



Child Safeguarding Statement

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Version 1.1



Note in relation to Cover Images

Image pg 2: The image is an official OPW photograph commissioned by the OPW's Press Office for advertising purposes. Staff are not permitted to take or use images such as this one, in which individual children are recognisable and/or the main feature of the picture.

Image pg 30: This is an image taken by an OPW staff member for official use. Although it includes images of children, the main focus is on the site, and facial images are not recognisable. In such cases the photographer should make a verbal announcement of their intent to capture a general picture of the scene, allowing time for people to remove themselves from the scene before taking the picture. Staff may be permitted to take this type of photograph for official purposes.

FOREWORD

The Office of Public Works is responsible for State services in Flood Risk Management and Estate Management, the latter of which includes the provision of visitor services at seventy of Ireland's most important heritage sites. In any given year we welcome more than six million visitors to these sites, many of them children. One of our most important strategic priorities is to maximise and improve public access, present heritage sites to best advantage and to ensure that visitor enjoyment and education experiences are enhanced. Heritage sites should be places of inspiration and learning for all, and should provide access for all, regardless of their age.

The OPW is committed to a child-centred approach in its work with children and young people, and this Safeguarding Statement has been adopted by us to ensure that as far as practicable, children are kept safe from harm while visiting our sites, engaging with our services, and deepening their generation's understanding and appreciation of our nation's heritage.

Maurice Buckley,

Chairman

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INTRODUCTION

The Children First Act 2015 states that “any work or activity which consists of the provision of educational, research, training, cultural, recreational, leisure, social or physical activities to children” is a “relevant service” under the Act.

Section 10 of the same Act requires that

“A provider of a relevant service shall ensure, as far as practicable, that each child availing of the service from the provider is safe from harm while availing of that service”.

While providing services to children is not the main function of the Office of Public Works (OPW), the Office does provide a variety of relevant services to children in the form of visitor access to national monuments and historic properties. In a single year, up to 80,000 children might avail of our Free Schools Visits programme, supporting the educational curriculum where children can, with their teachers, engage with art, history and social science at heritage locations throughout the country. The Office also facilitates Transition Year school students seeking work experience, as well as engaging with young workers who are employed by organisations working on contract at OPW sites. Potentially, the OPW could engage workers under the age of 18 in positions such as Temporary Clerical Officer.

The policies and procedures contained in this Statement are based on a risk assessment of possible harm¹ to children and the development of measures to mitigate those risks and to safeguard children from harm while engaging with our services.

Many OPW workplaces and staff do not offer relevant services, for example at administrative offices, entrance foyers, depots etc. Any child presenting at an OPW property outside the context of a relevant service is the sole responsibility of their parents or guardians in respect of the child’s health and safety, welfare and safeguarding.

This Child Safeguarding Statement comes into effect on 25th June 2018, and all elements of it will be implemented as soon as is practicable thereafter. It supersedes the OPW Child Protection Policy 2012. It applies to all OPW employees and also to workers at OPW properties who provide goods and services under contract to the OPW and to those who obtain permission from the OPW to provide services to the public at OPW properties.

The OPW’s Safeguarding Statement will be subject to review every two years. It will also be revisited in conjunction with any future proposals to increase or enhance the level of our relevant activities for children.

For the purposes of this Child Safeguarding Statement, and in Section 2 of the Childcare Act 1991, a child is defined as a person under the age of 18 years other than a person who is or has been married.

¹ “Harm” as defined in Section 2 of the Children First Act 2015. See Appendix 1.

PART A: POLICY

SECTION 1: LEGISLATION AND NATIONAL GUIDANCE

The OPW's Safeguarding Statement 2018 is based on the following legislative provisions and national guidance:

- Children First Act 2015 (among other things, this contains the requirement to prepare a child safeguarding statement);
- Child Care Act 1991 (this contains some relevant definitions);
- National Vetting Bureau (Children & Vulnerable Persons) Act 2012 (this Act makes it compulsory for employers to obtain Garda Vetting disclosures in respect of anyone providing relevant activities to children and vulnerable adults.
- Children First: National Guidance for the Protection and Welfare of Children, 2017 (issued under Section 6 of the Children First Act 2015, this contains some non-statutory definitions, best practice guidance, reporting procedures, employer information etc).
- Our Duty to Care: The principles of good practice for the protection of children and young people, DoH 2002 (this, in conjunction with the Children First Guidance 2017, contains advice on best practice).
- Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012 (this requires disclosure to the Garda Síochána where a person knows or believes that certain serious offences have been committed against a child).
- Protections for Persons Reporting Child Abuse Act 1998 (this Act protects you if you make a report of suspected child abuse to designated officers of Tusla, the Health Service Executive (HSE) or to members of the Gardaí as long as the report is made in good faith and is not malicious).

SECTION 2: APPOINTMENT OF “RELEVANT PERSON” AND “MANDATED PERSONS”

The Children First Act 2015 requires the appointment of a “relevant person” to be the first point of contact in respect of the organisation's Child Safeguarding Statement. It is OPW's policy to appoint the head of the Policy Unit to this role, which is set out in Appendix 2 along with the name and contact detail for the current appointee.

The Act also requires the appointment of a “mandated person” to carry out specific functions in relation to child protection. These include reporting to Tusla, the Child and Family Agency, in certain circumstances, cases where the mandated person knows, believes or has reasonable grounds to suspect that a child has been harmed, is being harmed or is at risk of being harmed. It is OPW's policy to appoint both serving Personnel Officers to this role, with a deputy officer appointed to each who will cover the responsibilities of the role if the Mandated Person is unavailable for a significant amount of time. The role of a Mandated Person is set out in Appendix 2 and the names and contact details for the current appointees are listed there.

Staff appointed to the roles of Relevant Person, Mandated Person or Deputy Mandated Person must ensure that they are knowledgeable about child protection and must undertake any learning and development needed to discharge their duties effectively.

SECTION 3: OPW'S RELEVANT SERVICES AND RELEVANT ACTIVITIES

All relevant services (defined in Introduction) provided by the OPW need to be governed by this Child Safeguarding Statement. In addition, services that constitute relevant activities² require that those who deliver them be Garda vetted. The OPW provides the following range of relevant services to children at 70 sites nationwide:

School-related events: these include class tours and class workshops to which the children come in groups, accompanied by primary caregivers. In some instances adult caregivers cannot be accommodated at workshops, and the children's group is attended by OPW staff only. Other school related events include instances where individual children attend alone and are assisted by OPW staff, such as TY work experience and assisted research visits for school projects. These are all relevant activities.

Scheduled Guided Tours: children generally attend ticketed tours and events as part of a family group, attended by a primary caregiver. However, some older children may attend tours singly and unaccompanied, and OPW staff may be unaware of whether or not they are adults. While tour guides reserve the right of admission to unaccompanied children, the OPW generally welcomes such children and respects their autonomy in attending tours unaccompanied. The activities mentioned here are not relevant activities.

Lectures, talks, musical & literary events: these are normally pre-booked group events, and the presence of children at them tends to be incidental rather than the norm. These are not relevant activities.

Non-ticketed events and casual visits: these include free exhibitions, open events, self-guided visitor sites, freely accessible parks, outdoor festival events and the use of cafés and food stalls. In these cases the primary responsibility for visiting children rests with their primary caregiver; however, unaccompanied children may be found in attendance without a primary caregiver. These are not relevant activities.

Scheduled Workshops and other events for children: these are planned and pre-booked events that may be organised and delivered (i) by OPW staff, (ii) by OPW staff working in partnership with other organisations, or (iii) by outside organisations using OPW properties. These are relevant activities. In the case of (ii) and (iii) arrangements are governed between OPW and the external bodies by written terms and conditions and indemnification.

All the above are relevant services for the purposes of the Children First Act 2015.

² "Relevant activities" as defined in the National Vetting Bureau (Children and Vulnerable Adults) Act 2012. See Appendix 1.

SECTION 4: RISK ASSESSMENT

Since the Office of Public Works is not involved in providing child care services per se, primary caregivers are chiefly responsible for ensuring that their children come to no harm when visiting our sites. However, having reviewed the areas of activity outlined in Section 3, the Office has identified certain risks to children that might arise. These are set out below. Mitigating measures to reduce or eliminate these risks are contained within the procedures set out in Part B of this document.

- Harm to children may be premeditated, and people wishing to harm children may seek to be employed or volunteer where they can work with children. OPW's recruitment, selection and vetting practices (see sections 8 and 14) aim to deter such people and to minimise the risk of OPW hiring a person who wishes to harm children.
- Offences against children are most likely to happen in secret. Our staff members may be in the sole company of a child otherwise unattended, mainly in the case of TY workers, students conducting research projects and children who have become separated from their caregivers. OPW's "in-plain-sight" supervision procedures (see section 7), protocol for dealing with lost children (see section 13), and procedures for managing Transition Year Placements (see Section 14) aim to eliminate potential opportunities for abuse to happen in secret by avoiding, to the greatest extent possible, instances where staff members are alone with children.
- Some harm, for example child sexual abuse, almost always involves careful planning and manipulation of children and situations. The nature of the relevant services the OPW provides is such that our workers rarely have continuous contact with the same children over time. Therefore the risks of any worker on OPW properties having the opportunity to groom potential victims over time is negligible.
- Children are vulnerable when separated from their primary caregivers. Our distribution of roles (see Section 5) and our rules on accompaniment and supervision (see sections 7, 11 and 12) aim to minimise occasions when young children at our sites are not safeguarded by their primary caregiver. Our arrangements for Transition Year students and under-18 employees (see Section 14) and our "in plain sight" supervision code (see Section 7) provides for a more proportionate approach in the case of older children, whose greater capacity to protect themselves is reflected in their greater autonomy in using our services.
- Some harms, such as assault or inappropriate reaction to situations, can happen spontaneously. Our staff training procedures (see section 9) and Code of Behaviour for Safeguarding Children (see section 7) aim to eliminate as far as possible any threatening, violent or degrading behaviour. Our clarification of roles (see Section 5) makes all workers aware of their right and obligation not to initiate or encourage engagement with children on site unless it is part of their job specification.

- Attempts to be helpful can be inadvertently unwelcome or inappropriate, eg comforting a lost or distressed child. Our Code of Behaviour for Safeguarding Children (see Section 7) and procedures for Lost Children (see Section 13) clarify what is and isn't best practice for staff in such situations. Following these procedures will make it easier to avoid misperception or unintentional affront.
- Malicious accusations of inappropriate behaviour can be made against workers. Valuing children means valuing staff as well. Insisting on safe practices, eliminating the necessity for staff to take risks and providing them with support makes for a healthier and safer organisation. Wishing to support and protect its staff, the OPW has defined all relevant Roles (see Section 5) and has ensured that the Procedures (see Part B) set out in this Child Safeguarding Statement ensure that there is no doubt about responsibilities, obligations and standards expected.
- Diverse standards of personal conduct can have unwanted effects on young people. Our Code of Behaviour for Safeguarding Children (see section 7) sets out clear instructions for staff on how they should conduct themselves in the company of young people, having regard to the relative difference in maturity, the impressionability of young people and the need to model appropriate workplace behaviour.
- Children might be harmed by third parties, or indeed by their primary caregiver, on our premises. Our Code of Behaviour for Safeguarding Children (see section 7) and Reporting Requirements (see Section 16) sets out requirements on staff to be vigilant and to report to An Garda Síochána any harmful offences witnessed in the course of duty.
- Children might be harmed outside of our services, and might choose to disclose the matter to one of our staff. While such an eventuality is unlikely given the transient nature of our interactions with children, the OPW has set out procedures for dealing with such instances in Section 5 (Roles), and Section 16 (Reporting).

In the majority of cases, the identities of those using OPW's relevant activities are never known to our staff, and the short duration of our contact with individuals makes it highly unlikely that staff would develop reasonable grounds for concern that an individual child was at risk of abuse or neglect. However, it is important to note that all citizens are expected to play a part in bringing any such reasonable concerns to the attention of Tusla, the Child and Family Agency whether the concerns arise at work or elsewhere. Further information is available at <http://www.tusla.ie/childrenfirst/general-public>. OPW's arrangements for notifying concerns that arise at work are set out in Section 16.

SECTION 5: ROLES

Safeguarding children is a collective responsibility which requires all adults to be vigilant and proactive so that together we can help prevent children coming to harm while using our services and sites. It is the OPW's policy that the following roles be assumed:

Role of Primary Caregivers

Primary caregivers are principally responsible for the care and safeguarding of children at OPW sites, be they a parent, teacher or another person acting in loco parentis. They should ensure that young children are never left unattended. They should accompany children on tours and other events when required by OPW staff. They should follow OPW instructions for hand-over and complete indemnification paperwork when leaving children in the organised care of OPW staff. If a primary caregiver permits their child to use OPW sites and services unaccompanied by any adult, the OPW will take this to mean that the young person in question is capable of safely negotiating the site and services unattended. Primary caregivers will have this Policy made available to them for inspection on OPW websites, on request by email and on site. Like all adults, primary caregivers are expected to be vigilant about risks and to report any relevant offence³ they witness to An Garda Síochána, in accordance with legislative requirements⁴.

Role of Children

Children using OPW sites and services have a role in their own safeguarding. They should follow site rules and procedures set down to protect visitors, behave considerately with other children, avoid unnecessary interaction with non-guide staff, and notify their primary caregiver and/or an OPW staff member should they witness or experience any relevant offence⁵.

Role of Visitors

All visitors to OPW sites will have OPW's Child Safeguarding Statement available to them on request. They should abide by the procedures set out in this Statement and any other site rules set down for safety and safeguarding of children. They should be vigilant to risks and should report any relevant offences³ witnessed to An Garda Síochána. They should be aware that all other adults around them are also being vigilant. In their own interest, they should avoid behaviour that might seem suspicious in the vicinity of playgrounds, or taking images of children without consent, or instigating conversations with children unknown to them.

Role of all OPW staff

All OPW staff should be familiar with the content of this Child Safeguarding Statement. They should understand clearly and abide by their roles and responsibilities as set out. All staff must sign the declaration in Appendix 8. All staff must be vigilant to risks and must report observed behaviour of concern to their line manager and to the Mandated Person (see Section 16). Staff witnessing a relevant offence (see Appendix 1) are obliged to report it to An Garda Síochána. Staff whose role does not

³ Relevant Offence as defined in the Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons Act 2012 (see Appendix 1)

⁴ The Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons Act 2012 requires disclosure to the Garda Síochána where a person knows or believes that certain offences have been committed against a child (see Section 16). ⁵ See Appendix 1 for definition

include providing direct services to children have a right and an obligation not to initiate or encourage prolonged interactions with children on site except in emergency situations (eg health, safety, lost child). Staff entering into any type of contract with a service provider for work at an OPW heritage site should follow the procedures set out in Section 10a.

In any dealings with children, all OPW staff are required to abide by the Code of Behaviour for Safeguarding Children set out in Section 7.

In addition to their general role as a staff member under this Statement, there are some extra responsibilities for staff members in particular roles. These are set out below.

Additional responsibilities for OPW Managers

Where staff are providing relevant activities to children, their supervisors and managers are expected to support them through training, monitoring and resourcing their work so that they can conform with the policies and procedures set out in this Statement. Regard should be had to the requirements of the Child Safeguarding Statement when drawing up strategic business plans, operational plans, risk registers and during the PMDS process. See also Section 10 (managing services for children).

Senior Managers in the OPW are responsible for implementing and monitoring procedures in their areas of responsibility so as to ensure that the risks identified in section 4, as well as any other sitespecific risks, are mitigated by the safeguarding procedures set out in this Statement. Senior Managers should inform the Relevant Person of issues arising in relation to the implementation of Child Safeguarding policies and procedures in their areas.

Additional responsibilities for OPW staff recruiting, selecting and appointing workers

Staff who are involved in recruitment and selection of workers should follow the procedures set out in Section 8. Employment offered to persons who provide relevant activities to children should be subject to the person being deemed appropriate for the position through a Garda Vetting assessment process.

Additional responsibilities of OPW staff providing relevant activities directly to children

These individuals have a particular responsibility to understand the contents of this Policy and to follow all relevant procedures set down in it, especially those set out in Section 12. Staff working directly with children must consent to be Garda Vetted and cooperate with vetting and re-vetting procedures (see section 15). If needed, they should seek additional learning or training in Child Protection matters. They must willingly cooperate with management instructions arising from any issue, concern, complaint or investigation of an allegation pertaining to the safeguarding of children.

Staff delivering front-line visitor services are not required to act as caregivers for unaccompanied children who visit on a casual basis or who seek to attend a general ticketed tour. In such cases, tour guides may use their own discretion in deciding whether or not to admit an unaccompanied child on tour.

Role of all other workers on OPW sites that are open to visitors All workers on OPW sites that are open to visitors should be aware of this Child Safeguarding Statement and should take the time to access the link and read a copy and summaries of its relevant contents. They should conform with the requirements

of this Statement in their conduct at OPW sites. They should be prepared to sign the declaration form at Appendix 8 if the local OPW manager requests them to do so.

Role of the OPW Relevant Person

A relevant person under this Policy is the first point of contact for the OPW in relation to the Child Safeguarding Statement and any issues arising in regard to how it operates in practice. Contact details are set out in Appendix 2.

Role of the OPW Mandated Person(s)

The role of the Mandated Person is a statutory one under Sections 14 and 16 of the Children First Act 2015. Details of the role and current appointees are set out in Appendix 2. The OPW's Mandated Persons are responsible for dealing with instances in OPW workplaces where knowledge, belief or reasonable suspicion arises that a child has been, is being or is at risk of being harmed. Their tasks include mandatory reporting to Tusla.

Role of Policy Unit

The role of Policy Unit is to keep this Policy under periodic review and to update it in response to legislative changes, developments in best practice and any operational issues that require the Policy to be revised.

SECTION 6: DISTRIBUTION AND DISPLAY

This Child Safeguarding Statement will be made available as follows:

- An email notification will issue to all staff with an Office Notice containing a link to where the Statement is located on the OPW intranet;
- A hard copy Office Notice and hard copy Statement will issue to all OPW staff who do not have intranet or email access;
- It will be made available to the general public by publication on the main OPW website and all OPW local site websites;
- It will be referenced on the Heritage Island website and in relevant information leaflets such as Contractors' Guides to OPW sites;
- It will be included among documentation provided to contract workers providing services at OPW sites visited by children;
- It will be given to all students undertaking work experience at OPW sites, and to their parents if they are under 18;

It will be displayed in a prominent place at all OPW sites where relevant activities take place and be made available for inspection or copying at the request of any person.

PART B: PROCEDURES FOR SAFEGUARDING CHILDREN

SECTION 7: OPW WORKPLACE CODE OF BEHAVIOUR FOR SAFEGUARDING CHILDREN

For the safeguarding of children, certain standards of behaviour are required of all workers⁵ at OPW sites. As well as for the protection of children, compliance with these standards at work is necessary to ensure the protection of workers against any risk of unfounded or false allegations. The OPW's Workplace Code of Behaviour for Safeguarding Children is set out in the 25 points below. Staff members and non-OPW service providers who breach this Code of Behaviour should be reported to the Mandated Person who will take appropriate action.

1. Comply with all elements of this Child Safeguarding Statement that apply to you.
2. Treat all children with dignity, sensitivity and respect.
3. Always respond promptly to complaints or allegations (see Section 16).
4. Inform primary caregivers of any issues concerning their children.
5. Follow procedures for dealing with lost/ found children (see Section 13).
6. If images of children are to be displayed, permission should be sought from and given in advance by their primary caregiver(s), using the form at Appendix 5.

⁵ Workers are defined in Appendix 1.

7. Images of children should only ever be retained on memory cards owned and issued by the OPW. The capture, retention, use and disposal of such images must be managed in accordance with Data Protection law. See [OfficeNotice24-2013](#) for further information.
8. Maintain awareness of child protection issues when engaging with children and be vigilant for risk. Follow the procedures in Section 16 if you have grounds for concern.
9. If you witness a relevant offence (see Appendix 1) against a child, notify An Garda Síochána immediately and follow the reporting procedure in Section 16.
10. Unless engaging with children at work is part of your job, your levels of engagement with children should be kept to an appropriate level.
11. Never single out a child for favouritism, unfair criticism, sarcasm, ridicule, or unwelcome focus of attention.
12. Be sensitive to the fact that some children are more vulnerable than others and have special needs.
13. Do not leave children unattended or unsupervised when they are in your care.
14. Never engage in rough, physical games including horseplay with children.
15. Never physically restrain a child or young person unless the restraint is to prevent imminent physical injury of the child, other children, visitors, staff or yourself. In all circumstances physical restraint must be appropriate and reasonable; otherwise the act of restraint could be defined as assault.
16. Never do things of a personal nature for children that they can do for themselves or that their primary caregiver can do for them.
17. Never go into a toilet cubicle with children unless a primary caregiver or supervisor is present or gives permission; respect children's privacy in bathrooms or changing rooms.
18. To the greatest extent possible, avoid spending time alone with a child on his/her own. If you find yourself in a situation where you are alone with a child, consider moving to a place where you can

be clearly observed or seen by others. For example, get in sight of a CCTV camera if there's one nearby, or leave the door open.

19. At work, never give lifts in your car to children.
20. While physical contact is a valid way of comforting, reassuring and showing concern for distressed children, it should only take place within public view.
21. Never hit or physically punish a child.
22. Never reveal personal information about a child in any way, other than in order to comply with legal provisions or the procedures contained in this Child Safeguarding Statement.
23. In your work capacity do not communicate with children using text messages, facebook or any other forms of social media. Use OPW devices if you must send or take phone calls from children in the course of your work.
24. Use appropriate language in front of children and never subject a child to verbal abuse.
25. Never engage in sexually provocative games, or tell jokes of a sexual nature or make suggestive comments in the presence of a child. Remember that wilful exposure of a child to pornography constitutes sexual abuse.

Staff should be aware of online safety taking note to include in any risk assessment and follow at all times the OPW's rules on use of the internet/IT equipment. See links below:

[ICT-Acceptable-Usage-Policy](#)

[Office-Notice-12-2013-Images](#)

[MobileDevicePolicyJuly2015](#)

SECTION 8: RECRUITMENT, SELECTION & APPOINTMENT PROCEDURES

The recruitment of workers to provide relevant services should always start with a clear definition of the role, which clarifies the OPW's expectations of the candidates and identifies the minimum level of personal qualities and skills required to fill the post.

Appointments to the Civil Service or into State Industrial employment for the provision of relevant activities are always subjected to Garda Clearance.

In the case of recruiting for posts involving the provision of relevant activities, the following applies:

- Appointees to posts involving the provision of relevant activities will be Garda Vetted and their vetting report screened for any previous convictions relating to offences against a child or offences that might cast doubt on their suitability to work safely with children. Employment of the appointee in the provision of relevant activities is subject to clearance of that person for the position by the HR manager through a Garda Vetting assessment.
- All newly appointed staff will be asked to sign a declaration (see Appendix 8) certifying that they have read the OPW's Child Safeguarding Statement, agree to abide by its contents and that there is no reason why they would be considered unsuitable for working with children.

In relation to the appointment of staff to the OPW who themselves are under the age of 18, the Personnel Officer must notify the Head of the Business Unit concerned about the status of the worker vis a vis the Children First provisions (see more, Section 14a).

SECTION 9: STAFF TRAINING PROCEDURES

As soon as practicable after this Child Safeguarding Statement comes into operation, information sessions should be provided for the whole OPW workforce.

In-house induction training courses should contain an outline of the contents of this Statement.

All staff will be required to sign a declaration (see Appendix 8) that they have read the Statement and will abide by the requirements it contains.

Staff involved in the direct provision of relevant activities and services will have additional training as required to support the fulfilment of their particular responsibilities for the safeguarding of children. These training needs may be identified through the PMDS process and/or may take place as a scheduled annual recap. Tusla's Children First 90-minute e-learning programme will be made available to staff as required.

Managers of work areas where relevant activities are provided may avail of more in-depth training in matters relating to child safeguarding issues as identified through their PMDS processes.

Supervisor-Guide conferences and National Historic Properties staff conferences should include discussions and information exchanges on child safeguarding issues as required.

The Relevant Person and Mandated Persons should acquire additional learning and development as needed to be able to fulfil their role in accordance with all relevant legal provisions, which, apart from child-related legislation, also involves Data Protection and employment legislation.

Short information leaflets will be produced that highlight key aspects of this Statement for use as handouts.

SECTION 10: MANAGING SERVICES FOR CHILDREN

Staff providing services directly to children should be supported by their supervisors and managers through training, monitoring and resourcing of their work to conform with the policies and procedures set out in this Statement.

Regard should be had to the requirements of this Child Safeguarding Statement when drawing up strategic business plans where new and/or extended relevant activities are envisaged.

Operational plans and work programmes should be examined to ensure that adequate staff resources, procedures and training are in place to deliver relevant activities within the requirements of this Statement.

Risk assessments should have regard to the risks inherent in providing relevant activities to children, including online safety and mitigating measures reviewed and monitored accordingly.

Any complaints made or suspicions raised in relation to wilful breaches of the Code of Behaviour for Safeguarding Children (see Section 7) should be discussed with the Mandated Person. The precautionary principle should be applied in any case where behavioural shortcomings are suspected. In such cases staff monitoring and supervision may be increased, and line managers, in consultation with the Mandated Person, may take any appropriate actions that have the protection of a child or children as their primary aim.

SECTION 11: MANAGING SUPPLIER CONTRACTS AT HERITAGE SITES

All contracts

Where a site is open to the visiting public, all contracts delivered at that site should contain a standard clause to the following effect:

“[site name] attracts the visiting public including children. The OPW has a Child Safeguarding Statement in place for the protection of children at this site. When on site the provider is required to have regard to this Statement and abide by its relevant provisions. [link].”

The link and, as appropriate, hard copy or summary leaflets should be made available to contractors, included in contractors' guides and elsewhere to ensure that such workers are aware that the OPW has a Child Safeguarding Statement and can access it readily.

Contracts for Relevant Services (ie to visitors)

If the contract is for provision of Relevant Services, it should contain an additional standard clause to the following effect:

"The service provider is precluded from providing relevant activities exclusively to children unless their employer has had them Garda vetted. If Garda vetting has not been undertaken, the person providing the service must extend their activity to adults and children."

OPW staff are not required to monitor supplier compliance with these contract clauses, other than to be vigilant, as usual, for behaviour of concern on site.

SECTION 12: PROVIDING SERVICES DIRECTLY TO CHILDREN

The starting point for staff providing relevant services and activities directly to children is the Code of Behaviour for Safeguarding Children set out in Section 7 above. In addition, there are a number of specific requirements and expectations that should prevail at OPW sites:

For all relevant activities, an appropriate ratio of adults to children should be in place. The local OPW manager has the discretion to cancel an event if insufficient adult numbers are available. The following ratios are suggested as guidelines:

- 1:10 for children under the age of 12 ○ 1:15 for children aged 12-17
- 1:20 for young people aged 17 and over

All school groups should be accompanied on guided tours by teachers or other primary caregivers.

The following indemnification and release forms should be completed and retained for related activities:

- Permission to take/use images (See Appendix 5) ○
- Indemnity for parents/students (See Appendix 4)

Incident forms (see sample at Appendix 6) should be completed in the event of a complaint by a child or his/her primary caregiver concerning a child safeguarding issue. The forms should be forwarded via the line manager to the Mandated Person.

Any suspicious behaviour observed that might suggest that the Code of Behaviour for Safeguarding Children is being breached should be brought to the attention of the line manager and the Mandated Person (see Section 16).

Staff should call for the backup of another colleague in the event that a visitor is behaving in a way that may pose a risk to the safety or safeguarding of a child.

SECTION 13: LOST CHILDREN

If it is determined that a child is lost or left unattended at any OPW site, the response of OPW staff members should be guided by the following suggested steps:

Reassure the child and endeavour to obtain as much information about the child as possible, for example:

- Name of Child; ○ Age of Child;
- Name of School, if appropriate;
- Physical description of Child (Height, colour of hair, clothing etc.); ○ Where the child was found.

If anyone else is with the child, ask them to remain with you until the primary caregiver has been located. If you are on your own with the child ensure that you get to a public area where you can be seen or heard and try to enlist the assistance of at least one other staff member immediately. Seek an area covered by CCTV.

Make every effort to locate the primary caregiver by asking for assistance from other people in the area or using radios and any public address systems available.

If the child is not claimed, ask the local supervisor or manager to initiate contact with An Garda Síochána without delay. If they are not available, contact An Garda Síochána yourself.

Record in writing who found the lost child and forward an incident report (see Appendix 6) to the Mandated Person for retention.

Where a Child is Reported Missing

If someone reports that a child is missing, staff must act swiftly - time is of the essence.

The staff member receiving the report should try to establish the following information:

- Name of Child; ○ Age of Child;
- Physical Description of Child (height, colour of hair, clothing etc.); ○ Where the Child

was last seen; ○ The time the child was last seen.

Other staff on site should be informed and a thorough check should be made of all areas on site including bathrooms, offices and exits.

Once a sufficient check is made, if the child is not found, the local supervisor or manager should initiate contact with An Garda Síochána without delay. If a manager is not available, contact An Garda Síochána yourself.

An incident report should be recorded by the staff member who initially received the report of the missing child. This report should be forwarded to the Mandated Person for retention.

SECTION 14: TRANSITION YEAR WORK EXPERIENCE

Procedures for facilitating Unpaid Student Work Experience for children and/or vulnerable adults are established by the OPW's Learning and Development Unit (see Appendix 7). The Office will only accept applicants when enough resources are in place to ensure appropriate administration and adequate supervision of students. The OPW's in-take of students on work experience must be managed consistently across the organisation, in line with requirements for the safeguarding of children and in a way that protects the interests of all parties concerned: the student, supervisor, the organisation and the wider community. The following rules apply:

1. All TY students on OPW premises must be under the direct supervision of an appointed OPW staff member.
2. Staff undertaking the direct supervision of Transition Year students should be Garda Vetted, as must any staff administering the Transition Year placement process.
3. Approval in principle from the Head of a Business Unit is required before student work placements may be facilitated in that Unit.
4. Staff are not permitted to bring children into OPW premises on work experience placements except under the conditions and arrangements set out by the Learning & Development Unit (see Appendix 7).
5. TY students should not be permitted to deliver relevant activities to children.
6. Staff should keep a record of attendance for students assigned under their supervision.
7. The procedures set out in Appendix 7 should be followed in every case.

Section 14a: CHILD WORKERS IN THE OPW

In the unlikely event of the OPW employing children, eg as temporary clerical officers or apprentices, the Head of the Business Unit concerned should approve an individual management plan setting out the scope of training, supervision and task assignment appropriate to the young person's deployment. The management plan must have regard to and, as far as practicable, apply the procedures set out in part B of this Statement.

SECTION 15: GARDA VETTING PROCEDURES

While children's engagement with our services is incidental in many respects to our wider visitor remit, the OPW does offer a range of activities that are specifically child-centred, which makes us a relevant organisation under the National Vetting Bureau (Children and Vulnerable Persons) Act 2012. The Children First Act 2015, as well as employment legislation, provides the statutory justification for Garda Vetting of certain staff. Vetting for child protection purposes is carried out in accordance with the National Vetting Bureau (Children and Vulnerable Persons) Act 2012. As a registered body with the Vetting Bureau, the OPW is permitted to apply for Garda Vetting of all new employees and is also obliged to have Garda Vetted any staff who will be providing relevant activities⁶ to children. The scope of OPW's Garda Vetting practice is set out as follows:

Garda Vetting of OPW Staff and Workers on Contracts of Service

The following cohorts of OPW staff will be Garda Vetted for child protection purposes:

- All staff providing relevant activities directly to children, viz:
 - All Guides, Head Guides and Supervisor Guides;
 - All staff undertaking supervision of TY students and any other children or vulnerable adults on work experience;
 - Any staff member assigned to a child-centred task.
- All liaison staff administering the Garda Vetting procedures;
- All staff administering the TY work experience in-take procedures;
- The Relevant Person and Mandated Person(s) designated under this Child Safeguarding Statement.

These cohorts will be re-vetted at intervals prescribed under section 20 of the Children First Act 2015.

Further details about the Garda Vetting process, related data protection and record retention issues, the expunging of spent convictions, the role of OPW's liaison person and the restrictions on the OPW in terms of who can be vetted and how the information can be used are all set out in Appendix 3.

Garda Vetting and Non-OPW staff

⁶ Relevant activities are defined in the National Vetting Bureau (Children and Vulnerable Persons) Act 2012 (see Appendix 1 definitions).

The OPW does not normally arrange to have individuals Garda Vetted when they work with us on contracts for service or as volunteers in a private or community initiative. Therefore, when engaging with any such people wishing to provide a relevant service, the following procedures should apply:

- If the worker/volunteer is associated with a body registered with the National Vetting Bureau, OPW should require that their governing body have the individuals Garda Vetted before allowing them to provide relevant activities on OPW sites. OPW staff should ensure that Requests for Tender, contracts and/or memos of understanding, letters of agreement etc stipulate this.
- If the service provider/volunteer is not associated with a body that is registered with the National Vetting Bureau, then they cannot get themselves independently Garda Vetted.

Therefore, under no circumstances should an OPW staff member permit such a volunteer or contract worker to provide relevant activities to children on our sites. These people may provide services to the general public even if children are among the groups to whom they provide the services, but they should not be officially permitted to provide services that are exclusively arranged for children. In short, the OPW cannot allow anybody to provide relevant activities who has not been Garda Vetted and cleared for the purpose.

- All contracts with service providers who are likely to come in contact with children on OPW sites should include a stipulation that the contract staff be cognisant of the sections of this Child Safeguarding Statement that pertain to them.

SECTION 16: REPORTING REQUIREMENTS

In the first instance, all staff should be aware of the following provision in Section 2.1 of the Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons Act 2012:

“A person shall be guilty of an offence if (a) he or she knows or believes that an offence, that is a Schedule 1 offence, has been committed by another person against a child, and (b) he or she has information which he or she knows or believes might be of material assistance in securing the apprehension, prosecution or conviction of that other person for that offence, and fails without reasonable excuse to disclose that information as soon as it is practicable to do so to a member of the Garda Síochána”.

The extremely serious offences contained in Schedule 1 to this Act are outlined in Appendix 1 and it is incumbent upon all OPW staff – indeed all citizens - to contact the Garda Síochána immediately if they come to know or believe that such harm has come to a child.

While Schedule 1 offences⁷ come at the most serious end of the scale, other concerns must also be acted on by OPW staff. The Children First Guidance⁸ points out that acting sensitively, but responsibly, is a universal duty, and the Children First Act 2015 sets out statutory responsibilities for mandatory reporting to Tusla of any knowledge, belief or suspicion held by a Mandated Person that a child is being, has been or is at risk of being harmed.

The following table sets out actions that should be taken in response to different instances:

Scenario	Action
Suspicion that the Code of Behaviour for Safeguarding Children is being breached.	<ul style="list-style-type: none"> • Discuss suspicions with line manager. • Monitor situation. • Line manager provides closer supervision if necessary. • Line manager reminds or re-train individual and/or whole team on Child Safeguarding code. • In relation to the person under suspicion, line manager discusses appropriate course of action with the Mandated Person. • Mandated Person will advise on and prescribe appropriate action regarding person under suspicion. • Mandated Person will decide whether to report to Tusla.
Allegation that the Code of Behaviour for Safeguarding Children has been wilfully breached	<ul style="list-style-type: none"> • If the person making the allegation is an OPW staff member, they should forward an incident report to the Mandated Person via their line manager. • If it's an external complainant, the OPW person receiving the allegation should ascertain details from the accuser and then complete an incident report and forward it to the Mandated Person via the line manager.

⁷ Schedule 1 to the Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012. See Appendix 1.

⁸ Children First National Guidance for the Protection and Welfare of Children 2017

	<ul style="list-style-type: none"> • Mandated Person liaises with both the party making the allegation and the one accused. • Mandated Person will advise on appropriate action regarding the accused. • Mandated Person will decide whether to report to Tusla.
Disclosure from a child of alleged harm from an OPW staff member or contractor	<ul style="list-style-type: none"> • • Notify Mandated Person immediately. Mandated Person will advise on and prescribe appropriate action regarding the accused. • Mandated Person will report to Tusla. • Mandated Person will notify primary caregiver and/or school of allegation, as appropriate.
Disclosure from a third party of alleged harm to a child from an OPW staff member or contractor	<ul style="list-style-type: none"> • • Notify Mandated Person immediately. Mandated Person will advise on and prescribe appropriate action regarding person under suspicion. • Mandated Person will decide whether to report to Tusla. • Mandated Person will notify primary caregiver and/or school of allegation, as appropriate.
Disclosure from a child of alleged harm from an external source	<ul style="list-style-type: none"> • Notify Mandated Person. • Mandated Person will inform primary caregiver / school / Tusla as appropriate to the disclosure.
Reasonable grounds for believing an adult at an OPW	<ul style="list-style-type: none"> • • Discuss concerns with Mandated Person. Mandated Person will decide whether to make a nonmandatory report to Tusla.
site poses a risk to children in general.	
Knowledge or belief that a Schedule 1 offence has been committed.	<ul style="list-style-type: none"> • Notify An Garda Síochána without delay. • Complete an incident report (see Appendix 6) and forward to line manager and Mandated Person.

It is important to remember that the principle of confidentiality should apply, whereby only those who need to know should be told of a suspicion, allegation or disclosure of abuse. Keeping the number of people informed to a minimum helps to uphold the principle of natural justice, whereby a person has a right to his or her good name and is presumed innocent of an offence until proven otherwise. The Children First Guidance makes it clear, however, that the safety and well-being of the child must take priority over concerns about adults against whom an allegation may be made.

Under this Child Safeguarding Statement, official responsibility is given to OPW's Mandated Persons to use their discretion in deciding whether or not a non-mandatory report to Tusla needs to be made in certain circumstances. However, it is also open to any staff member to make a non-mandatory report of

their own, in their citizen capacity, in certain instances. Further details about making nonmandatory reports are contained on Tusla's website at the link below.

<http://www.tusla.ie/children-first/general-public>



Appendices

Appendix 1 – Definitions

“Harm” means, in relation to a child – (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. (Children First Act 2015, Section 2).

“Relevant activities” means, in relation to children: “Any work or activity which consists of the provision of educational, training, cultural, recreational, leisure, social or physical activities (whether or not for commercial or any other consideration) to children unless the provision of educational, training, cultural, recreational, leisure, social or physical activities is merely incidental to the provision of educational, training, cultural, recreational, leisure, social or physical activities to persons who are not children”. (National Vetting Bureau (Children and Vulnerable Persons) Act 2012, Schedule 1).

“Relevant offence” in relation to a child includes murder, manslaughter, false imprisonment, rape, sexual assault, incest, defilement, allowing a child to be used for pornography, trafficking for sexual exploitation, reckless endangerment, assault causing harm, causing or encouraging sexual offence upon a child, threats to kill or cause serious harm, abduction, cruelty to children (ie, assault, abandonment etc.) and female genital mutilation. (See Schedule 1 of the Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012 for more details.

“Child” means a person under the age of 18 years other than a person who is or has been married. (Child Care Act 1991, Section 2).

“All workers” means:

- Staff employed by the OPW on permanent, fixed term, casual and temporary contracts.
- Staff employed by contractors or through a contract or agency arrangement, who provide a service to the OPW;
- Self- employed or freelance staff working at OPW sites;
- Individuals who provide a service to the OPW through a partnership arrangement; □ Volunteers.

Appendix 2: Roles of Relevant Person, Mandated Persons & Senior Managers

1 The Role of the Relevant Person is to:

- Act as first point of contact in relation to OPW's Child Safeguarding Statement;
- Be knowledgeable about child protection issues in general as well as with the legislation, non-statutory guidance and the content of this Child Safeguarding Statement;
- Have responsibility for the roll-out of this Statement to all staff;
- Provide information and advice on child protection issues within the OPW;
- Take receipt of reports from Senior Managers on issues arising from the implementation of this Statement and make recommendations to the Management Board in relation to its operation.
- Advise the Management Board about Child Safeguarding training needs for the Office.

The appointed Relevant Person for the Office of Public Works is:

Edel Hennessey, Assistant Principal Officer, Equality and Engagement.

Edel.hennessey@opw.ie 046 942 2066 087 283 9888

2 The Role of the Mandated Person is to:

- Receive reports of concerns, complaints and allegations in relation to suspected or actual harm to children at OPW sites, and to act on these in accordance with the law and with this Statement;
- Provide information and advice on child protection issues within the OPW;
- Ensure that the OPW's child safeguarding procedures are followed;
- Liaise with An Garda Síochána as appropriate;
- Make mandatory and non-mandatory reports to Tusla when there are relevant incidents or concerns arising from the instances described in Section 15; document the rationale behind any decisions not to report such instances.
- Keep relevant people within the organisation informed of relevant issues, whilst maintaining an appropriate degree of confidentiality;

[Appendix 2 contd.](#)

- Ensure that an individual case record is maintained of every concern, allegation or disclosure received, along with the actions taken and the outcome;
- Ensure individual case records are confidential and stored securely.

The appointed Mandated Persons for the Office of Public Works are as follows:

Name & Role	Scope of Responsibility	Contact Details
Fiona Morgan, Personnel Officer	Issues relating to work of Established Civil Servants	Fiona.morgan@opw.ie Jonathan Swift St. Trim, Co. Meath. Tel: 046 942 2418 Mob: 087 337 2033
Elaine Dalton Deputy to Fiona Morgan	Issues relating to work of Established Civil Servants	Elaine.dalton@opw.ie Jonathan Swift St., Trim, Co. Meath. Tel: 046 942 2459 Mob: 087 371 1299
Vivienne Horkan Personnel Officer	Issues relating to work of Operational Staff	Vivienne.horkan@opw.ie Jonathan Swift St., Trim, Co. Meath Tel: 046 942 2421 Mob: 086 361 3915
Jacinta Lynch Deputy to Vivienne Horkan	Issues relating to work of Operational Staff	Jacinta.lynch@opw.ie Jonathan Swift St., Trim, Co. Meath Tel: 046 942 2441

3 The role of Senior Managers in relation to this Child Safeguarding Statement is to:

- Implement the procedures required under this Statement;
- Supply the Garda Vetting Liaison Officer (see Appendix 3) with details of staff who are providing *relevant activities* to children;
- Carry out risk assessments locally where site-specific conditions indicate additional risks above and beyond those set out in Section 4 of this Statement;
- Implement measures to address additional risks identified;
- Report to the Relevant Person on the implementation of this Statement.
- Ensure that all contracts for the provision of relevant activities include a requirement that the service provider is cleared following Garda Vetting.

Appendix 3 – Garda Vetting Procedures

In accordance with Section 12(1)(A) of the National Vetting Bureau (Children and Vulnerable Persons) Act 2012 (“Vetting Act”), the OPW is required to ensure that vetting disclosures have been acquired for anybody it employs, contracts or permits to provide *relevant activities*⁹ to children. The Office must not assign or permit non-employees to provide *relevant activities* unless the Office is assured that they have been Garda Vetted by their parent organisation and deemed suitable for the provision of relevant work.

Who in OPW can be Garda Vetted?

- All new civil servants prior to their first employment, and certain operational staff who work in high-security premises – the vetting of such staff is commonly referred to as Garda clearance;
- All staff who provide *relevant activities* as defined in the National Vetting Bureau (Children and Vulnerable Persons) Act 2012, in accordance with the vetting Act and the Children First Act 2015.

Section 15 of the OPW’s Child Safeguarding Statement lists the categories of OPW staff who should always be Garda Vetted for child protection purposes.

How often will relevant staff be re-vetted for child protection purposes?

Re-vetting will be done at intervals to be prescribed by the Minister under Section 20 of the National Vetting Bureau (Children and Vulnerable Persons) Act 2012.

Who administers the Garda Vetting for OPW?

A liaison person is designated under the Act and registered and trained by the National Vetting Bureau. This role is currently held by **Jacinta Lynch** email Jacinta.lynch@opw.ie or Tel (046) 942 6564.

How does the process work?

It is the responsibility of managers in Visitor Services, National Historic Properties and the Learning & Development Unit to supply the liaison person with lists of staff who will be providing *relevant activities*.

Vetting Forms may be issued to each relevant staff member and re-issued at prescribed intervals for repeat vetting. For e-vetting, there is an identify verification process and an electronic invitation issued to the staff member being vetted.

A confidential log is kept by the liaison person to track the administration of Garda Vetting in OPW. The log contains the names of staff who have been requested to complete Garda Vetting Forms, as well as the stages of the process completed.

⁹ See definition in Appendix 1

Appendix 3 contd.

Since 2016, the vetting disclosures obtained from the National Vetting Bureau are electronic, and made viewable to the liaison person for 30 days before they are removed from view. In the event of material information being disclosed that would affect employment or deployment decisions of the Relevant Person, that disclosure report would be retained with the employee's personnel records.

What is the turn-around for Garda Vetting?

80% of vetting applications are responded to within 5 days.

What if staff members or job applicants refuse or fail to cooperate with Garda Vetting?

Relevant staff (see Section 15 of the Child Safeguarding Statement) who do not consent to be Garda Vetted should be precluded from providing *relevant activities* to children and may be subject to the application of the disciplinary procedure.

The employment of a person for the provision of relevant activities is subject to Garda Vetting.

What does the Garda Vetting Report show?

- All court convictions, with the exception of "spent convictions" as provided for in the Criminal Justice (Spent Convictions and Certain Disclosures) Act 2016.
- In respect of Garda Vetting specifically for child protection purposes, the report will also show "specified information", i.e. information other than a court determined criminal conviction, for example conclusions from investigations conducted by Tusla or the HSE, where such investigations lead to a bona fide concern that a person poses a threat to children.

What are "Spent Convictions"?

1. All convictions in the District Court for Motoring offences which are more than 7 years old, with the proviso that spent convictions for dangerous driving are limited to a single conviction.
2. All convictions in the District Court for minor public order offences which are more than 7 years old.
3. In addition, where a person has one, and only one, conviction (other than a motoring or public order offence) which resulted in a term of imprisonment of less than 12 months (or a fine) that conviction will also be spent after 7 years. This provision will apply to either a District Court or Circuit Court.

OPW staff being Garda Vetted do not need to declare any spent convictions on their vetting form, and the National Vetting Bureau will not disclose them to the OPW.

Appendix 3 contd.

What use can the OPW make of information that comes to them from a Garda Vetting report?

The Office is highly restricted in how it can use disclosures about convictions. For example, if the staff member is being Garda vetted for child protection purposes, the Office can only use the information disclosed to determine whether or not the staff member should be deployed to provide *relevant activities* to children, and for no other purpose.

Who sees vetting reports?

1. The OPW's designated liaison person (currently Jacinta Lynch).
2. The Mandated Persons appointed under the OPW's Child Safeguarding Statement.

Who decides if an individual is not deemed suitable for employment or for providing *relevant activities*?

The Personnel Officers, in their core role and/or in their capacity as Mandated Person under the Child Safeguarding Statement, as the case may be.

Where are vetting reports kept in OPW?

In the event of a material disclosure that influences the decision on whether the person can be employed on *relevant activities*, the report will be kept on the staff member's personnel file. Otherwise reports are not retained.

How long are vetting reports retained by OPW?

In the case of material disclosure, the reports will be kept for the same duration as the staff member's personnel records.

How are vetting reports disposed of?

Pre 2016 reports are shredded. Post 2016 reports are just allowed to lapse off the Bureau's electronic record after 30 days. Information on the liaison person's database of vetting activity is retained for the duration of the data subjects' employment.

Appendix 4 – Sample Indemnification & Permission Forms

Sample 1: Permission Slip for a Child attending a Summer Camp at Ashtown Castle



Permission Slip July 2018

It is essential to present this document in order to participate in the event. Please fill it in and return it to the address below, or bring it with you on the day of the event.

Times: 10.00a.m. - 3.15p.m.

Dates (Please circle): 3rd 5th 10th 12th 17th 19th 24th 26th

Name of Young Person:

Name of Parent/Guardian:

Address:

Contact person in case of any emergency:

Mobile number: _____ **Email:** _____

Other relevant information (Please mention any medical conditions, special needs or dietary requirements):

Permission

I _____ (parent/guardian) agree to allow the young person named above to participate in the OPW, Eco-UNESCO Summer Camp. I understand that the participants will be walking around the grounds of Ashtown Castle. I understand that there may be the possibility of the participants of the summer camp being photographed or filmed for broadcasting by OPW, EcoUNESCO or RTE.

Appendix 4 contd.

Sample 2: Permission & Conditions for a Storytelling Family Event at a National Monument



Re: Storytelling Family Event at Reginald's Tower 2017 from 18th November – 19th Nov, 24th, 25th & 26th Nov, 1st, 2nd & 3rd Dec, 8th, 9th & 10th December 15th -23rd December 2017 - (Friday, Saturday and Sunday at 12.00, 2.00pm and 4.00pm)

Dear [name]

I refer to the above request and am pleased to inform you that permission has been granted subject to compliance with the following conditions:

- 1) The Minister for Culture, Heritage and the Gaeltacht, her servants and agents, the Commissioners of Public Works, their servants and agents, the Minister for Public Expenditure and Reform and the State are indemnified against all actions, suits, claims, proceedings, costs or expenses in respect of any loss, accident or damage of any nature to any person or property whatsoever arising out of the granting of this permission.
Evidence of Public Liability Insurance in the sum of €6m must be submitted to the undersigned prior to the event. Received with thanks.
- 2) You must have regard to the OPW's Child Safeguarding Statement 2018 and ensure that all storytellers and volunteers are made aware of its content, particularly sections 5, 7 and 14. Please note that storytellers and volunteers are prohibited from providing children-only activities unless Garda Vetted for the purpose. They may however provide activities to groups where the presence of children is incidental to the presence of people in general.
- 3) You are required to adhere to the maximum number of visitors as agreed with Guide Staff at Reginald's Tower.
- 4) Sufficient stewarding must be provided for this event. The names of the volunteers and Storytellers should be identified and agreed in advance with [name]. Each session should have two volunteers and one storyteller. Each session is on a first come first served basis. Any difficulties with any aspect of the Stewarding process will be brought to the attention of the organising committee.

- 5) You will be responsible for leaving the site in a clean and tidy condition after use.
- 6) You will be responsible for the cost of making good any damage caused to the site arising out of its use.
- 7) There must be no fixing/mounting of any object to any wall or ground surface area of the site.
- 8) Interference with the fabric/structure of the National Monument is not permitted. Detection of such breaches will be penalised and may result in prosecution.
- 9) Please ensure that the contents of the Letter of Permission is brought to the attention of all participants.
- 10) The instructions of National Monuments staff or their authorised representatives must be complied with at all times. Please liaise with [name & number] prior to your event to arrange set up etc.

If you agree to abide by the foregoing conditions, please sign the undertaking below and return to [name & email]. Non receipt of a completed authorisation will result in the cancellation of this permission.

Yours sincerely

[Head of Business Unit]

I agree to abide by the above conditions:

Signed: _____

On behalf of: _____

Date: _____

Appendix 4 contd.

Sample 3: Permission & Indemnification for an event in Phoenix Park

Dear [name],

I refer to your recent request on behalf of _____ to hold a _____ in the Phoenix Park on _____

Permission is granted subject to the following conditions:

- 1) The Commissioners of Public Works and the Minister for Public Expenditure and Reform are indemnified against all actions, suits, claims, proceedings, costs or expenses in respect of any loss, accident or damage of any nature to any person or property whatsoever arising out of the granting of this permission. **Please enclose details of your public liability insurance to the effect of €6.5 million when returning this letter.**
- 2) All directions of the Chief Park Superintendent, Service Manager, Park Foremen or their authorised representatives must be complied with at all times.
- 3) You will be responsible for making good any damage whatsoever caused to State property arising out of the granting of this permission.
- 4) All details in the event safety management plan that is submitted to the Office of Public Works must be adhered to.
- 5) The OPW reserves the right to change the route or any other arrangements for this event at any time or to cancel the event without notice and without incurring any liability for any claim of compensation from any individual or group as a result of public health and safety and State business. Please note that provisionally booking a date does not guarantee the event will take place on that date. The OPW reserves the right to rearrange dates as the event calendar review by Park Management dictates.
- 6) No undue interference should be caused to other visitors in the Phoenix Park.
- 7) You accept responsibility for leaving all areas used in a clean and tidy condition. All litter must be removed.
- 8) Event organisers cannot advertise an event until approval has been given by the Office of Public Works and a signed indemnity form and copy of public liability insurance has been submitted.
- 9) Adequate stewarding must be provided.
- 10) Health & Safety guidelines to be adhered to at all times.
- 11) Event organisers should have regard to the OPW's Child Safeguarding Statement 2018 and ensure that all volunteers are made aware of its content. Please note that volunteers are prohibited from providing children-only activities unless Garda Vetted for the purpose. They may however provide activities to groups where the presence of children is incidental to the presence of people in general.
- 12) All groups must carry out a Risk Assessment of the agreed course/route at least one week prior to the event.
- 13) Noise levels must be kept to a reasonable level.
- 14) Organisers will be required to furnish an email address for inclusion on the Events List of the Phoenix Park website www.phoenixpark.ie

If you agree to abide by the above conditions, please sign the undertaking below and return it to me as soon as possible.

Yours sincerely

Undertaking

I/We hereby agree to indemnify the Commissioners of Public Works, their servants and agents, the Minister for Public Expenditure and Reform and the State against any claim or loss or damage to property or injury to persons arising out of my/our being granted permission to hold a _____ in the Phoenix Park on _____

I agree to abide by the above conditions

Signed:

Date:

Appendix 5 – Media Consent Form

Parent Release Form for Media Recording


I, the undersigned, do hereby grant or deny permission to OPW to use the image of my child, _____, as marked by my selection(s) below. Such use includes the display, distribution, publication, transmission, or otherwise use of photographs, images, and/or video taken of my child for use in materials that include, but may not be limited to, printed materials such as brochures and newsletters, videos, and digital images such as those on the OPW Web site.

- ☐ Deny permission to use my child's image at all.
- ☐ Grant permission to use my child's image in the following ways (mark all that apply):
- I. **Limited usage:** I want my child's image used within the OPW setting only (not in the larger community).
 - II. **Limited usage:** I want my child's image used for educational materials only (not marketing). This could be either within OPW or in the larger community.
 - III. **Unrestricted usage:** I give unrestricted permission for my child's image to be used in print, video, and digital media. I agree that these images may be used by OPW for a variety of purposes and that these images may be used without further notifying me. I do understand that the child's last name will not be used in conjunction with any video or digital images.

Parent/guardian signature _____

Date

Appendix 6: INCIDENT REPORT FORM

		Incident Report Form CSS1 For all incidents and concerns related to OPW Child Safeguarding Statement Please forward to (i) The line manager in charge of the employee (iii) The Mandated Person under the Child Safeguarding Statement if the incident relates to harm to a child as defined in the Children First Act.
1.	Property and exact location of incident (i) include property number if known (ii) attach photos and/or sketches as appropriate	
2.	Time and Date of incident	
3.	Description of incident and injuries (if any) (i) attach photos and/or sketches as appropriate	
4.	Injured Party Details (include contact details)	Please give details in relevant box below i.e. OPW Staff or Visitor or Third Party
4a	OPW Staff: Name and Grade	
4b	Visitor or Third party: Name and address of person[s] injured	
5.	Witness(es)	Please give details below
5a	Name and address of witness[es] (i) attach witness statements as appropriate	
6.	Medical treatment	Please give details below
6a	Name of first aider	
6b	Name of doctor and/or hospital	

7.	Remedial Actions Taken (if appropriate)	
8.	Other comments:	
	Date:	Signed:

Appendix 7: Unpaid student work experience in the OPW for under-18s and vulnerable adults

OPW Policy and Procedures

SCOPE AND BACKGROUND

This policy relates to ad-hoc requests for short-term, unpaid work experience for students under the age of 18 and for vulnerable adults.¹⁰ It does not apply to formal schemes such as OPW's Graduate Programmes or Apprentice Schemes, or to ad hoc requests from individuals over 18 years of age.

In general, such requests for work experience are only accepted from: (i) secondary school students in Transition Year, (ii) undergraduate students under 18 in full-time education, studying subjects that are relevant to the work of the OPW and (iii) students with disability who are enrolled in educational or training programmes. **The OPW does not generally facilitate other requests for unpaid work experience or internships for under-18s.**

The following procedures are designed to ensure that the OPW's temporary in-take of child and otherwise vulnerable students is managed consistently across the Office, in line with requirements for their safeguarding and in a way that protects the interests of all parties concerned: the student, supervisor, organisation and community.

The Office can only accept applicants for work experience when there are sufficient resources to administer applications and to provide appropriate supervision to the student. During exceptionally busy periods the Office may turn down all applications.

Staff are not permitted to bring people under the age of 18, or vulnerable adults, into OPW on work experience placements except under the arrangements set out in this policy.

3.1 ESSENTIAL CRITERIA

- Individuals taken on for work experience should be full time students.
- Placements should not generally exceed 10 working days in duration.
- All students must be assigned under the direct supervision of a staff member.
- All placements must be documented in accordance with the procedures set out below.
- All direct supervisors of children and vulnerable adults should be Garda Vetted.

3.2 AUTHORITY TO PLACE WORK EXPERIENCE STUDENTS

- Learning & Development Unit (L & D Unit) is the sole authority for Work Experience placements for children and other vulnerable students where the student is being assigned under the supervision of OPW Established staff members.

¹⁰ As defined in the National Vetting Bureau (Children & Vulnerable Persons) Act 2012.

- Heads of Business Units (PO/equiv.) may delegate authority to individuals at local level, allowing them to manage the placement of under-18s work experience students under the supervision of OPW Operational staff. These authorised staff will be called student liaison officers.
- Student liaison officers must understand this policy, comply with these procedures and they must be Garda Vetted before they start placing students.
- Other than L&D Unit and approved student liaison officers, no staff member is permitted to bring a student under the age of 18 or an otherwise vulnerable student into the OPW on work experience.

3.3 RECORDS

- The in-take process, essential paperwork and logging of data for all placements must be managed in a standardised format by student liaison officers.
- A spreadsheet must be kept to log the following information relating to every student intake:

Student Name	Dates on Site	Direct Supervisor	Work Location	School	Requested by	Approved by	Indemnity signed?	Insurance Doc recd	Child Safeguarding Statement read and signed	Paperwork located

- The spreadsheet should be forwarded at the end of each year to L & D Unit to feed into a central HR record of all students taken on at any OPW location.
- The following paperwork is required for students **under the age of 18**:

✓	Two indemnity forms, signed respectively by the student and their parent/guardian, to be kept on file (see Form A & B below)
✓	A copy of the school's insurance/indemnification certificate or a personal insurance certificate obtained from the student and filed
✓	Child Safeguarding Statement to be issued to the direct supervisor and parents
✓	Supervisor Declaration form signed by the direct supervisor (see Form C below)
✓	Child Safeguarding Declaration form signed by the student and parents (see Appendix 8).

3.4 ROLE OF THE DIRECT SUPERVISOR AND OTHER STAFF

There is no onus on any staff member to accept the role of direct supervisor of a student on Work Experience. However, where such a student comes into an OPW workplace, there is an onus on all staff who come into contact with them to be cognisant and considerate of the relative immaturity, inexperience and/or potential vulnerability of the student from the point of view of safety, health, welfare and safeguarding, and to report any concerns they may have to their manager and to the Mandated Person appointed under the OPW's Child Safeguarding Statement.

Direct supervisors may wish to circulate a leaflet outlining the OPW's Workplace Code of Behaviour for Safeguarding Children to colleagues who are likely to be working alongside the student.

Direct supervisors should ensure, as far as practicable:

- that the attendance pattern of the student coincides with their own attendance at work;
- that the student and supervisor work in close enough proximity to ensure adequate supervision and support;
- that as far as possible, the student works in a highly visible, well populated location where they are least likely to be alone with any one staff member;
- that the student is given a reasonable opportunity to participate in or to observe meaningful work;
- that the student is not required to work alone;
- that the supervision of the student is never delegated to a staff member who has not been Garda Vetted.

3.5 EXIT SURVEYS

Exit surveys should be conducted to measure student satisfaction and to allow room for issues to be raised or feedback offered at the end of the work experience. Feedback relating to issues of complaint or concern should be forwarded to L&D Unit for attention. If issues of complaint or concern arise in respect of child safeguarding, the Mandated Person under the OPW's Child Safeguarding Statement should be alerted.

Appendix 7 contd. Form A - INDEMNITY (parent/guardian)

In consideration of my son/daughter _____ being granted permission by the Commissioners of Public Works to undertake Work Experience in the Office of Public Works at _____

_____ I indemnify and agree to keep indemnified, the State and the said Commissioners, its and their officers, agents and employees against all actions, loss, damage, costs, expenses and demands arising in any manner whatsoever during the course of his/her

participation in the said Work Experience, and any activity associated with that Work Experience.

SIGNATURE, DATE & CONTACT DETAILS: (Parent/guardian) _____

Appendix 7 contd. Form B - INDEMNITY (student)

In consideration of I _____ being granted permission by the Commissioners of Public Works to undertake Work Experience in the Office of Public Works at

_____ hereby indemnify and agree to keep indemnified, the State and the said Commissioners, its and their officers, agents and employees against all actions, loss, damage, costs, expenses and demands arising in any manner whatsoever during the course of his/her participation in the said Work Experience, and any activity associated with that Work Experience.

SIGNED & DATED: _____ **ADDRESS:** _____

Appendix 7 contd. Form C - SUPERVISOR declaration

Declaration from all OPW staff volunteering to supervise minors and/or vulnerable adults on Work Experience placements.

Name (block capitals): _____

Work address: _____ Contact no: _____

☐ I have read the Office of Public Works Child Safeguarding Statement (inc Appendix 7) and agree to abide by its contents.

☐ I declare that there is no reason why I would be considered unsuitable to work with children or young people.

☐ I agree to be Garda Vetted before undertaking direct supervision of minors or vulnerable adults.

Signature & Date: _____

Appendix 8 –Declaration Form for staff and certain suppliers & volunteers

Declaration from (i) staff, (ii) certain suppliers working on OPW sites and (iii) volunteers at sites where children visit. Sections 5, 8 and 9 of the Child Safeguarding Statement refer.

Name (block capitals): _____

Address: _____

Telephone Number : _____

Email address: _____

I have read the Office of Public Works Child Safeguarding Statement and agree to abide by its relevant contents

Signature : _____

Date : _____

I declare that there is no reason why I would be considered unsuitable to work with or near children.

Signature : _____

Date : _____

Please return signed Declaration Form to:

Mary Corrigan, Equality and Engagement, OPW HQ, Jonathan Swift Street, Trim, Co. Meath,

For queries: Tel 046 942 2068 or Email: Mary.corrigan@opw.ie

