



Because We Care

Child Safeguarding Policy Booklet – November 2021



Bus Éireann

Because We Care

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Because We Care

Foreword

As part of our day-to-day operations, we transport thousands of children and keeping our customers safe, especially children, is a core element of our culture. This extends to children availing of our services, on our premises and specific off-site locations. Child protection is everybody's concern, and we all have a professional duty and a moral responsibility to ensure that our organisation is operated in such a way as to maximise the safety and welfare of the children in our care.

This booklet, an abbreviated version of Bus Éireann's Child Safeguarding Policy, contains the key principles of child safeguarding in our organisation and outlines Bus Éireann's Policy Statement, our Code of Conduct and sets out detailed guidelines to be followed should a child safeguarding concern arise.

It is a practical and supportive reference guide which will assist you in understanding your role and responsibilities towards children, ensuring the mutual protection of children and ourselves. It is important that we are all familiar with its contents.

Our Child Safeguarding Officer and Deputy are also available to provide guidance, support, and advice to employees and to answer any questions or queries in relation to this matter.

This policy is consistent with the principles set out in "*Children First: National Guidance for the Protection and Welfare of Children*" and it is in line with best practice in this area. It will enhance the safety and welfare of the children we carry on board all our services and on our premises.

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1. Introduction

In Bus Éireann we transport thousands of children every day, on both our Road Passenger and School Transport Services. This policy has been developed to reinforce our commitment to the safety and welfare of children on our services and on our premises and to reassure parents/guardians/carers of our commitment to the protection and safeguarding of children.

Children, because of their dependency and innocence, are vulnerable to abuse. While parents/guardians/carers have primary responsibility for the care and protection of their children, we in Bus Éireann, as an organisation that works with children, need to be aware of our responsibilities towards children and our duty to safeguard them and protect them from harm.

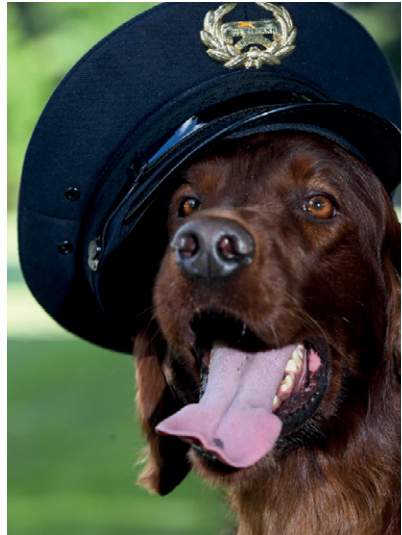
For the purpose of this policy a child means a person under the age of 18.

2. Children with Additional Vulnerabilities

Certain children are more vulnerable to abuse than others. Such children include those with disabilities, children who are homeless and those who, for a variety of reasons, may be separated from their parents/guardians/carers or other family members, and who are dependent on others for their care and protection.

3. Bus Éireann's Policy Statement

Keeping children safe while in our care is central to the ethos of Bus Éireann; their welfare is of paramount importance to us. We promote an environment where children are welcomed, respected, cared for and protected from harm. Bus Éireann staff, contractors and their employees understand that they have a duty and responsibility to safeguard children and support their general welfare, development, and safety. They must promote the safeguarding of children and be familiar with and comply with this policy. They must be alert to the possibility of child abuse and of their obligation to report any concerns to Bus Éireann's and their own Child Safeguarding Officer (CSO) (also known as a Designated Liaison Person (DLP)).



The guiding principles are:

- The welfare of children is of paramount importance, regardless of all other considerations.
- All children regardless of age, gender, religion, disability, sexual orientation, family status, race or ethnic origin have a right to protection from harm and abuse.
- All children shall be treated equally in line with the Equal Status Acts 2000 – 2018.
- Children have a right to be treated with dignity, respect and care and have a right to be listened to, to be heard and to be taken seriously.
- All Bus Éireann staff, contractors, and their employees, who provide services to or on behalf of Bus Éireann, must promote the safeguarding of children and be familiar with and comply with this policy.
- Those working in Bus Éireann will be perceived by children as trusted persons; all Bus Éireann staff, contractors and their employees will act accordingly to ensure that this trust is not undermined or breached in any way.
- Bus Éireann shall fully cooperate with the relevant State agency(ies) in relation to child safeguarding and welfare matters.
- A disclosure by a child should always be taken very seriously and should be acted upon swiftly by contacting Bus Éireann's DLPs.
- Bus Éireann's DLPs will ensure that all appropriate steps are followed in relation to reporting suspected child abuse to Tusla and/or An Garda Síochána.
- Bus Éireann will adopt safe practices to minimise the possibility of harm or accidents happening to children. The risks to children when using Bus Éireann's services and on our premises will be assessed and this process will form part of Bus Éireann's overall risk assessment.
- Any individual against whom allegations of abuse are made has a right to fair procedures; however, at times this right may need to be secondary to the protection of children at risk.

4. Code of Conduct for all Bus Éireann Staff, Contractors, and their Employees

When working with children the following guidelines should be followed, allowing for the mutual safeguarding of children and Bus Éireann staff, contractors and their employees;

- School Transport Service Supervisors and School Transport Contractors / Drivers MUST NOT operate school transport services unless they have successfully participated in the Garda Vetting Process and received **APPROVAL** from Bus Éireann.
- Communicate with children in an open and clear manner.
- Be polite, courteous, and respectful to all children and their parents/guardians/carers.
- Use age-appropriate language and temper language to the needs and sensitivity of the children present.
- There should be no unnecessary physical contact or horseplay with children or vulnerable adults such as striking, grabbing, hugging, holding, pinching, tickling, or cuddling.
- Personal remarks should not be voiced, nor should pet/nicknames be used, including those that compliment or chastise a child.
- The use of foul language, jokes, gestures, innuendo, sexual comments, or inappropriate conversation topics must not be used or made in the presence of a child.
- A particular child should not be singled out for favouritism, criticism or ridicule.
- A child must not be given gifts, cards, personal contact details, letters, text messages, gadgets or devices including but not limited to mobile phones, tablets, or laptops.
- Any material which could be judged as inappropriate, offensive, or political must not be displayed or distributed.
- Photographs, pictures, videos or images of a child, including images on mobile phones and/or other devices, must not be taken.
- A child's home should not be entered without the explicit prior consent and presence of the parent/guardian/carer.
- The personal belongings of a child must not be searched.
- Monies must not be held or handled on behalf of children.
- Must not engage in contact with children, including internet or social networking, letters, emails, text/voice messages and/or phone/video calls, unless they are a personal family friend and have the explicit prior consent of the parents/guardians/carers.
- Medication should not be administered to a child unless instructed to do so by a medical professional in order to save a child's life.



- No goods, including illegal substances, cigarettes/e-cigarettes, or alcohol, should be purchased on behalf of a child and/or vulnerable adult.
- Physical contact with children must be kept to a minimum. Drivers may assist a child who has difficulty walking, gaining access to a vehicle, securing their safety belt or in an emergency evacuation of the vehicle. The child's permission should be obtained prior to assisting them. Assistance for children as outlined above should ideally be with the explicit prior consent of their parent/guardian/carer.
- Excessive amounts of time spent alone with a child should be avoided.
- Any incident, accident or unusual event involving a child must be reported to the Bus Éireann local office as soon as possible and a written account of the incident, accident or event must be recorded.
- Inform Bus Éireann immediately when an allegation of a child safeguarding concern has been made against you.
- Check the vehicle after every trip by physically walking along the full length of the interior saloon to check for any passengers remaining on the vehicle or lost property which must be handed in immediately.
- Never drive under the influence of alcohol, drugs or medication which may affect their ability to drive (this includes prescription and non-prescription drugs).
- Children must not be put off the vehicle at any point other than their set-down point unless in an emergency.
- Where a parent/guardian/carer is not at the pick-up-point to collect a child on a designated School Transport Service, the driver will communicate this to the area Service Supervisor and/or the Local School Transport Office. Depending on the circumstances, the child may be taken to the nearest Garda Station and where feasible, this is communicated to the parent/guardian/carer.

5. Bus Éireann's Designated Liaison Persons (DLPs)

Bus Éireann has appointed three Designated Liaison Persons to act as a liaison with outside agencies and as resource persons for staff. In Bus Éireann, the DLPs will also fill the role of Child Safeguarding Officer (CSO) and Deputy Child Safeguarding Officer (DCSO) and will be known as the CSO and DCSO. The DLPs will provide support to any member of staff who has a child safeguarding concern and will act as a liaison with Tusla and any other outside agencies when managing a child safeguarding concern.

If a member of Bus Éireann staff has concerns with regard to a child's welfare or protection, they should contact one of the DLPs, either directly or through their manager.

Where the CSO is unavailable for whatever reason, arrangements shall be put in place for the Deputy CSO or DLP to assume their responsibilities.

The name and contact details of the CSO, Deputy CSO and DLP are detailed on the front inside cover of this booklet and on Bus Éireann's:

- Intranet; BÉ Online
<https://buseireann.workvivo.com>
- Bus Éireann's website;
www.buseireann.ie

6. Supporting Members of Staff

Members of staff who are involved in an allegation of a child welfare concern or abuse, either in making a complaint or having a complaint made against them, may seek assistance through Bus Éireann's Employee Assistance Programme (EAP), an independent and confidential counselling service or through the services of the Chief Medical Officer.

Please see Intranet: BÉ Online, documents section for further information regarding the Employee Assistance Programme (EAP).

7. Lost Child on a Road Passenger Service

If a child is lost on a road passenger service, they should be seated securely, preferably beside an unoccupied seat, not too far from the driver. The driver should question the child gently to see if they can obtain information which may assist in finding the child's parent/guardian/carer. This must be done in an appropriate manner but private interaction with the child should be avoided. The driver may also contact an AVL Control Centre or Service Supervisor for assistance. When contact is made with the child's parent/guardian/carer, arrangements should be made for the child to be collected. An Garda Síochána will be contacted where further assistance is required.

The Senior Manager Regional Operations, Service Delivery Manager or People Operations Manager should be made aware of the situation as soon as possible.

8. Lost Child in a Bus Station

If a child is lost in a Bus Éireann bus station, the child should be taken to a safe place, with more than one member of Bus Éireann staff present. The child may be questioned gently to obtain information which may assist in finding the child's parent/guardian/carer. A public announcement may be made. An Garda Síochána will be contacted where further assistance is required.

The Senior Manager Regional Operations, Service Delivery Manager or People Operations Manager should be made aware of the situation as soon as possible.

9. Children on School Transport Services

Where a parent/guardian/carer is not at the pick-up-point to collect a child, the driver will communicate this to the area Service Supervisor and/or the Local School Transport Office. Depending on the circumstances, the child may be taken to the nearest Garda Station and where feasible, this is communicated to the parent/guardian/carer.



10. Missing Children

A number of children go missing in Ireland every year and from time to time An Garda Síochána may request assistance from Bus Éireann in relation to a search for a missing child.

If a member of staff believes that they may have seen a missing child on a Bus Éireann vehicle or on Bus Éireann's premises, they should alert their manager as soon as possible, who in turn will contact An Garda Síochána. The driver may also contact an AVL Control Centre or Service Supervisor for assistance. In some instances, it may be more appropriate to contact An Garda Síochána immediately and then alert the manager to the situation.

11. Apprentices/ Transition Year Students/ Work Placement Students /Interns

Each year a number of students work in Bus Éireann to gain work experience as part of their Apprenticeship/Transition Year programme, college course or work placement requirements. To ensure the safety of the apprentice/transition year student/ work placement student/intern, they should be asked to report to HR/Personnel or to the appropriate manager on the commencement of their work experience and submit the written consent of the parent/guardian/carer for file records. The individual will receive an induction which will cover matters relating to health and safety and the standards of expected behaviour and conduct while engaged by Bus Éireann.

The student will then be accompanied to their work location, where they will be introduced to the person who will supervise their activities during their work experience.

Staff being assigned an apprentice/transition year student/work placement student/intern will be required to familiarise themselves with this policy, complete the Tusla e-Learning 'Introduction to Children First' Certificate, and submit a copy of their Certificate Award to the Human Resources Department. Interaction with an apprentice/transition year student/work placement student/intern should be in an open environment and where possible, with more than one staff member present.

Where an apprentice/transition year student/work placement student/intern is under 18 years of age, and access to designated work applications/systems is required, including those on social media, the written explicit prior consent of the parent/guardian/carer must be obtained.





12. Children of Bus Éireann Staff

Very occasionally children may visit their parent/guardian/carer in the workplace, e.g. on Christmas Eve. In such cases the permission of the line manager must be sought, and the children must remain in the direct supervision of their parent/guardian/carer at all times. The children are not permitted into safety critical areas such as garages or on vehicles etc., unless they have appropriate supervision.

13. Promotional Material/ Photographic/Video Shoots Involving Children

From time to time, Bus Éireann may use images of children in promotional material or may be involved in photographic shoots or other media events which involve children. Bus Éireann staff members may also post images of children on our Intranet; BÉ Online. In all instances written consent of the parent/guardian/carer by way of the **Child Photograph/Video Consent Form** is mandatory.

The **Child Photograph/Video Consent Form** is available to download by Bus Éireann staff on our Intranet: BÉ Online and a sample is available in Appendix 5.

Bus Éireann will adhere to the principles of the Data Protection Acts, 1988, 2003 and 2018, and the General Data Protection Regulation (GDPR) when collecting and using the images/recordings of children for promotional purposes.

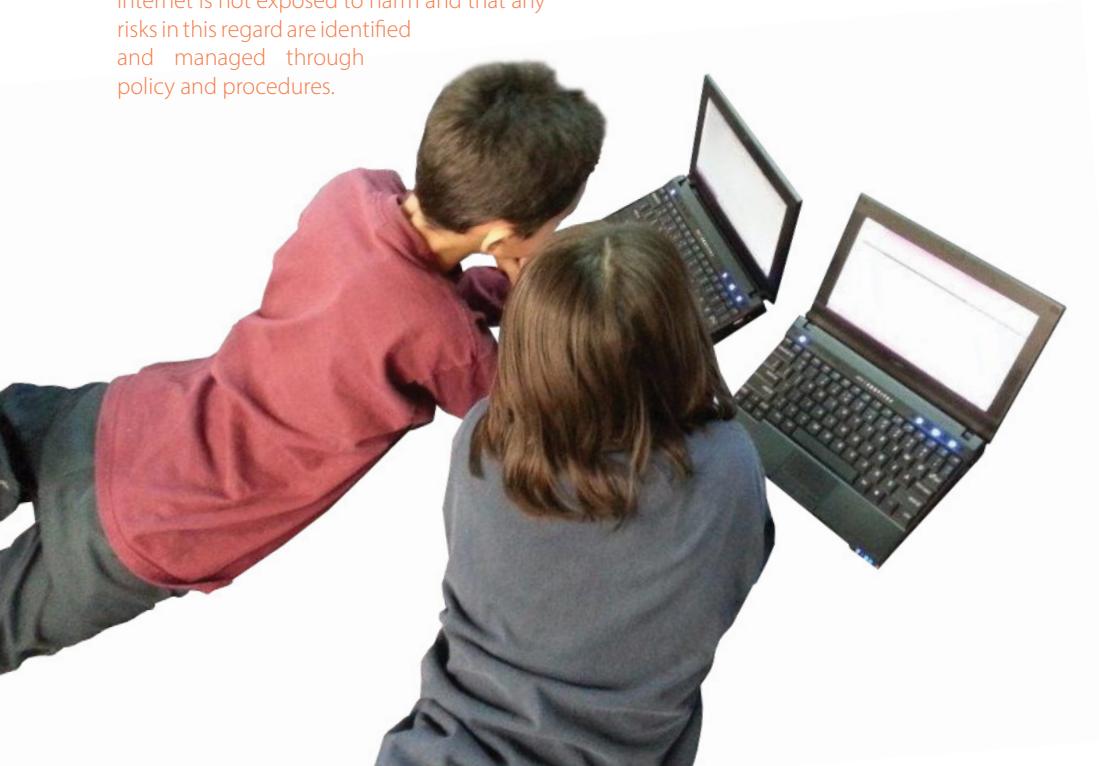
During a photographic shoot or other activity, children must be appropriately supervised by a parent/guardian/carer or teacher(s) (with the parent/guardian/carer's consent).

Interaction with children must take place in an open environment with their parent/guardian/carer or teacher present. This reduces the likelihood of children experiencing accidents or other harm. Any activity using potentially dangerous equipment must have constant adult supervision.

Children must be made aware of matters relating to health and safety and the standards of behaviour and conduct expected of them.

14. Bus Éireann Online Safety

Whilst on our premises or availing of our services or the services provided by our contractors, Bus Éireann endeavours to ensure that a child who has access to the internet is not exposed to harm and that any risks in this regard are identified and managed through policy and procedures.



15. New User Access Requests for Children

Where children are required to access our servers, accounts, internal software programmes, and Intranet as part of their Apprenticeship, Transition Year placement,

Work Experience or Internship, a **New User Access Request Form** must be completed, and consent must be provided by the child's parent/guardian/carer. This form is available from Human Resources or on the Intranet: BÉ Online. Usage in this instance must comply with the CIÉ Acceptable Use Policy for Information Systems.



16. State Agencies Responsible for Child Protection

Tusla – Child & Family Agency and An Garda Síochána are the two agencies with statutory responsibility for child safeguarding. If Bus Éireann has any concerns with regard to a child safeguarding issue Bus Éireann must share its concerns, through its DLPs, with Tusla or seek advice informally from Tusla.

Neither the person reporting the concern, the DLPs nor Bus Éireann is responsible for determining whether a child protection or welfare concern is evidenced or not; this is the responsibility of the State agencies assessing and investigating the concern i.e. Tusla and An

Garda Síochána. It is not the responsibility of Bus Éireann to assess, investigate or make enquiries of a child. It is a matter for Tusla to assess and investigate suspected child welfare concerns and/or abuse and determine what action to take.

In cases of emergency, where a child appears to be at immediate and serious risk, and it is not possible to make contact with Tusla, An Garda Síochána should be contacted immediately. This may be done via any Garda Station.

Under no circumstances should a child be left in a dangerous situation pending Tusla/ An Garda Síochána intervention.

17. Grounds for Welfare Concerns or Abuse with Regards to Children

Bus Éireann, as an organisation whose work brings it into contact with children, must be alert to the possibility that children may be suffering from child abuse. Although it may be very difficult to accept that parents/guardians/carers, who appear to love their children, or that committed workers, colleagues or friends could harm a child, we must be aware of such a possibility.

The guiding principles with regards to reporting child abuse/welfare concerns are:

- The safety and well-being of the child must take priority.
- Reports should be made without delay to Tusla and/or An Garda Síochána.

The following examples would constitute *reasonable* grounds for concern that a child may be suffering child abuse:

- A disclosure by a child that they have been abused;
- A statement from a person who witnessed the child being abused;
- Admission or indication by an adult or a child of an alleged abuse they committed;
- A complaint/report from a school principal, teacher, parent/guardian/carer etc.;
- Specific injuries or patterns of injuries on a child;
- Use of age-inappropriate or abnormal sexual play, knowledge or language by a child;
- Absconding from home or a care situation;
- Consistent indication that a child is suffering from neglect, emotional, physical, or sexual abuse;
- Signs of more than one form of abuse at the same time. For example, signs of developmental delay, physical injury and behavioural signs may together indicate a pattern of abuse;
- Attempted suicide and/or self-harm;
- Where an individual unconnected with children or Bus Éireann is seen frequently in the vicinity of school bus pick-up-points; and
- Bullying, which is defined as unwanted negative behaviour, verbal, psychological or physical conduct by an individual or group against another person (or persons) and which is repeated over time. It also includes cyber-bullying and identity-based bullying such as homophobic and racist bullying, bullying based on a person's membership of the Traveller Community and bullying of those with disabilities or special educational needs. This is a non-exhaustive definition.



18. Disclosure by a Child

If a child discloses to a member of Bus Éireann staff that they are being abused, the staff member should:

- Be as calm and as natural as possible.
- Listen carefully and supportively, give the child time. Be aware that disclosures can be very difficult for a child.
- Let the child recall significant events. Do not pressurise the child, allow them to disclose at their own pace and in their own language.
- Not ask any leading questions or make any suggestions to the child.
- Not show any extreme reaction to what the child is saying, such as shock, disgust, anger, or disbelief.
- Not make any judgemental statements about what the child is disclosing or about the person against whom the concern is being made.
- If necessary, reassure the child that feelings towards the child have not been affected in a negative way as a result of what the child has disclosed.
- Not make any undertaking regarding secrecy; the child needs to understand that confidentiality cannot be promised.
- Explain to the child that the information will only be shared with people who understand and who can help. Indicate that Bus Éireann's DLPs will be informed and that a report of what the child has disclosed may be made to Tusla and/or An Garda Síochána.
- Individuals should not take it upon themselves to investigate a concern.

The child should not be interviewed formally; however, it may be possible to facilitate the child to talk about their concern through listening and encouraging comments. If the child is unclear in what they are saying, gentle questions may be asked to obtain clarity. Leading questions should be avoided; open, non-specific questions should be used such as *“Can you explain to me what you mean by that?”*

It is important to verify that the child understands that confidentiality cannot be promised and that no undertaking regarding secrecy can be given. The child should be informed that all such information will be handled sensitively and with due regard to confidentiality; it will only be shared on a need-to-know basis in the best interests of the child. In cases where the child may not understand, the situation should be explained to the child’s parent/guardian/carer, school principal, teacher, or escort where it is safe to do so.

If the child wishes to make a written statement this should be facilitated.

The staff member should ensure that the child is placed in the care of their parent/guardian/carer, school principal, teacher, or escort where it is safe to do so.

The member of staff should then record the disclosure in writing, using as far as is possible the child’s own words and report their concern to Bus Éireann’s DLPs, either directly or through a manager, using **Bus Éireann’s Child Safeguarding Report Form** available on the Intranet; BÉ Online or at www.buseireann.ie. (See Appendix 3 for sample of this form).

Any further disclosures by the child should be treated as a first disclosure and responded to as indicated above.





19. Complaint/Report from an Adult

A member of the public, a parent, a school principal, teacher etc. may contact Bus Éireann with a child safeguarding concern. They may contact Bus Éireann by telephone, in person, by email or by letter.

Where contact is made by telephone, the call should be taken by the appropriate Manager.

If the call is in relation to a child travelling on Bus Éireann's School Transport Services the call should be taken by the Regional School Transport Manager, or if they are not available, by the School Transport Chief Clerk of the relevant School Transport Office.

If none of these individuals are available, the caller can be transferred to the DLPs or the caller's contact details should be taken so that the appropriate Manager or the DLPs can return the call as soon as possible. Contact details for the DLPs are documented on the front inside cover of this booklet.

If an individual comes to a Bus Éireann office to raise a child protection concern, they should be seen by the area manager or if they are not available, a staff member in a supervisory position.

Whether listening to a concern over the telephone, speaking with an individual in person, or receiving a concern via email, as much information as possible should be gathered. Appendix 2 provides guidelines about conducting this communication and Appendix 3 includes a sample of **Bus Éireann's Child Safeguarding Report Form**, which should be completed in full and sent to the DLPs, either directly or through your manager.

Bus Éireann Child Safeguarding Report Form is available on the Intranet: BÉ Online or www.buseireann.ie.

The person raising the concern should be asked to submit a written statement where necessary, which should be sent to the DLPs as soon as it is received.



20. Anonymous Complaints

Anonymous complaints can be difficult to deal with and may greatly restrict intervention to protect a child. However, any such complaints should be brought to the attention of the DLPs who may contact Tusla and/or An Garda Síochána.



21. Retrospective Disclosures by Adults

Bus Éireann may be made aware of an adult disclosing alleged abuse that took place during the adult's childhood. Bus Éireann's DLPs should be made aware of such concerns and may be required to report the matter to Tusla and/or An Garda Síochána. Consideration will be given to whether there is any current risk to any child who may be in contact with the person who allegedly caused the harm, and who has been identified in such disclosures.

22. Alleged Abuse by Another Child

In the situation where the child abuse is alleged to have been caused by another child, all the details of the incident should be reported to the DLPs by way of the **Bus Éireann Child Safeguarding Report Form**. (Sample available to view in Appendix 3). A form should be submitted for each child respectively.

If there is any conflict of interest between the welfare of the alleged victim and the person allegedly causing harm, the alleged victim's welfare is of paramount importance.



23. An Allegation Against a Customer Using Road Passenger Services/in a Bus Éireann Station/ On our Premises

Most individuals who use Bus Éireann's services do so in order to get to work, visit friends, or for leisure purposes etc. and do so in a responsible manner.

Situations can occur where a child safeguarding concern arises on one of our road passenger vehicles or on our premises. In such situations, please refer to the guidelines documented below.

In cases of emergency, where a child appears to be at immediate and serious risk, An Garda Síochána should be contacted immediately.



The guidelines detailed below should be followed:

23.1 An Allegation Against a Customer on a Road Passenger Vehicle

Where an incident occurs on a vehicle, the driver should contact an AVL Control Centre or a Service Supervisor for assistance, or if necessary, contact An Garda Síochána directly.

In some instances it may be necessary for the driver to stop the vehicle (in a safe place), contact An Garda Síochána and where possible take steps to prevent any further harm to the child. The driver should remain calm and reassure the child that An Garda Síochána has been contacted.

The Senior Manager Regional Operations, Service Delivery Manager or People Operations Manager should be made aware of the situation as soon as possible and the incident should be reported to Bus Éireann's DLPs, without delay.

23.2 An Allegation Against a Customer in a Bus Éireann Station/ On our Premises

Where an incident occurs in a station or on our premises, security and/or the most senior Bus Éireann staff member must be notified. In some instances, it may be necessary to take steps to prevent any further harm to a child, and where necessary, An Garda Síochána should be contacted directly.

The child should be taken to a safe place, with more than one Bus Éireann staff member present and, if applicable, until An Garda Síochána arrives.

The Senior Manager Regional Operations, Service Delivery Manager or People Operations Manager should be made aware of the situation as soon as possible and the incident should be reported to Bus Éireann's DLPs, without delay.



24. Reporting a Child Safeguarding Concern to Bus Éireann's Designated Liaison Persons (DLPs)

Child protection concerns should be dealt with as a matter of urgency through the DLPs in Bus Éireann, who will liaise with the relevant State authorities.

Bus Éireann's Child Safeguarding Report Form is available on the Intranet; BÉ Online or at www.buseireann.ie.

Bus Éireann's Child Safeguarding Report Form (see sample in Appendix 3) should be completed in full and emailed immediately to Bus Éireann's DLPs, either directly or through a manager. Notes, images or any other relevant information or documentation should be included. The email should be marked 'confidential' and 'high importance' and should only be sent to the DLPs.

The Child Safeguarding Officers and Deputy are available to provide guidance, support, and advice to employees and to answer any questions or queries in relation to this matter. Where a member of staff is unsure about whether certain behaviours constitute a child welfare concern or abuse, they should discuss their concern with the DLPs, either directly or through a manager.

A **Bus Éireann Child Safeguarding Report Form** and any accompanying documentation should be stored securely, with access limited to management.

25. Confidentiality

As far as is possible, confidentiality must be maintained in respect of child safeguarding concerns. It is important that the rights of both the child and the person against whom the allegation has been made are protected.

A guarantee of confidentiality or undertaking regarding secrecy cannot be given. For example, no undertaking regarding secrecy can be given to a child making a disclosure or to an individual reporting a child protection concern. They can be assured that all such information will be handled sensitively and with due regard to confidentiality and that it will only be shared on a need-to-know basis in the best interests of the child.

26. Data Protection

The principles of the *Data Protection Acts 1988, 2003 and 2018* and the *General Data Protection Regulation (GDPR)* will be adhered to with regards to child safeguarding matters.

Child safeguarding information will be stored securely. Only the DLPs will have access. When appropriate, the information will be disposed of securely.

27. Legal Protection and Obligations

The Protection for Persons Reporting Child Abuse Act 1998 provides protection from civil liability to individuals who have communicated, in writing or otherwise, a child welfare concern or abuse reasonably and in good faith.

This Act also makes it an offence to falsely report child abuse; this is where a person makes a report of a child welfare concern or abuse knowing that the statement is false.

The *Criminal Justice Act 2006* introduces the criminal charge of reckless endangerment of children. The Act makes it an offence for anyone with responsibility for a child to intentionally leave a child in a situation which creates a substantial risk to the child of being the victim of serious harm or sexual abuse, or who fails to take reasonable steps to protect a child from such risk.

The *Criminal Justice (Withholding of Information on Offences Against Children and Vulnerable Persons) Act 2012* states it is a criminal offence to withhold information where a person knows or believes that a specified offence has been committed against a child or vulnerable person and they have information which would be of material assistance in securing the apprehension, prosecution or conviction of another person for that offence and fails without reasonable excuse to disclose that information as soon as it is practicable to do so to a member of An Garda Síochána.

On 11th December 2017 the *Children First Act 2015* introduced statutory obligations for professionals and organisations who provide services to children. Bus Éireann is

obligated to comply with this Act and must report to Tusla, Child and Family Agency any incident where there are reasonable grounds to suspect that a child has been harmed, is being harmed or is at risk of being harmed.

This legislation also requires Bus Éireann to issue a Child Safeguarding Statement to its staff members. This Statement is available on our Bus Éireann website for inspection by Tusla Child and Family Agency, service users and members of the public. (See www.buseireann.ie)

A mandatory risk assessment is also required to assess risks and to document the measures taken to minimise these risks to children.

If a risk is highlighted to you, please ensure that you bring this matter to the attention of the Child Safeguarding Officer, Deputy or DLP.

28. Breaches of this Policy

Breaches of this policy by Bus Éireann staff, contractors and their employees shall be deemed a serious matter. For Bus Éireann staff such breaches could lead to disciplinary action up to and including dismissal.

For contractors and their employees, a breach of this policy could lead to the termination/non-renewal of contracts, the suspension/non-renewal of services, removal of a contractor or their employee from operating or providing a service(s) on behalf of Bus Éireann or any other action as deemed appropriate by Bus Éireann.



Appendix 1 – Signs of Child Abuse

1. Signs of Child Abuse

Child abuse may take many forms, but it 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.

In depth definitions and a list of indicators of child abuse are contained in *Children First: National Guidance for the Protection and Welfare of Children*.

See https://www.tusla.ie/uploads/content/Children_First_National_Guidance_2017.pdf

1.1 Neglect

Child neglect is the most frequently reported type of abuse, both in Ireland and internationally. Ongoing neglect is recognised as being harmful to the development and well-being of the child and may have serious long-term negative consequences¹. Neglect can be defined in terms of an omission of care, including abandonment. It is where a child suffers significant harm or does not develop appropriately by being deprived of food, clothing, warmth, hygiene, intellectual stimulation, supervision, medical care, and safety.

Neglect generally becomes apparent in different ways over a period of time or at a specific point. For example;

- A child who is left alone without adequate care and supervision, including abandonment or desertion.
- A child who suffers a series of minor injuries may not be having their needs met in terms of necessary supervision and safety.

- A child who appears malnourished.
- A child who is consistently absent from school may be deprived of an education.
- Lack of adequate clothing and inattention to basic hygiene.

1.2 Emotional Abuse

Emotional abuse is the systematic emotional or psychological ill-treatment of a child as part of the overall relationship between an adult and a child. It occurs when a child's need for attention, affection, approval, consistency, and security are not met.

Emotional abuse is not easy to recognise because its effects are hard to see. It is rarely apparent from physical signs and symptoms but more often is apparent from a child's behaviour. Examples of this include lack of care and love, bullying, extreme overprotectiveness, rejection, unhappiness, low self-esteem, educational and developmental underachievement, risk taking and aggressive behaviour.

¹ Source 'Children First National Guidance for the Protection and Welfare of Children 2017' Children_First_National_Guidance_2017.pdf (tusla.ie) [Accessed November 2021].

1.3 Physical Abuse

Physical abuse is when someone deliberately hurts a child physically or puts them at risk of being physically hurt. Physical abuse is any form of non-accidental injury or injury which results from wilful or neglectful failure to protect a child. This may be a once off incident or repeated incidents. Physical abuse can range from severe physical abuse (beating, slapping, shaking, hitting, kicking, biting, choking, throwing etc.), to terrorising a child through threats of violence and/or to placing a child in situations where they can come to harm or observe violence.

1.4 Sexual Abuse

Sexual abuse occurs when a child is used by another person for their 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 other inappropriate materials. Child sex abuse can range from non-contact sexual abuse (offensive sexual remarks, innuendo etc.), to sexual contact with a child.

Sexual exploitation is another form of sexual abuse and involves situations of sexual victimisation where the person who is responsible for the exploitation may not have direct sexual contact with the child. Two types of this abuse are child pornography and child prostitution. Sexual exploitation may also include showing sexually explicit materials to children, which is often a feature of the 'grooming' process perpetrated by child abusers.

It is important to note that physical signs may not be evident in cases of sexual abuse due to the nature of the abuse and/or the fact that the disclosure could be made some time after the abuse took place.

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



Appendix 2 – A Complaint/Report from an Adult, a Parent, School Principal etc.

1. A Complaint/Report from an Adult, a Parent, School Principal etc.

A member of the public, a parent, a school principal, teacher etc. may contact Bus Éireann with a child protection concern. Whether listening to a concern over the telephone, speaking with an individual in person, or receiving a concern via email, as much information as possible should be gathered.

Below are some guidelines to follow:


- Be as calm and as natural as possible.
- Listen carefully, supportively and let the person relay events. Be aware that disclosures can be very difficult.
- Inform the person that you will be taking notes during the conversation so that you have the relevant details of their concern and that this information will be submitted to Bus Éireann's DLPs and may be reported to Tusla, Child and Family Agency and/or An Garda Síochána.
- Do not show any extreme reaction to what the person is saying, such as shock, disgust, anger, or disbelief.
- Do not make any judgemental statements about what the person is disclosing or about the person against whom the alleged concern is being made.
- Do not ask any leading questions or make any suggestions.
- You may wish to clarify some of the information by asking "Can you explain to me what you mean by that?"

- It is important to explain that confidentiality cannot be promised - the information will be handled sensitively and with due regard to confidentiality; it will only be shared on a need-to-know basis in the best interests of the child. No undertaking regarding secrecy can be given.
- Indicate that the Bus Éireann DLPs will be informed and that a report of what the person has said may be made to Tusla and/or An Garda Síochána.
- The person raising the concern should be asked to submit a written statement where necessary, which should be sent to the DLPs as soon as it is received.
- All information gathered must be input on the Bus Éireann Child Safeguarding Report Form and sent forward to the Bus Éireann DLPs. Notes, images or any other relevant information or documentation should be included.
- Individuals should not take it upon themselves to investigate a concern.

Bus Éireann's Child Safeguarding Report Form should be clear, factually based, impartial, legible (preferably typed), accurate, confidential, signed and dated. The completed form, along with any notes, images or any other relevant information or documentation (i.e. minutes of meetings etc.) should be sent forward by email to the DLPs either directly or through your manager. The email should be marked 'confidential' and 'high importance'.

The **Bus Éireann Child Safeguarding Report Form** and any accompanying documentation should be stored securely, with access limited to management/supervisors only.

Appendix 3 – Bus Éireann Child Safeguarding Report Form

Bus Éireann's Child Safeguarding Report Form		
1) To: Child Safeguarding Officer/Deputy Child Safeguarding Officer, Bus Éireann, Broadstone, Dublin 7.	2) From:	3) Date:
4) Details of Child:	5) Details of Parent/Guardian/Carer:	6) Details of Person Reporting Concern(s):
Name:	Name:	Name:
Male: <input type="checkbox"/> Female: <input type="checkbox"/> Age: DOB:	Home Address (if different to child):	Home Address:
Child's Home Address:		
Name of School:		Occupation:
Roll No:		
School Address:	Relationship to Child: Mother <input type="checkbox"/> Father <input type="checkbox"/> Guardian <input type="checkbox"/> Carer <input type="checkbox"/>	Relationship to Child:
School Contact Number:	Contact Number:	Contact Number:
7) Parents/Guardians/Carer Aware of Report: Are the Child's Parents/Guardians/Carers aware that this concern is being reported?		
Mother: Yes <input type="checkbox"/> No <input type="checkbox"/>	Father: Yes <input type="checkbox"/> No <input type="checkbox"/>	Guardian/Carer: Yes <input type="checkbox"/> No <input type="checkbox"/>
If necessary, please insert additional comments below:		
8) Please Outline Below Details of Report /Incident/Allegation: State exactly what you were told. (Describe issues fully including dates, times, venue, who was present, description of any observed injuries, parent's views, and child's view(s) if known). <i>(Continue on separate page(s) if necessary)</i>		
9) Please document How you Became Aware of the Concern:		
10) Details of Any Witnesses:		
11) Details of Person(s) Allegedly Causing Concern(s) in Relation to Child:		
Name:	Age:	Male: <input type="checkbox"/> Female: <input type="checkbox"/>
Home Address:	Occupation:	
	Contact Number:	
	Relationship to Child:	
Signed:	Date:	
This matter must be treated in a Sensitive, Private and Confidential manner. This Form should be sent via email to the DLPs marked Confidential and High Importance.		

Appendix 4 – Bus Éireann Child Safeguarding Statement

Child Safeguarding Statement



Bus Éireann in accordance with our legislative requirements under the Children First Act 2015 (Schedule 1) has developed this Child Safeguarding Statement. This statement is binding to all BÉ staff, and includes apprentices', interns, students on work placement, contractors, and their nominated employees/drivers.

Bus Éireann transports thousands of children nationwide every day on public bus and school transport services and keeping our customers safe, especially children, is a core element of our culture. This extends to children availing of our services, on our premises and specific off-site locations.

Keeping children safe while in our care is central to the ethos of Bus Éireann; their welfare and safety is of paramount importance to us. We promote an environment where children are welcomed, respected, cared for and, as far as practicable, protected from harm. Bus Éireann staff, contractors and their employees have a duty and responsibility to safeguard children and support their general welfare, development, and safety, promoting the protection of children in line with our **Child Safeguarding Policy**. As a matter of policy, they must be alert to the possibility of child abuse/harm and of their obligation to convey any concerns to a Designated Liaison Person (DLP), who will treat such concerns in an appropriate manner in accordance with legislative requirements.

Bus Éireann has adopted safe practices to minimise the possibility of harm or accidents to children. The risk to children when using our services or working within our organisation will be assessed on a continuous basis and this process will form part of Bus Éireann's overall Risk Assessment.

In addition, the following procedures support our intention to safeguard children availing of our services and/or within our organisation:

- Display the Child Safeguarding Statement and Child Safeguarding Policy on our public website.
- Child Safeguarding Policy is available to all existing Bus Éireann staff via our Bus Éireann Online internal website.
- All existing staff, contractors and their employees will receive a copy of our revised Child Safeguarding Statement and Child Safeguarding Policy Booklet.
- All new employees will be provided with a copy of our Child Safeguarding Policy Booklet.
- Bus Éireann School Bus Drivers will be issued with our Code of Conduct, Child Safeguarding Policy Booklet, and comprehensive Drivers Handbook.
- Bus Éireann School Bus Contractors and their Nominated Drivers will be issued with our Code of Conduct and Child Safeguarding Policy Booklet.
- Procedures for reporting child safeguarding concerns are documented in our Child Safeguarding Policy/Policy Booklet.
- Recruitment process will include Garda Vetting, where applicable.
- Recruitment and Selection will seek assurance from applicants that there are no known circumstances that would prevent them from working with children and/or vulnerable adults.
- Provision of information regarding Child Safeguarding forms part of Driver Induction Training.
- DLPs to maintain awareness and provide support to staff regarding Child Safeguarding principles and best practice.
- Drivers and relevant staff will be required to submit a successfully completed '**Introduction to Children First E-Learning Programme**' Certificate (*awarded online by Tusla*).
- Child Safeguarding Officers have completed Children First, Child Protection Training and Designated Liaison Person Training.

The Chief Executive Officer has authorised the below Designated Liaison Persons to act as liaison with outside agencies and as a resource person for staff. The DLP's can be contacted by email at childprotection@buseireann.ie. The DLP will also fill the role of Child Safeguarding Officer.

- Mr. Gerry Gannon (DLP/Child Safeguarding Officer)
- Ms. Dorothy McGill (DLP/Deputy Child Safeguarding Officer)
- Ms. Aisling Harte (DLP)

This statement is designed to demonstrate our commitment to the safety and welfare of children on our services/premises/in our care and is intended to reassure parents/guardians/carers of our ongoing dedication to the protection and safeguarding of children.

This Statement will be reviewed every two years or sooner if there has been a material change in any matter to which the statement refers and/or changes in legislation or national policy.

Appendix 5 – Bus Éireann Child Photograph – Video Consent Form – Under 18’s

Child Photograph / Video Consent Form – Under 18’s



To comply with the Data Protection Acts 1988, 2003 and 2018 and the General Data Protection Regulation (GDPR), Bus Éireann must secure your permission before we take any photographs, images, videos and/or audio recordings of your child. This form applies to children aged under 18 years. The copyright of these photographs, images, videos and/or audio recordings will remain with Bus Éireann.

I hereby consent to the unrestricted use by Bus Éireann to storing, processing, and publishing photographs, images, videos and/or audio recordings of my child both internally and externally and any reproductions or edits thereof for use in further Bus Éireann media including advertising, social media, literature, corporate information, and websites. I waive the right to approve the final product and assign full copyright to Bus Éireann.

I understand and agree that such photographs, images, videos, and/or audio recordings of my child may be placed on the internet. I assign unrestricted copyright of same to Bus Éireann in perpetuity. These photographs, images, videos and/or audio recordings may be assessable to website viewers and members of the public on a national and international basis.

I understand that these photographs, images, videos and/or audio recordings could be used in print and/or digital media formats including print publications, websites, e-marketing, fundraising, posters, banners, advertising, films/ videos, social media, teaching, educational and research purposes.

I undertake not to prosecute or to institute proceedings, claims or demands against Bus Éireann on behalf of my child, in respect of any use of this imagery.

I confirm and warrant that I am entitled to enter into this release and am not under any obligations precluding me from doing so.

I verify that my child fully understands that their photograph, image, video and/or audio recording will be taken and the purposes for which it may be used, and that they are participating in this activity willingly.

I fully understand the meaning and implications of this release agreement.

I the undersigned guardian/parent/carer, hereby agree that I have read this agreement and consent to be bound by it.

Child’s Details

Childs Name:	
Childs Address:	
Childs Date of Birth:	

Guardian/Parent/Carer Details

Name:	
Address:	
Contact Phone Number:	
Email Address:	
Relationship to Child:	
Signature:	
Date:	

Image Details

Date Taken:	
Location:	

Note: If at any time you or the minor upon reaching the age of majority wishes to withdraw this permission, you should advise Bus Éireann above in writing via email pressoffice@buseireann.ie.

Notes

A series of 22 horizontal green lines spaced evenly down the page, intended for writing notes.


Bus Éireann
www.buseireann.ie

