



Scoil Naomh Feichín

Termonfeckin

Roll No. 16208N

Child Protection Policy



Scoil Naomh Feichín

CHILD PROTECTION POLICY STATEMENT

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 *Scoil Naomh Feichín* 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 **Mr. Bryan Collins** (Principal)
3. The Deputy Designated Liaison Person (Deputy DLP) is **Mrs. Margaret Hurley** (Deputy Principal)
4. In its policies, practices and activities, *Scoil Naomh Feichín* 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.

5. School Policies that are particularly relevant to child protection include:

- Code of Behaviour
- Anti-Bullying Policy
- Attendance Policy
- Supervision 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.

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.
7. The policy will be reviewed by the Board of Management at regular periods.



CHILD PROTECTION POLICY

Authorised by: Board of Management

Designated Liaison Person: Mr Bryan Collins (Principal)

Deputy Designated Liaison Person: Mrs Margaret Hurley (Deputy Principal)

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HEALTH & SAFETY

The safety, health and welfare of the children are the primary concerns of the Board of Management and the staff of *Scoil Naomh Feichin*.

DEFINITIONS

Neglect: Neglect is normally defined in terms of an *omission*, where a child suffers significant harm or impairment of development by being deprived of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, attachment to and affection from adults, or medical care.

Emotional abuse: Emotional abuse is normally to be found in the *relationship* between a caregiver and a child rather than in a specific event or pattern of events. It occurs when a child's needs for affection, approval, consistency and security are not met.

Physical abuse: Physical abuse is any form of non-accidental injury that causes significant harm to a child.

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

A child may be subjected to more than one form of abuse at any given time.

INTRODUCTION

This document has been drawn up in response to recent changes in legislation. It replaces previous policy in this matter and takes into account the following legislation;

The Education Act 1998
The Child Welfare Act 2000
Freedom of Information Act 1997
The Protection of Persons Reporting Child Abuse Act 1998

This policy is to be followed in all instances of suspicion or allegation of neglect or abuse. More detailed definitions and explanations are available in Appendix 1 "*Children First, Department of Education & Science, 1999*".

ROLES & RESPONSIBILITIES

Designated Liaison Person (DLP):

The Principal shall act as DLP following ratification by the Board of Management. In the absence of the Principal, or should the circumstances warrant it, the Deputy Principal shall act as DLP. The DLP has specific responsibility for child protection and will represent *Scoil Naomh Feichin* in all dealings with the Health Services Executive (HSE), An Garda Síochána and other persons in connection instances of suspicion or allegation of neglect or abuse. All matters pertaining to the processing or investigation of child abuse shall be processed through the DLP. Further information on the role and responsibilities of the DLP are included in Appendix 2 "*Child Protection, The Department of Education & Science, 2001, Page 8 Section 2.2*" Actions to be taken by the DLP in cases where there is reasonable grounds for suspicion or where an allegation of neglect or abuse has been made are available in Appendix 2 "*Child Protection, Department of Education & Science, Chapter 3, Page 11 to 12, Section 3.2*"

Confidentiality:

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

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

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

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 intervention by the HSE.

Protection for Persons Reporting Child Abuse:

The Protection of 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 the 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 in making the report. The act provides significant protection for employees who report child abuse.

Qualified Privilege:

The legal protection outlined above only applies to reports made to the appropriate authorities, the HSE and An Garda Síochána. Common Law qualified privilege applies as heretofore. Consequently, should a Board of Management member or school personnel furnish information with regard to suspicion of neglect or child abuse to the DLP, such communication would be regarded under common law as having qualified privilege.

Freedom of Information:

Reports made to the HSE may be subject to the 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. Under the Act, public bodies may refuse access to information obtained by them in confidence.

PROCEDURES

Guidelines for Recognition of Child Abuse:

A list of the signs and symptoms of neglect and abuse are available in Appendix 1 “*Children First, Department of Education & Science, Pages 125 to 131*”. No one indicator should be seen as conclusive 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 three stages in the identification of child abuse;

1. Considering the possibility:

The possibility of child abuse should be considered if a child appears to have suffered a suspicious injury for which no reasonable explanation can be offered. It should also be considered if the child seems distressed without obvious reason or displays persistent or new behavioral problems. The possibility of child abuse should also be considered if the child displays unusual or fearful responses to parents/carers.

2. Looking out for signs of abuse:

Signs of abuse can be physical, behavioural, or developmental. They can exist in the relationships between children and parents/carers or between children and other family members. A cluster or pattern of signs is likely to be more indicative of abuse. Children who are being abused may hint that they are being harmed and sometimes make direct disclosures. Disclosures should always be believed; less obvious signs could be gently explored with the child, *without direct questioning*. Play situations such as drawing or story telling may reveal information.

3. Recording of information:

If abuse is suspected, it is important to establish the grounds for concern by obtaining as much detailed information as possible. Observations should be accurately recorded and should include dates, times, names, locations, context and any other information which may be relevant.

Handling disclosures from children

An abused child is likely to be under severe emotional stress and a staff member may be the only adult whom the child is prepared to trust. Great care should 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 retain his or 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.

While the basis for concern must be established as comprehensively as possible, the following advice is offered to school personnel to whom a child makes a disclosure of abuse:

- Listen to the child
- Do not ask leading questions nor 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 reported to the Designated Liaison Person.

The record of the discussion should be given to and retained by the DLP.

Reporting suspicions or allegations of neglect or abuse:

If the DLP is satisfied that there are reasonable grounds for the suspicion or allegation of abuse the procedures for reporting are laid out in Appendix 1 “*Children First, Department of Education & Science, 1999*” shall be adhered to;

- (i) A report should be made to the HSE in person, by phone or in writing. Each HSE area has a social worker on duty for a certain number of hours each day. The duty social worker is available to meet with, or talk on the telephone, to persons wishing to report child protection concerns.
- (ii) It is generally most helpful if persons wishing to report child abuse concerns make personal contact with the duty social worker. This will facilitate the social worker in gathering as much information as possible about the child and his or her parents/carers.
- (iii) ***In the event of an emergency, or the non-availability of HSE staff, the report should be made to An Garda Síochána. This may be done at any Garda Station.***

Allegations or Suspicions concerning School Employees:

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

The Board of Management should always seek legal advice as the circumstances vary from one case to another.

There are two procedures to be followed;

1. The Reporting Procedure:

Where an allegation of abuse is made against a school employee, the DLP within the school should immediately act in accordance with the procedures Child Protection guidelines. A written statement of the allegation should be sought from the person/agency making the allegation (parents/guardians may make a statement on behalf of the child). The ability of the HSE or the Board of Management to assess suspicions or allegations of abuse will depend on the amount and quality of information conveyed to them. Whether or not the matter is being reported to the appropriate HSE, the DLP should always inform the Chairperson of the Board of Management of the allegation.

2. The Procedure for Dealing with the Employee:

When a Chairperson of a Board of Management becomes aware of an allegation of abuse against a school employee, the Chairperson should privately inform the employee of the following:

- i) the fact that an allegation has been made against him/her;
- ii) the nature of the allegation;
- iii) whether or not the matter has been reported to the appropriate health board by the DLP;

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 of time. The employee should be told that his/her explanation to the Board of Management would also have to be passed on to the HSE.

At this stage, it should be remembered that the first priority should be to ensure that no child is exposed to unnecessary risk. The Chairperson of the Board of Management should as a matter of urgency take any necessary protective measures. These measures should be proportionate to the level of risk and should not unreasonably penalise the employee, financially or otherwise, unless necessary to protect children.

The DLP has the responsibility to report the matter to the HSE. The Chairperson of the Board of Management has the responsibility, acting in consultation with the Board of Management, for addressing the employment issues.

If the nature of the allegations warrants 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. Such absence shall be by way of administrative leave. If the Board of Management is unsure, advice should be sought from the Gardaí or the Child Care manager of the HSE and the legal advisor of the Board of Management.

Should the member of staff be placed on administrative leave, the Department of Education & Science shall be notified immediately.

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

REFERENCES

Children First
Child Protection Guidelines.