

Child protection Policy



Abalta Special School is a school for children with Autism Spectrum Disorder and complex needs. The school currently caters for 18 students. The school educates children ranging in age from four to eighteen years.

Abalta Special School, Galway, Parkmore East Business Park, Galway
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Introductory statement

The Board of Management of Abalta Special School in conjunction with the staff and parents have developed and agreed this policy in line with the current recommendations and guidelines relating to child abuse prevention and child protection guidelines.

This policy addresses the responsibilities of the School in the following areas;

- A. PREVENTION- curricular provision**
- B. PROCEDURES- procedures for dealing with concerns and disclosures.**
- C. PRACTICE- best practice in child protection.**

A hard copy of this Policy document and a copy of the Department of Education and Science 'Child protection Guidelines and Procedures' will be available to all the staff in the administrator's office. A copy of the policy will also be available on the school server.

It is incumbent on all the staff to familiarise themselves with the Children First 2011 Policy and the DES guidelines and procedures.

Aims:

- To protect the children in our care and increase our awareness of the serious nature of child protection.
- To provide pupils with the highest possible standard of care in order to promote their well-being and protect them from harm
- To ensure that all staff members are aware of and familiar with the 2011 'Children First' and the DES guidelines and procedures in relation to reporting concerns and/or disclosures of child abuse.
- To provide on-going training in this and related areas for all school staff.
- To provide sufficient information to school management authorities and school personnel to enable them to be alert and to be aware of what to do in situations where child abuse may be a concern or suspicion.
- To fulfil the school's obligation to provide pupils with the highest possible standard of care in order to promote their well being and protect them from harm.

A. PREVENTION.

The Stay Safe programme is the primary resource used in this school to provide education for children on abuse prevention. The programme is taught as part of the School's Social, Personal and Health Education (SPHE) curriculum under the strand unit Safety and Protection.

The main objectives of the programme will be to develop children's self-esteem, assertiveness and self-protective skills wherever possible among many other things. The resources available may vary but the main source will be the Stay Safe programme. As a school we will use 'Making the Links' to aid our planning for SPHE. The Stay Safe programme should be taught in its entirety under the section 'personal safety' of the Safety and Protection strand unit.

We are aware of the individuality and needs of all our pupils, therefore the sensitive programmes will be delivered on an individual basis, with a programme tailored to the level of ability and understanding of every student.

The formal lessons of the programme will be taught in their entirety every second year in accordance with the SPHE two-year cycle plan.

Staff will make every effort to ensure that the messages of the programme are reinforced whenever possible.

Parental involvement is a key element in the implementation of the Stay Safe Programme. Parents will be informed of the School Policy in relation to the teaching of the Stay Safe Programme and other sensitive areas. On enrolment of their child parents will be informed by the principal that the Stay Safe Programme is in use in the school and a copy of the 'Stay Safe: A parent's Guide' provided. Parents of children already in the school will be notified once the Stay Safe Programme is in place and a copy of the 'Stay Safe: A parent's guide provided. We also believe meetings with parents are essential. Parents retain the right to withdraw their child/ren from the sensitive aspects of SPHE.

There are a number of considerations to make plans for:

1. With parental agreement the Programme will be taught on an individual basis to tailor the needs and understanding of every pupil in school. Parents have the choice to withdraw their child/ren from the sensitive aspects of the SPHE curriculum.
2. If a teacher opts out of teaching the sensitive aspects of the SPHE curriculum, other arrangements will need to be put into place. The teacher will still do the planning and individual lessons for the specific student, and another member of the staff can deliver the curriculum.

B. PROCEDURES.

All staff in Ábalta Special School will follow the recommendations for reporting concerns or disclosures as outlined in the 2011, 'CHILDREN FIRST' and the Department of Education and Science document, 'Child Protection Guidelines and Procedures'.

The staff and the management of this school have agreed that:

- All concerns/disclosures involving child protection welfare issues will be reported in the first instance to the Designated Liaison Person (DDP) or the Deputy Designated Liaison Person (DDLDP) where appropriate). The DDP is the designated liaison person for the school in all dealings with the HSE, An Garda Síochana and other parties, in connection with allegations of abuse.
- Each report to the DLP will be dated and signed by the person making that report
- A strict adherence to maintaining confidentiality- information regarding concerns or disclosures of abuse should be given on a 'need to know' basis.

1. Responsibilities of all school personnel

1.1 The Board of Management has **nominated a Designated Liaison Person (DLP) who is Principal Maura Madden.** This person is the designated Liaison person for the school in all dealings with health boards, An Garda Síochana and other parties, in connection with allegations of abuse. Those other parties should be advised that they should conduct all matters pertaining to the processing or investigation of alleged child abuse through the Designated Liaison Person.

1.1.2 Where the Designated Liaison Person is unavailable for whatever reason, the **Deputy Designated Liaison Person (DDLDP) who is Olivia Murphy, the Behaviour support and learning specialist** will act and follow procedure.

1.1.3 The Designated Liaison person should immediately inform the chairperson of the Board of Management that a report involving a pupil in the school has been submitted to the relevant health board.

1.2 How to recognise possible signs of abuse

1.2.1 Indicators of possible abuse are outlined in Chapter two and Appendix One of the Children First guidelines 2011. All staff should familiarize themselves with the contents of those sections. No one indicator should be seen as conclusive in itself and may indicate conditions other than child abuse. It is important that school personnel consult the relevant sections of Children First where they have concerns regarding possible abuse. A copy of Children First is held in the Principal's office. In addition, a copy of the 2011 Children First: National Guidance for the Protection and Welfare of Children is kept in the Principal's office and PDF version is on the school server in a folder named : Child Protection. The administrator will be able to furnish all staff with a copy, if required.

The school also has access to the Child Protection Guidelines and procedures from the Department of Education and Science 2001. There is a hard copy in the Principal's office available to all staff, as well as an electronic version on in the school's server.

1.2.2. The Children First guidelines state that the HSE should always be notified where a person has a reasonable suspicion or reasonable grounds for concern that a child may have been or is being abused or at risk of abuse. The following examples are quoted as constituting reasonable grounds for concern:

Specific information from the child that he/she was abused

- An account by a person who saw the child being abused
- Evidence, such as injury or behaviour, which is consistent with abuse and unlikely to be caused another way. Teachers should seek an explanation for bruising or other visible marks prior to completing a child protection concern form.
- 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 is a case of abuse – e.g. a pattern of injuries, an implausible explanation, other indications of abuse, dysfunctional behaviour.
- Consistent evidence, over a period of time that a child is suffering from emotional or physical neglect.

1.2.3 A suspicion, which is not supported by any objective indication of abuse or neglect, would not constitute a reasonable suspicion or reasonable grounds for concern.

1.3 Handling disclosures from Children:

1.3.1 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.

1.3.2 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.

1.3.3 While the basis for concern must be established as comprehensively as possible the following advice is offered to school personnel to whom the 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 and retained by the Designated Liaison person.

1.4 Keeping track of records

1.4.1. When child abuse is suspected, it is essential to have a record of all the information available. Staff should note carefully what they have observed and when they observed it. Signs of physical injury should be described in detail and, if appropriate, sketched. Any comment by the child concerned, or by any other person, about how an injury occurred should be recorded, preferably quoting words actually used, as soon as possible after the comment has been made. All records so created should be regarded as highly confidential and retained in a secure location by the Designated Liaison person.

There is a standard form to be completed by the staff member bringing up the concern. See Appendix 1.

In addition, there is special dedicated diary in a locked cabinet in the principal's office. The date and initials of the member of staff must be entered to confirm the reporting procedure.

1.4.2 It is possible that school personnel may subsequently be invited to attend a child protection conference by the HSE.

2. Reporting of Concerns and role of the HSE

2.1 Action to be taken by School personnel

2.1.1 If a school employee receives an allegation or has a suspicion that a pupil is being abused the school employee should, in the first instance, report the matter to the Designated Liaison Person in Abalta Special School. The need for confidentiality at all times, as previously mentioned, should be borne in mind.

2.2 Action to be taken by the Designated Liaison Person

2.2.1 If the school employee and the Designated Liaison Person are satisfied that there are reasonable grounds for suspicion or allegation (see sections 1.2.2, and 1.2.3), the Designated Liaison Person should report the matter to the HSE immediately.

i) A report may 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 phone, 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/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.

It is recommended that all reports should include as much as possible of the information sought in the standard reporting form (See appendix). Since all information requested might not be available to the person making the report, the forms should be completed as comprehensively as possible. When such a report is being made to the HSE, the Chairperson of the Board of Management of the school should be informed. A decision on whether or not the parents/guardians of the child should also be informed should be taken in accordance with the information.

(This should be done unless doing so is likely to endanger the child or place the child at further risk. A decision not to inform the parent/guardian should be briefly recorded together with the reasons for not doing so).

2.2.2 In cases where the school personnel have concerns about a child, but are not sure whether to report the matter to the appropriate health board, they should seek appropriate advice. To do so, the Designated Liaison Person should consult the appropriate HSE staff. In consulting the appropriate HSE staff, the Designated Liaison Person should be explicit that he/she is requesting advice and consultation and that he/she is not making a report. It would not be envisaged at this informal stage that the Designated Liaison Person would have to give identifying details as are required when a report is being made. If the HSE advises that a referral should be made, the Designated Liaison person should act on that advice.

2.2.3 If following the discussion in section 2.2.2 above, the Designated Liaison person decides that the concerns of the school employee should not be referred to the HSE, the school employee should be given a clear statement in writing as to the

reasons why action is not being taken. The school employee should be advised that, if he/she remains directly concerned about the situation, he/she is free to consult or report to the HSE. Again, the standard reporting form in the Appendix should be used. Any such report would be covered by the protection for Persons Reporting Child Abuse Act, 1998.

3. Allegations or suspicions of child abuse by the School employees

3.1.1 This is intended to provide guidance to the Board of Management in situations where an allegation of abuse is made against a school employee. The most important consideration to be taken into account by the Board of Management is the protection of the children, and their safety and well-being must be a priority. However, because of the involvement of school employees, the Board of Management has duties in respect of them as well. The guidelines are offered to assist the Board of Management in having due regard to the rights and interests of the children under their care and those of the employee against whom an allegation is made.

3.1.2 As employers the Board of Management should note that legal advice should always be sought in these cases, as circumstances can vary from one case to another and it is not possible in this procedure to address every case.

3.1.3 Procedures to be followed

- The reporting procedure in respect of the allegation,
- The procedure for dealing with the employee

In general the same person should not have responsibility for dealing with the reporting issue and the employment issue. In the case of Abalta Special School, the Designated Liaison Person is responsible for reporting the matter to the appropriate health board, while the Chairperson of the Board of Management, acting in consultation with the Board, is responsible for addressing the employment issue. However, where the allegation of abuse is against the Designated Liaison Person, the Chairperson of the Board of Management will assume the responsibility for reporting the matter to the health Board.

3.1.4 The primary aim of the Board of Management of Abalta Special School is to protect the children within the school to whom they have a duty of care. However, school employees may be subject to erroneous or malicious allegations. Therefore any allegation of abuse should 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.

3.2 Reporting Procedure:

3.2.1 Where an allegation of abuse is made against a school employee, the Designated Liaison Person within the school should immediately act in accordance with the procedures outlined. 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 HSE, the Designated Liaison person should always inform the Chairperson of the Board of Management of the allegation.

3.2.2 School employees, other than the Designated Liaison person, who receive allegations of abuse against another school employee, should report the matter without delay to the Designated Liaison Person. The Designated Liaison person should then follow the proscribed procedures.

3.2.3 School employees who form suspicions regarding the conduct of another school employee should consult with the Designated Liaison Person. The Designated Liaison Person may wish to consult with the HSE. If the Designated Liaison Person and the school employee are satisfied that there are reasonable grounds for the suspicion, the Designated Liaison Person should report the matter to the HSE immediately. The Designated Liaison Person should also report the matter to the Chairperson of the Board of Management, who should proceed in accordance with the procedures outlined below.

3.3 Action to be taken by the Chairperson

3.3.1 When the 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:

- The fact that the allegation has been made against him/her
- The nature of the allegation
- Whether or not the matter has been reported to the HSE by the Designated Liaison Person.

3.3.2 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.

3.3.3 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 penalize the employee, financially or otherwise, unless to protect children.

3.3.4 If, in the Chairperson's opinion, the nature of the allegation warrants immediate action, the Chairperson, on behalf of the Board of Management, should direct that the employee absent him/herself from the school with immediate effect. Where the Chairperson is unsure as to whether the nature of the allegation warrants the absence of the employee from the school while the matters being investigated, he/she should consult with the Child Care Manager of the HSE and/or An Garda Síochána for advice as to the action that those authorities would consider necessary. Following those consultations, the Chairperson should have due regard for the advice offered.

3.3.5 Any absence by a school employee would be regarded as administrative leave of absence with pay and not a suspension. Such leave of absence would not imply any degree of guilt on the part of the school employee.

3.4 Further follow up required

3.4.1 Whether or not the employee is absent from the school on administrative leave, it is necessary for the Chairperson to inform the Board of Management immediately of the matter. The Chairperson should convene an immediate meeting of the Board for this purpose and inform the Board members of the nature of the allegations, the action taken in respect of same and the outcome of any consultations with the health board and/or a Garda Síochána. Members of the Board of Management should be reminded of their serious responsibilities to maintain strict confidentiality about all matters relating to the issue. The principles of due process and natural justice should be adhered to by the Board.

3.4.2 It should be noted that, in certain situations, it might not be possible for the Board of Management to reach any definite conclusions as to whether the alleged abuse actually occurred. Such a situation could occur where the allegations of abuse relate to the past employment of the school employee and where these allegations are being investigated by either the health board or a Garda Síochána. In such situations it may not prove possible for a Board of Management to conduct any proper enquiry into the allegations. In these cases the Chairperson of the Board of Management should maintain regular and close liaison with those authorities and a decision on the position of the school employee should be taken having due regard to the advice given to the Board of Management by those authorities.

3.4.3 However, where the alleged abuse has taken place within the school, or relates to the abuse of pupils of the school by school employees outside of school time, the Board of Management should convene a further meeting. At this meeting the Board should consider in detail the allegations which have been made against the school employee and the source of those allegations, the advice of the health boards and/or An Garda Síochána in relation to the allegation and the written response of the employee to the allegations.

3.4.4 At this meeting the person/agency who is alleging abuse by the school employee should be offered an opportunity to present his/her case to the Board and may be accompanied by another person in doing so. Parents/guardians may act on behalf of a child. Likewise, the employees should be afforded an opportunity to make a presentation of his/her case to the Board and may also be accompanied by another person.

3.4.5 Having followed the procedures outlined above, and having satisfied itself that it has sufficient information to hand for it to make a determination in relation to the allegation, the Board should then make a decision on the action, if any, it considers necessary to take in respect of the employee.

3.5 Feedback from the HSE

3.5.1 The Children First guidelines place an onus on the HSE to ensure that arrangements are put in place to provide feedback to employers in regard to the progress of a child abuse investigation regarding an employee. It is clearly stated in those guidelines that efforts should be made to investigate complaints against employees promptly bearing in mind the serious implications for an innocent employee. Health boards should pass on reports and records to the employer and the employee in question where appropriate. This will assist the employer in reaching a decision as to the action to be taken in the longer term concerning the employee. Employers should always be notified of the outcome of investigations. It is the responsibility of the Chairperson of the Board of Management to maintain close contact with the health boards to ensure that the health boards act promptly in cases of alleged abuse involving school employees.

4. Peer abuse

4.1.1 In a situation where child abuse is alleged to have been carried out by another child, the reporting procedures outlined above should be followed. An immediate review of the Behaviour Support Plan of all students involved should take place.

4.1.2 Sexualised behaviour between children is inappropriate and must be taken seriously. Schools should arrange separate meetings with the parents of all the children involved in such behaviour with a view to resolving the situation.

4.1.3 Sexualised behaviour may also be indicative of a situation that requires assessment by the HSE.

C. PRACTICE

The staff and BOM of Ábalta Special School have identified the following areas of specific concern in relation to child protection. Following discussion and consultation the staff and BOM have agreed that the following practices be adopted, regarding supervision during toileting / showering, outings (outside school premises), and swimming.

C.1 Toileting / Showering: Some of our pupils need to be supervised while in the toilet / shower. The level of staff input varies from pupil to pupil.

- When the toilet / shower is within the same classroom, a member of the staff can toilet a pupil on his/her own, prior to informing another member of the staff that he/she is about to do so.
- In the instance where a toilet / shower are not located within the classroom the same procedure will apply.

Intimate care training will be provided for new staff and volunteers before they are allowed supervise a pupil during toileting / showering.

C.2. Transitioning: staff members can escort pupils from A to B within the school premises if this has been previously agreed with the classroom teacher and the activity e.g. using the garden, greetings program etc.

C.3. Outings: If a pupil has a particular social programme (local area, not involving transport), whereby he/she needs to leave the premises, at least one member of staff will accompany the pupil at all times, where possible a second member of the staff will also attend. Likewise if the outing involves transport, at least one member of staff will accompany the pupil at all time, where possible a second member of the staff will also attend.

The members of the staff accompanying a pupil during a social programme can be:

1. Class teacher + SNA
2. Director of education + SNA
3. Director of education + class teacher
4. 2 SNAs
5. 1 SNA

C.4. Placements: When a pupil is in another school for a period of time with an SNA, the class teacher in that school is responsible for the safety and welfare of the pupil during that time.

The Board of Management

- Mindful of this primary duty of care, the Board of Management of Abalta Special School fully endorses "Children First", the designated guidelines for the protection and welfare of children as issued by the Department of Health and Children, September 1999 and "Child Protection Guidelines and Procedures" from the Department of Education & Science, April 2001.
- The Board will ensure that appropriate and on-going training as necessary will be available for the DLP and the DDLP.
- The Board fully endorses arrangements for the vetting of teaching and non-teaching staff as outlined in Circulars 0063/2010 and 0094/2006, for the Department of Education & Science.
- Recognising that the safety and wellbeing 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 Abalta Special School. The Board as an employer 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.
- The Board will adhere to the protocol outlined in Ch. 4. Allegations or Suspicions of Child Abuse of School Employees, in "Child Protection Guidelines and Procedures" from the Department of Education & Science 2001, 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 believes that the academic, personal and social development of children flourishes in a culture where good relationships are encouraged, people feel valued and respected and appropriate support is available for those in difficulty.
- The Board is committed to the maintenance of the environment where children feel secure, are encouraged to express themselves and are listened to. All children in the school will be made aware that there are adults in the school whom they can approach if they are worried. In addition, opportunities will be included in the curriculum for children to develop the skills they need to keep them safe.
- The Board of Management is required to ensure that a programme of education on abuse prevention is in place in the school, since the implementation of the SPHE Curriculum.
- 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 administrators office.
- This policy statement regarding Child Protection at Abalta Special School applies to all staff, members of the Board of Management, volunteers and contractors working in the school.

D. REVIEW AND MONITORING.

This Policy will be monitored and reviewed by the BOM on an annual basis at the first full board meeting and when the need arises. The BOM will ensure that adequate training/information and support is provided for all staff, parents and BOM members.

Policy adopted by the BOM on: _____

Review date: _____

Signed: _____

Chairperson, Board of Management

APPENDIX 1.

Standard form to be completed by the person who is bringing up the concern.

CHILD PROTECTION REPORT.

Code: registration number of the child
Date:
Observation:
Signed

Appendix II

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 Ábalta Special School 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 Olivia Murphy
3. The Deputy Designated Liaison Person (Deputy DLP) is Maura Madden
4. In its policies, practices and activities, Ábalta 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;
 - fully co-operate with the relevant statutory authorities in relation to child protection 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. School policies, practices and activities that are particularly relevant to child protection are the Code of Behaviour/Anti-bullying Policy, Pupil Attendance Strategy, Supervision of Pupils, swimming, School Outings/Pupil Work Placements. 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 (if any) 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 by the Board of Management on _____ Date: _____

Signed: _____ Signed: _____

Chairperson of Board of Management Principal

Date: _____ Date: _____

Date of next review: _____

Appendix III

Checklist for Annual Review of the 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?	

<p>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'?</p>	
<p>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?</p>	
<p>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?</p>	
<p>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?</p>	
<p>Were child protection matters reported to the Board appropriately recorded in the Board minutes?</p>	
<p>Is the Board satisfied that all records relating to child protection are appropriately filed and stored securely?</p>	
<p>Has the Board ensured that the Parents' Association (if any), has been provided with the school's child protection policy?</p>	

Child Protection Policy Notes

This document has been drawn up as a response to recent changes in legislation. It further develops previous policy in this area and takes account of the provisions of the following pieces of legislation.

The Education Act 1998
The Child Welfare Act 2000

References

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

"Children First" – Department of Health & Children 1999
"Child Protection" – Department of Education & Science 2001
Child protection procedures for primary and post-primary schools 2011

Designated Liaison Person (DLP)

Olivia Murphy, the Director of Education will act as DLP following ratification by the Board of Management. The DLP has specific responsibility for child protection and will represent the school in all dealings with Health Boards, 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 included in 'Child Protection DES' – Pg. 8 – Section 2.2. Actions 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 DES' Chapter 3 – Section 3.2 pg. 11 – 12.

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 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 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 Health Board 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 Health Board 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 Health 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 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. (Child Protection DES Book page 6.)

Qualified Privilege

While the legal protection outlined above only applies to reports made to the appropriate authorities (i.e. The Health Boards and An Garda Síochána), Common Law qualified privilege 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 1.4.2 and 1.4.3, page 6 of Child Protection – Guidelines & Procedures.

Freedom of Information Act 1997

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.

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 'Children First' – (Dept. of Health & Children)) Chapter 3 Sections 3.2 – 3.5 pgs. 31 – 33.

Guidelines for Recognition of Child Abuse

A list of child abuse indicators is contained in Appendix 1 'Children First' – Pg. 125 – 131. 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.

There are commonly three stages in the identification of child abuse. These are: -

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

Each of these stages is developed in 'Children First' Pg. 34 – 35 Section 3.9.

Handling Disclosures from Children

'Child Protection' – Pg. 9 Section 2.4 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

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 'Children First' – Section 4.4 pg. 38 will be adhered to. Standardised reporting forms may be photocopied from 'Children First' Appendix 8 – Pg. 159.

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 to be taken for the safety of the child in which case the Chairperson may be informed after the report has been submitted. Details of what should be included in the report are outlined in 'Children First' – Section 4.5.1 – Pg. 39.

Any Professional who suspects child abuse should inform parents/carers if a report is to be submitted to the health Board 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 are 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

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.

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 (Section 4.1.3 Page 15 'Child Protection')

- i. The reporting Procedure
- ii. 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.

Reporting

When an allegation of abuse is made against a school employee, the DLP should immediately act in accordance with the procedures outlined in Ch. 3, Section 3.2, and Pg. 11 – 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 in Section 4.2.3, pg16 – 'Child Protection' will then be followed.

The employee, the chairperson and DLP should make the employee aware privately

- a) An allegation has been made against him/her
- b) The nature of the allegation
- c) Whether or not the Health Board 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, 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 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 (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.

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 DES should be immediately informed. (Children First – Pg. 17).

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.

Abalta Special School
7th March 2012