
CLOWNS WITHOUT BORDERS IRELAND

**Child Protection
and Welfare Policy**

May 2020

Clowns Without Borders Ireland Child Protection and Welfare Policy

Clowns Without Borders Ireland (CWB IR) is committed to a child-centred approach to our work with children and young people. It is central to the philosophy of Clowns Without Borders Ireland that children are unconditionally respected and kept safe from harm while engaging with artists from Clowns Without Borders Ireland.

Our aim is to create a safe, creative and fun environment where children and young people who have been subject to untold stresses and trauma can relax and laugh knowing their welfare is paramount.

To realise this aim, we adhere to *Children First: National Guidance for the Protection and Welfare of Children*¹. We operate a code of good practice for all our staff² sub-contractors, interns and volunteers working with children and young people at CWB IR events.

Our Child Protection policy, procedures and practice will be reviewed annually or when new relevant government legislation is introduced. This policy was last reviewed April 2020.



Colm O'Grady,
Director Clowns Without Borders Ireland.

¹ *Children First: National Guidance for the Protection and Welfare of Children*, Department of Children and Youth Affairs, Government Stationery Office, Dublin 2011.

² Henceforth the term, "staff" will be used to refer to staff, sub-contractors, interns and volunteers working under the direction of CWB

1. Policy Statement

Clowns Without Borders Ireland is committed to the following:

- the welfare of the child is paramount
- all children, whatever their age, culture, ability, gender, language, racial origin, religious belief and/or sexual identity should be able to enjoy Clowns Without Borders Ireland performances in a fun and safe environment (in so far as a refugee camp etc can be fun and safe)
- taking all reasonable steps to protect children from harm, discrimination and degrading treatment and to respect their rights, wishes and feelings
- all suspicions and allegations of poor practice or abuse will be taken seriously and responded to swiftly and appropriately
- all CWB IR employees and volunteers who work with children will be recruited with regard to their suitability for that responsibility, and will be provided with guidance and/or training in good practice and child protection procedures
- we recognise that working in partnership with parents/primary carers and children is essential for the protection of children

2. Promoting Good Practice

Introduction

It is not always easy to distinguish poor practice from abuse. It is therefore NOT the responsibility of employees or participants in Clowns Without Borders Ireland to make judgements about whether or not abuse is taking place. However we do acknowledge that it is our responsibility to identify poor practice and possible abuse and act if we have concerns about the welfare of the child.

Good Practice

All personnel should adhere to the following principles and action:

- Treat all children and young people equally, with respect, dignity and as individuals.
- Always put the welfare of the young person first
- Listen to and respect children and young people
- Provide encouragement, support and praise (regardless of ability)
- Offer constructive criticism when needed
- Use appropriate language (physical and verbal). Temper language to the needs and sensitivity of the children present. Casual strong language should be eliminated completely in the presence or hearing of children and their minders. This includes being sensitive to the effects on children of comments made or the way things are phrased. (Regardless of how innocently any comments are made, if a child appears to be disturbed in any way change/retract to the words immediately).
- Children's use of inappropriate language must not go unchallenged
- Give every child the right to participate in an arts activity regardless of ability
- Make the experience of clowning fun and enjoyable: promote fairness, confront and deal with bullying. Encourage a positive atmosphere of trust
- Always work in an open environment (e.g. avoiding private or unobserved situations and encouraging open communication with no secrets)
- Maintain a safe and appropriate distance with children (e.g. it is not appropriate for staff or volunteers to have an intimate relationship with a child or to share a room with them)

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- Avoid unnecessary physical contact with young people. Where any form of manual/physical support is required it should be provided openly and with the consent of the young person. Physical contact can be appropriate so long as it is neither intrusive nor disturbing and the young person's consent has been given
- Check with children/young people about their level of comfort when doing touch exercises. This would relate to workshops, such as dance, where there is a lot of contact due to the nature of the art form
- Involve parents/guardians/in loco parentis wherever possible
- Ensure that at away events adults should not enter a young person's room or invite young people to their rooms
- Be an excellent role model, this includes not smoking, drinking alcohol or abusing substances in the company of young people
- Be aware of accident procedure and follow accordingly
- Don't 'not do anything' in relation to concerns
- Ensure clear communication between artist and organisations

In the case of an observed incident of bullying:

- Separate the children the instant the bullying incident has been observed
- Observe further interactions between children
- Notify the designated person or duty manager if they are not already aware of the problem

If during your care you accidentally hurt a young person, the young person seems distressed in any manner, appears to be sexually aroused by your actions and/or if the young person misunderstands or misinterprets something you have done, report any such incidents as soon as possible to another colleague and make a written note of it. Parents should also be informed of the incident.

Poor Practice

The following are regarded as poor practice and should be avoided by all personnel:

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- Unnecessarily spending excessive amounts of time alone with young people away from others
- Taking young people alone in a car on journeys, however short
- Taking young people to your home where they will be alone with you
- Sharing a room with a young person
- Doing things of a personal nature that the young person can do for themselves
- Don't allow/engage in inappropriate touching of any form
- Don't socialise inappropriately with children/young people (e.g. outside of structured organisational activities).
- Don't allow or engage in inappropriate touching of any form
- Making sexually suggestive comments to a young person, even in fun
- Engaging in rough, physical or sexually provocative games, including horseplay
- Don't use/allow offensive or sexually suggestive physical and/or verbal language. Allowing young people to use inappropriate language unchallenged
- Reducing a young person to tears as a form of control
- Don't single out a particular child/young person (for unfair favouritism, criticism or ridicule)
- Don't hit or physically chastise children/young people
- Don't allow allegations made by a young person to go unchallenged, unrecorded or not acted upon

When a case arises where it is impractical/impossible to avoid certain situations e.g. transporting a young person in your car, the tasks should only be carried out with the full understanding and consent of the parent/carer and the young person involved.

Use of Photographic/Filming Equipment at Clowns Without Borders Ireland Events

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CWB Ireland adheres to the Arts Council's and Dóchas guidelines for taking and using images of children and young people in the arts sector.

It is understood that photographs and/or film footage taken in these situations will only be used by CWB Ireland to document the work being done by the organisation and will not be used by other individuals/organisations for any other purpose.

Images may only be taken by designated CWB Ireland personnel or by the media (or media collection agencies) with the agreement of the managers of the place of performance and with parental/guardian consent.

Please also see our CWB International Photo and Visibility Policy, adopted by the board.

3. Responding to Suspicions and Allegations

Introduction

It is not the responsibility of anyone working in Clowns Without Borders Ireland in a paid or unpaid capacity to decide whether or not child abuse has taken place. However there is a responsibility to act on any concerns through contact with the appropriate authorities so that they can then make inquiries and take necessary action to protect the young person.

Receiving Evidence of Possible Abuse

We may become aware of possible abuse in various ways. We may see it happening or it may be reported to us by someone else or directly by the young person affected.

It is particularly important to respond appropriately. If a young person says or indicates that they are being abused, you should:

- **stay calm** so as not to frighten the young person

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- **reassure** the child that they are not to blame and that it was right to tell
- **listen** to the child, showing that you are taking them seriously
- **keep questions to a minimum** but ensure that there is a clear and accurate understanding of what has been said. The law is very strict and child abuse cases have been dismissed where it is felt that the child has been led or words and ideas have been suggested during questioning. Only ask questions to clarify
- **inform** the child that you have to inform other people about what they have told you. Tell the child this is to help stop the abuse continuing.
- **safety of the child** is paramount. If the child needs urgent medical attention call an ambulance, inform the doctors of the concern and ensure they are made aware that this is a child protection issue
- **record** all information
- **report** the incident to the Designated Officer and/or Director of Clowns Without Borders Ireland. Each project of CWB IR will have a specific designated officer

Reporting the Concern

All suspicions and allegations MUST be reported appropriately. It is recognised that strong emotions can be aroused particularly in cases where sexual abuse is suspected or where there is misplaced loyalty to a colleague. It is important to understand these feelings but not allow them to interfere with your judgement about any action to take.

What are Reasonable Grounds for Concern?

- Explicit indication from the child or young person that s/he has been abused
- An account by a person who saw the child/young person being abused
- Evidence, such as an injury or behaviour, which is consistent with abuse and unlikely to be caused another way

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- 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. For example, a pattern of injuries, an implausible explanation, other indications of abuse, dysfunctional behaviour consistent indication, over a period of time, that a child or young person is suffering from emotional or physical neglect.
- Consistent indication, over a period of time that a child is suffering from emotional or physical neglect.

Reporting procedure: who to contact regarding child protection and welfare

- Aoife Raleigh has been designated the person to contact if you have an issue or concern about any aspect of the a child's safety or young person's safety and welfare. It is the responsibility of this person 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.

Aoife O'Reilly can be contacted at aoife.raleigh@gmail.com, 0831639599.

Colm O'Grady has been designated as Deputy Designated Person and can be contacted at colm@colmogrady.com

Records will be stored securely and confidentiality will be maintained (see Confidentiality statement below).

Staff should record the following information in relation to children and vulnerable adults:

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

Reporting procedures

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Organisations should develop very clear reporting procedures for matters relating to a child/young person's safety and welfare.

The reporting procedure should be known and accessible to all staff;

The person who expresses the concern should be involved and kept informed;
Actions and outcomes should be noted;

Record all details, including the date, time and people involved in the concern or disclosure and the facts. Information recorded should be factual. Any opinions should be supported by facts. The sample report form in Appendix 1 should be used.

Inform the Designated Person or his or her deputy, if unavailable;

The most appropriate person should discuss the concern or consult with primary carers. Parents, carers or responsible adults should be made aware of a report to the Health Service Executive unless it is likely to put the child/young person at further risk;

The Designated Person may contact the Health Service Executive Duty Social Work Department for an informal consultation prior to making a report;

Information will be shared on a strictly 'need to know' basis (see Confidentiality statement);

If there are reasonable grounds for concern as outlined above, the designated person will contact the Duty Social Worker in the Health Service Executive area using the standard reporting form available from the Health Service Executive. Reports to the Duty Social Worker can be made verbally initially and then followed by the standard reporting form. Reports should be made to the Health Service Executive without delay;

If the Designated Person or Deputy Designated Person is not available, contact the local Duty Social Worker of the Health Service Executive directly;

In case of emergencies outside of Health Service Executive Social Work Department hours, contact the Gardaí. In situations that threaten the immediate safety of a child/ young person, it may be necessary to contact the Gardaí.

Confidentiality statement

Clowns without Borders Ireland are committed to ensuring peoples' rights to confidentiality. However, in relation to child protection and welfare we undertake that:

Information will only be forwarded on a 'need to know' basis in order to safeguard the child/vulnerable adult;

Giving such information to others for the protection of a child or vulnerable adult is not a breach of confidentiality;

We cannot guarantee total confidentiality where the best interests of the child or vulnerable adult are at risk;

Primary carers, children and vulnerable adults 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;

Clowns Without Borders Ireland expects it's members and staff to discuss any concerns they may have about the welfare of a child immediately with the Designated Officer or the person in charge of the service and subsequently to check that appropriate action has been taken.

Allegations against an artist/volunteer

In the event of an allegation against an employee/volunteer/student –

- The priority is to ensure that no child or young person is exposed to unnecessary risk
- The reporting procedures should then be followed. Parents/carers and children (age appropriate) should be informed of actions planned and taken
- The volunteer/artist will be informed as soon as possible that an allegation has been made against him/her and the nature of the allegation
- The employee/volunteer/student should be given the opportunity to respond
- Inform the chairperson/head of the organisation as soon as possible

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- Any action following an allegation of abuse against an employee should be taken in consultation with the Health Service Executive (HSE) and Gardaí
- After consultation, chairperson/head of organisation will advise person accused and agreed procedures will be followed
- Complaints/comments will be responded to within one day
- Verbal complaints will be logged and responded to at the time

As mentioned previously in this document Clowns Without Borders Ireland are not child protection experts and it is not their responsibility to determine whether or not abuse has taken place. All suspicions and allegations must be shared with professional agencies that are responsible for child protection.

Social services have a legal responsibility to investigate all child protection referrals by talking to the child and family (where appropriate), gathering information from other people who know the child and making inquiries jointly with the police.

4. Accident Procedures

- Staff should ensure children and young people are aware of risks of dangerous material in relation to workshops and other appropriate events
- Project and production managers should record details of risky equipment used and steps taken to minimise risk for workshops and performances
- keep a written record of any injury that occurs, along with details of any treatment given

5. Suitability of Personnel

Clowns Without Borders Ireland will ensure that artists and volunteers are carefully selected, trained and supervised to provide a safe artistic environment for all children and young people.

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New artists/volunteers will be made aware of the organisation's Child Protection and Welfare Policy, designated persons and their role in procedures and policies.

- All staff and volunteers will be Garda vetted
- All employees and volunteers will receive formal or informal induction during which CWB IR's child protection procedures are explained and training needs identified
- Staff and volunteers will be encouraged to analyse their own practice against what is deemed good practice, and to ensure their practice is likely to protect them from false allegations
- Staff and volunteers will be encouraged to recognise their responsibilities and report any concerns about suspected poor practice and/or abuse

6. Mutual Protection

In order to ensure mutual protection, volunteers/artists and other organisations working with Clowns Without Borders Ireland will be made familiar CWB IR's Child Protection Policy and Procedures.

Children are usually in the care of a parent/guardian or teacher when using the services of Clowns Without Borders Ireland.

APPENDIX 1: Standard Report Form for reporting CP&W Concerns.

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FORM NUMBER: CC01:01:01

STANDARD REPORT FORM

(For reporting CP&W Concerns)

A. To Principal Social Worker/Designate: _____

1. Date of Report

2. Details of Child

Name:		Male	<input type="checkbox"/>	Female	<input type="checkbox"/>
Address:	DOB			Age	
	School				
Alias		Correspondence address (if different)			
Telephone		Telephone			

3. Details of Persons Reporting Concern(s)

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

4. Parents Aware of Report

Are the child's parents/carers aware that this concern is being reported		- Mother	Yes <input type="checkbox"/>	No <input type="checkbox"/>
		- Father	<input type="checkbox"/>	<input type="checkbox"/>
Comment	<input style="width: 100%;" type="text"/>			

5. Details of Report

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

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