

### Child Protection Policy of Carysfort National School

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, the Board of Management of Carysfort 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.
2. The Designated Liaison Person (DLP) is Janet Nuzum.
3. The Deputy Designated Liaison Person (Deputy DLP) is Fiona Bradshaw.
4. In its policies, practices and activities, Carysfort National School will adhere to the following principles of best practice in child protection and welfare:  
The school will
  - a. recognise that the protection and welfare of children is of paramount importance, regardless of all other considerations;
  - b. fully co-operate with the relevant statutory authorities in relation to child protection and welfare matters;
  - c. 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;
  - d. develop a practice of openness with parents and encourage parental involvement in the education of their children; and
  - e. 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.

5. This section of the child protection policy should be used to list school policies, practices and activities that are particularly relevant to child protection:  
Code of Behaviour/Anti-bullying Policy  
Pupil Attendance Strategy  
Supervision  
Stay Safe Programme  
RSE Programme
6. 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.
7. 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.
8. This policy will be reviewed by the Board of Management once in every school year.

This policy was adopted by the Board of Management on

Signed:

Caroline Fanning  
Chairperson of Board of Management

Signed:

Janet Nuzum  
Principal

Date:

13/12/11

Date:

13/12/11

Date of next review: December 2016

# Child Protection Policy

This document 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  
Children First – National Guidance for the Protection & Welfare of Children 2011

## References

In all instances of suspicion or allegations of abuse or neglect, the following two resource books will be referenced.

"Children First" – Department of Health & Children 1999  
"Child Protection" Guidelines & Procedures – Department of Education & Science 2011

## Designated Liaison Person (DLP)

The Principal will act as DLP. following ratification by the Board of Management. Should circumstances warrant it, the Deputy Principal shall act as DLP. The DLP has specific responsibility for child protection and will represent the school in all dealings with Health Boards, An Garda Síochána and other parties in connection with allegations of abuse. All matters pertaining to the processing or investigation of child abuse should be processed through the DLP. Further information on the responsibilities of the DLP is included in 'Child Protection DES' – Pg 8 – Section 2.2. Action to be taken the DLP in cases where there are reasonable grounds for suspicion or where an allegation has been made are in 'Child Protection DES' Chapter 3 – Section 3.2 pg 11 – 12.

## Confidentiality

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 Health Board 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 Health Board 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 Health Board 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 Health Boards 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

While the legal protection outlined above only applies to reports made to the appropriate authorities (i.e. The Health Boards 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 chairman, 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 Health Boards 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.

## 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 form of abuse are detailed in 'Children First' – (Dept of Health & Children)) Chapter 3 Sections 3.2 – 3.5 pgs 31 – 33.

## Guidelines for Recognition of Child Abuse

A list of child abuse indicators is contained in Appendix 1 'Children First' – Pg 125 – 131. It is important to stress that, 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' Pg 34 – 35 Section 3.9.

## Handling Disclosures From Children

'Child Protection' – Pg 9 Section 2.4 gives comprehensive details of how disclosures should be approached.

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 retain his/her trust, while explaining the need for action and the possible consequences, which will necessarily involve other adults being informed. It is important to tell the child that everything possible will be done to protect and support him/her but not to make promises that cannot be kept e.g. promising not to tell anyone else.

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

- Listen to the child
- Take all disclosures seriously
- 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
- Explain that further help may have to be sought
- Record the discussion accurately and retain the record

This information should then be passed onto the DLP.

If the reporting person or member of the school staff and the DLP are satisfied that there are reasonable grounds for the suspicion/allegation, the procedures for reporting as laid out in 'Children First' – Section 4.4 pg 38 will be adhered to. Standardised reporting forms may be photocopied from 'Children First' Appendix 8 – Pg 159.

The Chairman of the Board of Management will be informed before the DLP makes contact with the relevant authorities unless the situation demands that more immediate action to be taken for the safety of the child in which case the Chairman may be informed after the report has been submitted. Details of what should be included in the report are outlined in 'Children First' – Section 4.5.1 – Pg 39.

Any Professional who suspects child abuse should inform parents/carers if a report is to be submitted to the health Board or An Garda Síochána unless doing so is likely to endanger the child.

In cases of emergency, where a child appears to be at immediate and serious risk, and a duty social worker is unavailable, Garda Síochána should be contacted. Under no circumstances should a child be left in a dangerous situation pending Health Board intervention.

#### Allegations or Suspicions Re: School Employees

The most important consideration for the Chairperson, Board of Management or the DLP is the safety and protection of the child. However Employees also have a right to protection against claims, which are false or malicious.

As employers, the Board of Management should always seek legal advice as the circumstances can vary from one case to another.

There are two procedures to be followed (Section 4.1.3 Page 15 'Child Protection')

- i. The reporting Procedure
- ii. The Procedure for dealing with the Employee.

The DLP has responsibility for reporting the matter to the Health Board. The Chairperson, Board of Management has responsibility, acting in consultation with his/her board, for addressing the employment issues.

If the allegation is against the DLP, the Board of Management Chairperson will assume the responsibility for reporting the matter to the Health Board.

#### Reporting

When an allegation of abuse is made against a school employee, the DLP should immediately act in accordance with the procedures outlined in Ch 3, Section 3.2, Pg 11 – Child Protection.

A written statement of the allegation should be sought from the person/agency making the report. The DLP should always inform the Chairperson of the Board of Management.

School employees, other than the DLP who receive allegations against another school employee, should immediately report the matter to the DLP. School employees who form suspicions regarding conduct of another school employee should consult with the DLP. The procedures outlined in Section 4.2.3, pg16 – 'Child Protection' will then be followed.

The employee, the chairperson and DLP should make the employee aware privately

- a) An allegation has been made against him/her
- b) The nature of the allegation
- c) Whether or not the Health Board or Gardaí has been/will be/must be/should be informed.

The employee should be given a copy of the written allegation and any other relevant documentation. The employee should be requested to respond to the allegation in writing to the Board of Management within a specified period and told that this may be passed to the Gardaí, Health Board, and legal advisers.

The priority in all cases is that no child be exposed to unnecessary risk. Therefore, as a matter of urgency, the Chairman should take any necessary protective measures. These measure should be proportionate to the level of risk and should not unreasonably penalise the employee in any way unless to protect the child.

If the nature of the allegations warrant immediate action in the Chairperson's opinion, the Board of Management should be convened to consider the matter. This may result in the Board of Management directing that the employee absent him/herself from the school forthwith while the matter is being investigated (administrative leave).

When the Board of Management is unsure as to whether this should occur, advice should be sought from the Gardaí and/or the Child Care Manager of the Health Board and the legal advisers to the Board of Management and regard be had to this advice.

### Administrative Leave

Should the Board of Management direct that the employee absent him/herself as above, such absence of the employee would be regarded as administrative leave of absence with pay and not suspension and would not imply any degree of guilt. The DES should be immediately informed. (Children First – Pg 17).

### Board of Management

The Chairperson should inform the Board of Management of all the details and remind the members of their serious responsibility to maintain strict confidentiality on all matters relating to the issue and the principles of due process and natural justice.

The Department of Education and Science recently introduced Guidelines and Procedures for all schools in relation to Child Protection Welfare. These guidelines promote the welfare of children and are to be welcomed.

The Board of Management of Carysfort NS has adopted these guidelines as school policy. Consequently if there is a matter of concern in relation to any form of abuse/neglect of children we are obliged to report this to the local Health Board.

Neglect of children may take many forms, these include:

- Constantly late for school
- No suitable lunch
- Continually coming to school hungry, dirty, unwashed.
- Constantly tired in school/sleeping in class
- No book/pencils/equipment
- No show of parents for parent/teacher meetings
- Continued failure of parents to meet with Principal/teacher when asked for a meeting.
- Inadequate clothing
- Homework continuously not done.
- No explanation for absences from school.

Under the new Education Act and Welfare Act, schools must report absences of 20 days and over during the school year. Regardless of the fact that we here in the school may know that a child was genuinely ill, we are obliged to report these absences.

The school reserves the right to contact the relevant parties where a child has missed 20 days and/or where staff are concerned for a child's welfare.

The school reserves the right to pass on any relevant information to such authorities if/when it is requested and when the school feels it is necessary to do so.

### **Checklist for Annual Review of the Child Protection Policy:**

The Board of Management must undertake an annual review of its child protection policy and the following checklist shall be used for this purpose.

The checklist is designed as an aid to conducting this review and is not intended as an exhaustive list. Individual Boards of Management may wish to include other items in the checklist that are of particular relevance to the school in question.

As part of the overall review process, Boards of Management should also assess other school policies, practices and activities vis a vis their adherence to the principles of best practice in child protection and welfare as set out in the school's child protection policy.

Has the Board formally adopted a child protection policy in accordance with the 'Child Protection Procedures for Primary and Post Primary Schools'?	Yes
As part of the school's child protection policy, has the Board formally adopted, without modification, the 'Child Protection Procedures for Primary and Post Primary Schools'?	Yes
Are there both a DLP and a Deputy DLP currently appointed?	Yes
Are the relevant contact details (HSE and An Garda Síochána) to hand?	Yes
Has the DLP attended available child protection training?	Yes
Has the Deputy DLP attended available child protection training?	Yes
Have any members of the Board attended child protection training?	Yes
Has the school's child protection policy identified other school policies, practices and activities that are regarded as having particular child protection relevance?	Yes
Has the Board ensured that the Department's "Child Protection Procedures for Primary and Post Primary Schools" are available to all school personnel?	Yes
Has the Board arrangements in place to communicate the school's child protection policy to new school personnel?	Yes
Is the Board satisfied that all school personnel have been made aware of their responsibilities under the 'Child Protection Procedures for Primary and Post Primary Schools'?	Yes
Since the Board's last annual review, was the Board informed of any child protection reports made to the HSE/An Garda Síochána by the DLP?	No
Since the Board's last annual review, was the Board informed of any cases where the DLP sought advice from the HSE and as a result of this advice, no report to the HSE was made?	No
Is the Board satisfied that the child protection procedures in relation to the making of reports to the HSE/ An Garda Síochána were appropriately followed?	N/A
Were child protection matters reported to the Board appropriately recorded in the Board minutes?	N/A
Is the Board satisfied that all records relating to child protection are appropriately filed and stored securely?	Yes
Has the Board ensured that the Parents' Association (if any), has been provided with the school's child protection policy?	Yes
Has the Board ensured that the school's child protection policy is available to parents on request?	Yes
Has the Board ensured that the Stay Safe programme is implemented in full in the school?	Yes
Has the Board ensured that the SPHE curriculum is implemented in full in the school?	Yes
Is the Board satisfied that the Department's requirements for Garda Vetting have been met in respect of all school personnel (employees and volunteers)? *	Yes
Is the Board satisfied that the Department's requirements in relation to the provision of a child protection related statutory declaration and associated form of undertaking have been met in respect of persons appointed to teaching and non-teaching positions?*	Yes
Is the Board satisfied that, from a child protection perspective, thorough recruitment and selection procedures are applied by the school in relation to all school personnel (employees and volunteers)?*	Yes
Is the Board satisfied that the 'Child Protection Procedures for Primary and Post Primary Schools' are being fully and adequately implemented by the school?	Yes
Has the Board put in place an action plan containing appropriate timelines to address those aspects of the school's child protection policy and/or its implementation that have been identified as requiring further improvement ?	N/A
Has the Board ensured that any areas for improvement that that were identified in any previous review of the school's child protection policy have been adequately addressed?	Yes

\*In schools where the VEC is the employer the responsibility for meeting these requirements rests with the VEC concerned. In such cases, this question should be completed following consultation with the VEC.

Signed Carolie Fanning  
Chairperson, Board of Management

Date 10/2/16.

Signed Daner Nugum  
Principal

Date 10/2/16