

Children First

Cork Centre for Independent Living [CLG] –

Child Protection Policy



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| Reviewed | Lead |
| Jan 2018 | PB |
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CORK CENTRE FOR INDEPENDENT LIVING CHILD PROTECTION POLICY

Purpose

This guidance document includes the Cork Centre for Independent Livings (Cork CIL) child Safeguarding Statement and outline Cork CIL's policy and procedure with regard to Child Protection and Welfare. It aims to support and guide staff who encounter children during their work. For the purpose of this policy a child is anyone who has not reached their majority of 18 years and is not or has not been married.

The Cork CIL policy recognises the obligations and **duty of care** of Cork CIL and **all** its staff and volunteers for the safety and welfare of children and young people.

Duty to Care is a legal obligation found in law of tort, which requires an individual to exercise reasonable care in regard to the welfare of others, including protecting them from harm. It is a legal requirement that one is expected to uphold in their normal activities to avoid causing injury to others.

This policy applies to **ALL** staff, students, volunteers Members of Board of Management working with Cork CIL. This Policy must be read in conjunction with: Children First: National Guidelines for the Protection and Welfare of Children' and the online training an Introduction to Children First [www.HSELand.ie]

Policy & Guidance Framework

There is robust legislative and policy framework that is designed to guide our policy and practice.

National Framework include:

- Children First: National Guidance for the Protection and Welfare of Children" 2017;
- Child care Act 1991
- Protection for Persons Reporting Child Abuse Act 1998
- Criminal Justice Act 2006

- Criminal Justice [withholding of information on Offences Against Children & Vulnerable Persons] Act 2012
- Criminal Law Sexual Offences Act 2015
- National Garda Vetting Bureau [Children and Vulnerable Persons] Acts 2012-2016
- Children First Act 2015;
- HSE Procedure for Reporting Child Protection and Welfare Concerns

Local Policies include:

- 'Working with Children Cork CIL Policy on providing intimate care for children';
- 'Cork CIL Recruitments & Selection Policy' and the
- 'Policy for Management of Allegations Against Staff.'

Principles

As an organisation providing some services to children, CIL is classed as a relevant service under the Children First Act 2015. Cork CIL acknowledges that the welfare of children is paramount and this policy and guideline aims to support staff to meet their duty of care and respond appropriately proportionally if a concern arises.

- The safety and welfare of children is everyone's responsibility
- The best interests of the child should be paramount
- Children have the right to be protected, respected, listened to and consulted and involved in all matters and decision that may affect their lives
- Parents and guardians have right to respect and should be consulted and involved in matters that concern their family.
- The overall aim in all dealings with children and their families is to intervene proportionally to support families to keep children safe from harm

- Recognise that the welfare of children should always come first, regardless of other considerations.
- Adopt the safest possible practices to minimise harm or accidents happening to children and protecting workers from taking unnecessary risks that leave them exposed to accusations of abuse or neglect.

NOW READ CHAPTER 1-ONE CHILDREN FIRST

TYPES OF CHILD ABUSE

Children can be abused in a number of different ways. Usually these are categorised as:

- ❖ Neglect
- ❖ Emotional Abuse
- ❖ Physical Abuse
- ❖ Sexual Abuse.

A child may experience more than one type of abuse.

Children with disabilities may be more at risk of abuse because they may experience:

- ❖ Sensory and/or communication difficulties
- ❖ Dependence on others for assistance including intimate care
- ❖ Limited understanding of sexuality of sexual behaviour
- ❖ Contact with multiple carers and helpers
- ❖ Fear of not being believed
- ❖ Perceived unreliability as a witness
- ❖ Contact with a variety of support services i.e. clinical staff, Bus drivers etc.
- ❖ A heightened sense of trust in adult's due to increased contact with adults outside the family.

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.

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.

Emotional Abuse

Emotional abuse is usually found in the relationship between a parent/carer and a child. It happens when a child's needs for affection, approval, consistency and security are not met. Examples include

- Constant yelling, being critical and sarcastic.
- Threatening, scaring a child, belittling them.
- Exposing a child to domestic violence.
- Not being emotionally available to the child.
- Having unrealistic or inappropriate expectations of the child.

Physical Abuse

Physical abuse of a child is that which results in actual or potential physical 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 (see the [HSE Children First National Guidance for Welfare & Protection of Children](#) for details);
- allowing or creating a substantial risk of significant harm to a child.

Sexual Abuse

Sexual Abuse is when a child is used by another person for their own or someone else's gratification or sexual arousal. This may include physical contact or forcing a child to look at inappropriate material or behave in an inappropriate manner.

Reasonable Grounds for Concern

Cork CIL will always inform Tusla if we have reasonable grounds for concern that a child may have been, or is at risk of being abused or neglected. It is not necessary for Cork CIL to prove that abuse has occurred in order to report a concern. Ignoring a symptom of what may be abuse could result in ongoing harm to a child.

Reasonable grounds for a child protection or welfare concern include:

- Evidence of an injury or behaviour that is consistent with abuse and is unlikely to have been caused in any other way
- Any concern about possible sexual abuse

- Consistent sign that a child is suffering from emotional or physical neglect
- A child saying or indicating by other means that s/he has been abused
- Admission or indication by an adult or a child of alleged abuse they committed
- An account from a person who saw the child being abused.

Retrospective Disclosure

In cases where adults disclose historical childhood abuse, the adult should be supported and advised that their disclosure will need to be discussed with the Designated Person. as the person subject to abuse allegations (alleged perpetrator) may pose a current risk to children Cork CIL will encourage the Adult to make their report directly to Tusla and can be supported in this. If a report is made then a Retrospective Abuse Report Form is used

However, if there are reasonable grounds for concern that a child may have been, is being or is at risk of being abused by the alleged perpetrator then a Child Protection and Welfare Report Form should be sent to Tusla

NOW READ CHAPTER 2 CHILDREN FIRST

CORK CIL CHILD SAFEGUARDING STATEMENT

Name of Service Being Provided

Cork CIL provides HSE Funded Assisted Living Service (ALS) supports to children and adults.

Nature of Service

Cork CIL provides services to children with primary physical and sensory disabilities in Cork city. These services / supports are provided in the child's own home or in the community and whilst every service is individual to the child, can include personal care supports, homework support and social inclusion. The service is usually a one-to-one service but on occasion may be to support a parent with a disability to care for their child. In this situation the PA works under the direction of the parent.

Cork CIL staff may also encounter children as they work with and provide services to adults in the community and have a duty of care to respond appropriately if a concern arises.

Adult Service Users working with Cork CIL PA may choose to disclose retrospective historic abuse concerns and this also needs to be appropriately responded to.

Principles to Safeguard Children from Harm

1. The Cork CIL is committed to protecting and promoting children's rights. This includes creating an environment in which children are valued, their rights are respected and they are treated as individuals.
2. Cork CIL will assess the potential risks when working with children and develop a plan to mitigate these risks.
3. Cork CIL will ensure that all staff who work with service users are appropriately trained, screened and once in post have access to ongoing training and support to respond appropriately to and report any concerns arising.

Cork CIL Code of Behaviour

Cork CIL staff are required to:

- ✓ Treat children with dignity, sensitivity and respect
- ✓ Make time to listen, talk to and get to know children in your care
- ✓ Encourage children to have an input into how things service is run and the activities they do
- ✓ Help children to be safe, happy and to have as much fun as possible
- ✓ Never favour one child or children over others
- ✓ Enable children to regard their bodies as their own property
- ✓ Encourage them to express feelings, fears and experiences openly
- ✓ Give written information about the organisation to children and their parents/guardians
- ✓ Know about the principles and practices of child protection including their legal duties
- ✓ Never engaging in sexually provocative games or make suggestive comments, even in fun
- ✓ Respect children's privacy in bathrooms or changing rooms
- ✓ Sensitively ensure that children know about the child protection policy
- ✓ Always respond to complaints or allegations
- ✓ Help children realise the difference between confidentiality and secrecy
- ✓ Be sensitive to the fact that some children are more vulnerable and have special needs
- ✓ Never use physical punishment with children
- ✓ All staff/volunteers are expected to behave in a professional and respectful manner with other staff members and to co-operate in full if requested to do so with members of the Health Service Executive, Gardaí or other such professionals

- ✓ All staff/volunteers are expected to behave in a professional and respectful manner with any clients including children that are in their charge.
- ✓ All staff/volunteers are expected to respect the religious belief/s, cultural identity, ethnic identity, sexuality, sexual identity, ability/disability of other staff, volunteers, clients including children or other professionals that they may be in contact with during the course of their work/practice with Cork Centre for Independent Living.
- ✓ Behaviour or conduct that discriminates against a person, or child, because of their religious belief/s, cultural identity, ethnic identity, sexuality, sexual identity, and ability/disability will **not** be tolerated.
- ✓ Cork CIL is obliged to protect its staff members. If any reports are brought to the attention of the designated person by staff members this will be done on a **confidential basis**.

Recruitment & Selection

- All staff will be recruited to Cork CIL in line with our agreed policy and in line with best practice.
- Job descriptions and Persons Specifications will be reviewed annually or prior to each new recruitment campaign as appropriate
- Staff will have appropriate the qualifications and experience for the role

Before an offer of employment can be made applicants will:

- be required to provide 3 -three relevant referees and these will be checked.
- subject to Garda Vetting prior to the commencement of employment with children.

Successful Applicants will be:

- required to attend Induction Training prior to commencing employment.
- have up to date mandatory training including but not restricted to manual handling, hoist training, infection control.
- All Staff will be required to successfully complete on line training in Introduction to Child Protection [www.HSELand.ie]

Risk Assessment

When working with children and families Cork CIL will carry out risk assessment of any potential harm to a child availing of our services and list the procedures for managing these risks. This template guideline is in appendix 1-one

It is important that all staff are aware of potential risk and their duty of care when working with all service users. This requires staff to always work in the best interest of the service user

Staff have a responsibility to report any concern they have about a child on reasonable grounds that would suggest the possibility of harm or abuse. Under the Protections for Persons Reporting Child Abuse Act 1998 the law protects any person who makes a report of child abuse as long as the report is not malicious and their intentions are genuine.

GUIDELINES IF A MEMBER OF STAFF HAS A CONCERN

Cork CIL Staff working with children are working in a variety of settings, home, community and social clubs. They get to know children well and may even be required to deliver intimate personal care. If during the course of their work a staff member has a concern they **must always** seek advice.

Reporting Concerns

If any member of Cork CIL staff has a concern or if they suspect a child or young person is being harmed or is at risk of harm then they have a responsibility to report this. If staff who have a concern must:

1. Contact their service ALS Co-ordinator or Service Manager directly. 021 432 2651.

You will be asked what your concern is. It may be more appropriate for you to come to the office to outline your concerns and to enable a confidential record of your concern to be made.

Advice will be sought from the Duty Social Worker in appropriate local health office and all concerns will be reported.

2. Outside office hours all child protection concerns where there is imminent danger to a child should be referred to the Gardaí.

If this is the case you must contact the Cork CIL office the next working day and speak with ALS Co-ordinator or Manager to outline your concern and advise us of the actions you have taken.

Often people are worried about reporting concerns. However, the *Protections for Persons Reporting Child Abuse Act 1998* protect any person who makes a report of child abuse as long as the report is not malicious and their intentions are genuine.

GUIDELINES IF A CHILD DISCLOSES ALLEGED ABUSE:

Working with children day to day trusting and positive relationships develop. Children are most likely to make a disclosure to someone they like and trust.

How to respond if a child discloses child abuse

Stay Calm

- Be calm and as natural as possible. Do not panic. Remember that you have been approached because you are trusted and liked.

Listen

- Listen to the child and allow the child to disclose at their own pace and in their own language. Do not prompt and do not ask questions

Accept

- Assure the child that you believe them. False disclosures are very rare in young children.

Reassure

- Reassure the child that they are not to blame. Explain to them that you must report the abuse in order to get help for the child.
- Reassure the child that your feelings towards him/her have not been affected in a negative way as a result of what s/he has disclosed.
- Reassure the child that s/he was right to tell and that you are there to help support him/her.
- Do not hug or touch the child as this could be misconstrued by the child as yet another effort at abuse. It is possible that the original abuse began with such a gesture.

- Remember that initially the child may be testing your reactions and may only fully open up after a period of time.

Record

- It is important that the person to whom the disclosure has been made differentiate in their own mind between the person who allegedly carried out the abuse and the act of abuse itself. The young person, quite possibly, may love or strongly like the alleged abuser while disliking what was done to him/her.
- **You must never express any judgement about the alleged abuse whilst listening to or talking with the child.**
- **As soon as possible** after a child has spoken to you write down what they said word for word. This first record is important. Do not include any opinion or thoughts. Keep this secure and have to hand when you speak to your Co-ordinator. You will be asked to bring this with you to the office. **Do not keep copies.**

The Shared Setting

- If a PA s working in a shared setting such as club or creche and a child makes a disclosure you must follow the above guidelines. In addition, you should report your concerns directly to the Designated Person in the centre.

Remember

It is very important that staff do not become too emotionally involved with the child as you may become part of the problem rather than the solution.

- a) Listen carefully and reassure the child of your concern for him/her.
- b) Create an atmosphere of trust and openness to the young person. Be honest with the young person and do not make promises that you cannot keep.
- c) Keep an open mind and do not judge the alleged abuser.
- d) Be aware that the young person may be under severe emotional stress.
- e) Do not ask too many questions and never ask specific details of the abuse.

- f) Tell the young person that everything possible will be done to protect and support him/her.
- g) Do not promise that you will keep secret what has been revealed. Explain that some secrets are not helpful and that you might have to tell someone else in order to protect them from further hurt.
- h) Let them talk and share at their own pace.
- i) Be aware of the fear being experienced by the child.
- j) Tell them what you are going to do next.
- k) Be positive.
- l) Follow the Policy Guidelines

CONFIDENTIALITY STATEMENT

Confidentiality must be maintained in respect of all issues and people involved in concerns about abuse. However, the legal principle that the welfare of the child is paramount means that consideration of confidentiality should not be allowed to override the right of children to be protected from harm.

A guarantee cannot be given to a person, providing information relating to concerns about or knowledge of abuse, that the information received will be kept confidential. All information should be treated in a careful and sensitive manner and should be discussed only with those who 'NEED TO KNOW'.

DO NOT

- ✘ Discuss your concerns or a disclosure with other staff or colleagues
- ✘ Discuss your concerns or a disclosure with friends or family
- ✔ All records pertaining to any incident/allegation must be brought to the Head Office where they will be kept securely. Do not keep copies.
- ✔ Access to records is limited to the Designated Person and only reviewed by other relevant parties when necessary.

MANAGING CHILD PROTECTION CONCERNS.

Child Protection concerns will be managed by the Designated Team. The team will comprise the Designated Person (Service Manger) and one or two Deputy Designated Persons (ALS –Co-ordinators). The Designated / Deputy Designated Person must be trained in child protection i.e. they must have attended the Children First course run by the HSE and be familiar with the guidelines and procedures to follow if they are informed about a child protection concern.

Role of The Designated/ Deputy Designated Person

The Designated Person is responsible for acting as:

- A source of advice on child protection matters.
- Co-ordinating action within Cork CIL.
- Ensuring that Cork CIL's child protection policy and procedures are followed.
- The Designated Person will act as decision maker in cases of concern reported.

GUIDELINES FOR RECEIVING A REPORT OF A CONCERN OR DISCLOSURE

The person receiving the report should:

- Reassure the member of staff making the report that they have acted appropriately
- If it can be arranged in a timely fashion it is more appropriate for the staff member to come to the office. If this is not possible the person taking the report should remove themselves to a separate office space and listen to the concerns raised'
- Take written record from the reporter. This report should be factual and unbiased. It should be signed and dated.
- Arrange for staff member to come to the office as soon as possible to make a written report. This report should be factual and unbiased. It should be signed and dated.
- Explain the next steps to the member of staff.

- Remind them of their responsibilities with respect to confidentiality
- After the initial report has been made, ensure the staff member has support, it can be stressful and challenging to have a child disclose a concern or to have observed a situation that is of cause for concern. Staff should be invited to the office for a follow up meeting / debrief. VHI Employee Assistance Programme can also be accessed by staff.

Next STEPS

- If the person taking report is not the Designated Person they must be informed as soon as possible
- The Designated Person must review the report in consultation with the Manager and decide on how to proceed with the suspicion/allegation.
- It is the policy of CIL that parents be informed that a report has been made to the health service executive unless doing so would put the child at further risk.
- It is the role of the Designated Person to assess the situation and inform parents of the report.
- The Designated/ Deputy Designated person will always take advice from the HSE Duty Social Worker.
- All concerns will be reported to the Duty Social Worker by phone.
- The Designated Person will ensure that appropriate information is available at the time of referral to the Health Board, and that the referral is confirmed in writing.
- If there is a concern that the child is in serious imminent danger or has suffered a recent trauma, the Duty Social Worker in the area and the Gardai must be informed.
- It is a recommendation in Children First that if a decision is made not to proceed with the allegation, the employee who reported the suspected abuse should be informed in

writing why this decision was taken. The employee will be informed that they have the right to report the matter to the Duty Social Worker or Gardai police on their own accord.

- The Designated Person **will not** investigate the case themselves – his/her role is to notify the relevant Health Service Executive Board.

Record Keeping

- A Confidential case record will be kept.
- Only one copy will be kept and duplicates will not be made.
- Individual / personal notes should not be kept separately but may be kept in Confidential Case File.
- The record will be kept secure. If the record is electronic it must be encrypted and password protected
- This will not be kept in the main Service User File

Practice Review

After any reporting of concern the Designated Team will reconvene within 4 weeks to review the incident and the organisational policies. A member of the team will contact the report to follow up and seek their opinion on the experience. The Designated Team can also make recommendations for change to the consider if any changes in practice can improve the service.

Standard Form for Reporting Child Protection and/or Welfare Concerns to HSE

PRIVATE AND CONFIDENTIAL

In case of an emergency or outside Health Board hours, contact should be made with An Garda Síochána.

A. To Principal Social Worker/Designate: _____

1. Details of Child:

Name:

Male: Female:

Address:

Age/D.O.B.: _____

School: _____

1a. Name of Mother: _____ **Name of Father:** _____

Address of Mother if different to Child:

Address of Father if different to Child:

Telephone Number: _____

Telephone Number: _____

1b. Care and Custody arrangements regarding child, if any /if known:

1c. Household Composition:

| Name | Relationship to Child | Date of Birth | Additional Information e.g. School/Occupation |
|------|-----------------------|---------------|--|
| | | | |
| | | | |
| | | | |
| | | | |

Note: A separate report form must be completed in respect of each child being reported.

2. 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. State only fact

3. Details of person(s) allegedly causing concern in relation to the child:

Name: _____ Age: _____ Male: Female:

Address: _____

Relationship to Child: _____

Occupation: _____

4. Name and Address of other personnel or agencies involved with this child:

Social Workers: _____

Public Health Nurse: _____

G.P.: _____

Gardaí: _____

Hospital: _____

School / Pre-School: _____

Other Services) _____

5. Are Parents/Legal Guardians aware of this referral to the Social Work Department?

Yes No

If Yes, what is their response?

6. Details of Person reporting concerns:

(Please see Guidance Notes re. Limitations of Confidentiality)

Name: _____

Occupation: _____

Address: _____

Telephone Number: _____

Nature and extent of contact with Child/Family:

7. Details of Person completing form:

Name: _____ Date: _____

Occupation: _____ Signed: _____

**Cork Child Protection Social
Work Services
HSE Duty Social Work Numbers**

| <i>Community Care Area</i> | <i>Address</i> | <i>Phone No.</i> | <i>Fax No.</i> |
|-----------------------------------|--|-------------------------|-----------------------|
| North Lee | North Lee Social Work Dept., Blackpool (adjacent to Shopping Centre), Blackpool, Co. Cork | (021) 4927000 | |
| South Lee | South Lee Social Work Dept., St. Finbarr's Hospital, Co. Cork. Tel: (021) 4923001 | 021 - 4923965 | 021 - 4923953 |
| North Cork | Gouldshill House Mallow Co. Cork | 022 - 30200 | 022 - 30211 |
| West Cork | Community Care Coolnagarrane Skibbereen Cork | 028 - 40580 | 028 - 23172 |
| Kerry | 6 Denny Street Tralee Co. Kerry | 066 - 7184811 | 066 - 7181480 |

**Garda Station's
Cork city & County.**

| Station | Location | Tel |
|---|---------------------------------------|--|
| Togher | Cork City Co. Cork | Tel: +353 21 494 7120 fax: +353 21 494 7123 www: http://www.garda.ie |
| Gurranabraher | Baker's Road Cork City Co. Cork | Tel: +353 21 439 5540 fax: +353 21 430 2307 www: http://www.garda.ie |
| Kyrls Quay | Bridewell Cork City Co. Cork | Tel: +353 21 494 3330 fax: +353 21 427 7657 www: http://www.garda.ie |
| Watercourse Road Opening Hours: Mon - Sat 9.00-6:00 & 7.00-10.00 | Cork City Co. Cork | Tel: +353 21 455 8260 fax: +353 21 450 1636 www: http://www.garda.ie |
| Anglesea Street 24 hours | Cork City Co. Cork | Tel: +353 21 452 2000 fax: +353 21 452 2087 www: http://www.garda.ie |
| Barrack Street | Cork City Co. Cork | Tel: +353 21 432 7300 Fax: +353 21 432 7303 www: http://www.garda.ie |

Appendix 4 Risk Assessment Template

Now Read - Tusla Guidance on Developing a Child Safeguarding Statement

| | Risk Identified | Procedure to Manage Risk |
|---|--|---|
| 1 | <p>Child Factors</p> <ul style="list-style-type: none"> • Disability - children with a disability are a more vulnerable to harm • Previous Abuse • Age • Gender • Communication difficulties • Young carer • Self-harm • Mental health difficulties • Children with behaviours that challenge | <ul style="list-style-type: none"> • Individual risk assessment & • Individual Child & Family Service Plan • Appropriate staff appointed • Staff awareness training [ongoing] • Staff supervision • Establish links with appropriate agencies • Policy Guidelines • Policy Delivery of Intimate & Personal Care • Child Protection Policy / Guidelines |
| 2 | <p>Family Factors</p> <ul style="list-style-type: none"> • Drug/ alcohol misuse • Addiction [including gambling] • Mental Health Issues • Parental Disability • Domestic violence • Adolescent parents | <ul style="list-style-type: none"> • Individual risk assessment & • Individual Child & Family Service Plan • Link with appropriate agencies • Report any / all concerns • Staff supervision |
| 3 | <p>Environment</p> <ul style="list-style-type: none"> • Housing • Poverty • Bullying • Internet and media related | <ul style="list-style-type: none"> • Individual risk assessment & • Individual Child & Family Service Plan • Link with appropriate agencies • Report any / all concerns • Staff supervision |
| 4 | <p>Staff</p> <ul style="list-style-type: none"> • Inappropriately skilled staff • Multiple Staff | <ul style="list-style-type: none"> • Recruitment & selection process • Staff training • Staff supervision |
| | <p>Poor motivation or willingness of parents/ carer to engage</p> <ul style="list-style-type: none"> • No attendance • Lack of insight or understanding of how their child is affected • Avoidance of Contact or reluctance to work with service • Unwilling or inability to comply with agree plans | <ul style="list-style-type: none"> • Non-Contact / Non-Engagement Policy |

