**Extern Group**

**Child and Adult Safeguarding Policy**

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Child and Adult Safeguarding Policy

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# Introduction

**Extern Values**

All Extern employees, volunteers and students are committed to implementing the organisation’s values, outlined below, through our actions and interactions with all stakeholders.

**Respect**: We value the feelings, opinions and rights of our service users, colleagues and other stakeholders.

**Integrity:** All our decisions and interactions will be ethical, open, honest and transparent.

**Compassion**: We care about our service users and colleagues and will act with empathy in all engagements.

**Accountability:** We hold ourselves and each other responsible for our decisions and actions.

**Professional:** We work inclusively with service users, colleagues, and key stakeholders to deliver high quality supports and evidence-based services.

Extern is committed to delivering high quality services to service users and providing a supportive, developmental working environment for employees. A key mechanism to achieve this commitment is effective safeguarding practices.

Extern recognises that its people are critical to the overall success and growth of the organisation. Extern understands that providing employees with the appropriate levels of support and training in respect of safeguarding is critical to safe service provision.

The CEO, in conjunction with the organisation’s Directors, are designated with the authority to oversee compliance with the implementation of the Safeguarding Policy.

# 1. Purpose

This document sets out the Extern Group’s safeguarding policy for children and adults at risk and which underpins every aspect of our work and the services we provide in Ireland and Northern Ireland.

All Trustees, staff, volunteers, students and anyone working on behalf of Extern Group, Extern NI and Extern Ireland are committed to ensuring safeguarding is integral to all our service delivery.

Safeguarding is everyone’s responsibility and as such we believe in a consistent approach which means all have a duty to prevent abuse, embed safeguarding in all activities and report any safeguarding concerns to the relevant person for appropriate action to be taken.

We believe the understanding of safeguarding throughout the organisation, and the actions we take together promote and maintain a safer environment and culture, whilst respecting an individual’s dignity, privacy, and appropriate confidentiality.

To ensure transparency in the work Extern conducts this safeguarding policy and associated procedures are publicly accessible on the Extern website, so that all parents, carers, children, and adults who use our services can understand and if necessary, raise concerns with us.

**Relevant Person:** Extern’s Head of Safeguarding is appointed as the relevant person as pertaining to the Children First Act 2015. The Head of Safeguarding is also the Adult Safeguarding Champion (ASC) for Northern Ireland. The Head of Safeguarding is available to all staff within Extern for advice and guidance in relation to issues of safeguarding.

This policy should be read in conjunction with the Child and Adult Safeguarding Procedural Document.

# 2. Scope of this policy

To recognise the strategic governance and the different jurisdictions we operate in, this document will refer to the generic Extern name to encompass the organisation of Extern Group, Extern Northern Ireland, and Extern Ireland.

Therefore, regardless of which part or jurisdiction of the Extern organisation an individual is employed or working within, this policy applies to all Extern Group locations, voluntary activity, and services across the jurisdictions of Ireland and Northern Ireland.

The practice of this policy applies to all Extern staff, volunteers, students, trustees, governors, independent advisors, committee members, contractors, and leaders, as well as other third parties who are employed or contracted by Extern.

We recognise the importance of safeguarding and protecting all staff, volunteers, and students from harm, when at work or in their role in providing a service. This safeguarding policy and linked procedures take due recognition of this and should be read in conjunction with relevant health and safety and human resources policies.

This policy also applies to all external services / persons who are contracted by Extern to conduct activities on our behalf or use Extern facilities or premises for their own purpose.

# 3. Extern Safeguarding Policy Commitments

Extern has a zero-tolerance approach to any mistreatment or abuse.

Extern recognises that within safeguarding guidance and legislation there are identified key principles to follow and embed throughout our working culture. These principles are identified below in this section and are fundamental to underpinning our safeguarding policy commitments set out in the next section.

Extern operates across the two jurisdictions of Ireland and Northern Ireland and therefore operates under two different sets of legislation and guidance in respect of safeguarding. The working principle for all Extern staff, volunteers and students is they must report the safeguarding concern in accordance with the jurisdiction in which they are working and centrally to the Extern Head of Safeguarding. It will be the responsibility of the Extern Head of Safeguarding to decide if an additional statutory organisation within another jurisdiction must also be informed.

All staff are expected to deliver services in a manner which respects the individuality of each person using the service and treat them and members of the workforce respectfully, regardless of protected characteristics.

We are committed to ensuring a continual improvement in safeguarding practice and to support this have endorsed six policy commitments:

**1. Promoting a safe and trusted environment and a culture that prioritises safeguarding**

All Extern staff, volunteers, students, trustees, independent advisors, and sub-contractors (hereafter known only as staff) will respect children and adults at risk and promote their well-being first and foremost.

We will promote a fair, open, and positive culture and ensure all involved feel able to report concerns, confident that they will be heard and responded to.

We will strive to create and maintain environments which are safe for everyone who comes into contact with Extern. This will be achieved by:

* Staff and volunteer training,
* effective communication,
* organisational learning,
* monitoring through effectively implemented quality assurance arrangements that ensure consistency and compliance throughout the organisation.

We will ensure staff and volunteers challenge poor practice and report all safeguarding concerns and abuse.

**2. Safely recruiting and supporting all people within Extern**

Extern has safeguarding integral to its recruitment processes by:

* We will prevent harm and abuse with a vigorous recruitment and selection process, in accordance with legislation and government guidance, which must be followed for all relevant staff and volunteer appointments. We will seek criminal records disclosure checks where we have a legal duty to do so.
* See Recruitment and Selection Policy and Criminal Records Disclosure Policy. [See section 11](#_Other_Relevant_Documents) for links to these documents.
* The responsibility of all staff and volunteers to adhere to the safeguarding policy will be included in all job descriptions. As part of people’s induction, they must access and read, via SharePoint, the safeguarding policy, procedures, and code of conduct.
* Interview questions will be asked which allow applicants to demonstrate their understanding of safeguarding as it applies to their role.
* We will provide appropriate and effective training to all staff working within the organisation relevant to their role.
* Training and development opportunities will be offered to staff in response to and relevant to safeguarding concerns that have been raised.
* Staff will receive appropriate ongoing support and supervision.
* Safeguarding will be a regular agenda item in supervision and monthly team meetings.
* Poor practice will be managed promptly.

**3. Responding promptly and appropriately to every safeguarding concern or allegation**

* We will respond appropriately and ensure that the person at risk and/or their representative is involved from the start of the process, empowering people to make their own decisions around safeguarding.
* Our processes will aim for the person at risk to achieve resolution and recovery.
* All adults, including adults at risk, have a right to make unwise decisions – including the choice not to take action to protect themselves.
* Anyone who reports any safeguarding concerns or allegations to Extern will be treated with respect. All safeguarding concerns and allegations will be dealt with in accordance with statutory child and adult safeguarding guidance and Safeguarding Procedure.
* All staff, volunteers and students will cooperate fully with the statutory authorities in all cases.

**4. Treating the victims of abuse and other safeguarding concerns with respect, care, and dignity:**

* Whenever a safeguarding concern, including any poor practice issue or allegation of abuse is raised, Extern will offer support to all those that have been affected as appropriate.
* People will receive a compassionate response, be listened to and be taken seriously.
* We will respond to any disclosure of a safeguarding concern, including poor practice or abuse in accordance with our policy and procedure. Where appropriate, this will be done in collaboration with the relevant statutory agencies.

**5. Treating people who are the subject of concerns or allegations with respect, care, and dignity:**

* In responding to safeguarding concerns, or allegations of abuse, we will endeavour to respect the rights under criminal and civil law of an accused person. A presumption of innocence will be maintained during any Extern process.
* We will take responsibility for ensuring that steps are taken to protect people when any person is considered a risk to others through a mitigation process.
* In addition, we recognise people who are subject to safeguarding concerns are vulnerable during any Extern or statutory agency process. We will take all reasonable steps to support people through this process.

**6. We will encourage a culture of learning throughout the organisation**

We commit to doing the right thing every time for all the people involved in safeguarding concerns. However, we recognise that processes and outcomes, on occasions, can and must be improved. We commit to being transparent about learning from these situations through a robust and effective quality assurance system and compliance process which is checked through independent external scrutiny.

This policy will ensure we put our service users first who all have a right to be safe from inappropriate, discriminatory, offensive, or harmful behaviour when using our services or sites.

# 4. Safeguarding legislation, guidance, and definitions

This policy is underpinned by detailed procedural guidance of the Safeguarding Procedure. Other relevant Extern policy documents and Government legislation across the island of Ireland support this policy, which are listed in [Appendix 1](#_Appendix_1:_Legislation). All these documents are underpinned by the Human Rights Act 1998 and UN Convention on the Rights of the Child, 1992. This list does not exclude other relevant legislation or guidance that may be applicable to specific settings, locations, or services.

Within the safeguarding legislation and guidance there are defined different types of adult and child abuse, these are included in [Appendix 2](#_Appendix_2_-).

In this policy and subsequent procedures there are two types of terms used to describe safeguarding issues (highlighted in green) and these four definitions apply to both adult and child safeguarding in Ireland and Northern Ireland.

A **safeguarding concern:**

* is **a concern** about the safety or well-being of a child or adult because of something that has been seen or heard, or information that has been received;
* **involves a safeguarding concern with other people outside of Extern staff**, volunteers, and outside staff and volunteers from an Extern Supplier, e.g., if a child reports to Extern staff that they are having problems at home with parents and is afraid to return; this concern may also relate to a family member / adult or child who may also be accessing Extern services for support;
* involves **a safeguarding concern about children or adults who are connected to Extern** through employment, volunteering or as beneficiaries, e.g., an adult reports behaviour that’s would indicate they are a victim of domestic abuse.

A **safeguarding allegation** is:

* an **allegation made about a safeguarding concern against an Extern staff, volunteer or student**, or staff and volunteers from an Extern Supplier, e.g., an Extern staff verbally abuses a service user during their work, or they contact a service user via their own social media account.

A **person subject of the concern** is:

* the person who is the **victim** of the safeguarding concern or allegation.

A **person of concern** is

* the person **alleged to have committed** the safeguarding concern or allegation.

**Definitions for Child Safeguarding in Ireland**

### **Definition of a child in Ireland -**

A person under the age of 18 years other than a person who is or has been married (S.2 Child Care Act 1991).

### **Definition of a Welfare concern in Ireland** (Children First National Guidance for the Protection and Welfare of Children 2017)

The Child Protection and Welfare Practice Handbook, p.6, defines a child welfare concern as “a problem experienced directly by a child, or the family of a child, that is seen to impact negatively on the child’s health, development and welfare, and that warrants assessment and support, but may not require a child protection response”.

**Definition of an ‘Allegation of abuse’ in Ireland**

An allegation of abuse may relate to an Extern volunteer, staff or other person who works or volunteers on behalf of a service provided by Extern who has:

* Behaved in a way that has or may have harmed a child/young person;
* Possibly committed a criminal offence in relation to a child/young person;
* Behaved towards a child/young person or children/young people in a way that indicates they may pose a risk of harm to a child/young person;
* Behaved in a way that is contrary to the organisation’s code of behaviour for workers and volunteers;
* Behaved in a way that is contrary to professional practice guidelines.

### **Definition of harm within Ireland**

The term ‘harm’ is used as defined in the Children First Act 2015: “‘harm’ means, in relation to a child:

1. 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
2. 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”.

The Children’s First Act 2015 Definition and Recognition of Child Abuse outlines the principal types of child abuse into four categories of child abuse, neglect, emotional abuse, physical abuse, and sexual abuse

**Definition of ‘neglect’ of a child (Children’s First Act 2015)**

Neglect can be defined in terms of an omission, where the child suffers significant harm or impairment of development by being deprived of

* Food.
* Clothing.
* Warmth.
* Hygiene.
* Intellectual.
* Stimulation.
* Supervision and safety,
* Attachment to and affection from adults, and/or medical care.

**Definition of ‘emotional abuse’ of a child (Children’s First Act 2015)**

Emotional abuse is normally to be found in the relationship between a parent/carer and a child rather than in a specific event or pattern of events. It occurs when a child’s developmental need for affection, approval, consistency and security are not met. Unless other forms of abuse are present, it is rarely manifested in terms of physical signs or symptoms.

Examples may include:

* The imposition of negative attributes on a child, expressed by persistent criticism, sarcasm, hostility or blaming.
* Conditional parenting in which the level of care shown to a child is made contingent on his or her behaviours or actions.
* Emotional unavailability of the child’s parent/carer.
* Unresponsiveness of the parent/carer and/or inconsistent or inappropriate expectations of the child.
* Premature imposition of responsibility on the child.
* Unrealistic or inappropriate expectations of the child’s capacity to understand something or to behave and control himself or herself in a certain way.
* Under- or over-protection of the child.
* Failure to show interest in, or provide age-appropriate opportunities for, the child’s cognitive and emotional development.
* Use of unreasonable or over-harsh disciplinary measures.
* Exposure to domestic violence.
* Exposure to inappropriate or abusive material through new technology.

**Definition of ‘physical abuse’ of a child (Children’s First Act 2015)**

Physical abuse of a child is that which results in actual or potential physical harm from an interaction, or lack of interaction, which is reasonably within the control of a parent or person in a position of responsibility, power or trust. There may be single or repeated incidents. Physical abuse can involve:

* Severe physical punishment.
* Beating, slapping, hitting, or kicking.
* Pushing, shaking, or throwing.
* Pinching, biting, choking, or hair-pulling.
* Terrorising with threats.
* Observing violence.
* Use of excessive force in handling.
* Deliberate poisoning.
* Suffocation.
* Fabricated/induced illness.
* Allowing or creating a substantial risk of significant harm to a child.

**Definition of ‘sexual abuse’ of a child (Children’s First Act 2015)**

Sexual abuse occurs when a child is used by another person for his or her gratification or sexual arousal, or for that of others. Examples of child sexual abuse include:

* Exposure of the sexual organs or any sexual act intentionally performed in the presence of the child.
* Intentional touching or molesting of the body of a child whether by a person or object for the purpose of sexual arousal or gratification.
* Masturbation in the presence of the child or the involvement of the child in an act of masturbation.
* Sexual intercourse with the child, whether oral, vaginal or anal.
* Sexual exploitation of a child, which includes inciting, encouraging, propositioning, requiring or permitting a child to solicit for, or to engage in, prostitution or other sexual acts. Sexual exploitation also occurs when a child is involved in the exhibition, modelling or posing for the purpose of sexual arousal, gratification or sexual act, including its recording (on film, video tape or other media) or the manipulation, for those purposes, of the image by computer or other means. It may also include showing sexually explicit material to children, which is often a feature of the ‘grooming’ process by perpetrators of abuse.
* Consensual sexual activity involving an adult and an underage person.

In relation to child sexual abuse, it should be noted that, for the purposes of the criminal law, the age of consent to sexual intercourse is 17 years for both boys and girls (Children First Act 2015).

**Definitions for Adult Safeguarding in Ireland**

### **Vulnerable adult**

The National Vetting Bureau (Children and Vulnerable Persons) Act 2012-2016 defines Vulnerable Adult as follows:

“Vulnerable Person” means a person, other than a child, who:

1. is suffering from a disorder of the mind, whether as a result of mental illness or dementia,
2. has an intellectual disability,
3. is suffering from a physical impairment, whether as a result of injury, illness, or age, or
4. has a physical disability, which is of such a nature or degree as to restrict the capacity of the person to guard himself or herself against harm by another person, or that results in the person requiring assistance with the activities of daily living including dressing, eating, walking, washing, and bathing.

The Department of Justice, Equality and Law Reform state that a “disability”, in relation to a person, means a substantial restriction in the capacity of the person to carry on a profession, business or occupation in the State, or to participate in social or cultural life in the State by reason of enduring physical, sensory, mental health or intellectual impairment.

The United Nations Convention on the Rights of Persons with Disabilities (2006). states that one must promote, protect and ensure the full and equal enjoyment of human rights and fundamental freedoms by persons with disabilities and to promote respect for their inherent dignity (Human Rights Council Resolution 7/9 2008).

Extern are committed to supporting any service user with a disability to access the necessary supports from our service provision and while doing so Extern is committed to ensuring that the service user is not exposed to any harm or abuse in any form, and will act and respond accordingly within the guidelines of our policy and procedures and statutory requirements.

**Adult at risk** **(proposed Adult Safeguarding Bill 2017)**

An adult at risk means a person, who has attained the age of 18 years who is unable to take care of himself or herself or is unable to protect him or herself from abuse or harm.

“Abuse” means act, failure to act or neglect, which results in a breach of a person’s constitutional or legal rights, physical and mental health, dignity, or general wellbeing, and may include ill-treatment, intimidation, humiliation, overmedication, withholding necessary medication, censoring communications, invasion or denial of privacy, or denial of access to visitors.

## **Harm** **(proposed Adult Safeguarding Bill 2017)**

In relation to an adult at risk –

(a) assault, ill-treatment, or neglect of the adult at risk in a manner that seriously affects or is likely to seriously affect the adult at risk’s health or welfare,

(b) sexual abuse of the adult at risk,

(c) financial abuse of the adult at risk,

whether caused by a single act, omission or circumstance or a series or combination of acts, omissions, or circumstances, or otherwise.

“Ill-treatment” means, in relation to an adult at risk, to cruelly treat the adult at risk, or to cause or procure or allow the adult at risk to be cruelly treated;

“Welfare” includes, in relation to an adult at risk, the moral, intellectual, physical, emotional, and social welfare of the adult.

## **Definitions for Child Safeguarding in Northern Ireland**

### **Child**

‘Any person under the age of 18, whether living with their families, in state care or living independently’. (The Children (Northern Ireland) Order 1995).

### **Safeguarding Children in Northern Ireland**

**Safeguarding** is intended to be used in its widest sense, encompassing the full range of promotion, prevention, and protection activity. Effective safeguarding activity will:

* Promote the welfare for the child and young person;
* Prevent harm occurring through early identification of risk and appropriate, timely intervention; and
* Protect children and young people from harm when this is required.

## **Definitions for Adult Safeguarding in Northern Ireland**

### **Adult at risk of harm**

In Northern Ireland an adult at risk of harm is defined as a person over the age of 18:

‘Whose exposure to harm through abuse, exploitation or neglect may be increased by their personal circumstances and/or life circumstances’. (HSCB Northern Ireland).

**Harm** is the impact on the victim of abuse, exploitation, or neglect. It is the result of any action whether by commission or omission, deliberate, or as the result of a lack of knowledge or awareness which may result in the impairment of physical, intellectual, emotional, or mental health or well-being.

**An Adult in Need of Protection** is a person aged 18 or over, whose exposure to harm through abuse may be increased by their:

* personal characteristics and/or life circumstances and
* who is unable to protect their well-being, property, rights, or other interests
* and where the action or inaction of another person is likely to cause him/her to be harmed.

# 4. Governance and accountability structure

Everyone involved with Extern has a responsibility to familiarise and adhere with this safeguarding policy and the Safeguarding Procedure. Extern will support this responsibility through a structured rollout of training to staff and through supervision and line management accountability.

Extern Group Board of Trustees have the final responsibility to ensure this safeguarding policy is implemented and working effectively. The Trustees, by ensuring effective quality assurance, compliance and reporting retain overall responsibility, but delegate the safeguarding work to all staff who are accountable for their decisions and actions they take within their own role.

Each person within Extern whether they are an employee or volunteer hold specific safeguarding responsibilities and their key safeguarding role and responsibilities are outlined in this section. All levels of staff from those in strategic governance, leadership, management, and practitioners have responsibility to report any safeguarding allegations or concerns through their lines of accountability.

The reporting processes for services in Extern are in [Appendix 3](#_Appendix_3_–).

Reporting processes for any safeguarding allegations or concerns after working hours, the Extern on call manager will be the initial designated safeguarding person. It is mandatory that any person on Extern’s on-call system is trained in to assess and manage any safeguarding concerns or allegations in both jurisdictions. During out of hours, the on-call person must be contacted for advice and direction for all safeguarding concerns and allegations to ensure they are dealt expeditiously and in accordance with this policy and procedures.

All staff must familiarise themselves with the Safeguarding Procedures which outlines their roles and responsibilities in reporting safeguarding concerns / allegations in the jurisdiction in which they work.

## **Extern Group, Extern Ireland, and Extern Northern Ireland Trustees:**

Trustees will take reasonable steps to protect people who come into contact with Extern from harm, including people who benefit from Extern work and services, staff, volunteers, students and other people connected to Extern activities.

Extern Trustees hold ultimate accountability for the governance of safeguarding matters but some of the responsibilities are delegated to the Audit and Risk Committee (ARC) (see below). However, for a full list of Trustee responsibilities see [Appendix 4](#_Appendix_4:_Roles):

## **Board of Trustee Lead Safeguarding Person**

Extern has three Boards of Trustees and within each Board there is an appointed Lead Safeguarding Trustee whose expertise can inform safeguarding decision-making at a strategic level. Their key responsibilities are included in [Appendix 4.](#_Lead_Safeguarding_Trustee)

**Chief Executive Officer (CEO)**

The Extern CEO is answerable to and will work closely with all Trustees and, with the Trustee Lead Safeguarding person to ensure that the governance of safeguarding, poor practices, concerns, and allegations are managed effectively, thereby ensuring a transparent and open culture exists to ensure Extern is a safe place for all its service users. For a full list of safeguarding responsibilities see [Appendix 4](#_Chief_Operating_Officer).

**The Senior Leadership Team**

The Senior Leadership Team has overall operational responsibility for safeguarding and receives detailed reports at least quarterly on all safeguarding matters as well as hear the concerns / views / proposals of the Head of Safeguarding and the Audit and Risk Committee. The Extern Head of Safeguarding and Chair of the Audit and Risk Committee will attend Board of Trustee meetings to present safeguarding reports.

## **Audit and Risk Committee**

The Audit and Risk Committee (ARC) are a strategic group who are responsible for oversight of the risks which exist for Extern. In respect of safeguarding this Committee receive bimonthly reports from the Head of Safeguarding outlining all safeguarding reports regardless of the level of the concern and identify emerging themes which may require additional training for staff. This Committee ensures through the monitoring of the safeguarding reports the adherence by all staff and volunteers to the safeguarding policy and procedures and identify any amendments to these to ensure responsivity to emerging themes.

The full list of responsibilities of this Committee is outlined in [Appendix 4](#_Audit_and_Risk).

## **Extern Head of Safeguarding / Named Person (Ireland)**

The Head of Safeguarding and their Deputy, the Quality and Audit Manager are appointed by Extern as the central contact for the whole organisation with responsibility for ensuring that the safeguarding policy and procedures are adhered to as well as ensuring a strong safeguarding ethos is embedded throughout the organisation. For a full list of responsibilities see [Appendix 4.](#_Head_of_Safeguarding)

Extern provide services to children in Ireland where an organisation must have a Named Person who has responsibility for ensuring safeguarding within the organisation, the Extern Head of Safeguarding is the Named Person as per the Ireland requirements.

The Head of Safeguarding is supported in embedding a strong safeguarding culture throughout Extern organisation by the appointment of Safeguarding Champions.

## **Programme Managers**

All Programme Managers have a key role in ensuring adherence to the safeguarding policy and procedure by their supervision of their Assistant Service and Service Managers, identifying good practice, challenging poor practice and promote any learning identified by the Audit and Risk Committee and Head of Safeguarding.

Provide assurance that the policy on Safeguarding within Extern continues to be robust and fit for purpose; provide feedback and information from services to improve our Safeguarding practice.

Where necessary, act as Deputy Designated Liaison Person (DLP) in Ireland and Deputy Designated Safeguarding Officer (DSO) in Northern Ireland providing support and guidance to staff when required on safeguarding issues.

For a full list of safeguarding responsibilities see [Appendix 4](#_Programme_Managers).

## **All Assistant Service and Service Managers**

All Extern Assistant and Service Managers have a key role in ensuring adherence to the safeguarding policy and procedure by their staff and volunteers through supervision, identifying good practice, challenging poor practice and promote any learning identified by the Audit and Risk Committee. Act as Deputy DLP/DSO providing support and guidance to staff when required on safeguarding issues. For a full list of safeguarding responsibilities see [Appendix 4](#_Staff_and_Volunteer_1).

## **All staff, volunteers and students**

All staff, volunteers, and students, regardless of their level or role within the organisation have responsibility to ensure they recognise and report any safeguarding concerns through their lines of accountability. They also have a responsibility to report appropriately where they are concerned that a volunteer or colleague is at risk, to attend safeguarding training, to work within our values framework and follow the relevant Code of Conduct. To promote a culture in which the safety and well-being of all people who work within or attend Extern services are paramount.

## **Mandated Person (Ireland only)**

Extern Ireland employs persons whose professional qualification means they hold mandated person obligations. These people who are categorised as a ‘mandated person’ CANNOT use the Head of Safeguarding or their deputy to report safeguarding concerns or allegations on their behalf but MUST report it direct to the statutory agency themselves and additionally, report to the Head of Safeguarding. It must be noted this only applies to Ireland.

Under the (Ireland) Children First Act 2015 mandated persons have a statutory obligation to report concerns which reach or exceed the legally defined threshold of harm and to cooperate with Tusla in the assessment of mandated reports, where requested to do so. For a full list of roles which constitute a mandated person see [Appendix 5](#_Appendix_5_–).

Extern recognises that only a mandated person can discharge their own statutory obligation by reporting a safeguarding concern in accordance with section 14 (1) and 14(2) Children First Act 2015 below but to comply with Extern’s wider obligations and statutory obligations all mandated person **must** additionally report all welfare concerns and allegations of abuse to the Extern Head of Safeguarding and to their DLP.

# 5. Dissemination, Implementation, and Training

Safeguarding policy and procedures must be disseminated and implemented throughout an organisation.

In Extern, this policy will be made available to new staff, volunteers, and students during their induction period. All staff will sign to say they have read and understand the policy, how it applies to their role and where they can obtain further information or clarification. Programme Managers will keep a record and inform Human Resources this has been completed as part of staff induction.

Safeguarding will be a rolling agenda item on team meetings and supervision meetings. Safeguarding policy and procedures will be accessible to all staff, volunteers and students including reporting procedures and contact details of all relevant persons / organisations including the Head of Safeguarding.

Mandatory safeguarding training will address the policy and the Extern process for reporting, responding to and recording concerns.

Given the breadth and diversity of the services delivered by Extern, safeguarding training is delivered in three levels.

**Level 1:** All staff will receive safeguarding induction training which will outline safeguarding fundamentals, their core responsibilities, and Extern processes.

**Level 2:** Each service will receive familiarisation training on safeguarding specific to that service, so each staff member / volunteer in each service is trained to implement safeguarding in their service.

**Level 3**: Safeguarding will be an agenda item on each service’s team meeting and individual staff supervision meetings.

All staff, third parties, and volunteers will receive training and refresher training appropriate to their role.

Staff will complete e-learning refresher training every year and attend accredited refresher Safeguarding training every three years. Managers will ensure this training is reinforced through team meetings and supervision.

Those with DLP/DSO safeguarding responsibilities will receive additional training for their role with relevant external training agencies.

# 6. Safeguarding confidentiality and GDPR

**Ireland and Northern Ireland**

Extern has ensured that our guiding principles and child safeguarding procedures are consistent with the General Data Protection Regulation 2018 (GDPR) and with the Data Protection Act 2018. Extern supports the passing of information to the statutory agencies which is proportionate and necessary for the protection of a child and acknowledges is not a breach of confidentiality or data protection legislation.

All records must be kept in line with the legal requirements, the Data Protection policy and Records Management policy.

Records must be retained for a minimum of 7 years but where a Safeguarding Adults incident has been confirmed records should be kept for 50 years. If legal proceedings take place seek advice from the Audit and Risk Committee on the retention time.

Records kept regarding abuse will be confidential but also may need to be disclosed to third parties. Staff must be aware of GDPR implications of sharing personal information and ask for advice from the Audit and Risk Committee, if unsure.

# 7. Whistleblowing

Extern acknowledge that any allegation of abuse is very serious for the reporting person, victim, and person subject of the allegation. For whatever reason, staff, volunteers, students and others may not have the confidence to report safeguarding allegations to Extern in person. Therefore, Extern has a whistleblowing policy which allows for allegations of abuse to be made outside the safeguarding policy which allows for anonymity. However, it is acknowledged by Extern that anonymous allegations are often more difficult to process effectively and as an organisation we encourage people to make allegations in person so we can support them throughout the process.

# 8. Health and safety

Health and safety should not be seen as a separate entity to safeguarding but as one complimenting the other. There are overlaps within each policy and staff, volunteers and students must have cognisance when identifying and reporting safeguarding concerns and/or allegations.

# 9. Safeguarding policy review

Extern acknowledge that it must constantly learn from its own safeguarding practice and that of other organisations including best practice findings from Safeguarding Inquiry’s, Serious Case Reviews, Child Management Reviews, Serious Incidents through an open, honest, and robust process of self-reflection. To ensure this is undertaken Extern will review this safeguarding policy every 12 months or following any legislative changes, whichever comes first.

# 10. Other Relevant Documents

This safeguarding policy does not work in isolation, but safeguarding is embedded in other Extern documents, and these must be read in conjunction. These can be found via Extern SharePoint:

* Code of conduct
* Supervision Policy
* Professional Boundaries Policy
* Lone Working Policy
* Complaints Policy
* Criminal Records Disclosure Policy
* Open Disclosure Policy
* Health and Safety policy
* Data Protection Policy
* Recruitment and Selection Policy
* Safeguarding Procedures Guidance
* Incident Reporting Policy
* Restrictive Practice
* Social Media Policy
* Whistleblowing Policy
* Serious Adverse Incident
* Risk Assessment Policy
* Disciplinary Policy

This list is not exhaustive.

# Appendix 1: Legislation and guidance

## **Northern Ireland**

Relevant legislation and guidance

* The Children (Northern Ireland) Order, 1995
* Cooperating to safeguard children and young people in Northern Ireland, 2017
* Mental Capacity Act (NI), 2016
* Adult Safeguarding: Prevention and protection in partnership, 2015
* Safeguarding Vulnerable Groups (NI) Order, 2007
* Safeguarding Board Act (Northern Ireland) 2011
* RQIA provider guidance – care homes 2019-20

## **Ireland**

Relevant legislation and guidance

* Adult Safeguarding Bill 2017
* Child and Family Agency Act 2013
* Child Care Act 1991
* Children Act 2001
* Children First Act 2015
* Criminal justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012
* Criminal Justice Act 2006, Section 176: Reckless Endangerment of Children
* Data Protection Acts 1988 and 2003
* Domestic Violence Act 1996
* Education (Welfare) Act 2000
* Education Act 1998
* Freedom of Information Act 2014
* National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016
* Non-Fatal Offences against the Person Act 1997
* Protected Disclosures Act 2014
* Protections for Persons Reporting Child Abuse Act 1998

Safeguarding Vulnerable Persons at Risk of Abuse – National policy and procedures 2014

The United Nations Convention on the Rights of Persons with Disabilities (2006).

Health Act 2007 (Care and support of residents in designated centres for persons (children and adults) with disabilities) Regulations 2013.

HIQA National Standards for Residential Services for Children and Adults with Disabilities 2013.

Assisted Decision Making (Capacity) Act 2015

# Appendix 2 – Types of abuse and neglect

Abuse and neglect can take many forms. The following list is a guide only and is not intended to be an exhaustive list as to the sort of behaviour which would alert an adult and child safeguarding concern.

## **Adult**

**Self-neglect** – This covers a wide range of behaviour neglecting to care for one’s personal hygiene, health or surrounding and includes behaviour such as hoarding. It is important to consider capacity when self-neglect is suspected and how it may impact on other family members and whether this gives rise to a safeguarding concern. It can be a safeguarding concern whether it impacts on others or not.

**Modern slavery** – This encompasses slavery, human trafficking, forced labour, and domestic servitude.

**Domestic abuse** – This includes psychological, physical, sexual, financial, and emotional abuse perpetrated by anyone within a person’s family. It also includes so-called “honour” based violence.

**Discriminatory** – Discrimination is abuse that centre on a difference or perceived difference, particularly with respect to race, gender, disability, or any of the protected characteristics of the Equality Act.

**Organisational abuse** – This includes neglect and poor care practice within an institution or specific care setting, such as a hospital or care home, or in relation to care provided in one’s own home. Organisational abuse can range from one off incidents to ongoing ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes, and practices within an organisation.

**Physical abuse** – This includes hitting, exposure to excessive heat or cold, slapping, pushing, kicking, unlawful or inappropriate use of restraint/ physical interventions, and misuse of medication. It can also include inappropriate sanctions.

**Sexual abuse** – This includes rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure and sexual assault, or sexual acts to which the adult has not consented or was pressured into consenting.

**Financial or material abuse** – This includes theft, fraud, internet scamming, and coercion in relation to an adult’s financial affairs or arrangements, including in connection with wills, property, inheritance, or financial transactions. It can also include the misuse or misappropriation of property, possessions, or benefits.

**Neglect/ Omission** – to deprive an adult of adequate food, warmth, clothing, hygiene, supervision, safety, or medical care;

This includes ignoring medical or physical care needs and failing to provide access to appropriate health social care or educational services. It also includes the withdrawing of the necessities of life, including medication, adequate nutrition, and heating.

**Emotional or psychological abuse** – This includes threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation, or withdrawal from services or supportive networks.

**Cyber bullying** – Cyber bullying occurs when someone repeatedly makes fun of another person online, or repeatedly picks on another person through emails or text messages. It can also involve using online forums with the intention of harming, damaging, humiliating, or isolating another person. It includes various types of bullying, including racist bullying, homophobic bullying, or bullying related to special education needs and disabilities. The main difference is that, instead of the perpetrator carrying out the bullying face-to-face, they use technology as a means to do it.

**Forced marriage** – This is a term used to describe a marriage in which one or both of the parties are married without their consent or against their will. A forced marriage differs from an arranged marriage, in which both parties consent to the assistance of a third party in identifying a spouse. The Anti-Social Behaviour, Crime and Policing Act 2014 make it a criminal offence to force someone to marry.

**Mate crime** – A “mate crime” is when vulnerable people are befriended by members of the community who go on to exploit and take advantage of them. It may not be an illegal act, but it still has a negative effect on the individual. A mate crime is carried out by someone the adult knows, and it often happens in private.

**Radicalisation** – The aim of radicalisation is to inspire new recruits, embed extreme views and persuade vulnerable individuals to the legitimacy of a cause. This may be direct through a relationship, or through social media.

## **Child**

**Physical abuse** is the deliberate physical injury to a child, or the wilful or neglectful failure to prevent physical injury or suffering. This may include hitting, shaking, throwing, poisoning, burning, or scalding, drowning, suffocating, confinement to a room or cot, or inappropriately giving drugs to control behaviour.

**Sexual abuse** involves forcing or enticing a child to take part in sexual activities. The activities may involve physical contact, including penetrative or non-penetrative acts.

**Emotional abuse** is the persistent emotional ill-treatment of a child such as to cause severe and persistent adverse effects on the child’s emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may involve causing children frequently to feel frightened or in danger, or the exploitation or corruption of children.

**Neglect** is the persistent failure to meet a child’s physical, emotional and/or psychological needs, likely to result in significant harm. It may involve a parent or carer failing to provide adequate foods, shelter, and clothing; failing to protect a child from physical harm or danger; failing to ensure access to appropriate medical care or treatment; lack of stimulation or lack of supervision.

**Technology Safeguarding** is interchangeable with other expressions such as digital safeguarding, online safeguarding, eSafeguarding, Internet safety, and eSafety. However, regardless of the term all relate to ensuring Extern staff, and the children and adults who they encounter through their Extern work, use technologies both now and, in the future, safely and responsibly.

Technology safeguarding can be defined as ‘safeguarding incident where technology is involved’. Technology has the widest context and can include use of the internet, computers, mobile phones, or other electronic devices.

The victims of technology-based crimes such as indecent images of children, grooming through internet use or performing sexual acts for others deviant interests must not be seen under any circumstances as suffering less harm or trauma than if the offence took place ‘in-person’. In some ways the harm and trauma are prolonged as internet images and recordings are extremely difficult to remove completely from the World Wide Web.

It is therefore important not to regard technology based safeguarding concerns or allegations as in any way inferior and excused. All technology-based safeguarding must be treated equally as if the incident happened ‘in-person’ and reported to an Extern Safeguarding Lead.

Methods used by perpetrators in technology-based safeguarding incidents are ever changing and far quicker than can be reflected in any policy or process produced by Extern. Extern staff must be aware that in the world of technology safeguarding they have a responsibility to be tuned into these potential changes and carefully listen and observe children and adults so they can report any concerns or allegations.

There has been an increase in the guidance produced by NI Direct, Safeguarding Board Northern Ireland, RQIA, and Tusla. It has highlighted some of the risks and dangers associated with technology:

1. Access to inappropriate content, including pornography,
2. Harmful online communities,
3. Ignoring age restrictions,
4. ‘Friending’ or communicating with people they don’t know,
5. Grooming and sexual abuse,
6. Child sexual abuse online,
7. Sharing personal information,
8. ‘Sexting’,
9. Length of time online.

These risks and dangers can be summarised into three broad areas where children can be vulnerable to abuse. Although the examples are aimed at children, the concepts of content, contact and conduct are equally applicable for adults.

**Content:** When a person receives aggressive, sexual, or disrespectful values-based content which is harmful, such as sexual, hateful, or racist material. This would also include where a person is sexually exploited through technology to share inappropriate images of themselves or other people.

**Contact:** When people engage with others on-line whose motives are not in the best interests of themselves, such as bullying, harassing, grooming for sexual exploitation or abuse, promoting self-harm.

**Conduct:** When a person causes harm to other people or themselves, such as bullying of another person, spending too much time on-line leading to viewing inappropriate material for their age and stage of development.

Staff, volunteers and students must make themselves familiar with the Extern Social Media Policy and Online safety code of conduct which will ensure good practice in using technology.

# Appendix 3 – Reporting Process Flow diagram for Child and Adult Safeguarding Concerns and Allegations

Extern Group Board

Project Worker

Key Worker

Social Worker

Assistant Service/Project Manager (if applicable) and

DLP/DSO

Extern ROI and NI Board of Trustees

Chief Executive Officer

Senior Leadership Team

**Northern Ireland**

Gateway Services- Child and Adult,

PSNI, Regional Emergency Social Work Service (RESWS)

**Ireland**

Tusla (Child)

HSE (Adult),

Garda

Head of Safeguarding

Programme Manager (Deputy DLP/DSO)

Mandated Person (Children Only) – ROI only

# Appendix 4: Roles and Responsibilities

## **Trustee**

* There is a clear line of responsibility for and reporting to them safeguarding matters
* That safeguarding practice complies with statutory and national guidance, and local best practice
* The safeguarding policy and practice guidance is accessible to people both internally and externally to Extern and in their preferred format
* The reporting procedures to deal with safeguarding concerns and allegations are implemented consistently, efficiently, and effectively
* Clear roles and responsibilities are explicitly outlined and clear for staff, volunteers, trustees, students, governors, independent advisors, committee members, contractors, and leaders
* Any failures by any person connected with Extern to follow the safeguarding policy and procedures will be dealt with as a serious matter
* There is a culture of learning from poor practice
* Safeguarding people from harm is central to our culture
* Adequate resources are available, including trained staff, volunteers and students for safeguarding and protecting people
* There is a safer recruitment procedure in place which is linked to the wider safeguarding process
* Clear arrangements for support and/or supervision for staff, volunteers, trustees, governors, independent advisors, committee members, contractors, and leaders
* Effective and ongoing appropriate safeguarding training for all Extern staff, volunteers, trustees, governors, students, independent advisors, committee members, contractors and leaders is provided
* Ongoing and effective working with statutory and voluntary sector partners
* Complaints and whistleblowing procedures are well publicised
* Effective information sharing with all statutory and voluntary partners
* Effective and accurate record keeping in accordance with GDPR 2018 and

serious incidents are reported to the Charity Commission in accordance with their statutory obligations

* Periodic review of safeguarding policy, procedures, and practice.

## **Lead Safeguarding Trustee**

The Lead Safeguarding Trustee key safeguarding responsibilities are:

* The strategic plans in accordance with all national legislation and guidance.
* To ensure the Extern policy and procedures are effective and in line with all national legislation and guidance.
* To ensure that Extern has created the right culture which ensures that safeguarding is at the forefront of services and that service users feel confident and safe when with Extern staff and volunteers.

## **Chief Executive Officer**

* Ensuring Extern is a safe organisation for everyone
* Ensures they have an oversight of all Extern operational and strategic plans to meet its safeguarding responsibilities.
* They and the executive team work with and support all Extern safeguarding leads including the Safeguarding Lead Trustee.
* Ensures that all safeguarding concerns are managed in accordance with national legislation, guidance and Extern’s policies and procedures.
* Ensures the reputational safeguarding risks are managed in an open and transparent manner to ensure full accountability is held at all levels of Extern.
* Support the Audit and Risk Committee.

## **Audit and Risk Committee**

ARC will be responsible for:

* Assurance that safeguarding of all the adults and children Extern support in our services is a priority;
* Assurance and scrutiny of safeguarding performance and risk for Extern’s services;
* Compliance with the Charities Act (NI) 2008 and 2013 and Charities Act 2009 and Inspectorate regulatory standards;
* Development and implementation of action plans to address regulatory concerns;
* Support to all areas of service provided by Extern.
* The services’ provision shall, always, be delivered within the law, including such relevant government regulations as may be issued from time to time and while, Extern Ireland and Extern Northern Ireland and the Extern Group Board trustees have ultimate responsibility for such compliance and will require the Chair of the ASC to ensure this, the Committee members shall use their best endeavours to monitor that this is so.
* The Committee will be accountable to the Board through minutes, recommendations, and specific reports as necessary.
* The Committee shall take decisions and provide recommendations and assurances to the Board on matters covered by its role and responsibilities.

## **Head of Safeguarding**

A full list of their key responsibilities is:

* To develop, implement, deliver, and evaluate a clear strategy for safeguarding throughout Extern, ensuring safeguarding sits at the heart of all Extern does and that all service-users and staff have a voice, in conjunction with the Director of Services for NI and Ireland.
* To assist the Audit & Risk Committee in developing strong safeguarding governance mechanisms based on best practice in the sector and to provide assurance to the Boards on the quality and delivery of safeguarding practice in the organisation.
* To report to the Audit & Risk Committee and Boards on safeguarding strategy, statistics, and issues.
* To identify, report and action any serious adverse incidents which relate to safeguarding to the CEO.
* To play a pivotal role in creating a culture across the organisation which ensures that safeguarding is at the heart of all practice.
* To be the Safeguarding Champion for the organisation and will be responsible for the coordination, management, and support of the Safeguarding Practice Champions across the organisation.
* To develop, review and manage the organisation’s safeguarding risk register.
* To oversee and develop the system for flagging low-level concerns and to ensure that service users and staff feel empowered to raise any concerns that they might have with the confidence that they will be listened to and handled appropriately and proportionately.
* To be responsible for the review, development and implementation of safeguarding policies and practices across the organisation.
* To ensure that all staff are appropriately trained and supported to effectively implement and manage safeguarding practice across the organisation.
* To ensure the necessary processes are established and embedded so that service users and their guardians are aware of safeguarding policies and protocols, and the process for raising any concerns.
* To act as the principal point of contact for external agencies including the PSNI / An Garda Síochána in all matters relating to the safeguarding allegations and concerns.
* To liaise with other professionals to ensure that Extern contributes to inter-agency procedures and to ensure Extern are aware of and adhere to all agreed inter-agency procedures.
* To advise and act on all suspicions, concerns and/or evidence of the need for safeguarding to receive additional support, or of children and vulnerable adults who have suffered or are likely to suffer abuse and/or neglect.
* To produce regular safeguarding reports for consideration by the ARC, Strategic Leadership Team / Board.
* To keep detailed, accurate and secure written records of concerns and allegations.
* To encourage and develop a culture of listening to children and adults who are vulnerable
* To manage referrals, work with others, to support health and safety/risk management.
* To work with Practice development Unit (PDU) to review, develop and implement an effective safeguarding training programme to ensure competent and confident staff teams to deliver our safeguarding policy and procedures.
* To work closely with managers of the Services Directorate to develop educational sessions for service users to promote an awareness of safeguarding and a confidence in the processes available.
* To ensure that Extern keeps and maintains accurate records of staff training on child protection and adult safeguarding, in conjunction with the Practice Development Unit (PDU).

## **Programme Managers**

* To act as Deputy DLP/DSO when the Assistant Service and Service Managers are not available.
* To be notified of the safeguarding concern or allegation where it directly relates to the behaviour of the Assistant Service or Service Manager.
* Are accountable for all programme staff, volunteers, and students to comply with this policy.
* To ensure each of their services are safe for all service users
* To be the link between strategic and operational safeguarding practice within Extern to promote best practice and learning.

## **Assistant Service, and Service Managers**

* To act as DLP/DSO within their service
* To be notified of all safeguarding concerns and allegations, except when they directly refer to the behaviour of the Assistant Service or Service Manager.
* To make sure that services/ teams comply with the policy.
* To make sure that staff are appropriately trained and aware of their responsibilities.
* To promote a fair, open, and positive culture and ensure all involved feel able to report concerns, confident they will be heard and responded to.
* To make sure that responsibility for safeguarding is clearly defined in all job descriptions.
* To make sure that risk assessments are carried out to identify and evaluate risks to people encountering Extern and are reviewed regularly.
* To make sure any learning is shared.

## **Designated Liaison Person and Designated Safeguarding Officer**

* To ensure all safeguarding concerns or allegations are dealt with in accordance with this policy and procedures.
* To support staff in reviewing safeguarding concerns and allegations and agree next steps.
* To ensure notifications of any concerns or allegations are sent to the Head of Safeguarding and agree next steps with the Head of Safeguarding or their deputy.
* After consultation with the Head of Safeguarding if so directed to ensure notification of any safeguarding concerns or allegations are sent to the relevant statutory agencies.
* To ensure all concerns or allegations are recorded on Extern systems.
* To ensure confirmation of receipt is received from any statutory agency of any safeguarding concerns or allegations.
* To act as point of contact for external agencies for all safeguarding concerns or allegations within your service unless so directed by the Head of Safeguarding.

# Appendix 5 – Mandated Person

Schedule 2 of the Children First Act 2015 specifies the following classes of persons as Mandated Persons for the purposes of the Act:  
1. Registered medical practitioner within the meaning of section 2 of the Medical Practitioners Act 2007.  
2. Registered nurse or registered midwife within the meaning of section 2(1) of the Nurses and Midwives Act 2011.  
3. Physiotherapist registered in the register of members of that profession.  
4. Speech and language therapist registered in the register of members of that profession.  
5. Occupational therapist registered in the register of members of that profession.  
6. Registered dentist within the meaning of section 2 of the Dentists Act 1985.  
7. Psychologist who practises as such and who is eligible for registration in the register (if any) of members of that profession.  
8. Social care worker who practises as such and who is eligible for registration in accordance with Part 4 of the Health and Social Care Professionals Act 2005 in the register of that profession.  
9. Social worker who practises as such and who is eligible for registration in accordance with Part 4 of the Health and Social Care Professionals Act 2005 in the register (if any) of that profession.  
10. Emergency medical technician, paramedic and advanced paramedic registered with the Pre-Hospital Emergency Care Council under the Pre-Hospital Emergency Care Council (Establishment) Order 2000 (S.I. No. 109 of 2000).  
11. Probation officer within the meaning of section 1 of the Criminal Justice (Community Service) Act 1983.  
12. Teacher registered with the Teaching Council.  
13. Member of An Garda Síochána.  
14. Guardian ad litem appointed in accordance with section 26 of the Child Care Act 1991.  
15. Person employed in any of the following capacities:

(a) manager of domestic violence shelter;  
(b) manager of homeless provision or emergency accommodation facility;  
(c) manager of asylum seeker accommodation (direct provision) centre;  
(d) addiction counsellor employed by a body funded, wholly or partly, out of moneys provided by the Oireachtas;  
(e) psychotherapist or a person providing counselling who is registered with one of the voluntary professional bodies;  
(f) manager of a language school or other recreational school where children reside away from home;  
(g) member of the clergy (howsoever described) or pastoral care worker (howsoever described) of a church or other religious community;  
(h) director of any institution where a child is detained by an order of a court;  
(i) safeguarding officer, child protection officer or other person (howsoever described) who is employed for the purpose of performing the child welfare and protection function of religious, sporting, recreational, cultural, educational and other bodies and organisations offering services to children;  
(j) child care staff member employed in a pre-school service within the meaning of Part VIIA of the Child Care Act 1991;  
(k) person responsible for the care or management of a youth work service within the meaning of section 2 of the Youth Work Act 2001.  
16. Youth worker who—  
(a) holds a professional qualification that is recognised by the National Qualifications Authority in youth work within the meaning of section 3 of the Youth Work Act 2001 or a related discipline, and  
(b) is employed in a youth work service within the meaning of section 2 of the Youth Work Act 2001.

1. Foster carer registered with the Agency.
2. A person carrying on a pre-school service within the meaning of Part VIIA of the Child Care Act 1991.