellbeing whether intended or through negligence, including sexual relationships or financial transaction to which the person does not or cannot validly consent, or which are deliberately exploitative. Abuse may take many forms” (Council of Europe 2005).
- 19.2 The World Health Organisation defines child abuse and child maltreatment as “all forms of physical and or emotional ill treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the child’s health, survival, development or dignity in the context of a relationship responsibility, trust or power”.
- 19.3 Child neglect is the persistent failure to meet a child’s basic physical and or psychological needs, likely to result in the serious impairment of the child’s health and development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to: provide adequate food, clothing and shelter (including exclusion from home and abandonment); protect a child from physical and emotional harm or danger; ensure adequate supervision (including the use of inadequate care-givers); or ensure access to appropriate medical care or treatment. It may also include neglect of; or unresponsive to, a child’s basic emotional needs.
- 19.4 Self-neglect in vulnerable adults is a spectrum of behaviours defined as the failure to, engage with self-care acts that adequately regulate independent living or, to take actions to prevent conditions or situations that adversely affect the health and safety of oneself or others.

20. Types of Abuse and Neglect

Physical abuse such as hitting, slapping, pushing, misuse of medication, restraint, hair pulling.

Physical harm may also be caused when a parent or carer pretends the symptoms of, or deliberately causes, ill health to a child whom they are looking after. This is known as **fabricated or induced illness** by carer.

Inadvertent physical abuse arising from poor support or care e.g., bruising from poor moving and handling is classified as ‘neglect’.

Restraint – using force or threatening to use force to make a person do something they are resisting, or where a person’s freedom of movement is restricted.

Sexual abuse – Includes rape, indecent exposure, inappropriate looking or touching, sexual teasing or innuendo, harassment and subjection to sexual pornography or witnessing sexual acts.

Domestic abuse – violence or abuse by someone who is or has been an intimate partner or family member regardless of gender or sexuality. It includes ‘honour’ based violence, stalking behaviours*, emotional, sexual, financial, psychological and physical abuse.

Psychological abuse – emotional abuse, threats of harm or abandonment, humiliation, deprivation of contact from others, verbal abuse, cyber bullying, blaming and controlling.

Financial or material abuse – coercion, theft, and fraud, possessions or benefits.

Discriminatory abuse – verbal abuse, unequal treatment, inappropriate use of language, slurs, treating a person in a way that is inappropriate to their age and /or culture background, deliberate exclusion.

Organisational abuse – neglect and poor care practice.

Neglect and acts of omission – failure to provide access to appropriate needs, care and support or educational services, ignoring medical, emotional or physical care needs.

Self-neglect – either unable or unwilling to provide adequate care for themselves, or obtain necessary care to meet their needs, declining essential support.

- 20.1 Any or all these types of abuse may be perpetrated as a result of deliberate intent, negligence or ignorance. More often adults with care and support needs and children are abused by someone who is well known to them. An abuser may be a paid carer or volunteer, a partner, relative, peer, friend or child, a care worker or other professional or another adult who is receiving services.
- 20.2 Whilst there is a strong correlation between key stalking behaviours* and domestic homicides / domestic abuse, stalking also occurs outside of intimate or interfamilial relationships (Dr Jane Monckton-Smith – Homicide Research Group 2017)

21. Peer on Peer Abuse

21.1 Children and young people can abuse their peers. Alertness to the risk of peer on peer abuse is paramount to preventing, identifying and responding to it. Staff must never dismiss abusive behaviours as a normal part of growing up, or “banter”, and develop high thresholds before acting. Peer on peer abuse must be taken as seriously as abuse by adults.

22. Barriers to Recognising Abuse in Children and Young People with Special Educational Needs and Disabilities

22.1 Children and young people with special educational needs and disabilities are more vulnerable to abuse than non-disabled children. Some of our learners, service users and customers may have life-long developmental difficulties, complex learning needs and autism. Due to the complexity of needs staff must be alert of the additional barriers that exist in relation to disabled children when recognising the signs, symptoms and indicators of all aspects of abuse.

22.2 Additional barriers that may exist which staff might not be consciously aware of include:

- over identifying with the child’s / young person’s parents / carers and being reluctant to accept that abuse or neglect has taken place
- assumptions that indicators of possible abuse such as behaviour, mood and injury that relates to a child’s disability without further explorations
- not being able to understand the child / young person’s method of communication
- a lack of knowledge about the child’s / young person, e.g. not knowing their usual behaviour.

Related Areas to Safeguarding

1.0 Forced Marriage

- 1.1 The tradition of arranged marriages has operated successfully within many countries and communities. A clear distinction must be made between a forced marriage and an arranged marriage. In arranged marriages the families of both spouses take a leading role in arranging the marriage but the choice whether to accept the arrangements remains with the individuals. In forced marriages at least one party does not consent to the marriage and some element of duress is involved. Duress includes both physical and emotional pressure.
- 1.2 Most cases of forced marriage involve young women and girls aged between 13 and 30 years. However, there is evidence that suggests males may also be forced into marriage. This includes heterosexual, as well as gay, bi and transsexual men.
- 1.3 Whilst there is no specific Irish law that addresses forced marriage where parties are under 18 years of age, the permission of a Circuit or High Court is required to marry (Family Law 1995). An application has to be made by the parents of each party who is under the age of 18. Irish legislation is expected to be passed in 2017 where forced marriage will become a specific criminal offence.

2.0 Child Sexual Exploitation

- 2.1 Sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive 'something' (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) because of them performing, and/or another or others performing on them, sexual activities. Child sexual exploitation can occur using technology without the child's immediate recognition; for example, being persuaded to post sexual images on the Internet/mobile phones without immediate payment or gain.
- 2.2 In all cases, those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidation are common, involvement in exploitative relationships being characterised in the main by the child or young person's limited availability of choice resulting from their social/economic and/or emotional vulnerability (National Working Group for Sexually Exploited Children and Young People (NWG) 2008).
- 2.3 Sexual exploitation results in children and young people suffering harm and may be supported to recover whilst others may suffer serious life-long

impairments which may, on occasion, lead to their death, for example through suicide or murder.

3.0 Female Genital Mutilation (FGM)

- 3.1 Female genital mutilation is a collective term for procedures which include the removal of part, or all the external female genitalia for cultural or other non-therapeutic reasons. This practice is not required by any major religion and medical evidence indicates that female genital mutilation causes harm to those who are subjected to it. Girls may be circumcised or genitally mutilated illegally by doctors or traditional health workers in Ireland or the UK or, or sent abroad for the operation.
- 3.2 Female circumcision, excision or infibulation (FGM) is illegal in both Ireland and UK.

4. Modern Slavery / Trafficking

- 4.1 Modern Slavery includes exploitation in the sex industry, forced labour, domestic servitude in the home, illegal adoption, and forced criminal activity. These types of crimes are often called human trafficking. It can be perpetrated against men, women, and children, and include victims that have been brought from overseas, and vulnerable people in the UK and Ireland, being forced to work illegally against their will in many different sectors, including brothels, cannabis farms, nail bars and agriculture. Threats, use of force or other forms of coercion, abduction, abuse of power or position of vulnerability are just some of the ways perpetrators will force their victims to concede.

5. Honour Based Violence

- 5.1 'Honour' based violence is a crime committed when family members or acquaintances feel that dishonour (shame) has been brought to their family or community by doing something that is not in keeping with traditional beliefs of their culture. For example; having a relationship with someone from a different culture or religion, wear clothes or take part in activities that might not be considered traditional within their culture or wanting to leave an arranged marriage or forced marriage.

6. Domestic Abuse

- 6.1. Domestic abuse is defined as an incident or pattern of incidents of controlling, coercive or threatening behaviours, violence or abuse by someone who is or has been an intimate partner or family member regardless of gender or sexuality. It includes 'honour' based violence, emotional, sexual, financial, psychological and physical abuse.

7. Stalking

- 7.1 Stalking can be defined as a pattern of repeated unwanted behaviour that causes an individual to feel distressed, scared, and / or fear violence. It differs from harassment, in that the perpetrator will be obsessed with, or fixated on, the individual they are targeting. Such as repeatedly damaging property, watching or spying including tracking devices, contacting workplaces, colleagues, friends close to the victim, online monitoring, blackmail, making threats to hurt those close to the victim, including their children, repeatedly sending unwanted letters or gifts and sexual and physical assault.

8. Hate Crime

- 8.1. Hate crime or incidents means any incident that is perceived by the victim, or any other person, to be racist, homophobic, transphobic or due to a person's religion, beliefs, gender identity or disability. Anyone can be a victim of hate crime or incidents regardless of race, age, disability, sexuality or gender. Lesbian, gay, bisexual and transgender (LGBT) individuals could face additional concerns around homophobia and gender discrimination. Individuals may be concerned they will not be taken seriously, recognised as a victim. Abusers may also control their victims by threatening to 'out' them to friends and family or support services.

9. Extremism and Radicalisation

- 9.1 Extremism can range from incitement of social, racial or religious hatred through to advocating and justifying the use of violence to achieve fundamental change in society.
- 9.2 Radicalisation is the context of extremism refers to the process by which people come to support violent extremism and, in some cases join terrorist groups. It is important to note however that having radical views is not wrong or illegal. It is when radical views cross over to incitement of hatred and justification of violence that it moves into criminality.

10. Cyber Abuse / Sexting

- 10.1 Cyber bullying is facilitated through electronic technology which includes devices and equipment such as cell phones, computers and tablets. Communication tools are also utilised such as social media sites, chat and websites. Examples of cyber bullying are rumours sent via e-mail or posted on social networking sites and embarrassing pictures, videos, and fake profiles.
- 10.2 Children, young persons and adults who are being bullied in this way have a harder time to remove themselves from this behaviour due to cyber bullying

happening 24 hours a day, 7 days a week, and reach a person when he or she is alone. Messages and images can be posted anonymously and distributed quickly to a very wide audience. It can be difficult or in some cases, impossible to trace the source. It is also extremely difficult to delete inappropriate or harassing messages, texts or pictures once they have been posted or sent.

- 10.3 Sexting describes the use of technology to generate images or videos made by children under age of 18 years of other children; images that are of a sexual nature and are indecent. UK's NSPCC has described sexting as "when someone shares sexual, naked or semi –naked images or videos of themselves or others or sends explicit messages". Young persons under the age of 18 years who send these images of themselves or others are often unaware of the legal implications of sending images, videos and messages or the risks they are exposing themselves to. Creating or sharing explicit images of a child is a criminal offence, even if the person doing it is a child.

11. Gangs

- 11.1 A gang is defined as a "relatively durable group who have collective identity and meet frequently. They are predominately street-based groups of young people who; see themselves (and seen by others) as discernible groups, engage in criminal activity and violence which can be integral to the group's identity, lay claim over territory (this is not just geographical territory but also include illegal economy) and conflict with other similar gangs. The risk posed to young people involved in gangs are being exposed to violence, weapons, drugs and sexual exploitation.
- 11.2 Evidence suggests that gangs are predominately male with an average age of 20 years and extensive criminal histories with the average age at first conviction being 15 years old. However, there is a reported increase in female members in gangs. There is often pressure for girls to associate with young boys in gangs to 'link' with gang members to attain status, for their own protection and perhaps benefit from a criminal lifestyle. Sexual exploitation and abuse is a risk for girls. For example, rape by gang members as a form of retaliation or as an act of violence is said to occur quite frequently in some areas and reports to police are rare due to fear of intimidation.

12. Bullying

- 12.1 Whilst there is no legal definition of bullying it is often described as repeated behaviour which is intended to hurt someone either emotionally or physically and is often aimed at certain people because of their race, religion, gender or sexual orientation or any other aspect such as appearance or disability. It can happen anywhere, including school, university and in the work place. Bullying

can take many forms including, name calling, damaging belongings, making things up to get someone in to trouble, threats, intimidation, stealing money, posting insulting messages, or rumours on the internet etc.

Appendix A

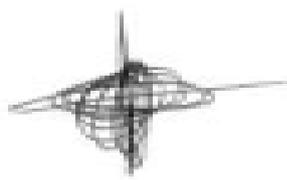
Definition of Ireland's Private Fostering Arrangements

The Children's Act 2001 defines private fostering care arrangements as one where a child is in full time care for more than 14 days with a person other than their parent, guardian or a person cohabiting with a parent, guardian or relative.

A person arranging or undertaking a private foster care arrangement must give notice to the Health Service Executive (HSE) of certain matters not less than 30 days before the placement. Failure to do so constitutes a criminal offence.

Where a child is placed in a private foster care arrangement due to an unforeseen emergency, both the person making the arrangement and the person undertaking must notify the HSE within 14 days after the placement. Failure to notify HSE or to take all reasonable measures to safeguard the health, safety and welfare of the child concerned may result in private fostering arrangements being terminated.

| Record of Amendment | | |
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| Version Number | Date of Issue | Detail of Change |
| 02 | 13/11/18 | Domestic abuse, stalking & LSCB Working Together guide updated |

| Document Sign-Off from Functional Head / Director | | | |
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