

Scoil Mhuire
Ballymore Eustace
Co. Kildare
18055B



Scoil Mhuire

Child Protection

Policy

School Policy on Child Protection

Introduction

It is the responsibility of all who work and interact with children to ensure that they are protected. Child Protection must be a priority for all who work in Scoil Mhuire. The Board of Management recognises that child protection and welfare considerations permeate all aspects of school life and must be reflected in all of the school's policies, practices and activities.

Mindful of this primary duty of care, the Board of Management of Scoil Mhuire, Roll No. 18055B, fully endorses, has adopted and will implement without modification,

(a) **“Children First”**: National Guidance for the Protection and Welfare of Children, 2011,” as issued by the Department of children and Youth Affairs.

and (b) **“Child Protection Procedures for Primary and Post-Primary Schools”** – issued by the Department of Education & Skills.

Rationale

- This policy has been drawn up as a response to recent changes in legislation.
- It further develops previous policy in this area and takes account of the provisions of the following pieces of legislation,
 - The Education Act, 1998
 - The Child Welfare Act, 2000
- This policy is also mindful of the many reports which have been published in relation to this topic.
- This policy is also in accordance with the terms of Department of Education & Skills Circular 65/2011.

Relationship to Characteristic Spirit of the School

This policy reiterates the following principles,

- We seek to create an environment that is **Welcoming, Inclusive** and **Safe** for pupils, staff and parents.
- We seek to celebrate the uniqueness and importance of every child.
- We endeavour to recognise and enhance the potential for growth and development that exists in each person, academically, spiritually, socially, physically and emotionally.
- Building the self-esteem of each individual is central to all our teaching, communication and interactions.
- We seek to support those who are experiencing difficulty in their lives.
- This support will be available in an atmosphere and environment in which children feel secure, valued and safe.
- This supporting atmosphere seeks to enable all children to respect others and themselves.

Aims

- To raise awareness of the importance of child protection among all school staff (including teachers, SNA^s, secretary, caretaker, etc.).
- To put in place clear procedures for all school personnel dealing with suspicions and allegations of child abuse.
- To identify curricular content and resources that contribute to the prevention of child abuse.
- To enable children to properly deal with abuse if it occurs.
- To promote the welfare of all the pupils in our care.

Roles and Responsibilities

- The Board of Management has primary responsibility for the care and welfare of all pupils.
- The D.L.P. (Designated Liaison Person) has specific responsibility for Child Protection within the school.
- All staff have a duty of care to ensure that arrangements are in place to protect children from harm.

The Designated Liaison Person (D.L.P.) is Mr. Alan Hobbins

Following ratification by the Board of Management, the Principal of Scoil Mhuire is the D.L.P. He has specific responsibility for Child Protection and will represent the school in all dealings with

- the Social Worker on Duty
- the Health Board
- the Garda Síochána
- any other parties in connection with allegations of abuse.

All matters pertaining to the processing or investigation of child abuse will be processed through the D.L.P.

Note: Further information on the responsibilities of the D.L.P. is included in “Children First: National Guidance for the Protection and Welfare of Children,” Section 3.3 and in “Child Protection Procedures for Primary and Post-Primary Schools,” Section 3.2.1 and 3.2.2.

Actions to be taken by the D.L.P. are outlined in “Child Protection Procedures for Primary and Post-Primary Schools,” sections 4.2.1 to 4.2.8.

The Deputy Designated Liaison Person (D.D.L.P.): Ms. Gráinne Kenny

In the absence of the D.L.P., (Mr. Alan Hobbins) Ms. Gráinne Kenny, will act as D.D.L.P., as ratified by the Board of Management.

The Board of Management

- The Board has ratified both the D.L.P. and the D.D.L.P.
- The Board will ensure that appropriate and on-going training, as necessary, will be available for the D.L.P. and D.D.L.P.
- The Board fully endorses arrangements for the vetting of teaching and non-teaching staff as outlined in Circular 0094/2006, (June '06) and Circular 63/2010, by the D.E.S.
- The Board undertakes to include Child Protection and Health and Safety matters as items on the agenda for all Board meetings and Staff meetings forthwith.
- The Board will ensure that all staff are aware of their obligations under the "Children First" Guidelines.
- The Board undertakes to circulate this Child Protection Policy to all parents and guardians at time of enrolment, to new parents in the school and on a regular basis thereafter.
- This policy and "Children First," will be available for viewing in the school office.

Guiding Principles

In its policies, practices and activities, Scoil Mhuire will adhere to the following principles of best practice in Child Protection and Welfare:

The school will

- recognise that the protection and welfare of children is of paramount importance, regardless of all other considerations;
- fully co-operate with the relevant statutory authorities in relation to child protection and welfare matters.
- adopt safe practices to minimise the possibility of harm or accidents happening to children and protect workers from the necessity to take unnecessary risks that may leave themselves open to accusations of abuse or neglect;
- develop a practice of openness with parents and encourage parental involvement in the education of their children; and
- fully respect confidentiality requirements in dealing with child protection matters.

The school will also adhere to the above principles in relation to any adult pupil with a special vulnerability.

The following policies of Scoil Mhuire are also particularly relevant to Child Protection and Welfare.

- Code of Behaviour
- Anti-bullying Policy
- Attendance Strategy Policy
- Critical Incident Policy
- Acceptable Use Policy – Internet
- Substance Use Policy
- Swimming Policy
- School Tours Policy
- R.S.E. Policy
- Policy on Supervision, Assembly and Dismissal of Pupils
- P.E. (Safety) Policy
- Healthy Lunches Policy

The Board has ensured that the necessary policies, protocols or practices as appropriate are in place in respect of each of the above listed items.

Definition and Recognition of Child Abuse

Child abuse can be categorised into four different types,

- neglect
- emotional abuse
- physical abuse
- sexual abuse

A child may be subjected to more than one form of abuse at any given time. Definitions for each type of abuse are detailed in “Children First”, Chapter 2, 2.1 to 2.5, pages 8-10.

Recognition

Child neglect or abuse can often be difficult to identify and may present in many forms. A list of signs and symptoms of child abuse appears in Appendix 1, “Child First”, pages 70-74.

No one indicator should be seen as conclusive in itself of abuse. It may indicate conditions other than child abuse. All signs and symptoms must be examined in the total context of the child’s situation and family circumstances.

There are commonly three stages in the identification of child abuse.

These are:-

- (i)** Considering the possibility
- (ii)** Looking out for signs of abuse
- (iii)** Recording of information

Each of these stages is developed in "Children First", Chapter 2, 2.7.1 to 2.8.1 pages 10-11.

Dealing with Disclosures from Children

"Child Protection Procedures for Primary and Post-Primary Schools" Chapter 3, 3.5 to 3.6.3, pages 20-22 gives comprehensive details of how disclosures should be dealt with.

An abused child is likely to be under severe emotional stress and a member of staff may be the only adult whom the child is prepared to trust. Great care shall be taken not to damage that trust.

When information is offered in confidence, the member of staff will need tact and sensitivity, in responding to the disclosure. The member of staff will need to reassure the child and endeavour to retain his trust.

The following advice is offered to school personnel to whom a child makes a disclosure of abuse.

- (a) It is important to stay calm and not to show any extreme reaction to what the child is saying. Listen compassionately and take what the child is saying seriously;
- (b) It should be understood that the child has decided to tell about something very important and has taken a risk to do so. The experience of telling should be a positive one so that the child will not mind talking to those involved;
- (c) The child should understand that it is not possible that any information will be kept a secret;
- (d) No judgemental statement should be made about the person against whom the allegation is made;
- (e) The child should not be questioned unless the nature of what he is saying is unclear. Leading questions should be avoided. Open, non-specific questions should be used such as "Can you explain to me what you mean by that?";
- (f) The child should be given some indication of what would happen next, such as informing the Designated Liaison Person, parents/carers, HSE or possibly An Garda Síochána. It should be kept in mind that the child may have been threatened and may feel vulnerable at this stage;
- (g) Record the disclosure immediately afterwards using, as far as possible, the child's own words.

The duty of the Recipient of such information is to report it to the D.L.P.

It must always be remembered that school personnel have a **supportive, not an investigative** role.

Record Keeping

When child abuse or neglect is suspected, it is essential to have a written record of all the information available. School personnel shall note carefully what they have observed and when they observed it. Signs of physical injury shall be described in detail and, if appropriate, sketched. Any comment by the child concerned, or by any other person, about how an injury occurred shall be recorded, preferably quoting words actually used, as soon as possible after the comment has been made.

The record of the disclosure and discussion shall be signed, dated and given to the D.L.P.

Making a Report

- (a) If the D.L.P. feels that advice on the matter is required he will ring the Duty Social Worker. The D.L.P. will clearly state that he is seeking advice and consultation and that he is not making a report. See 4.2.1. page 23 of "Child Protection Procedures for Primary and Post-Primary Schools.
- (b) If the HSE Children and Family Services personnel/duty Social Worker advises that a referral is warranted, the D.L.P. will act on that advice.
The D.L.P. will follow all procedures as stated in the "Child Protection Procedures for Primary and Post-Primary Schools, 4.2.1. to 4.2.5, pages 24-25.
- (c) If, following discussion between the D.L.P. and the reporting person and following a 4.2.1. discussion with the relevant HSE Services, it is felt that the concerns of the school employee should not be referred to the relevant Health Board, the school employee should be given a clear statement, in writing, as to the reasons why action is not being taken. The school employee should be advised that, if he/she remains concerned about the situation, he/she is free to consult with or report to the Health Board. Again, the Standard Reporting Form at Appendix 3 of the Guidelines should be used. Any such report would be covered by the Protection for Persons Reporting Child Abuse Act, 1998.
- (d) If the D.L.P. and the reporting person or member of staff are satisfied that there are reasonable grounds for the suspicion/allegation, the procedures for reporting as per "Child Protection Procedures for Primary and Post-primary Schools", Section 4.2.2., will be adhered to.
The Standard Reporting Form (Appendix 4 of "Child Protection Procedures for Primary and Post-Primary Schools) will be used.
All reports shall include as much as possible of the information sought in the Standard Reporting Form, as outlined in Section 3.5 of "Children First".

Reporting to the Chairperson and Board of Management

As per Sections 4.2.3., 4.2.4 and 4.2.5 of “Child Protection Procedures for Primary and Post-Primary Schools”.

Note:

- Any D.L.P. or professional who is submitting a report to the HSE or An Garda Síochána should inform a parent/guardian/carer unless doing so is likely to endanger the child or place the child at further risk.
(A decision not to inform the parent/guardian/carer shall be recorded briefly, together with the reason(s) for not doing so).
- In the event of an emergency, or the non-availability of HSE staff, the report shall be made to An Garda Síochána. Under no circumstances should a child be left in a dangerous situation, pending HSE intervention.

Protection for Persons Reporting Child Abuse

The Protections for Persons Reporting Child Abuse Act, 1998, makes provision for the protection from civil liability of persons who have communicated child abuse “reasonably and in good faith” to designated officers of the HSE (Appendix 10, Children First) or to any member of An Garda Síochána. This protection applies to organisations as well as to individuals. This means that even if a communicated suspicion of child abuse proves unfounded, a plaintiff who took an action would have to prove that the person who communicated the concern had not acted reasonably and in good faith, in making the report. A person who makes a report in good faith and in the child’s best interests may also be protected under common law by the defence of qualified privilege.

Organisational Implications

Supervision: Every effort will be made to ensure that there is comprehensive supervision of children throughout the school day. A roster of staff on duty will be drawn up and displayed in the administration area/staff room. Teachers will ensure that the children are visible in the school yard. Children will not leave the schoolyard or engage with adults outside of the school yard. Children are not permitted to spend break-times in the classrooms.

Visitors: All unscheduled visitors to the school are expected to report to the office on arrival. Staff on yard duty will be aware of visitors entering the schoolyard and direct them to the school office. The drop-off/pick-up of children throughout the teaching day will be processed through the school office.

Bullying: Bullying behaviour will be addressed under our Anti-Bullying Policy. If the behaviour involved is of a sexualised nature or regarded as being particularly abusive, the matter will be referred to the D.L.P.

Behaviour: Children are to be encouraged at all times to play co-operatively and to show respect for themselves and others.

- Toilets:** It is school policy that only one child is permitted to enter the toilet area at a time. Children who need to use the toilet during yard time must seek the permission of the teacher on yard. An S.N.A. may supervise an assigned education child's trip to the toilet.
- Staff Cars:** In rare instances where a staff car must be used to transport a child, children will never be taken alone.
- School Tours/Trips:** School staff accompanying children on school tours/trips (including after school sporting events) will deliver a duty of care commensurate with the trip/venue. The higher the risk factor the higher the number of teachers/responsible adults involved. As per School Tour Policy, hired buses/vehicles must provide safe transportation and a functioning seatbelt for every child/adult.
- Induction of Teachers and Ancillary Staff:** It is the responsibility of the Principal to inform all new teachers and ancillary staff of the Children First Guidelines.
- Attendance:** School attendance is monitored carefully. We will issue a letter to parents when their child has missed 20 days. Children who miss 20 days or more will be reported to the NEWB in accordance with legislation.
- One-to-One Teaching:** Parents will be made aware when one-to-one teaching is in the best interests of the child. Where possible, children in Learning Support/Resource will be taught in small groups.
- Intimate Care:** If any child in our school requires intimate care the procedures involved with such care will be agreed in consultation with the pupil, their Parents/Guardians and any other personnel involved in the care of the pupil. This is in keeping with best practice, which keeps the best interests of the child to the fore and maintains the child's personal dignity. Such procedures, when agreed will be communicated to all parties involved and recorded.
- Curricular Implications:**
- The Stay Safe programme will be taught through- out the school
 - The RSE programme will be prioritised as part of the SPHE programme for Senior Infants, 2nd, 4th and 6th classes.

Allegations or Suspicions re. School Employees

In a school context, the most important consideration to be taken into account is the protection of children and their safety and well-being must be our priority. The Board of Management also has a duty and responsibility, as an employer, in respect of its employees (employees also include unpaid volunteers). Employees have the right to protection against claims which are false or malicious. As the employer, the Board of Management should always seek legal advice, as the circumstances can vary from case to case.

There are two procedures to be followed, as per "Child Protection Procedures for Primary and Post-Primary Schools 5.1.4.

- (i) The Reporting procedure
- (ii) The procedure for dealing with the Employee

The D.L.P., has responsibility for reporting the matter to the Health Board. The Chairperson of the Board of Management has responsibility, acting in consultation with his Board, for addressing the employment issues.

If an allegation is against the D.L.P., the Board of Management Chairperson will assume the responsibility for reporting the matter to the Health Board.

Where an allegation or suspicion of child abuse or neglect regarding a member of the Board of Management has been reported by the D.L.P. (or employer) to the HSE, the Board of Management shall inform the Patron that a report involving a Board member has been submitted to the HSE. It is a matter for the patron to determine if any action is necessary regarding the member's continued role on the Board.

In the context of allegations or suspicions of child abuse or neglect regarding school employees, the primary goal is to protect the children within the school. However, school employees may be subject to erroneous or malicious allegations. Therefore, any allegations of abuse or neglect shall be dealt with sensitively and support including counselling, should be provided for staff, where necessary.

The Employee Assistance Service for teachers may be in a position to offer assistance to teachers. The employee shall be treated fairly, which includes the right not to be judged in advance of a full and fair enquiry.

Reporting Procedure

Where an allegation of abuse or neglect is made against a school employee, the D.L.P. shall immediately act in accordance with the procedures outlined in Section 4.2 of "Child Protection Procedures for Primary and Post-Primary schools".

Once a disclosure is made by a child, a written record of the disclosure shall be made as soon as possible by the person receiving it. If a child wishes to make a written statement this should be allowed. Where an allegation of abuse or neglect is made by an adult, a written statement should be sought from this person. The ability of the HSE or the employer to assess suspicions or allegations of abuse or neglect will

depend on the amount and quality of information conveyed to them. Whether or not the matter is being reported to the HSE, the D.L.P. shall always inform the employer of the allegations.

School employees, other than the D.L.P., who receives allegations of abuse or neglect against another school employee, shall report the matter without delay to the D.L.P. as outlined in Section 4.1 of "Child Protection Procedures for Primary and Post-Primary schools". The D.L.P. shall then follow the procedures outlined in Section 4.2 of "Child Protection Procedures for Primary and Post-Primary schools".

Where the allegations or concern relates to the D.L.P., the school employee shall, without delay, report the matter to the Chairperson of the Board of Management. In such cases, the Chairperson shall assume the role normally undertaken by the D.L.P. and shall follow the procedures set out in Section 4.2 for dealing with the allegations or concern.

School employees who form suspicions regarding the conduct of another school employee shall consult with the D.L.P. who may wish to consult with the HSE. If the D.L.P. is satisfied that there are reasonable grounds for the suspicion, he shall report the matter to the HSE immediately. The D.L.P. shall also report the matter to the employer who shall proceed in accordance with the procedures outlined in Section 5.4 of "Child Protection Procedures for Primary and Post-Primary schools".

Actions to be taken by the Employer

It is essential that at all times the matter is treated in the strictest confidence and that the identity of the employee shall not be disclosed, other than as required under the procedures within this document, until such time as the employee has been offered the opportunity to address and/or be represented to the employer.

When an employer becomes aware of an allegation of abuse or neglect against a school employee, the employer shall arrange to privately inform the employee of the following:

- (a) the fact that an allegation has been made against him/her.
- (b) the nature of the allegations
- (c) whether or not the matter has been reported to the HSE (either by the D.L.P. or employer).

The employee shall be given a copy of the written record and/or allegation, and any other related documentation while ensuring that appropriate measures are in place to protect the child.

Once the matter has been reported to the HSE the employee shall be offered the opportunity to respond to the allegations in writing to the employer within a specified period of time. The employee shall be told that his/her explanation to the employer would also have to be passed on to the HSE.

Where the employer is unsure as to whether the nature of the allegation warrants the absence of the employee from the school while the matter is being investigated, the employer shall consult with the HSE and/or An Garda Síochána for advice as to the action that those authorities would consider necessary.

Following those consultations, the employer shall have due regard to the advice offered. If, in the opinion of the employer, the nature of the allegation warrants immediate action or the ratification of action taken under the protocol referred to in Section 5.2., the employer shall direct that the employee to absent himself/herself from the school with immediate effect. The principles of natural justice and fair procedures shall be applied.

The employer shall maintain regular and close liaison with the HSE or An Garda Síochána and a decision on the position of the school employee shall be taken having due regard to the advice given to the employer by these authorities.

Protocol authorising immediate action

The employer will adhere to the "Protocol authorising immediate action", as outlined in Appendix 6, under Section 5.2 of "Child Protection Procedures for Primary and Post-Primary schools".

Where the protocol is invoked to absent an employee from the school an emergency meeting of the Board of Management shall be convened.

Where the employer has directed an employee to absent himself/herself from the school, such an absence would not imply any degree of guilt on the part of the school employee. Where such an absence is directed, the Department of Education and Skills shall immediately be contacted with regard to:

- (a) formal approval for the payment of remuneration or ex-gratia payments in lieu of remuneration as appropriate, and
- (b) Departmental sanction for the employment of a substitute teacher where necessary.

Employers are reminded of their responsibilities to maintain strict confidentiality about all matters relating to these issues. The principles of due process and natural justice shall be adhered to by the employer at all times.

Any information or details that might identify a child should not be recorded in the minutes of Board of Management meetings.

Further follow-up required

The employer should take care to ensure that actions taken do not undermine or frustrate any assessment/investigation being conducted by the HSE or An Garda Síochána. It is strongly recommended that the employer maintain a close liaison with these authorities to achieve this.

Any further follow up action required shall accord with established disciplinary procedures and shall only be made following consultation with HSE (an An Garda Síochána if involved).

After the consultations referred to above have taken place, and when dealing with the question of the future position of the employee, the employer shall advise the employee of the situation and shall follow the agreed procedures for the sector. In cases where Section 5.4.7 apply, the Department of Education and Skills shall be informed of the outcome.

Feedback from the Health Service Executive

The HSE Children and Family Services should provide feedback to the employer or person-in-charge on the progress of a child abuse investigation involving an employee. The HSE should seek to promptly assess complaints and to complete its assessment as quickly as possible, bearing in mind the serious implications for innocent employees. Employers or persons-in-charge should be notified of the outcome of the assessment/investigation. This will assist employers in reaching a decision about the action to be taken in the longer term concerning the employee.

Review

This Policy will be reviewed annually, using the “Annual Review of the Child Protection Policy” checklist (Appendix 1).

Dissemination

This policy is available to school personnel and the Parents’ Association and is readily accessible to parents on request.

A copy of this policy will be made available to Department of Education and Skills personnel and the Patron, if required.

Scoil Mhuire Child Protection Procedures 2017

The Board of Management recognises that child protection and welfare considerations permeate all aspects of school life and must be reflected in all of the school's policies, practices and activities. Accordingly, in accordance with the requirements of the Department of Education and Skills' Child Protection Procedures for Primary and Post Primary Schools 2011, the Board of Management of Scoil Mhuire has agreed the following child protection policy:

1. The Board of Management has adopted and will implement fully and without modification the Department's Child Protection Procedures for Primary and Post Primary Schools as part of this overall child protection policy. The "Stay Safe" programme is implemented in full in Scoil Mhuire and classes participate in the programme every second year. Parents are issued with consent letters before commencement of the programme.

2. The Designated Liaison Person (DLP) is:

ALAN HOBBS

3. The Deputy Designated Liaison Person (Deputy DLP) is:

GRÁINNE KENNY

4. In its policies, practices and activities, Scoil Mhuire B.O.M. will adhere to the following principles of best practice in child protection and welfare:

The school will

- recognise that the protection and welfare of children is of paramount importance, regardless of all other considerations;
- fully co-operate with the relevant statutory authorities in relation to child protection and welfare matters
- adopt safe practices to minimise the possibility of harm or accidents happening to children
 - protect workers from the necessity to take unnecessary risks that may leave themselves open to accusations of abuse or neglect;
- develop a practice of openness with parents and encourage parental involvement in the education of their children; and
- fully respect confidentiality requirements in dealing with child protection matters.

5. With regard to other school policies, practices and activities in Scoil Mhuire that are particularly relevant to child protection (e.g. the Code of Behaviour/ Anti-bullying Policy, Pupil Attendance Strategy, Supervision of Pupils, Intimate Care Policy, RSE policy, Sporting Activities/School Outings/Pupil Work Placements

etc.), the B.O.M. has ensured that the necessary policies, protocols or practices as appropriate are in place in respect of each of the above listed items.

6. This policy has been made available to school personnel and the Parents' Association and is readily accessible to parents on request. A copy of this policy will be made available to the Department and the patron if requested. A copy is accessible on our school's website at www.bmesch.ie.
7. It is the policy of Scoil Mhuire Board of Management (B.O.M.) that all personnel working with children in the school, either during the school day or during after school-activities based in the school, are vetted through the Garda vetting procedures. All ancillary staff and members of the B.O.M. are vetted through the Garda vetting procedures. All teachers engaged in substitute or temporary capacity must fulfill the obligations regarding statutory declaration and form of undertaking as set out in DES Circular 0063/2010.
8. In Scoil Mhuire it is necessary for some pupils to work on a one-to-one basis with a resource teacher. In this situation the teacher will work in a room where the door has a window through which the teacher and pupil are visible from the corridor. Consent forms are issued to pupils attending the special needs teachers so that parents are aware of this arrangement.
9. Swimming classes are organized by the B.O.M. for some classes. The class-teachers accompany the children to the pool and supervise the swimming classes. The pupils who attend are capable of changing in the changing-rooms provided without supervision of teachers.
9. Included with this policy is the school's:
 - school photography policy
 - intimate care policy
 - annual checklist for B.O.M. review of policy
 - annual checklist for teachers for September review
 - Circular 63/2010 regarding child protection procedures for temporary or substitute teachers
 - List of HSE and Garda contacts for our local area
 - Protocol authorizing the Chairperson of the B.O.M. to take immediate action
 - Policy for pupils where custody arrangements are in place
10. This policy will be reviewed by the Board of Management once in every school year each September.

This policy was adopted by the Board of Management on 26/09/2017.

Date of next review: September 2018

Ratification

This Policy was ratified by the Board of Management on

Signed: _____

Chairperson Board of Management

Date: _____

Signed: _____

Principal

Date: _____