

# **St. Patrick's School**

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St. Patrick's Special School, Bohreen Hill, Enniscorthy

## **Child Protection Policy**

This document is a response to recent changes in legislation and takes account of the provisions of each of the following 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, and Child Protection Procedures for Primary and Post-Primary Schools (Dept of Education & Skills, 2011)

## References

*Children First (Dept of Children and Youth Affairs 2011)*

*Child Protection Procedures for Primary and Post Primary Schools (Dept of Education & Skills, 2011).*

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. Therefore, 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 Special School has agreed the following child protection policy.

*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.*

In its policies, practices and activities, St. Patrick's Special School 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: We will:

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1. Fully co-operate with the relevant statutory authorities in relation to child protection and welfare matters.
2. 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.
3. Develop a practice of openness with parents and encourage parental involvement in the education of their children.
4. Fully respect confidentiality requirements in dealing with child protection matters. The Board is committed to the maintenance of the environment where children feel secure, are encouraged to express themselves and are listened to. In addition, opportunities will be included in the curriculum for children to develop skills they need to keep them safe.

This policy will also be considered with reference to the possible participation by pupils in any extra-curricular activities and school outings. Other practices and activities, where child protection might have particular relevance, will take due consideration of the procedures outlined within this policy.

The Board nominates Mr Lee Rogers Principal, as the designated liaison person (DLP) on the Senior School site and Ms. Ann Marie Furlong Deputy Principal as the designated liaison person (DLP) on the Junior School site to act as a liaison with outside agencies such as the HSE and as a resource person to any staff having child protection concerns. The DLP has specific responsibility for child protection and will represent the school in all correspondence with the HSE, 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 (DES Procedures 3:2). The DLP acts in cases where there are reasonable grounds for suspicion or where an allegation has been made.

**In the absence of Lee Rogers or Ann Marie Furlong, Tina Canavan or Stella Crean (Junior Site) and Edel Doyle (Senior Site) will act as Deputy Designated Liaison Person (DDLDP).**

## **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 is not a breach of confidentiality. This procedure exists for the protection of a child who may have been or has been abused. The DLP who is submitting a

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report to the HSE 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 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 HSE 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 the HSE 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 the HSE 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).

## **Definition and Recognition of Child Abuse**

Child abuse can be categorised into four different types:

- Neglect
- Emotional abuse
- Physical abuse
- Sexual abuse

Each of these categories is defined in full in Children First but for the purpose of this policy attention is drawn to the stated definition of 'neglect'. Neglect can be defined in terms of an omission, where the child suffers significant harm or impairment of development by being

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deprived of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, attachment to and affection from adults, medical care.

## **Guidelines for Recognition of Child Abuse**

A list of child abuse indicators is contained in Children First, Chapter 2. This policy draws particular attention to 'persistent evidence' of neglect, including indicators such as no lunch, lack of uniform, no homework, poor attendance, persistent health problems, lack of sleep, inappropriate television viewing late at night and other evidence that would indicate lack of supervision in the home. 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:

1. Considering the possibility
2. Looking out for signs of abuse
3. Recording of information

Each of these stages is developed in Children First 2:2.

## **Handling Disclosures from Children**

DES Procedures 3:5 gives comprehensive details of how disclosures should be approached. Staffs are advised to deal with each situation sensitively, reassure the child but not to make promises that cannot be fulfilled. The adult should not ask leading questions or make suggestions. They should explain that further help may have to be sought. The discussion should then be recorded accurately. The record should include reference to what was observed with sketches of physical injury where necessary. It should also record when the alleged incident took place. Records should be kept in a secure place. The information should then be conveyed to the school DLP. If the reporting person and the DLP are satisfied that there are reasonable grounds for the suspicion/allegation, the procedures outlined in Children First must be adhered to. Standardised reporting forms should be used (DES Procedures, Appendix 4). The content of the report should follow the guidance in Children First.

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

The Chairperson and the DLP are primarily concerned with the protection of the children in their care. However, employees must be protected against false and malicious claims. Legal advice should be sought by the board in relation to the employee. If the allegation is against

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the DLP, the Chairperson of the BOM will assume the responsibility for reporting the matter to the HSE.

### **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 communicating 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 (i.e. the Employer):

- 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 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 Gardaí, HSE 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.

### **School Measures Taken to Protect the Children in Our Care**

There are a number of areas where common sense in our school should prevail in order to protect the children in the school and the staff who care for them. In relation to this, certain points should be noted:

1. St. Patrick's Special School, in so far as is practical, will implement the Stay Safe programme each year.
2. A copy of the school's child protection policy, which includes the names of the Designated Liaison Person (DLP) and Deputy (DLP), will be made available to all school personnel and parents.

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3. The name of the DLP and DDLP are displayed in a prominent position near the main entrance to the school.

4. In addition to informing the school authority of those cases where a report involving a child in the school has been submitted to the HSE, the DLP shall also inform the school authority of cases where the DLP sought advice from the HSE and as a result of this advice, no report was made. At each meeting of the Board of Management, the agenda must include an item on Child Protection; the Principal shall inform the Board of the number of all such cases and this shall be recorded in the minutes of the board meeting.

5. St. Patrick's Special School will undertake an annual review of its Child Protection Policy and its implementation in the school. A checklist will be used in undertaking the review (Appendix 1).

6. Staff who take classes swimming should make sure that there are at least two adults in attendance at all times. The dressing rooms and pool area should be well supervised.

8. When possible children should work in groups.

9. Children who may require assistance in toileting matters will be aided by a Special Needs Assistant who has met the necessary screening requirements when being employed by the school. It should be noted that children with any disabilities may be more at risk of abuse due to a number of reasons (DES Procedures 2:3). Parents, teachers and all staff involved in services for children with disabilities need to be familiar with the indicators of abuse and to be alert for signs of abuse.

The Board will ensure that appropriate and on-going training as necessary will be available for DLP and the DDLP.

The Board fully endorses arrangements for the vetting of teaching and non-teaching staff as outlined in Circular 065/2011, Sept 2011.

Recognising that the safety and well being of children attending the school is a priority, the Board undertakes to include Child Protection & Health & Safety matters as items on the agenda of all Board meetings forthwith.

The Board will ensure that all school staff, teaching and non-teaching are aware of their obligations under the guidelines detailed in Children First and the procedures to be followed in the event of concern.

The Board recognises that it has two duties of care. The primary duty is the protection, safety and welfare of the children attending St. Patrick's Special School. The Board also has duties and responsibilities towards its employees.

As an employer, the Board will seek legal advice if an allegation of abuse is made against a school employee.

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The Board will adhere to all protocols outlined in "Child Protection Guidelines and Procedures" from the Department of Education & Skills 2011, to authorise any actions required to protect the children in its care. The Board notes that school employees may be subject to erroneous or malicious allegations. Any allegation of abuse should be dealt with sensitively. The employee should be treated fairly which includes the right not to be judged in advance of a full and fair enquiry. The Board accepts that the principles of natural justice and fair procedures must be adhered to.

The Board undertakes to circulate this Child Protection policy statement to all parents and guardians at time of enrolment and on a regular basis thereafter. This policy statement and "Children First" will be available for viewing at the school office.

This policy statement regarding Child Protection at St. Patrick's Special School applies to all staff, members of the Board of Management, volunteers and contractors working in the school.

This policy statement will be subject to review during the first term at the start of each academic year forthwith.

This policy was ratified by the Board on

Signed \_\_\_\_\_ Chairperson

\_\_\_\_\_ DLP

\_\_\_\_\_ Deputy DLP

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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. The Board of Management may wish to include other items in the checklist that are of particular relevance to our school and reserves the right to do so if/when the need occurs.

1. 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
2. Has the Board formally adopted a child protection policy in accordance with the 'Child Protection Procedures for Primary and Post Primary Schools'?
3. 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'?
4. Are there both a DLP and a Deputy DLP currently appointed?
5. Are the relevant contact details (HSE and An Garda Síochána) to hand?
6. Has the DLP attended available child protection training?
7. Has the Deputy DLP attended available child protection training?
8. Have any members of the Board attended child protection training?
9. Has the school's child protection policy identified other school policies, practices and activities that are regarded as having particular child protection relevance?
10. Has the Board ensured that the Department's Child Protection Procedures for Primary and Post Primary Schools are available to all school personnel?
11. Does the Board have arrangements in place to communicate the school's child protection policy to new school personnel?
12. 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?
13. 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?



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14. 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?
15. 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?
16. Were child protection matters reported to the Board appropriately recorded in the Board minutes?
17. Is the Board satisfied that all records relating to child protection are appropriately filed and stored securely?
18. Has the Board ensured that the pupils' parents have been provided with the school's child protection policy?