

ROUGH

MAGIC

Child Safety Policy

Table of Contents

| | |
|---|-----------|
| Policy Statement | 3 |
| Assessment of Risk..... | 3 |
| Company Commitments | 4 |
| Recruitment and Selection Process | 5 |
| Reporting Procedures | 5 |
| Retrospective Disclosures | 6 |
| Review of Policy | 7 |
| History & Review..... | 7 |
| References | 8 |
| Useful Contacts Information..... | 8 |
| Appendix A: Types of Abuse and How to Recognise Them | 10 |
| Appendix B: Tusla Incident Report Form | 13 |
| Appendix C: Tusla Retrospective Abuse Form | 13 |
| Appendix D: Child Safeguarding Risk Assessment | 13 |

Policy Statement

We believe that children have the right to be treated with respect, and that their views will be taken into consideration in all decisions affecting them. While children are not among the audience groups we produce work for, Rough Magic is committed to safeguarding the wellbeing of any child with whom we come into contact, and promoting the rights of children who may come into our practice.

Rough Magic's policy is to comply with all relevant statutory and regulatory requirements and to adhere to best business practice in all its operations. The organisation is committed to the implementation of good governance, is a member of Safe to Create and observes our Board ratified Dignity in the Workplace Policy.

Our policy on child safety is in accordance with Children First Act 2015 and Children First: National Guidance for the Protection and Welfare of Children 2017.

This Policy details organisational behaviour and best practice, and is fully supported by Senior Management and the Rough Magic Board of Directors. This Policy will be monitored and reviewed every 24 months.

Assessment of Risk

As per the Children Act 2001, a child is defined as a person under the age of 18 years. Before engaging in an activity in which we may come into contact with children, Rough Magic will undertake an assessment of any potential for harm to a child using the HSE Children First Child Safeguarding Risk Assessment (Version 1, April 2024 - see Appendix D). The Designated Person will be responsible for filling out the form.

In relation to a child, harm is defined by the Children First Act 2015 as:

a) assault, ill-treatment or neglect of the child in a manner that seriously affects or is likely to seriously affect the child's health, development or welfare.

or

b) sexual abuse of the child, whether caused by a single act, omission or circumstance or a series or combination of acts, omissions or circumstances, or otherwise.

Some children may be more vulnerable than others. According to Young Ireland: The National Policy Framework for Children & Young People 2023-2028, children with disabilities, mental health challenges, those living in Care or Aftercare, or from minority backgrounds may face additional challenges.

Rough Magic and its Board accept and recognise its responsibility when coming into contact with children that it is of high importance to ensure all employees and self-employed contractors working with the company have the ability to recognise abuse or potential harm to a child (see Appendix A).

Tusla: Children First: A Guide for the Reporting of Child Protection and Welfare Concerns states that you should always inform Tusla if you have reasonable grounds for concern that a child may have been, or is at risk of being abused or neglected.

Tusla offer the following reasonable grounds for a child protection or welfare concern¹:

- Evidence that is consistent with abuse and unlikely to have been caused in any other way. This evidence, for example, could be in the form of an injury or behaviour.
- Any concern about possible sexual abuse.
- Consistent signs that a child is suffering from emotional or physical neglect.
- A child saying or indicating by other means that he or she has been abused.
- Admission or indication by a person of an alleged abuse they committed.
- An account from a person who saw the child being abused.

If an abuse is recognised, Rough Magic employees and self-employed contractors working with the company must share information about their concerns with Tusla in a swift and appropriate manner following procedure as outlined in this document. As per Tusla guidelines, in an emergency situation where you think a child is in immediate danger and you cannot contact Tusla, you should contact an Garda Síochána.

Company Commitments

All those working with Rough Magic, both employees and self employed contractors working with Rough Magic, will be made aware of this policy and it will be readily available to them as part of their Employee Handbook.

Rough Magic has appointed the Executive Director as a Designated Liaison Person to deal with any complaints or issues arising which concern the safety or welfare of any child, and the Producer as Deputy Designated Liaison Person.

We commit to:

- Respect a child's personal space
- Respect children's safety at all times. Be sensitive to any potential risks involved in participating in an arts activity
- Respect differences of ability, culture, religion, race and sexual orientation
- Use appropriate language with children and challenge any inappropriate language used by a young person or an adult working with children

¹ https://www.tusla.ie/uploads/content/4214-TUSLA_Guide_to_Reporters_Guide_A4_v3.pdf

- Never physically punish or in anyway be verbally abusive to a child, nor tell jokes of a adult nature in the presence of children
- Seek consent from a parent/guardian for photography or video recording of any child to be used by Rough Magic
- Report any concerns to appropriate personnel and follow reporting procedures and report/record any incidents and accidents
- Keep up to date with changes and developments in child protection and organising information relating to child protection so that this is accessible to all staff
- Have the most current ratified version of this Policy available on our website at all times
- To issue parental guidance and age limits for our productions to make ticket buyers aware should there be material that would be inappropriate for children

Recruitment and Selection Process

When our work brings us into contact with children all reasonable steps are taken by Rough Magic to ensure only suitable persons will engage with the child.

In the case of working with a child in a professional production, a chaperone licensed by a local authority will be appointed by Rough Magic. A chaperone will be in charge of the child at all times (except when the child is in the charge of their parent or guardian). A chaperone shall be responsible for proper care and control of the child, including their health, comfort and moral welfare.

We will ensure that when our work brings us into contact with children through a workshop or pre-show talk Rough Magic will provide a safe artistic environment for all children. Teacher/Tutor will be present at all times.

In the unlikely event that Rough Magic will ask an employee or self-employed contract worker to engage with a child while unaccompanied by a teacher/chaperone/parent/guardian, that employee or self-employed contractor will be required to consent to Garda vetting which will require adequate lead-in time for processing.

Reporting Procedures

It is not the responsibility of anyone working at Rough Magic to decide whether or not a child is being abused or might be abused. However, there is a responsibility to act on concerns to protect children in order that appropriate agencies can then make enquiries and take any necessary action to protect the child.

The employee or self-employed contractor working with Rough Magic who has received a disclosure of child abuse or who has concerns about a child should bring them to the attention of the Designated Liaison Person immediately.

The Designated Person will be responsible for documenting the staff member's concern on an Incident Report Form (see Appendix B).

Where the Designated Liaison Person considers that the report meets the reasonable grounds for concern, then the Designated Liaison Person can refer to Tusla (The Child and Family Agency).

Records of the report should be factual and include details of contacts, consultations and any actions taken. Records will be kept securely and safely within the organisation and should only be shared in the best interests of the child.

In the event of an emergency where one thinks a child is in immediate danger and cannot get in contact with Tusla, the person should contact the Gardaí. This may be done through any Garda station.

In making a report on suspected or actual child abuse, the Designated Liaison Person must ensure that the first priority is always for the safety and welfare of the child and that no child is ever left in a situation that could place them in immediate danger.

If an allegation is made against a Rough Magic employee/contract worker it will be dealt with appropriately and in accordance with criminal law. The priority is to protect the child while also taking into account the employee/contract worker's right to due process.

In the event of a child disclosing an incident of abuse it is essential that this is dealt with sensitively and professionally by the person involved. In such circumstances, Tusla recommends the person should²:

- React calmly
- Listen carefully and attentively and take the young person seriously
- Reassure the young person that they have taken the right action in talking to you.

In matters of child abuse, the person should never promise to keep secret any information which is divulged. It should be explained to the child that this information cannot be kept secret but only those who need to know in order to safeguard the child, will be told. It is essential in reporting any case of alleged/suspected abuse that the principle of confidentiality applies.

Ask questions for clarification only. Do not ask leading questions, this is not an interview, but rather receiving a disclosure from a child. Check back with the child that what you have heard is correct and understood. Do not express any opinions about the alleged abuser. Record the conversation as soon as possible, in as much detail as possible. Sign and date the record. Ensure that the child understands the procedures which will follow. Pass the information to the Designated Liaison Person. Do not attempt to deal with the problem alone.

The information should only be shared on a 'need to know' basis which means sharing information with persons who have a need to know in order to safeguard a child and is not a breach of confidentiality. The number of people that need to be informed should be kept to a minimum. If there is any doubt as to whether a report should be made, he/she should consult with the Designated Liaison Person.

Examples of reasonable grounds for concern are:

- Specific indication from the child that he/she was abused
- An account by the person who saw the child being abused
- Evidence, such as an injury or behaviour which is consistent with abuse and unlikely to be caused in another way

² <https://www.tusla.ie/children-first/general-public/how-should-i-deal-with-a-disclosure-of-abuse-from-a-child/>

- An injury or behaviour which is consistent 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 of this 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.

Retrospective Disclosures

The term retrospective abuse refers to abuse that an adult discloses that took place during their childhood. In cases of retrospective abuse, a report needs to be made where there is a current or potential future risk to children from the person against whom there is an allegation. In cases of retrospective abuse, where there are no identified children, you should complete a Retrospective Abuse Form and send it to Tusla (please see appendix C).

Review of Policy

The Rough Magic Board will review this policy at 2-year intervals or as appropriate. The Executive Director is responsible for ensuring that this policy is implemented effectively.

History & Review

| | |
|-------------------|------------------------------|
| Ratified/Reviewed | 2018, 2019, 2021, 2023, 2025 |
| Next Review | 2027 |

References

Children First Act 2015

<http://www.irishstatutebook.ie/eli/2015/act/36/enacted/en/pdf>

Tusla: Child Protection and Welfare Practice Handbook. Health Service Executive 2011

<https://www.hse.ie/eng/services/publications/children/welfarepractice.pdf>

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

https://www.tusla.ie/uploads/content/Children_First_National_Guidance_2017.pdf

Tusla: Children First: A Guide for the Reporting of Child Protection and Welfare Concerns

https://www.tusla.ie/uploads/content/4214-TUSLA_Guide_to_Reporters_Guide_A4_v3.pdf

ISPCC Safeguarding Statement 2023

<https://www.ispcc.ie/wp-content/uploads/2023/08/ISPCC-Child-Safeguarding-Statement-Digital-2023.pdf>

Tusla: Child Protection and Welfare Practice Handbook. Health Service Executive 2011.

https://www.tusla.ie/uploads/content/CF_WelfarePracticehandbook.pdf

Tusla: Developing a Child Safeguarding Statement

https://www.tusla.ie/uploads/content/Developing_a_Child_Safeguarding_Statement_-_A_Guide_for_Early_Years_Ser....pdf

Young Ireland: The National Policy Framework for Children & Young People 2023-2028

<https://www.gov.ie/pdf/?file=https://assets.gov.ie/280807/66d25198-b019-4734-b516-0014a119e261.pdf#page=null>

Useful Contact Information

An Garda Síochána

Emergency: 999 or 112

Non-emergency headquarters: (01) 666 0000

Irish Society for the Prevention of Cruelty to Children

Head Office

29 Baggot Street Lower, Dublin

(01) 676 7960

<https://www.ispcc.ie/>

ISPCC

Children's Helpline

1800 66 66 66

<https://www.ispcc.ie/childline>

Tusla - Child and Family Agency

The Brunel Building, Heuston South Quarter, Saint John's Road West, Dublin 8.
01 7718500
info@tusla.ie
<https://www.tusla.ie/>

National Vetting Bureau
<https://vetting.garda.ie/>

Appendix A

The Types of Abuse and How to Recognise Them.

The following definitions taken directly from Tusla: Children First³

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.

Neglect

Child neglect is the most frequently reported category of abuse, both in Ireland and internationally. Ongoing chronic neglect is recognised as being extremely harmful to the development and well-being of the child and may have serious long-term negative consequences.

Neglect occurs when a child does not receive adequate care or supervision to the extent that the child is harmed physically or developmentally. It is generally defined in terms of an omission of care, where a child's health, development or welfare is impaired by being deprived of food, clothing, warmth, hygiene, medical care, intellectual stimulation or supervision and safety. Emotional neglect may also lead to the child having attachment difficulties. The extent of the damage to the child's health, development or welfare is influenced by a range of factors. These factors include the extent, if any, of positive influence in the child's life as well as the age of the child and the frequency and consistency of neglect.

Neglect is associated with poverty but not necessarily caused by it. It is strongly linked to parental substance misuse, domestic violence, and parental mental illness and disability.

A reasonable concern for the child's welfare would exist when neglect becomes typical of the relationship between the child and the parent or carer. This may become apparent where you see the child over a period of time, or the effects of neglect may be obvious based on having seen the child once.

The following are features of child neglect:

- Children being left alone without adequate care and supervision
- Malnourishment, lacking food, unsuitable food or erratic feeding
- Non-organic failure to thrive, i.e. a child not gaining weight due not only to malnutrition but also emotional deprivation
- Failure to provide adequate care for the child's medical and developmental needs, including intellectual stimulation
- Inadequate living conditions – unhygienic conditions, environmental issues, including lack of adequate heating and furniture
- Lack of adequate clothing
- Inattention to basic hygiene
- Lack of protection and exposure to danger, including moral danger, or lack of supervision appropriate to the child's age
- Persistent failure to attend school
- Abandonment or desertion

³ <https://www.tusla.ie/children-first/general-public/what-are-the-types-of-abuse-and-how-do-i-recognise-them/>

Emotional abuse

Emotional abuse is the systematic emotional or psychological ill-treatment of a child as part of the overall relationship between a caregiver and a child. Once-off and occasional difficulties between a parent/carer and child are not considered emotional abuse. Abuse occurs when a child's basic need for attention, affection, approval, consistency and security are not met, due to incapacity or indifference from their parent or caregiver. Emotional abuse can also occur when adults responsible for taking care of children are unaware of and unable (for a range of reasons) to meet their children's emotional and developmental needs. Emotional abuse is not easy to recognise because the effects are not easily seen. A reasonable concern for the child's welfare would exist when the behaviour becomes typical of the relationship between the child and the parent or carer.

Emotional abuse may be seen in some of the following ways:

- Rejection
- Lack of comfort and love
- Lack of attachment
- Lack of proper stimulation (e.g. fun and play)
- Lack of continuity of care (e.g. frequent moves, particularly unplanned)
- Continuous lack of praise and encouragement
- Persistent criticism, sarcasm, hostility or blaming of the child
- Bullying
- Conditional parenting in which care or affection of a child depends on his or her behaviours or actions
- Extreme overprotectiveness
- Inappropriate non-physical punishment (e.g. locking child in bedroom)
- Ongoing family conflicts and family violence
- Seriously inappropriate expectations of a child relative to his/her age and stage of development

There may be no physical signs of emotional abuse unless it occurs with another type of abuse. A child may show signs of emotional abuse through their actions or emotions in several ways. These include insecure attachment, unhappiness, low self-esteem, educational and developmental underachievement, risk taking and aggressive behaviour.

It should be noted that no one indicator is conclusive evidence of emotional abuse. Emotional abuse is more likely to impact negatively on a child where it is persistent over time and where there is a lack of other protective factors.

Physical abuse

Physical abuse is when someone deliberately hurts a child physically or puts them at risk of being physically hurt. It may occur as a single incident or as a pattern of incidents. A reasonable concern exists where the child's health and/ or development is, may be, or has been damaged as a result of suspected physical abuse.

Physical abuse can include the following:

- Physical punishment
- Beating, slapping, hitting or kicking
- Pushing, shaking or throwing
- Pinching, biting, choking or hair-pulling
- Use of excessive force in handling

- Deliberate poisoning
- Suffocation
- Fabricated/induced illness
- Female genital mutilation

The Children First Act 2015 includes a provision that abolishes the common law defence of reasonable chastisement in court proceedings. This defence could previously be invoked by a parent or other person in authority who physically disciplined a child. The change in the legislation now means that in prosecutions relating to assault or physical cruelty, a person who administers such punishment to a child cannot rely on the defence of reasonable chastisement in the legal proceedings. The result of this is that the protections in law relating to assault now apply to a child in the same way as they do to an adult.

Sexual abuse

Sexual abuse occurs when a child is used by another person for his or her gratification or arousal, or for that of others. It includes the child being involved in sexual acts (masturbation, fondling, oral or penetrative sex) or exposing the child to sexual activity directly or through pornography.

Child sexual abuse may cover a wide spectrum of abusive activities. It rarely involves just a single incident and in some instances occurs over a number of years. Child sexual abuse most commonly happens within the family, including older siblings and extended family members.

Cases of sexual abuse mainly come to light through disclosure by the child or his or her siblings/friends, from the suspicions of an adult, and/or by physical symptoms.

It should be remembered that sexual activity involving a young person may be sexual abuse, even if the young person concerned does not themselves recognise it as abusive.

Examples of child sexual abuse include the following:

- Any sexual act intentionally performed in the presence of a child
- An invitation to sexual touching or intentional touching or molesting of a child's body whether by a person or object for the purpose of sexual arousal or gratification
- Masturbation in the presence of a child or the involvement of a child in an act of masturbation
- Sexual intercourse with a child, whether oral, vaginal or anal
- Sexual exploitation of a child, which includes:
 - Inviting, inducing or coercing a child to engage in prostitution or the production of child pornography [for example, exhibition, modelling or posing for the purpose of sexual arousal, gratification or sexual act, including its recording (on film, videotape or other media) or the manipulation, for those purposes, of an image by computer or other means]
 - Inviting, coercing or inducing a child to participate in, or to observe, any sexual, indecent or obscene act
 - Showing sexually explicit material to children, which is often a feature of the 'grooming' process by perpetrators of abuse
- Exposing a child to inappropriate or abusive material through information and communication technology
- Consensual sexual activity involving an adult and an underage person

An Garda Síochána will deal with any criminal aspects of a sexual abuse case under the relevant criminal justice legislation. The prosecution of a sexual offence against a child will be considered within

the wider objective of child welfare and protection. The safety of the child is paramount and at no stage should a child's safety be compromised because of concern for the integrity of a criminal investigation.

Appendix B

Incident Report Form - [Link to PDF Here](#)

Appendix C

Retrospective Abuse Report Form - [Link to PDF Here](#)

Appendix D

Child Safeguarding Risk Assessment Form - [Link to PDF Here](#)