

The Designated Liaison Person (DLP) dealing with child protection is currently Shane Gallagher, Visitor Services Manager at Butler Gallery, with Jean Mann, Learning and Public Engagement Curator and Paula Lynch, Visitor Experience and Learning Assistant as Deputy Designated Liaison Persons.

As the Designated Liaison Person this document has been reviewed by him on the 28th August 2024

Shane Gallagher

Visitor Services Manager & DLP
Butler Gallery
Evans' Home
John's Quay
Kilkenny

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1. Introduction

Butler Gallery is a contemporary art gallery, and an accredited museum, based in Kilkenny City. The Butler Gallery programmes excellent, contemporary art work of local, national and international visual artists in a living way, through exhibition, collection, learning and public engagement projects for the benefit of the widest possible audience. The gallery is committed to playing a central role locally and nationally in developing and advocating the visual arts through its programme and associated activities.

1.1 Guiding Principles

The Butler Gallery is committed to a child centered approach to our work with children and young people. We undertake to provide a safe environment and experience, where the welfare of the child/young person is paramount. All persons undertaking work on behalf of the Butler Gallery, whether staff, volunteer, board of management or contract staff must be aware of and compliant with this policy.

We adhere to the recommendations of *Children First: National Guidelines for the protection and Welfare of Children*, published by the Department of Health and Children in accordance with the *Children First Act 2015*. We consider the definition of a child to be any person under age 18 who is not married, and has not previously been married as defined in the *Child Care Act 1991*.

1.2 List of Relevant Legislation

Relevant Legislation which has been referenced in the creation of this document, and to which Butler Gallery is compliant, includes:

Child Care Act, 1991

Protections from Persons Reporting Abuse Act, 1998

Criminal Justice Act, 2006

Criminal Justice (Withholding of Information on Offences Against Children and Vulnerable Persons) Act, 2012

National Vetting Bureau (Children and Vulnerable Person) Act , 2012-2016

Children First Act, 2015

Protected Disclosure Act, 2014

Data Protection Acts (1988, 2003)

Freedom of Information Acts 1997, 2003 and 2014

Criminal Law (Sexual Offences) (Amendment) Act 2007

General Data Protection Regulations, 2018

1.3 Designated Liaison Person

The Designated Liaison Person (DLP) dealing with child protection is currently Shane Gallgher, Visitor Services Manager at Butler Gallery, with Jean Mann, Learning and Public Engagement Curator and Paula Lynch, Visitor Experience and Learning Assistant as Deputy Designated Liaison Persons.

As the Designated Liaison Person Shane may be contacted on 056 7761106 or shane@butlergallery.ie In emergencies call: 085 1307785

In emergencies call: 087 1985138 Evelyn Graham is the relevant person for dealing with an allegation made against a staff member.

Email: evvie64@gmail.com

Role of the Designated Liaison Person

- Provide information and advice
- Receive and consider child protection concerns
- Consult with the HSE/Túsła/An Garda Síochána
- Make a formal referral to Túsła/An Garda Síochána
- Maintain confidential records
- Inform parents/carers of concerns, reports or referrals unless deemed to put child at further risk

1.4 Policy Review

This policy, and related policies and procedures will be updated on a bi-annual basis. It will be reviewed by the Learning and Public Engagement Curator and the Designated Liaison Person, Butler Gallery Director and Board of Management. It may be reviewed more frequently, if required.

1.5 Summary of Activities

Children are welcomed into Butler Gallery through a number of targeted and general art programmes, as well as through accompanied general access to the gallery exhibition programming. The below summary of activities is not exhaustive as on occasion, once-off activities and/or new programmes may arise. In each activity a risk assessment for Child Safeguarding and Welfare is undertaken.

School & Group tours:

Tours are provided to groups of children and young people through their pre-school, school, college, community group or extra-curricular activity.

Children's Programme:

Artist-led art-making workshops in the gallery, responding to the temporary exhibition programme.

National Drawing Day:

Butler Gallery organises the largest outdoor event of this national cultural event with 10 simultaneous indoor and outdoor art-making workshops led by professional artists and volunteers.

Cruinniu na nOg:

A national day of creativity for children and young people under 18 with events, exhibitions and workshops in the gallery.

Culture Night:

A large scale after-hours event, Butler Gallery programmes live events, talks, screenings and workshops.

Youth Events: Events targeted at a teen audience, and led by professional artists take place throughout the year in response to the temporary exhibition programme including workshops and tours.

2. Child Abuse. What is it?

2.1 Reasonable grounds for concern when working with children

If there are reasonable grounds for concern that a child has been, is being, or is at risk of being abused or neglected, Butler Gallery have a responsibility to take appropriate action. With consideration of the individual case, Butler Gallery will make a formal referral to Tusla or the Gardaí as appropriate.

Reasonable grounds for concern include:

- Evidence of abuse – e.g. injury or behaviour that is consistent with abuse, and unlikely to have been caused in any other way
- Any concern about possible sexual abuse
- Consistent signs of emotional or physical neglect
- An admission by a child or adult of alleged abuse
- An account from a person who may have witnessed the child being abused.

If you think a child is in immediate danger and you cannot contact Tusla, you should contact the Gardaí without delay.

2.2 Definitions of Abuse

Child abuse can be categorised into four different types: neglect, emotional abuse, physical abuse and sexual abuse. A child may be subjected to one or more forms of abuse at any given time. Abuse and neglect can occur within the family, in the community or in an institutional setting. The abuser may be someone known to the child or a stranger, and can be an adult or another child. In a situation where abuse is alleged to have been carried out by another child, you should consider it a child welfare and protection issue for both children and you should follow child protection procedures for both the victim and the alleged abuser.

The important factor in deciding whether the behaviour is abuse or neglect is the impact of that behaviour on the child rather than the intention of the parent/carer.

The definitions of neglect and abuse presented in this section are not legal definitions. They are intended to describe ways in which a child might experience abuse and how this abuse may be recognised.

2.2.1 Neglect

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

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

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

The following are features of child neglect:

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

2.2.2 Emotional abuse

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

A reasonable concern for the child's welfare would exist when the behaviour becomes typical of the relationship between the child and the parent or carer.

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

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

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

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

2.2.3 Physical abuse

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

Physical abuse can include the following:

- Physical punishment
- Beating, slapping, hitting or kicking
- Pushing, shaking or throwing
- Pinching, biting, choking or hair-pulling
- Use of excessive force in handling
- Deliberate poisoning
- Suffocation
- Fabricated/induced illness
- Female genital mutilation

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

2.2.4 Sexual abuse

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

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

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

Examples of child sexual abuse include the following:

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

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

An Garda Síochána will deal with any criminal aspects of a sexual abuse case under the relevant criminal justice legislation. The safety of the child is paramount and at no stage should a child's safety be compromised because of concern for the integrity of a criminal investigation.

Age of consent

In relation to child sexual abuse, it should be noted that in criminal law the age of consent to sexual intercourse is 17 years for both boys and girls. Any sexual relationship where one or both parties are under the age of 17 is illegal. However, it may not necessarily be regarded as child sexual abuse. In the case of an observation or disclosure of a sexual relationship where one or both parties are under the age of 17 should be discussed with Butler Gallery DLP before contacting An Garda Síochána.

2.3 Circumstances which may make children more vulnerable to harm

If you are dealing with children, you need to be alert to the possibility that a welfare or protection concern may arise in relation to children you come in contact with. A child needs to have someone they can trust in order to feel able to disclose abuse they may be experiencing. They need to know that they will be believed and will get the help they need. Without these things, they may be vulnerable to continuing abuse.

Some children may be more vulnerable to abuse than others. Also, there may be particular times or circumstances when a child may be more vulnerable to abuse in their lives. In particular, children with disabilities, children with communication difficulties, children in care or living away from home, or children with a parent or parents with problems in their own lives may be more susceptible to harm.

The following list is intended to help you identify the range of issues in a child's life that may place them at greater risk of abuse or neglect. It is important for you to remember that the presence of any of these factors does not necessarily mean that a child in those circumstances or settings is being abused.

Parent or carer factors:

- Drug and alcohol misuse
- Addiction, including gambling
- Mental health issues
- Parental disability issues, including learning or intellectual disability

Child factors:

- Age
- Gender
- Sexuality
- Disability
- Mental health issues, including self-harm and suicide
- Conflictual relationships
- Domestic violence
- Adolescent parents
- Communication difficulties
- Trafficked/Exploited
- Previous abuse
- Young carer

Community factors:

- Cultural, ethnic, religious or faith-based norms in the family or community which may not meet the standards of child welfare or protection required in this jurisdiction
- Culture-specific practices, including:
 - Female genital mutilation
 - Forced marriage
 - Honour-based violence
 - Radicalisation

Environmental factors:

- Housing issues
- Children who are out of home and not living with their parents, whether temporarily or permanently
- Poverty/Begging
- Bullying
- Internet and social media-related concerns

Poor motivation or willingness of parents/guardians to engage:

- Non-attendance at appointments
- Lack of insight or understanding of how the child is being affected
- Lack of understanding about what needs to happen to bring about change
- Avoidance of contact and reluctance to work with services
- Inability or unwillingness to comply with agreed plans

You should consider these factors as part of being alert to the possibility that a child may be at risk of suffering abuse and in bringing reasonable concerns to the attention of Tusla.

3. Reporting Procedures

Any concerns, observations or disclosures with regards to the abuse or neglect of child that arises through the work of the Butler Gallery must be reported to the DLP. An internal report form (Butler Gallery Child Safeguarding and Welfare Report Form) should be filled out and the DLP notified by phone or email unless the DLP is present. The DLP will follow up with the staff/volunteer/contractor or any adult who makes this report, and will make referrals to Tusla or the Gardaí as required.

In the case of a mandated person, they may make a direct referral to Tusla, or a joint report with the DLP. The DLP must be informed of any referral in advance of submission to Tusla.

3.1 Procedures for dealing with disclosures

If a child makes a disclosure, either directly or indirectly, it is vital that this is treated sensitively and in the following way:

- Stay calm and listen – give the child time to say what they need to
- Don't ask leading questions or provide prompts
- Equally, do not be dismissive of a disclosure or second guess a child's allegation
- Reassure the child but do not promise to keep a secret
- Do not ask for more details than the child is offering
- Never destroy physical evidence eg. in case of sexual abuse
- Explain that you may need to share this information with other people who can help, and act on behalf of the child
- Make a record in the Butler Gallery Child Safeguarding and Welfare Report Form
- Record the discussion as carefully as possible and as soon as possible. Be factual, do not offer opinions
- Note the date and time
- Report Form is to be placed in a sealed envelope, marked as 'Butler Gallery Designated Liaison Person, Private and Confidential' and left at the front desk in an appropriate location (as advised by front desk staff). Notify the DLP by phone or email unless DLP is present.
- Speak directly with the DLP with regards to all concerns, observations or allegations
- It is the responsibility of the DLP to make reports to Tusla on behalf of Butler Gallery, not the individual staff member unless the staff member is a mandated person
- It is the responsibility of the DLP to inform the parents/caregivers of a report to Tusla provided that this information does not pose a further risk to the child

3.2 Procedures for reporting child protection or welfare concerns

If any staff member makes an observation or is suspicious of a child being, or at risk of being abused or neglected, they must:

- Make a record in the Butler Gallery Child Safeguarding and Welfare Report Form. These forms are included at the back of each handover pack, to the artist, before each workshop.
- Record the observation as carefully as possible and as soon as possible. Be factual, do not offer opinions
- Note the date and time
- In the case of sexual abuse, or if there is an immediate risk to the safety or life of a child, the Gardaí must be immediately informed

- Report Form is to be placed in a sealed envelope, marked as 'Butler Gallery Designated Liaison Person, Private and Confidential' and left at the front desk in an appropriate location (as advised by front desk staff). Notify the DLP by phone or email unless DLP is present.
- Speak directly with the DLP with regards to all observations or allegations
- It is the responsibility of the DLP to make reports to Tusla on behalf of Butler Gallery, not the individual staff member
- It is the responsibility of the DLP to inform the parents/caregivers of a report to Tusla provided that this information does not pose a further threat of abuse or neglect to the child

3.3 Procedures for dealing with retrospective allegations

Some adults may disclose abuse that took place in their childhood. Such adults may need counselling or support, and can be referred to the TUSLA National Counselling Service as a place to be listened to and valued. This service is available free of charge on 1800 670 700.

If a disclosure is made to a staff member by an adult who suffered abuse as a child, it is essential to establish whether there is any current risk to any child who may be in contact with the alleged abuser revealed in such disclosures. If such a risk exists, a Butler Gallery Child Safeguarding and Welfare Report Form must be filled out and a notification made to the DLP. If the risk is immediate or life threatening, the Gardai must be immediately informed.

3.4 Procedures for dealing with an allegation against staff/volunteer/contractors

The first priority is to ensure that no child is exposed to un-necessary risk and the protection of that child/young person is paramount. The measures taken should be a matter of urgency, but also appropriate to the level of risk, and not unreasonably penalise the staff member, financially or otherwise, unless necessary for the protection of children.

An allegation of abuse may relate to a person who works with children who has:

- Behaved in a way that has or may have harmed a child
- Possibly committed a criminal offence in relation to a child
- Behaved towards a child/young person or children in a way that indicates they may pose a risk of harm to a child
- Behaved in a way that is contrary to the Butler Gallery's Code of Conduct

There are two procedures which come into place in this instance; the reporting of child abuse allegations shall follow the same procedure as 3.1 and 3.2 of this document as appropriate; there will also be an internal personnel procedure by the Butler Gallery. Disciplinary measures will result from the internal personnel procedure by Butler Gallery and may include withdrawal of staff member from any contact with children and suspension from post until such time as the allegation is resolved.

During the course of the investigation, the relevant person from management will be the direct contact of the staff member, will lead the internal personnel procedure and decide appropriate measures. At all times the staff member will be informed and kept up to date with actions determined. The DLP will be the direct contact of Tusla and An Garda Síochána and continue to act on behalf of the procedures in 3.1 and 3.2 of this document.

For staff/volunteers/contractors: If you are directly accused of abuse/neglect/inappropriate behaviour, don't get into a discussion about it. End the conversation there and then as quickly and politely as possible and refer the accuser to the Butler Gallery Child Safety Statement, and the contact for the DLP which is publicly accessible in the gallery and on the gallery website.

Further:

- Both the parents/caretakers and child should be informed of actions planned and taken
- The staff member will be informed as soon as possible of the nature of the allegation
- The staff member will be given the opportunity to respond to Butler Gallery but will not be permitted to directly communicate with the child or their parents/caretakers
- Any action following an allegation of abuse against an employee should be taken in consultation with Tusla and Gardai
- After consultation, the relevant person from management should advise the person accused and agreed procedures will be followed
- A quick resolution will be sought for the benefit of all concerned

If it is found that a malicious claim has been made by a member of the public, the case will be referred to the necessary authorities. In this instance, disciplinary measures will be revoked and necessary action taken as appropriate.

3.5 Accidents and Incidents

Incidents may include peer-to-peer bullying, outbursts of anger or aggression, or inappropriate behaviour by a child.

Accidents which necessitate medical intervention can be classified by the following actions:

- Minor accidents should be attended to by the most senior or trained staff member in first aid. Parents/caregivers must be notified when they collect their child.
- Moderate accidents should be attended to by the most senior or trained staff member in first aid and by notifying parents/caregivers immediately, advising of the accident and making appropriate arrangements together
- Major accidents should be attended to by calling Emergency Services on 999 or 112 and following the advice of the phone operator. Parents/caregivers should be notified as soon as the safety and/or medical care of the child has been secured.

Under no circumstances should a child be left in a situation that exposes them to an emergency medical situation. Butler Gallery Visitor Services Manager Shane Gallagher and Paula Lynch are both trained first aiders. A first aid box and AED are kept at the reception of the gallery.

All incidents and accidents are to be recording on the appropriate 'Incident Form' or 'Accident Form' which are available at the front desk, included in the handover pack given to the artist at the beginning of each workshop or on the Butler Gallery server (to be accessed by Butler Gallery staff member).

Incident and Accident forms are to be placed in a sealed envelope, marked as 'Butler Gallery Designated Liaison Person, Private and Confidential' and left at the front desk in an appropriate location (as advised by front desk staff). Staff/volunteers must notify the DLP immediately, that the form has been filled out, by text message or email as appropriate.

4. Working Safely with Children at Butler Gallery

4.1 Code of Conduct for staff/volunteers/contractors

All facilitators, volunteers and staff working with children on behalf of the Butler Gallery are required to:

- Use appropriate language
- Lead by example
- Create an atmosphere of trust
- Respect personal boundaries
- Discuss and establish ground rules for each activity with the group
- Be aware of children's limitations and of any specific special needs/requirements
- Respect differences of ability, culture, religion, race and sexual orientation
- Ensure that contact numbers for parents/caregivers and/or gallery staff are to hand
- Seek consent of child/young person in relation to physical contact (except in an emergency or a dangerous situation)
- Avoid horseplay or inappropriate touch
- Check with children about their level of comfort if doing touch exercises

When adults are working with children the following actions should be avoided:

- Spending excessive amounts of time alone
- Use of offensive or sexually suggestive physical/verbal language
- Favouritism, ridicule, criticism, sarcasm
- Inappropriate touching
- Socialising inappropriately with children outside of structured activity time
- Hitting or physical chastisement of children

All children will :

- Be treated equally
- Be treated with respect
- Be listened to
- Be involved in decision making processes as appropriate
- Be encouraged, empowered and supported
- Engage in a fun learning process and experience and co-operate with facilitators instructions

4.1.1 Butler Gallery Good Practice

- All staff/volunteers/contractors must be made aware of the Butler Gallery's Child Protection Policy and procedures
- Any concerns regarding children or young people must be reported to the Butler Gallery DLP
- Each child participating in an activity must be registered i.e name, address and phone number. Any special needs or requirements should be noted. Permission must be secured from parents/guardians for Butler Gallery to store the personal data of the child concerned
- All activities and programmes for children will take place in a group setting unless particular circumstances dictate otherwise; eg one-to-one needs of a child, in which case a detailed support plan must be in place

- A minimum of two adults must be present when facilitating workshops. In the case of schools a facilitator and a school teacher must be present to facilitate the session
- When a child needs to use the bathroom, one adult must accompany at least two children to the bathroom door together
- All artists are required to document and evaluate their work with children and young people.
- It is recommended that artists working on behalf of the Butler Gallery attend relevant professional development courses run by Butler Gallery and Kikenny County Council Arts Office
- Plan and be sufficiently prepared, mentally and physically: when organising activities make sure there is a detailed programme that's appropriate to the needs of all the ages in the group
- Where appropriate, have a plan of alternative activities in case of, for example, bad weather
- Ensure proper supervision based on adequate ratios according to age, abilities and activities involved
- Staff/volunteers/contractors should not take one child alone in a car on journeys. Where the giving of lifts is unavoidable, it should be with the full consent and knowledge of parents/guardians and a senior member of staff of Butler Gallery.

Health and Safety:

- Don't leave children/young people unsupervised or unattended
- Don't allow children to use any dangerous materials
- Provide a safe environment
- Be aware of accident procedure and follow accordingly

4.2 Safe Recruitment policy and procedures

Butler Gallery is committed to principles of fairness, transparency and parity when recruiting all candidates, employees, interns, volunteers and contractors/artists.

In all cases, any person who is recruited by Butler Gallery to undertake work with children, must provide Butler Gallery with:

- Proof of identification
- Proof of address
- Up-to-date CV
- Two written references which specifically refer to work with children and/or vulnerable adults

Further, such persons are required to undergo Garda Vetting process, complete mandatory Child Safeguarding or Children First training, and in the case of employees and contractors/artists a contract or agreement will be signed between the person and Butler Gallery. All staff/volunteers/contractors must commit to Butler Gallery Confidentiality Statement.

If a disclosure is made during the Garda Vetting process, Butler Gallery will treat each disclosure on a case by case basis. There may be specific circumstances in which a person is automatically excluded from undertaking work with Butler Gallery, in particular a disclosure of a conviction of a violent crime, or a crime involving children. Disclosures will be discussed by DLP, Deputy DLP and Butler Gallery management team, including Butler Gallery Director, to determine actions to be taken. The person undergoing recruitment will be informed of the actions in a timely manner. A written account of this decision will be kept on file by Butler Gallery.

Further exclusions to an offer of work with Butler Gallery may include:

- Refusal to comply with the Safe Recruitment procedure
- Failure to disclose a previous conviction
- Refusal to sign an application form/declaration form
- Insufficient documentary evidence of identification
- Concealing information on one's suitability to working with children

4.3 Child Safeguarding Training

All staff/volunteers/contractors working with Butler Gallery who undertake work in which they come into contact with children and/or have a position of responsibility within the organisation for child protection, must undertake Child Safeguarding or Children First training.

Certificates of completion must be provided to be held on record by Butler Gallery.

4.4 Safe Management of Staff

To protect staff/volunteers/contractors and children, we undertake that:

New Staff will:

- Take part in a mandatory induction training session. These sessions will be conducted by the Learning and Public Engagement Curator of Butler Gallery and the DLP.

Training sessions will include:

- Indepth examination and explanation of the Butler Gallery Child Protection Policy
- Highlight areas of possible concern when dealing with children
- Be made aware of the organisations code of conduct, good practice and safe recruitment and child protection procedures
- Explain the relevant reporting procedures and actions to be undertaken in the event of an 'accident', 'incident' or 'disclosure'
- Be made aware of their rights in the event of an allegation being made against them
- Ensure that the staff member is aware of contact details for DLP, Deputy DLP and relevant person from Board of Management, and their roles
- Undergo a probationary period to be agreed in line with the length of the programme/activity

All staff will:

- Be in regular verbal and email communication with the Learning and Public Engagement Curator to update on all programmes, activities, evaluation and working practices
- Be flexible in working with Butler Gallery to accommodate Child Protection procedures
- Be expected to have read the Child Protection Policy and confirm this in writing to DLP
- Comply with regular re-vetting by An Garda Siochana
- Be in compliance with the terms of their employment or retention contract

4.5 Confidentiality Statement

Butler Gallery are committed to ensuring peoples' rights to confidentiality. We are compliant with EU GDPR 2018 best practice. In relation to child protection and welfare we undertake that:

- Information will only be forwarded on a 'need to know' basis in order to safeguard a child or young person
- Giving such information to others for the protection of a child or young person is not a breach of confidentiality
- We cannot guarantee total confidentiality where the best interests of the child or young person are at risk
- Primary carers, children and young people have a right to know if information is being shared and or a referral made to the Tusla unless doing so could put the child at further risk
- Butler Gallery will seek permission to record and store personal information including name, age, special requirements of a child or contact details of a parent/guardian of a child, from that child's parent/guardian in line with EU GDPR rules. Butler Gallery does not share personal information with third parties unless in cases indicated above.
- As an arts organisation the Butler Gallery frequently documents its exhibitions, learning and public engagement activities. The images are used for documentation and occasionally for promotional purposes within the gallery context. **Workshop consent forms** are to be provided at the beginning of each workshop. Images including children will not be used for promotion of the gallery unless prior consent is indicated on the workshop consent form by parents or primary carers

5. Procedures for Inclusion of parents/caregivers and children in our service

Butler Gallery is committed to being open and transparent with all parents/caregivers. Communication between parents/caregivers is very important to our work, and to ensuring that we can adhere to our commitment to a child-centred and safe environment for children who take part in our childrens activities.

5.1 Sharing our guiding principles

Butler Gallery will undertake to:

- Advise parents/caregivers of our child protection policy, and to make accessible at all times our Child Safeguarding Statement, which is on our website and on public display in the gallery
- Inform parents/caregivers and schools of our childrens programmes, events and activities through email, social media, text message, and verbal communication in person
- Issue consent forms where relevant and to have full contact information for the parents/caregivers of all children left in our care
- Comply with health and safety practices
- Operate child centered policies in accordance with Butler Gallery Good Practice guidelines
- Adhere to our safe recruitment procedure
- Ensure as far as possible that activities are age appropriate

5.2 Empowering children to claim their rights

5.3 Anti-bullying policy

At Butler Gallery we do not allow bullying. Bullying is not acceptable; everyone has the right to be treated equally and with respect. Bullying can be someone:

- Calling people names or saying hurtful things.
- Taking money or food off you.
- Swearing at you.
- Pushing you around.
- Hurting your body in any way, such as pushing, pinching, punching or kicking you.
- Leaving you out or ignoring you.

Remember: Bullying is NEVER your fault, and never something that you deserve - you should be able to feel happy and safe wherever you are.

The Butler Gallery, with guidance from the Arts Council, Children First: National Guidelines for the Protection and Welfare of Children and Tackle Bullying website; is committed to best practice and endeavours to:

- Create an atmosphere of respect for all
- Ensure effective supervision of children
- Listen to and respect children's (and adults) views and opinions.
- Listen to and follow instructions and directions from facilitators
- Use appropriate language (physical and verbal).
- Respect differences of ability, culture, belief, ethnicity, gender and sexual orientation.
- Respect other people's personal space.
- Respect property and equipment and follow all safety procedures.

5.3.1 Procedure for dealing with bullying at Butler Gallery

Bullying at Butler Gallery may come to the attention of the gallery through observation or through a disclosure. All incidents of alleged bullying at Butler Gallery will be taken very seriously, and treated in a sensitive manner.

Peer-to-Peer Bullying:

Adults who observe or are informed of peer-to-peer bullying within a childrens group must first ensure the safety of all children. All childrens rights and perspectives must be respected, without causing any further grievance to the alleged bullying victim.

Further, the adult may:

- Remind children of their rights, and the rules of respect which we observe at Butler Gallery
- Separate individual children through breaking up groups into smaller working groups
- Inform parents/caregivers of the incident
- Fill out an incident form and inform the DLP
- In extreme circumstances, it may be necessary to inform parents/caregivers immediately and have the child accused of bullying removed from the group

5.4 Making a complaint

Making a complaint

We welcome comments and suggestions from children, young people, parents and others. If you are worried or upset by something that happens here you can make a complaint.

The person to talk to about complaints is:

Shane Gallagher at Butler Gallery on 056 7761106.

In emergencies call: 085 1307785 Address : Butler Gallery, Evans' Home, John's Quay, Kilkenny

Email: shane@butlergallery.ie

Remember - if you or someone you know is being abused in any way, the best thing you can do is talk to someone who can help.

Complaints and comments procedures

- Complaints or comments received will be responded to within two weeks
- Shane Gallagher has responsibility for directing complaints/comments to the Director of the Butler Gallery
- Verbal complaints will be logged and responded to
- Complainants will be invited to contact the Visitor Services Manager of Butler Gallery directly by email: shane@butlergallery.ie

Workshop Consent Forms

Any member of staff paid or unpaid that is conducting a workshop/event on behalf of Butler Gallery must ensure that workshop consent forms for each child are completed by their primary carer prior to the commencement of each workshop. The completed form must contain the following information:

- Name, address and contact details of primary carers
- Name address and contact details of child's doctor
- Any relevant information relating to any illness, disability or sensory sensitivity that staff should be aware of and what action is to be taken in the event of a related incident.
- Any information relating to any cultural or religious beliefs that would prevent a child from partaking in a particular arts activity
- Option to consent to the use of photographs/film/video of my child/children taken during the workshop by Butler Gallery for promotional/ publication purposes

The staff member responsible for the workshop must make him/her self aware of all of the information contained in the workshop consent form and in the case of consent to the use of film/video or photography must ensure they respect the parents request in this regard The DP must be informed of any medical condition and any cultural beliefs that may either prevent a child's participation or require monitoring for the duration of the workshops.