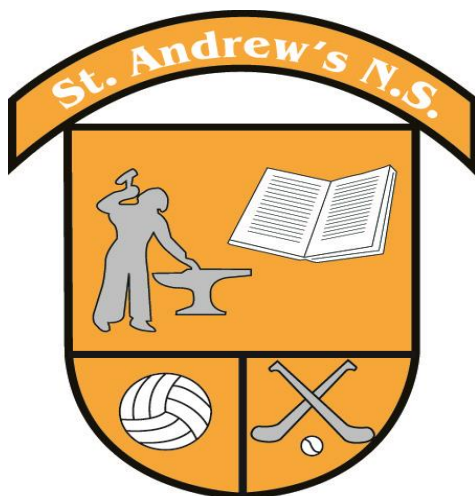


St. Andrew's National School



Child Protection Policy

Reviewed by Board of Management on 18th of June 2020

1. INTRODUCTORY STATEMENT

This policy document and the procedures detailed within have been devised in conjunction with representatives of the Parents' Association, the Board of Management and the teaching staff; and in light of legislative changes over the last decade. It should be read and understood in the context of the following St. Andrew's School Policy documents:

1. Health & Safety
2. Enrolment
3. Code of Behaviour
4. Social, Personal & Health Education
5. ICT Acceptable Use Policy
6. Mobile Phone Use Policy

The following "Acts of the Oireachtas" and publications by the Department of Health & Children and the Department of Education & Science inform this policy:

1. Freedom of Information Act 1997
2. The Protection of Persons Reporting Child Abuse Act 1998
3. Education Act 1998
4. Education Welfare Act 2000
5. Children First Guidelines – Department of Health & Children 2011
6. Child Protection Guidelines – Department of Education & Science 2001

St. Andrew's aims to provide its pupils with the highest standards of care and protection, in order to promote each child's well-being and safeguard him/her from harm while in the school. The Board of Management of St. Andrew's School has adopted the 'Children First' Guidelines of the Department of Health & Children 2011 and the 'Child Protection' Procedures of the Department of Education & Science 2001.

This policy addresses the responsibility of St. Andrew's in the following key areas:

1. Prevention – Curriculum Provision
2. Procedures – Dealing with Disclosures/Concerns
3. Practice – Best Practice in Child Protection

Parents/Guardians of new pupils will be advised of this policy at enrolment.

A copy will be added to the school website.

New staff members will be advised of this policy as part of their induction.

Current staff members will be briefed at a team meeting with copies circulated.

2. Definitions and Interpretation

1. **Staff** - refers to all teaching staff (employed in a permanent/fixed term capacity), Special Needs Assistants (employed in a permanent/part-time capacity), our visiting Sports, Drama and Music teachers, and employees of the Board of Management (Secretary, Caretaker/Road crossing assistant and Cleaner). It also includes persons engaged as “substitutes” for the above positions.
2. **Visitors** – refers to persons/groups invited/engaged by the school for presentations to staff, parents and/or students. It further includes any contractor engaged to undertake building or repairs on behalf of the Board of Management.
3. **Risk** – Applicants deemed to pose a “risk” and consequently excluded from consideration for vacant positions at the school include, among others, those with any child related conviction(s), refusing to consent to the Garda Vetting Procedures, insufficient documentary evidence of identification and/or the concealment of information on one’s suitability to work with children.
4. **Neglect** – As defined in “Children First Guidelines 2010 Appendix 1
5. **Emotional Abuse** – As defined in “Children First Guidelines 2010” Appendix 1
6. **Physical Abuse** - As defined in “Children First Guidelines 2010” Appendix 1
7. **Sexual Abuse** - As defined in “Children First Guidelines 2010” Appendix 1

3. Aims

This policy aims to:

1. Create a safe, trusting, responsive and caring environment at all levels in our school community.
2. Provide the Be Safe/Stay Safe Programme for all the pupils in the school.
3. Develop awareness and responsibility in the area of child protection amongst the whole school community.
4. Identify and put in place best practice procedures.
5. Ensure that all staff members are aware of and familiar with “Children First” and “Department of Education and Science Guidelines” for the recording and reporting of disclosures and/or concerns of Child Abuse.
6. Provide for ongoing training in this and related areas for all school staff.

4. Prevention

The Stay Safe Programme is the primary resource used in St. Andrew's to educate our pupils on "abuse prevention". This programme is taught as part of the school's SPHE curriculum, under the strand unit "Safety and Protection". Formal lessons will be taught in their entirety every other year in accordance with the SPHE 2-year cycle plan.

5. Procedures

Designated Liaison Person (DLP)

The Board of Management has assigned Ms Catherine O'Connor, Principal, as Designated Liason Person (hereinafter referred to as DLP). The DLP has specific responsibility for child protection and will represent the school in all dealings with the Health Service Executive, 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 detailed in Appendix 2. Procedures to be taken by the DLP in cases where there are reasonable grounds for suspicion or where an allegation has been made are as follows:

1. All disclosures/concerns pertaining to child protection/child welfare issues will be reported in the first instance to the DLP.
2. Each report to the DLP will be dated and signed by the person making the report.
3. Strict adherence to maintaining confidentiality will be applied. Personal information regarding concerns or disclosures of abuse will only be shared on a "need to know" basis.

6. Protections 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 the Health Service Executive 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 and others who report child abuse. These protections cover all employees and all forms of discrimination up to and including dismissal. (*"Child Protection Guidelines"*, Page 6)

Reports made to the Health Service Executive 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 if obtained by them in confidence.

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 giving of information to those who need to have that information, for the protection of the child, who may have been or has been abused, is not a breach of confidentiality. The DLP, on behalf of the Board of Management, who is submitting a report to the Health Service Executive 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.

7. Practice

The following areas are of specific interest and concern to the staff and Board of Management of St Andrew’s National School in relation to child protection. The following practices will be adopted:

7.1 Physical Contact:

Physical contact between staff of the school and students should be in response to the needs of the student and not the needs of the staff member. While ‘physical contact’ may be used to comfort, reassure or assist a student, cognizance should be taken of the following factors in determining its appropriateness;

- (i) Is it acceptable to the child?
- (ii) Is it open and not secretive?
- (iii) The age, intellectual and physical developmental stage of the child

It is strongly advised that staff should avoid doing anything of a personal nature for students that they can do for themselves.

7.2 Visitors/Guest Speakers

Visitors/Guest Speakers should not be left alone with students. The school has a responsibility to check out the credentials, including Garda Vetting of all visitors/guest speakers and to ensure that the material they are sharing with the students is age appropriate.

7.3 Children with intimate care needs

In circumstances where a student of the school requires assistance with toileting or has ongoing intimate care needs, a meeting will be convened with the parents/guardians of this student. The purpose of this meeting will be to ascertain the 'specific' needs of the student and how the school will meet such needs. The staff involved in the provision of such care will be identified and procedures agreed (in writing) for effecting same. Cognisance will be taken to the age, gender and developmental stage of the student when devising a plan to address such needs.

7.4 Toileting Accidents

Clean underwear and replacement clothing (school tracksuits/uniforms) will be kept at the school. Where toileting accident occurs, the student(s) will be offered a replacement tracksuit and clean underwear. In circumstances where a student is unable to 'clean' and/or 'change' themselves, the school will contact his/her parent/guardian. In the event that contact cannot be made with a parent/guardian, two members of staff familiar with the student will facilitate.

7.5 One to One teaching

In some circumstances 'One to One Teaching' is recommended in the best interest of the student. Every effort will be made by the Board of Management to ensure that such teaching takes place in an open environment. Parents/guardians of students recommended for 'one to one teaching' will be informed and their consent sought. Special Needs Assistants will work under the direction of classroom/resource teachers.

7.6 Changing for Games/PE/Swimming/Activities

Students will be expected to undress and dress for these activities without the assistance of a staff member. Where assistance is required, it will take place in communal areas and with the consent of parents/guardians. Under no circumstances will a staff member or volunteer be expected or allowed to dress/undress a student in a cubicle/private area. In such situations where privacy is requested, parents/guardians will be consulted and asked to provide such assistance (if necessary).

7.7 Groups using the school building outside of school hours for activities involving children.

For groups using the school premises for 'after-school' activities involving children, a copy of their insurance and policy will be requested. Should any complaint pertaining to child abuse be made against any of these groups, the DLP will notify their DLP and advise them to act on their Child Protection Policy. It will be a matter for the Parish Hall Committee to review the contract between the Parish Hall

Committee and the group (subject to the allegation) regarding continued use of the premises.

7.8 Out of school activities

In the majority of cases the Board of Management will engage independent contractors to provide transport for all such activities that require same. Supervision will be provided for students attending such activities. Parents will be advised of all trips and will be asked to give written permission for their child to participate in same.

7.9 Internet/Mobile Phone Use

Every effort will be made by staff to ensure that access to and use of ICT equipment within school will be for age appropriate educational use for students. Permission will be sought from parents/guardians regarding the use of student photographs on the internet. Mobile phones or any image recording electronic devices without prior permission of the teacher are not permitted for use by children in school.

Every effort will be made by staff members to adhere to best practice. In the event of an emergency, where this may not be possible or practical, a written record of the incident will be maintained at the school office detailing the procedures followed. The DLP and parents/guardians will be informed accordingly.

8. Recruitment and Selection Procedures

The Board of Management will ensure that staff are carefully selected, inducted and supervised in accordance with best practice, to provide a safe educational environment for all students.

1. Positions available at St Andrew's will be advertised (where necessary).
2. The Board of Management will endeavour to select the most suitably qualified personnel.
3. All candidates will be required to go through an application process.
4. Two written references (minimum) which are recent, relevant, independent and verbally confirmed, will be necessary.
5. A successful applicant will be selected by a panel of at least three (one member of this panel being independent of the school).
6. No person deemed to constitute a 'risk' will be employed.
7. There will be a relevant probationary period for all new employees.
8. All new staff and volunteers will be required to consent to Garda Vetting Procedures by signing a declaration form of consent to same. The Board of Management fully endorses arrangements for the vetting of teaching and non-teaching staff as outlined in 'Circular 0031/2016 from the Department of Education (June 2006).

9. 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 Appendix 1.

10. Guidelines for Recognition of 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:

- Considering the possibility.
- Looking out for signs of abuse.
- Recording the information.

Each of these stages is developed in "Children First" Section 2.7

11. Handling Disclosures from Children

When information is offered in confidence, the member of staff will need to act with 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.

1. Disclosure

- Remain calm.

- Listen to the child with sensitivity and openness.
- 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 of dates, times, names, locations, context and factual details of conversation.

2. Designated Liaison Person

Inform the DLP in writing. In the event of an emergency, the information should be communicated verbally to enable the DLP to respond promptly.

3. Reporting

The DLP consults with the Principal and the Chairperson of the Board of Management and where necessary, the Duty Social Worker prior to a referral being made. Referral is made on behalf of the Board of Management and signed by the Chairperson. The completed form should be forwarded by mail to the Social Work Department, Cherry Orchard Hospital, Ballyfermot, Dublin 10. In the event of an emergency, a call should be made to the Duty Social Worker and report sent by fax if necessary.

4. Parents/Guardians

Parents/Guardians will be informed of the decision to make a referral unless such an action would increase the risk to the child who is subject of the report.

This information should then be passed onto the DLP and a record will be retained in the school. If the reporting person or member of the school staff and the DLP is satisfied that there are reasonable grounds for the suspicion/allegation, the procedures for reporting as laid out in 'Children First' – Section 3.1 will be adhered to:

1. A report should be made to the Tusla in person, by phone or in writing. Each Tusla office 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 in gathering as much information as possible about the child and his/her parents/carers.
3. In the event of an emergency or the non availability of the HSE staff, the report should be made to An Garda Síochána. This may be done at any Garda Station.

The Chairperson 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 be taken for the safety of the child, in which case the Chairperson may be informed after the report has been submitted.

The parents/carers are informed by the DLP and the Chairperson if a report is to be submitted to the HSE 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, the Garda Síochána should be contacted. Under no circumstances should a child be left in a dangerous situation pending HSE intervention.

A sample of the Standardised Reporting Form is attached (Appendix 4)

12. Allegations Against 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 that are false and 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:

1. The reporting procedure
2. The procedure for dealing with the employee

The DLP has responsibility for reporting the matter to the HSE. The Chairperson of the 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 Chairperson of the Board of Management will assume the responsibility for reporting the matter to the HSE.

12.1 Reporting

When an allegation of abuse is made against a school employee, the DLP should immediately act in accordance with the procedures outlined in “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 will then be followed (Section 4.2.3 Pg 16 “*Child Protection Guidelines 2001*”).

The Chairperson of the Board and DLP should make the employee aware privately:

- a) That an allegation has been made against him/her

b) The nature of the allegation

c) Whether or not the HSE 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, the HSE and legal advisors.

The priority in all cases is that no child be exposed to unnecessary risk. Therefore, as a matter of urgency, the Chairperson should take any necessary protective measures. These measures should be proportionate to the level of risk and should not unreasonably penalize 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. The Board will consider feedback, if any has been received from the HSE, Gardaí or relevant source. This may result in the Board of Management directing that an employee absent him/herself from 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 HSE and the legal advisors to the Board of Management.

12.2 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 Department of Education & Science should be immediately informed.

12.3 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.

13. Review and Monitoring

This policy will be monitored and reviewed by each new Board of Management. The most recent amendment history will be recorded and advised to all concerned. The DLP role will rotate among staff members as each new Board is appointed.

This policy was ratified by the Board of Management on the 21st June 2010.

This Policy was reviewed by the Board of Management on the 18th of June 2013 and December 2016

Signed:_____ Date:_____
Chairperson

This Code will next be reviewed: by December 2019

APPENDIX 1 - Definitions and Recognition of Child Abuse
("Children First" – Department of Health & Children)

APPENDIX 2 - Responsibilities of the Designated Liaison Person (DLP) *(DES Child Protection Guidelines)*

APPENDIX 3 – Contact Listing

APPENDIX 4 - Standardised Reporting Form Sample
("Children First" – Department of Health & Children)