



Gaelscoil Thulach na nÓg

Bóthar Rúisc

Dún Búinne

Co na Mí

Uimhir rolla: 20082Q

CHILD PROTECTION POLICY

The staff of GAELSCOIL THULACH NA NÓG compiled this document in September 2014 in response to recent changes in legislation. It was updated in response to the publication of the following documents:

- Circular 65/2011 –Child Protection Procedures for Primary and Post-Primary Schools (DES)
- Children First: National Guidance for the Protection and Welfare of Children (Dept of Children and Youth Affairs)
- Child Protection Guidelines for Primary and Post Primary Schools

This document further develops previous policy in this area and takes account of the provisions of the following pieces of legislation:

- The Education Act 1998
- The Education Welfare Act 200
- The Protection for Persons Reporting Sex Abuse Act 1998
- Data Protection Acts 1998 and 2003
- Freedom of Information Acts 1997 and 2003

A copy of the school's Child Protection Policy which includes the names of the Designated Liaison Person and the Deputy Designated Liaison Person has been available to all school personnel and the Parent's Association and will be readily accessible to parents on request.

Rationale

The BOM of GAELSCOIL THULACH NA NÓG has adopted the Department of Education and Science Guidelines and Procedures for schools in relation to Child Protection and Welfare. This policy is an outline of how GAELSCOIL THULACH NA NÓG proposes to implement these guidelines in order to follow best practise with regard to the protection of the children under their care.

Relationship to Characteristic Spirit of the School

GAELSCOIL THULACH NA NÓG seeks to help the children to grow and develop into healthy, confident, mature adults, capable of realising their full potential as human beings. We strive to create a happy, safe environment for the children where they feel secure, knowing that if they have concerns, these concerns will be listened to with understanding and respect and they will be acted on accordingly.

Aims

1. To promote the safety, protection and welfare of all pupils attending GAELSCOIL THULACH NA NÓG

2. To establish and maintain an environment where children feel safe and secure, are encouraged to talk and are listened to
3. To raise awareness of child abuse namely emotional, physical, sexual and neglect, among all the education partners in our school
4. To ensure that all staff members understand their responsibilities in being alert to signs of abuse and that they know the correct procedures for reporting and recording any such incidences
5. To put in place clear procedures for all school personnel dealing with suspicions and allegations of child abuse
6. To ensure that parents have an understanding of the legal obligations placed on the school and staff to report incidences of child abuse
7. To ensure that children know that there are adults in the school that they can approach if they are worried
8. To identify curricular content and resources that contribute to the prevention of child abuse
 - Stay Safe Programme
 - Relationship and Sexuality in Education

All information regarding concerns of possible child abuse should only be shared on a need to know basis, in the interests of the child. The test is whether or not the person has any legitimate involvement or role in dealing with the issue.

Giving information to those who need to have that information for the protection of a child who may have been or has been abused, is not a breach of confidentiality.

The DLP who is submitting a report to the HSE or An Garda Síochána should inform a parent/guardian unless doing so is likely to endanger the child or place that child at further risk. A decision not to inform a parent/guardian should be briefly recorded together with the reasons for not doing so.

In emergency situations, where the HSE cannot be contacted, and the child appears to be at immediate and serious risk, An Garda Síochána should be contacted immediately. A child should not be left in a dangerous situation pending HSE intervention.

Protection for Persons Reporting Child Abuse

The Protection for Persons Reporting Child Abuse Act (1998) provides immunity from civil liability to any person who reports child abuse 'reasonably and in good faith' to designated officers of HSE or any member of An Garda Síochána.

This means that even if a reported suspicion of child abuse proves unfounded, a plaintiff who took an action would have to prove that the reporter had not acted reasonably and in good faith making the report.

The act provides significant protection for employees who report child abuse. These protections cover all employees and all forms of discrimination up to and including dismissal (Child Protection DES Book page 6).

Qualified Privilege

Appropriate authorities (i.e. the HSE and An Garda Síochána), Common Law qualified privilege continues to apply as heretofore. Consequently should a Board of Management member or school personnel furnish information with regard to suspicions of child abuse to the DLP or the Board of Management Chairperson, such communication would be regarded under common law as having qualified privilege.

A further definition of qualified privilege is outlined in Section 1.4.2 and 1.4.3, page 6 of Child Protection – Guidelines & Procedures.

Freedom of Information Act (1997)

Reports made to HSE may be subject to provisions of the Freedom of Information Act 1997, which enables members of the public to obtain access to personal information relating to them which is in the possession of public bodies. However the act also provides that public bodies may refuse access to information obtained by them in confidence.

Curricular Implications

The Stay Safe Programme is an integral part of the SPHE curriculum in our school which addresses personal safety. All five topics in 'Stay Safe' are done over a two year period. Each topic is introduced and worked on in year 1 and built upon in year 2. Lessons are undertaken with this programme for a two month period.

Other resources are the RSE programme.

Appointment of a Designated Liaison Person (DLP)

- ❖ The Board of Management has appointed Seán Ó Láimhín as the *Designated Liaison Person* (DLP) in GAELSCOIL THULACH NA NÓG to have specific responsibility for child protection.
- ❖ Mairín Ní Chonaire has been appointed as Deputy DLP to take the place of the DLP if she is unavailable for whatever reason.
- ❖ The Board of Management has primary responsibility for the care and welfare of the pupils
- ❖ The DLP has specific responsibility for child protection in the school
- ❖ All staff have a general duty of care to ensure that good practice is in place to protect children from harm

Role of the Board of Management

- ❖ To arrange for the planning, development and implementation of an effective Child Protection Programme
- ❖ To monitor and evaluate its effectiveness
- ❖ To provide appropriate staff development and training

Specifically the Board of Management will:

- ❖ Have clear procedures for dealing with allegations or suspicions of child abuse (see below)
- ❖ Monitor the progress of children at risk
- ❖ Ensure that curricular provision and staff training is in place for the prevention of child abuse
- ❖ Investigate and respond to allegations of child abuse against one of the school's employees, which have been reported to the Health Board of Gardaí.

Procedures for BOM in cases of allegations or suspicions of child abuse by a school employee

A) Reporting

In the event of receiving a complaint or suspicion re: an employee:

- (i) The DLP will immediately inform the Chairperson of the Board of Management
- (ii) S/he will seek written statement of the allegation from the person(s) making the allegation. Parents/Guardians may make a statement on

- (iii) The DLP will see advice from the relevant Health Board and will take responsibility for reporting based on this advice
- (iv) If the DLP, following consultation with the Health Board, decides that this matter is not for reporting, s/he must inform the Chairperson. They must then inform, in writing, the person or agency making the allegation of the reasons for the decision. If this person or agency still has concerns, they are free to consult with or report to the relevant Health Board or Gardaí on an individual basis. The provisions of the Protection for Persons reporting Child Abuse Act 1998 apply, once they report reasonably and in good faith.
- (v) If the DLP, following consultation with the Health Board, decides that this matter is for reporting s/he should inform the Chairperson, who should proceed in accordance with the procedures in the Child Protection Guidelines (2011 Circular 65)
- (vi) The DLP/Deputy DLP completes a standard reporting form as comprehensively as is possible
- (vii) When the Chairperson becomes aware of an allegation of abuse s/he will always seek legal advice and base his/her response on this advice
- (viii) If an employee is involved s/he will privately inform the employee of the fact and nature of the allegation and whether or not it has been reported by the DLP to the Health Board (Refer to Child Protection Guidelines and Procedures, DES 2011)
- (ix) The Chairperson has a duty to afford the employee fairness and due process – s/he is entitled to details and a copy of the written allegation, to advice and representation and an opportunity to respond to the Board within a week.

B) Responding

- (i) When the Chairperson becomes aware of an allegation of abuse s/he will inform the BOM
- (ii) The Chairperson will consider whether there is any risk to pupils' safety. If the Chairperson considers that there is a risk, s/he may request the BOM to approve administrative leave for the employee. If unsure the Chairperson will consult with the Health Board/Gardaí
- (iii) If administrative leave has been invoked, the Chairperson will inform the DES. The Health Board (in some cases the Gardaí) may also be notified in accordance with legal advice received
- (iv) Once it is deemed necessary by the DLP and Chairperson to make a report (after receiving advice from the Health Board) the Chairperson will convene and inform a meeting of the BOM as soon as possible
- (v) Where the alleged abuse has taken place within the school, or relates to the abuse of pupils of the school, by school employees outside of school time, the BOM will investigate the matter. They will convene a further meeting, once the relevant information has been gathered. At this meeting the BOM will consider in detail: the allegations and their source, the advice given by relevant authorities and the written responses of the employee
- (vi) At this meeting also, the person who is alleging abuse by the school employee should be offered an opportunity to present his/her case to the BOM and may be accompanied by another person.
Parents/Guardians may act on behalf of a child
The employees should also be afforded an opportunity to present their case and may also be accompanied
- (vii) The BOM must deal with the matter sensitively and the employee must be fairly treated
- (viii) The Board of Management will complete its investigation and will inform the employee of this in writing. They will also inform the DES of the outcome, if the employee has been absent on administrative leave
- (ix) Where it is not possible for the BOM to conduct an enquiry into allegations (e.g. where abuse has occurred in past employment, or where the employee is undergoing investigation

by the relevant authorities), the Chairperson will act on advice of authorities. The Chairperson will maintain close contact with the Health Board and receive reports and records from them where appropriate.

Appointment of the Designated Liaison Person

The Board of Management has designated the Principal, Seán O'Láimhín, as the person who has specific responsibility for Child Protection. He will be the Designated Liaison Person for the school and all dealings with health boards, An Garda Síochána and other parties in connection with allegations of abuse. Those other parties should be advised that they should conduct all matters pertaining to the processing or investigation of alleged child abuse through the Designated Liaison Person.

Where the DLP is unavailable, the Deputy Principal, Mairín Ní Chonaire will be nominated to assume his responsibilities as the Deputy DLP.

The DLP or his nominated replacement, shall immediately inform the Chairperson of the Board of Management of the school that a report involving a pupil in the school has been submitted to the relevant Health Board or Gardaí.

The DLP shall also inform the school authority of the number of cases where the DLP submitted a report to the HSE or Gardaí or sought advice from the HSE and as a result of this advice, no report was made. At each Board of Management meeting, the Principal's report shall include the number of all such cases and this shall be recorded in the minutes of the board meeting.

Actions to be taken by the DLP

- If a school employee receives an allegation or has a suspicion that a pupil is being abused, s/he should report the matter to the DLP. The need for confidentiality is essential. Therefore the child concerned will be identified on any written reports, only by their number on the school register
- If the school employee and the DLP are satisfied that there are reasonable grounds for suspicion or allegation, the DLP should report the matter immediately to the relevant Health Board
- A report should be made in person, by phone or in writing to the social worker on duty. Personal contact with the social worker is preferable, ...blank
- In the event of an emergency or the non-availability of Health Board staff, the report should be made to the An Garda Síochána
- The report should include as much information as possible on the Standard Reporting form
- The Chairperson of the Board of Management should be informed at this point
- The parents/guardians of the child will be informed also, unless doing so is likely to endanger the child or place the child at further risk. A decision not to inform the parents/guardians should be recorded briefly along with the reason for not doing so
- Where school personnel have concerns about a child, but are unsure whether to report the matter, the DLP shall seek appropriate advice, by consulting with Health Board staff. S/he shall be explicit that s/he is not making a report but is requesting advice. It would not be envisaged that the DLP would supply identifying details at this informal stage, as are required when making a report. If a Health Board advises that a referral should be made, then the DLP should act on that advice
- If, following discussions, the DLP decides that the matter should not be formally referred to the Health Board, then s/he should give a clear statement in writing to the school employee, as to

the reasons why action is not being taken. The school employee should be advised that if s/he remains concerned about the situation, s/he is free to consult with or report to the Health Board again

- It is essential that at all times these matters be treated in the strictest confidence and not discussed except among those mentioned above.

Guidelines for the DLP/Deputy DLP in handling reported concerns and disclosures

- Where the DLP/Deputy DLP have concerns about a child, but are not sure whether to report the matter to the Health Board, s/he should seek appropriate advice. To do this the DLP/Deputy DLP should make informal contact with the assigned (on duty) Social Worker. The DLP/Deputy DLP in this case, should be explicit that s/he is requesting advice and not making a report. If advised to report the matter, the DLP/Deputy DLP will act on that advice.
- A report will then be made to the Health Board by the DLP/Deputy DLP in person, by telephone or in writing. In the event of an emergency or non-availability of Health Board staff, the report should be made to the Gardaí. The DLP/Deputy DLP should also report the matter to the Chairperson of the BOM, who should then follow the procedures as outlined in Chapter 4 (Section 4.3) of Children First National Guidelines for the Protection and Welfare of Children (2011)
- Parents/Guardians will normally be informed that a report is being made. It may be decided that informing the parent/guardian is likely to endanger the child or place at further risk. The decision not to inform the parent/guardian should be briefly recorded together with the reasons for not doing so.
- When the allegation is against the DLP, the Chairperson assumes responsibility for reporting the matter to the Health Board and filling in the standard reporting form
- Where there are allegations or suspicions of Peer Abuse the DLP/Deputy DLP will follow the same procedures: parents of all parties will be notified and the DLP/Deputy DLP will inform the Chairperson
- Principal and class teachers will make arrangements to meet separately with all parents to resolve the matter
- The school will make arrangements to minimise the possibility of the abusive behaviour reoccurring

Role of all Staff Members

It is the responsibility of all teachers and staff members to familiarise themselves with the Children First National Guidelines for the Protection and Welfare of Children (1999) especially

- Chapter 3 Definition & Recognition of Child Abuse
- Chapter 4 Basis for Reporting & Standard Reporting Procedures
- Appendix 1 Signs and Symptoms of Child Abuse
- Teaching of a Child Protection Programme – Stay Safe
- Recording of and responding to allegations of child abuse as recommended in the Child Protection Guidelines
- The DLP will ensure that all staff are aware of the procedures and guidelines and attend any further training when provided
- The DLP will ensure that each teacher has a copy of this policy on Child Protection

- Each staff member has a method of recording concerns, a Record Book that is kept in a locked drawer in the classroom. The progress of pupils about whom we have concerns and who may be at risk will be monitored in a manner consistent with our duty as teachers.
- These records will always be maintained confidentially and in line with the Data Protection Act
- If any pupil in the school requires intimate care, procedures involved in such care will be agreed in consultation with the pupil, his/her parents/guardians and any other personnel involved in the care of the pupil. This will be in keeping with best practice and the best interests of the child and with due consideration to maintaining the child's personal dignity. Such procedures, when agreed, will be communicated to all parties involved and put on record.
- In the case of Special Needs Assistants (SNAs), they will be made aware of the Child Protection Guidelines and the Child Protection Policy of the school.
- If an outside speaker/coach visits the school, the class teacher will be present at all times

Guidelines for teachers and staff members

Disclosures from children:

- Where a child discloses alleged abuse to a staff member, the person to whom the abuse has been reported to must take care not to abuse the child's trust. This should not be a formal interview. The following advice is offered:
 - Listen to the child
 - Do not ask leading questions or make suggestions to the child
 - Offer reassurance but do not make promises
 - Do not stop a child recalling significant events
 - Do not over-react
 - Confidentiality should not be assured – explain that further help may have to be sought
 - Record the discussion accurately noting:
 - *What, where and when?*
 - *Descriptions and possible sketches of physical injuries*
 - *Explanations of injuries using direct quotations if appropriate*
- Retain the record securely
- Child's registration number in lieu of name will be used in all notes/records to ensure privacy and confidentiality
- The staff member will obtain only necessary relevant facts. It is not the responsibility of school personnel to investigate allegations of abuse.
- The DLP will then be informed and given relevant records.
- If the suspected abuser is the DLP then the suspicion and any records will be passed on to the Chairperson who will proceed as per guidelines.

Suspicious of Abuse

Staff members who suspect abuse should refer to Children First National Guidelines for the Protection and Welfare of Children (1999) especially

Chapter 3: Definition & Recognition of Child

Chapter 4: Basis for Reporting and Standard Procedure

Appendix 1: Signs and Symptoms of Child Abuse

Staff members should observe and record over time the dates/signs/symptoms/behaviour causing them concern

They should inform the DLP and pass on all records.

Organisational and Curricular Issues

In GAELSCOIL THULACH NA NÓG we contribute to the prevention of child abuse through SPHE Curriculum. The Child Protection Programme that is being implemented is GAELSCOIL THULACH NA NÓG is the Stay Safe Programme. It will be taught from Infants to Sixth Class over a block period on alternate years (c.f. RSE Programme of Work, Strands and Strand Units)(Appendix 2). Any additional resources selected will be in keeping with the aims of the SPHE Curriculum and the Child Protection Policy.

The school cannot guarantee confidentiality if a child asks a question of a personal nature to themselves or discloses personal information.

All children with special needs are included and participate in the SPHE programme with their own classes.

Teachers will endeavour to adapt and modify activities so that all children can participate. The Special Education Teacher and Resource Teacher will supplement the work of the class teacher's where necessary.

The methodologies and approaches used will be as recommended in the SPHE Curriculum ie. Active learning, talk and discussion, problem-solving etc.

Parents are welcome to view the SPHE Curriculum and may speak to the class teacher if they have any concerns. The RSE Curriculum will be made available to parents before being taught in class (c.f. RSE Policy).

It is the individual teacher's responsibility for whatever programme is implemented in their classroom.

If parents choose to withdraw their child from the RSE Programme they will be accommodated in another teacher's classroom (c.f. RSE Policy).

Success Criteria

The success of this policy will be evaluated by using the following criteria:

- ❖ Delivery and participation by all staff in training
- ❖ Delivery of the SPHE Curriculum
- ❖ Delivery and participation by children in the Stay Safe Programme
- ❖ Feedback from all staff
- ❖ Assessment of these procedures by participants following a child protection case

Policies that support Child Protection

The following policies related to Child Protection have been drawn up in consultation with Staff, the Parents Association and the Board of Management of GAELSCOIL THULACH NA NÓG:

- ❖ Code of Behaviour
- ❖ Enrolment
- ❖ Anti-Bullying
- ❖ Health & Safety Statement
- ❖ Special Education
- ❖ SPHE
- ❖ RSE

Ratification and Review:

This Child Protection Policy was ratified by the BOM of GAELSCOIL THULACH NA NÓG on 24 September 2014 in line with any legislation.

At the first staff meeting of every year the DLP will remind all teachers of the guidelines and copies of Chapter 3 & 4, Appendix 1 of The Children First Guidelines will be given to those who require them.

A review will be conducted based on the criteria above, following any and all incidents when the guidelines are used.

DLP

Principal

All Staff

Board of Management

Appendix I Circular 65/2011

Appendix II Statutory Declaration

Appendix III Form of Understanding

Siniú an Cathairleach: _____

Date: _____

Síniú an Príomhóide: _____

Date: _____