



**St. Kevin's National School Child Protection Policy
2019-2020**

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Introduction

This policy is based on the relevant HSE, DES and CPSMA guidelines. In order to ensure a safe, secure and happy environment for each pupil, the BoM has adopted the following child protection guidelines to be implemented by all personnel in the school. In adopting these guidelines, it continues to be essential that the school fosters a warm and welcoming atmosphere for pupils.

This policy is formulated in response to recent changes in Guidance and Procedures in relation to Child Protection matters and takes account of the provisions of each of the following important pieces of legislation:

- *Freedom of Information Act 1997*
- *The Education Act 1998*
- *The Child Welfare Act 2000*
- *Children First – National Guidance for the Protection and Welfare of Children 2011.*

The new procedures are based on the recently published Children First – National Guidance for the Protection and Welfare of Children 2011. The Board of Management of St. Kevin's National School adopt, in its entirety, these guidelines. The BoM has also adopted and will fully implement without modification the Department of Education and Skills Child Protection Procedures for Primary and Post-Primary Schools 2011. These procedures therefore underpin the content of this policy.

Rationale

Our school recognises that the key focus of this policy is the protection of the child; we recognise that the welfare of the child is of paramount importance. Teachers are particularly well placed to observe and monitor children for signs of abuse. They are the main caregivers to children outside the family context and have regular contact with children in the school setting. Teachers' general duty of care is to ensure that children are protected from harm.

The guiding principles in regard to reporting child abuse may be summarised as follows:

- a) *The safety and well-being of the child or young person must take priority.*
- b) *Reports should be made without delay to the Health Board.*
- c) *While the basis for concern must be established as comprehensively as possible, children or parents should not be interviewed in detail about the suspected abuse. Only necessary and relevant facts should be obtained.*

The following key personnel have been identified and ratified by the BoM:

The Designated Liaison Person (DLP) is Barry O' Leary

The Deputy Designated Liaison Person (Deputy DLP) is Anne Marie Cummins

Best Practice Guidelines

- a) *General conduct of safe practice*
- b) *Physical punishment of pupils is not permitted under any circumstances.*
- c) *School personnel must not engage in or tolerate any behaviour that is abusive towards pupils, either verbally, physically or psychologically.*
- d) *School personnel should be sensitive to the fact that comments of a sexual nature are inappropriate. Only age-appropriate language, media products and activities should be used with pupils.*

- e) *The school respects the physical integrity of each pupil. School personnel should not engage in inappropriate physical contact of any kind. They should be sensitive, in this regard, to what might be unacceptable to pupils from different cultural backgrounds.*
- f) *School personnel should always be respectful of the privacy of pupils – in particular in changing rooms, showers and toilets.*
- g) *When working with pupils who have a disability, relevant personnel are required to be aware of specific considerations including behavioural and communication issues, intimate care needs, access to building, range and choice of activities, and any other relevant matters that may need addressing. Where appropriate, the BoM will strive within the limitations imposed by school resources, to ensure that appropriate specific training, including disability awareness and child protection training is undertaken by relevant personnel.*
- h) *When a one-to-one meeting with a pupil is considered appropriate, it should take place in a room where there is visibility from outside the room.*
- i) *It is not recommended that school personnel give lifts in their cars to individual pupils. If there is one adult there should be a minimum of two pupils present for the entire journey. In exceptional circumstances, when it becomes necessary to make a journey or part of a journey along with a pupil, the Principal or/and the pupil's parent/guardian should be informed as soon as possible and a written record be made of this notification.*
- j) *School personnel must be sensitive to the possibility of becoming over-involved or spending a great deal of time with any one pupil.*
- k) *Under no circumstances should alcohol or tobacco be given to pupils. Alcohol will never be available in any context in which pupils are involved. In all situations where pupils are present the high standard of professional conduct of school personnel should be maintained.*
- l) *School personnel should never be under the influence of alcohol while in school or while in charge of pupils.*
- m) *The taking of photographs and the making of video recordings of pupils involved in school activities are to be used only for the purpose of education and their use are subject to signed parental permission.*

Out of School Activities

Tours and Outings

- a) *Sleeping arrangements – The provision of adequate and appropriate sleeping arrangements should be ensured in advance of any tour. Sleeping arrangements should provide for separate rooms for males and females. School personnel should be sensitive to specific problems that a pupil may have in sharing accommodation with a particular pupil. Appropriate supervision should be provided.*
- b) *The relaxed atmosphere of a trip away should maintain an appropriate standard of behaviour and good practice, particularly in regard to the aforementioned child guidelines. Pupils should participate, to the best of their ability, in the activities scheduled when away on a school trip.*
- c) *Trips and outings require the signing of a consent form by parents/ guardians.*
- d) *Relevant information about a pupil (allergies, medical problems, special needs) should be provided by parents/guardians in advance of any school activity away from the locality.*
- e) *School management and personnel must ensure that the pupils are under the supervision of responsible adults; arrangements for appropriate adult/pupil ratio must be put in place in advance of the trip.*
- f) *All relevant insurance cover must be in place prior to taking the pupils out of the school.*
- g) *Tours should have an educational basis – cultural, social, spiritual or sporting.*

- h) *Pupils are obliged to treat the organisers of an event with respect. The school's code of behaviour applies throughout the activity. The school will reserve the right to prevent a pupil from travelling with a group if his behaviour or other factors deem it necessary.*

Swimming and Trips to Matches.

- a) *At least two supervising adults must accompany the pupils to swimming, one of whom must be a teacher.*
- b) *At least two supervising adults, one of whom must be a teacher should accompany the pupils at sporting events.*

Defining and Recognising Abuse

Definition of Abuse

Abuse can involve

- a) *Neglect. (Examples: deprivation of food, clothing, hygiene, warmth, safety, medical care). This form of abuse is usually detected over a period of time rather than at one specific point – for example, a child who consistently misses school may be deprived of intellectual stimulation.*
- b) *Emotional abuse. (Examples: criticism, blaming, hostility, exposure to domestic violence, premature imposition of responsibility on the child, unreasonable disciplinary measures). It occurs when the child's needs for approval, security and affection are not met.*
- c) *Physical abuse. This form of abuse can be defined as any form of non-accidental injury or injury which results from neglectful failure to protect a child. (Examples: use of excessive force in handling, shaking).*
- d) *Sexual abuse. This occurs when a child is used by another person for sexual gratification or sexual arousal. (Examples: Sexual intercourse with the child, masturbation in the presence of the child, intentional touching of the body of a child for the purpose of sexual arousal).*

Three stages of recognising child abuse

- a) *Considering the possibility: Does the child exhibit unusual behavioural problems? Has he suffered an inexplicable injury?*
- b) *Observing signs of abuse: A pattern of signs emerge which are indicators of abuse. Both direct and indirect disclosures by the child should be taken seriously.*
- c) *Recording of information: Observations should include dates, times, names, locations, context and any other relevant information.*

Reasonable grounds for concern

What are reasonable grounds for concern? Examples of reasons for reporting to a Health Board:

- a) *Specific information from the child that he was abused.*
- b) *An account by a person who saw the child being abused.*
- c) *Evidence (injury or behaviour) that is consistent with abuse.*
- d) *A pattern of injuries or behaviours that is corroborative with abuse.*
- e) *Consistent evidence over time that the child is suffering from emotional or physical neglect.*
- f) *Evidence, such as an injury or behaviour which is consistent with abuse and unlikely to be caused another way.*
- g) *An injury or behaviour which is consistent both with abuse and with an innocent explanation but where there are corroborative indicators supporting the concern that it may be a case of abuse. An example of this would be a pattern of injuries, an implausible explanation, other indications of abuse, dysfunctional behaviour.*

Staff should be aware that a suspicion which is not supported by any objective signs of abuse, does not constitute a reasonable suspicion or reasonable grounds for concern.

Handling disclosures from a child

Procedure:

- a) Listen to the child.*
- b) Do not ask leading questions.*
- c) Offer reassurances but do not make promises.*
- d) Do not stop a child from disclosing.*
- e) Do not overreact.*
- f) Explain that further help may have to be sought.*
- g) Record the discussion accurately and retain the record.*

The information should then be passed on to the Designated Liaison Person (D.L.P.).

Reporting Abuse

Responsibilities of School Management

- a) Have clear procedures which teachers and other school staff must follow where they suspect, or are alerted to, possible child abuse, including where a child discloses abuse.*
- b) Designate a senior member of staff as to have specific responsibility for child protection. This Designated Liaison Person (DLP) is responsible for ensuring that the standard reporting procedure is followed so that suspected cases of child abuse are referred promptly to the local health board or An Garda Síochána.*
- c) Monitor the progress of children considered to be at risk.*
- d) Contribute to the prevention of child abuse through curricular provision.*
- e) Promote in-service training for teachers and members of Boards of Management to ensure that they have a good working knowledge of child protection issues and procedures.*
- f) Have clear written procedures in place concerning action to be taken where allegations are received against school employees.*

The School's Designated Liaison Person (DLP)

The Principal, Barry O' Leary, is the Designated Liaison Person in the school. This means that he is:

- a) The individual that a teacher who has suspicions reports to.*
- b) Responsible for contacting An Garda Síochána.*
- c) Responsible for dealing with the relevant health boards and other parties in connection with allegations of abuse.*
- d) All information regarding the concerns of the child should be only shared on a need to know basis.*
- e) When submitting a report involving a pupil in the school the DLP will inform the Chairperson of the BoM at the earliest opportunity.*

In the absence of the Principal the Deputy Principal, Anne Marie Cummins, will assume the role of DLP. The Deputy Principal is designated the Deputy DLP. The Deputy DLP should receive adequate training regarding this responsibility.

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 a child protection concern 'reasonably and in good faith' to designated officers of Health Boards or any member of an Garda Síochána (DES Procedures 1:10)

Qualified Privilege

People making a report to the DLP in good faith have 'qualified privilege' under common law. Reports made to Health Boards may be subject to provisions of the Freedom of Information Act, 1997. This act 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 (DES Procedures 1:11)

Personal Responsibilities of School Staff

- a) If a child discloses that he is being harmed by a carer or any other person, it is the responsibility of the person who receives this information to listen carefully and supportively. The child should not be interviewed formally; the teacher/staff member should obtain only necessary and relevant facts if and when clarification is needed.*
- b) Confidentiality should not be promised to a child making a disclosure. The necessity of reporting to the health board should be explained to the child.*
- c) The discussion should be accurately recorded and the record retained. Then the Principal (who is our school's DLP) should be informed, he is responsible for reporting the matter to the Health Board or to An Garda Síochána.*
- d) The Protections for Persons Reporting Child Abuse Act, 1998 which provides immunity from civil liability to persons who report child abuse "reasonably and in good faith" to designated officers of 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 in making the report.*

Standard Reporting Procedure

If child abuse is suspected or alleged, the following steps should be taken by the DLP, having been provided with a clear detailed account:

- 1. A report should be made to the health board in person, by phone or in writing. Each health board 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.*
- 2. 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.*
- 3. In the event of an emergency, or the non-availability of Health Board staff, the report should be made to An Garda Síochána.*

Management arrangements (arranged by the BoM, the Principal and the in-school management team) should provide for the following:

- a) The planning, development and implementation of an effective child protection programme.*
- b) Continuous monitoring and evaluating of the effectiveness of such provision.*
- c) Planning and implementation of appropriate staff development and training programmes.*

Allegations or Suspicions in relation to School Employees (DES Procedures Chapter 5)

The Chairperson and the DLP are concerned with the protection of the children in their care in the first instance. However, employees must be protected against false and malicious claims. Due process must be observed in relation to allegations against employees. Legal Advice should be sought by the BoM in relation to an allegation against an employee. If the allegation is against the DLP, the BoM 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 act in accordance with the procedures outlined in Children First. A written statement of the allegation should be sought from the person/agency making the report. A parent/guardian may make a statement on behalf of a child. The DLP should always inform the Chairperson of the BoM and is responsible for liaising with the HSE. The Chairperson assumes responsibility for dealing with the employee.

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 employee should be informed by the Chairperson (Employer) that:

- a. An allegation has been made against him/her*
- b. The nature of the allegation*
- c. Whether or not the Health Board or Gardai has been 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 BoM within a specified period and told that this may be passed to the Gardai, Health Board and legal advisers.

The Chairperson must take the necessary steps to protect the child and may consult the BoM in this matter. The BoM may direct that the employee take administrative leave with pay and avoid suspension, thus removing any implication of guilt. The DES should be immediately informed.

Pastoral Care

Pastoral Care of the Child Complainant

The Board and the Principal shall set in place a programme of support for the child. This programme shall be a prompt and sustained response to the child's needs and shall include the following.

- a) Monitoring: The school shall carefully monitor the child's behaviour. The Principal shall ensure that a programme of supportive and vigilant observation by all school personnel who deal with the child is established. This may include observing the child's behaviour, peer interactions, school progress or informal conversations. Not every school personnel member requested to observe the child need be told the very specific reason for the request. A record of these observations should be made at least weekly and shall be kept by the Principal so as to note progress or deterioration in the child's post-traumatic condition.*
- b) Confidant: It is very important that from the moment of the first disclosure the child is sensitively and effectively supported through all the ensuing stages of investigation and planning for the child's care. Above all, this will mean that the child has "someone to talk to" both in school and elsewhere. There will be a school personnel member appointed by the Principal to be available on a daily basis for the child as a trusted confidant. The confidant will need to be in frequent contact with*

the DLP and, as appropriate, through the DLP, with the child's parents/guardians, and those involved in supporting the child professionally.

- c) Care team: The Principal shall appoint a group of school personnel as a care team to support the child. This team shall be comprised of the DLP, the confidant and, if the Principal thinks it necessary, one other staff member. This team will study the monitoring reports and confer together on a monthly basis.*
- d) Treatment and counselling: Foremost among those supporting the child professionally will be those in support services offering post-traumatic treatment and counselling. The school shall ensure through the DLP that, within the bounds of professional privilege and confidentiality, there is a two-way exchange of information and advice between school and external counsellor(s), psychotherapist(s), doctor(s), social worker(s).*
- e) Child Protection Plan: The DLP shall request a copy of the Child Protection Plan once this has been drawn up for the child by the Health Board. It is expected that the school will be asked to take a role in the implementing of the Plan.*
- f) School decisions affecting the child: Some decisions may need to be taken to reduce stress for the child or otherwise to improve the child's situation, e.g. reducing or adapting homework demands, deciding to change a level of academic study in particular subjects etc. However, normal school routines are desirable if the child is not to feel that the abuse has so disrupted her/his life that s/he will never get over it. In decisions affecting her/him, the child has a right to be heard, listened to and taken seriously, while taking account of the child's state of mind, age and understanding.*
- g) The Principal shall give a report to the Chairperson of the Board concerning the implementation of all of the above procedures. This report shall include copies of all reports and decisions taken.*

Pastoral Care of an Accused Employee

- a) Any allegation of abuse against a school employee shall be dealt with sensitively and the employee fairly treated. This includes the right not to be judged in advance of a full and fair enquiry. Strict confidentiality shall be maintained about all matters relating to the issue within the given parameters.*
- b) The Board shall offer a programme of support for the employee ranging from advice to external counselling.*
- c) Where an administrative leave has been granted or a suspension has been imposed, the Principal shall remain in close contact with the accused employee and offer continuing support.*
- d) If, at the end of all investigations, the accused person is cleared of the allegation, the Chairperson of the Board shall seek to ensure that all inaccurate data in DES files and in Health Board files concerning the accusation are rectified or erased.*

Specific policies named hereunder are key elements of this overall document and must be referred to in the context of this policy:

- a. Attendance*
- b. Enrolment*
- c. Code of Behaviour*
- d. Anti- Bullying*
- e. Health & Safety*
- f. ICT*
- g. Special Ed*
- h. Tours/Trips*
- i. Critical Incident*

Implementation

This policy is subject to annual review and will be fully implemented following ratification by the Board of Management.

*Signed: _____
(Chairperson of Board of Management)*

*Signed: _____
(Principal)*

Date: _____

Date: _____

Date of next review: _____