

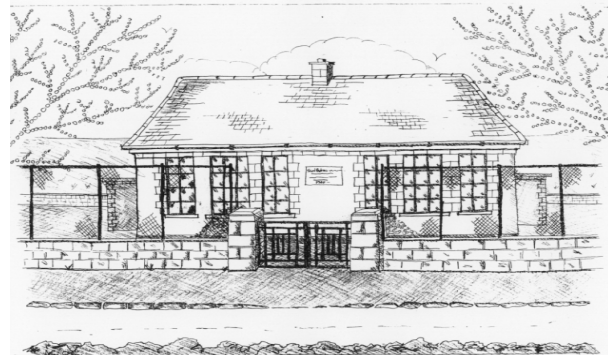
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Child Protection Policy

This document has been drawn-up as a response to recent changes in legislation (2011). It further develops previous policy in this area and takes account of the provisions of the following pieces of legislation. This review took place in November 2022 by the Board of Management and was ratified accordingly.

The Education Act 1998
The Child Welfare Act 2000
Freedom of Information Act
1997 & 2003

References

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

- ***Children First – National Guidance for the Protection and Welfare of Children 2011:*** www.dcyu.ie.
- ***Child Protection Procedures for Primary and Post-Primary Schools Circular 65/2011:*** www.education.ie > Child Protection
- ***Child Protection and Welfare Handbook:*** www.hse.ie.

Designated Liaison Person (DLP)

The Principal, Ed Bourke, will act as DLP following ratification by the Board of Management. Should circumstances warrant it, the Deputy Principal, Chloé Shimmins, shall act as DDLP. The

DLP has specific responsibility for child protection and will represent the school in all dealings with Health Boards, An Garda Síochana 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 Procedures for Primary and Post-Primary Schools* - Section 3.2. pg 18. Action to be taken by the DLP in cases where there are reasonable grounds for suspicion or where an allegation has been made are in *Child Protection Procedures for Primary and Post-Primary Schools* ' Chapter 4 Section 4.2 pg 23-25.

Confidentiality

Child Protection Procedures for Primary and Post-Primary Schools ' Sect. 1.9 pg 9-10.

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 Síochana 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 Síochana should be contacted immediately.

Under no circumstances should a child be left in a dangerous situation pending Health Board intervention (*Children First – sect. 3.4.3*)

Protection for Persons Reporting Child Abuse

Child Protection Procedures for Primary and Post-Primary Schools ' Sect. 1.10 pg. 10

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 Síochana.

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.

Qualified Privilege

Child Protection Procedures for Primary and Post-Primary Schools ' Sect. 1.11 pg 11

While the legal protection outlined above only applies to reports made to the appropriate authorities (Le. The Health Boards and An Garda Siochana), this new legislation has not altered the situation in relation to common law qualified privilege which 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 1.11.2 and 1.11.3.

Freedom of Information Act 1997 & 2003

Child Protection Procedures for Primary and Post-Primary Schools ' Sect. 1.12 pg 11

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 (sect. 26).

Definition and Recognition of Child Abuse

Children First – National Guidance for the Protection and Welfare of Children 2011. Ch. 2

Child Protection Procedures for Primary and Post-Primary Schools Ch. 2

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 – National Guidance for the Protection and Welfare of Children 2011 Appendix 1*. and *Child Protection Procedures for Primary and Post-Primary Schools sect. 2.1 and Appendix 3*

Guidelines for Recognition of Child Abuse

A list of child abuse indicators is contained in *Child Protection Procedures for Primary and Post-Primary Schools sect. 2.1 and Appendix 3*. 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.

Handling Disclosures From Children

Child Protection Procedures for Primary and Post-Primary Schools sect. 3.5 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 (*Child Protection Procedures for Primary and Post-Primary Schools sect. 3.6*)

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 *Child Protection Procedures for Primary and Post-Primary Schools sect. 4.1 & 4.2* will be adhered to. Standardised reporting forms may be photocopied from *Child Protection Procedures for Primary and Post-Primary Schools Appendix 4* or *Children First – National Guidance for the Protection and Welfare of Children 2011 sect. 3.5*

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.

Any Professional who suspects child abuse should inform parents/guardians if a report is to be submitted to the health Board or An Garda Siochana 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

Child Protection Procedures for Primary and Post-Primary Schools ch. 5

i) Introduction

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. In this context, employees also include unpaid volunteers.

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;

- a. The Reporting Procedure in respect of the allegation/suspicion
- b. 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.

ii) Reporting Procedure

When an allegation of abuse or neglect is made against a school employee, the DLP should immediately act in accordance with the procedures outlined in *Child Protection Procedures for Primary and Post-Primary Schools sect. 4.2*

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 *Child Protection Procedures for Primary and Post-Primary Schools sect. 4.2* will then be followed.

The chairperson and DLP should make the employee aware privately

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

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.

iii) Administrative Leave

Child Protection Procedures for Primary and Post-Primary Schools sect. 5.4.7

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.

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

Peer Abuse & Bullying

i) Sexual Abuse by Children and Adolescents

Children First – National Guidance for the Protection and Welfare of Children 2011. Ch. 9.

In some cases of child abuse the alleged perpetrator will also be a child. Peer abuse is a complex area and school personnel are advised to familiarise themselves in this regard with the advice provided.

It is important that potentially abusive behaviour between children is not ignored and, as appropriate, certain cases should be reported to the HSE. The Children First guidelines outline four different categories of behaviour, which warrant attention. These are detailed under the following headings:

- Sexual Abuse by Children and Young People
- Normal Sexual Exploration
- Abuse Reactive Behaviour
- Sexually Obsessive Behaviour
- Abusive Behaviour by Adolescents and Young People

In a situation where child abuse is alleged to have been carried out by another child, the reporting procedures outlined in *Children First – National Guidance for the Protection and Welfare of Children 2011* ch. 3 and *Child Protection Procedures for Primary and Post-Primary Schools* ch. 4. shall be followed.

Inappropriate sexualised behaviour between children must be taken seriously. The principal and relevant teachers concerned should arrange separate meetings with the parents/carers of all the children involved in such behaviour with a view to resolving the situation. In cases where children are sexually abusive towards other children, it is the responsibility of the HSE to establish appropriate treatment programmes to cater for children who engage in abusive behaviour against other children.

ii) **Bullying**

Bullying can be defined as repeated aggression – whether it be verbal, psychological or physical – that is conducted by an individual or group against others. It is behaviour that is intentionally aggravating and intimidating, and occurs among children mainly in social environments such as schools. It includes behaviours such as teasing, taunting, threatening, hitting or extortion by one or more persons against a victim. Bullying can also take the form of racial abuse. With developments in modern technology, children can also be the victims of non-contact bullying, via mobile phones, the internet and other personal devices. St. Patrick's N.S. has a Code of Behaviour and an Anti-bullying Policy to address issues of bullying. Serious instances of bullying behaviour may be reported to the HSE Children and Family Services.

Prevention Programmes

St. Patrick's N.S. implements the Stay Safe programme across the school to help children develop the skills necessary to enable them to recognise and resist abuse and potentially abusive situations.

St. Patrick's N.S. also implements the Walk Tall Programme which assists pupils in developing the skills necessary to enable them to recognise and resist potentially bullying situations.

Review, evaluation, communication and implementation

This current policy was reviewed with staff members, parent representatives and the Board of Management following the dissemination of circular 0065/2011 and the new Children First publication 2011. This process took place in October 2011.

This policy will be reviewed at the beginning of each school year with all staff members at the first staff meeting and with all Board of Management members at the first BOM meeting of the school year. The checklist for Annual Review will be used to assist his purpose - ***Child Protection Procedures for Primary and Post-Primary Schools Appendix 2***. The Board of Management shall assess other school policies, practices and activities vis a vis their adherence to the principles of best practice in child protection & welfare as set out in this policy. This policy is discussed with all new staff during the Principal induction meeting. This policy is presented to all those using working in the school environment including volunteers, teacher training students, work experience students, visitors and to all those using the school building including extra-curricular tutors and after schools activity groups. Our policy is available for parents on our website and in the school Office.

APPENDIX 1

Child Protection Policy Statement of St. Patrick's NS

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 St. Patrick's N.S. 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 **Ed Bourke**.

3. The Deputy Designated Liaison Person (Deputy DLP) is Chloé Shimmins.

4. In its policies, practices and activities, St. Patrick's NS 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.

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

Code of Behaviour, Anti-bullying Policy, Pupil Attendance Strategy, Swimming Policy, Policy on Work Experience and Teaching Practice Students, Extra Curricular Activities Policy, Emergency Closures Policy, Critical Incident Policy, Health & Safety policy and SNA policy.

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. This policy will be reviewed by the Board of Management once in every school year.

This policy was adopted and ratified by the Board of Management on

Signed: John Farrell
Chairperson of Board of Management

Signed: Ed Bourke
Principal

Date:

Date:

Date of next review:

APPENDIX 2: 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.

Yes/No
Has the Board formally adopted a child protection policy in accordance with the 'Child Protection Procedures for Primary and Post Primary Schools'?
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'?
Are there both a DLP and a Deputy DLP currently appointed?
Are the relevant contact details (HSE and An Garda Síochána) to hand?
Has the DLP attended available child protection training?
Has the Deputy DLP attended available child protection training?
Have any members of the Board attended child protection training?
Has the school's child protection policy identified other school policies, practices and activities that are regarded as having particular child protection relevance?
Has the Board ensured that the Department's "Child Protection Procedures for Primary and Post Primary Schools" are available to all school personnel?
Has the Board arrangements in place to communicate the school's child protection policy to new school personnel?
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'?
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?
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?
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?
Were child protection matters reported to the Board appropriately recorded in the Board minutes?
Is the Board satisfied that all records relating to child protection are appropriately filed and stored securely?
Has the Board ensured that the Parents' Association (if any), has been provided with the school's child protection policy?

This audit was completed by John Farrell Chairperson on .

Signed: John Farrell
Chairperson of Board of Management

Signed: Ed Bourke
Principal

Date: 24/10/22

Date: 24/10/22

APPENDIX 3

St. Patricks NS

Child Protection Recommendations

For all adults (staff, volunteers, parents, visitors, extracurricular tutors, etc.)

Following Stay Safe guidelines, any physical contact between school personnel and the child should be in response to the needs of the child and not the needs of the adult. School personnel should not do things of a personal nature for a child which the child can do for him/herself.

It is recommended that you do;	It is recommended that you don't;
<ul style="list-style-type: none">✓ Read and abide by our Child Protection Policy and national guidelines.✓ Notify a teacher of any accident and report in the Accident book.✓ Do report any disclosure immediately to the DLP.✓ Treat every child respectfully.	<ul style="list-style-type: none">▪ Use physical punishment of any kind.▪ Be alone with a child in a closed environment.▪ Leave a child alone in a classroom unattended.▪ Lock classroom doors.▪ Allow the use of inappropriate language or behaviours.▪ Send a child alone on a message. (in pairs preferably)▪ Send Infant children to the toilet from the yard alone. (in pairs or with an adult preferably)▪ Lift or handle children inappropriately.(including horseplay & tickling)▪ Take photos or video tape children without written permission from parents.▪ Change a child's soiled clothing without another adult present. Try to encourage the child to change his/herself.

* If in any doubt regarding a situation contact the Principal or any teaching staff member.