



## Monkstown Educate Together - Child Protection Policy

### Introductory Statement

A committee was established in April 2009 to draw up a first draft of Monkstown Educate Together NS Child Protection Policy. The staff, parents and BOM of Monkstown Educate Together NS has developed and agreed this policy in line with the Department of Education and Science Guidelines and Procedures for schools in relation to Child Protection and Welfare. These Guidelines are laid out in the Children First document.

The Policy addresses the responsibilities of the school in the following areas:

- Prevention - Curriculum Provision
- Procedures - procedures dealing with concerns/disclosures
- Practice - best practice in child protection

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 legislation.

The Education Act 1998  
The Child Welfare Act 2000

### References:

"Children First" – Department of Health & Children 1999/ 2011  
"Child Protection" – Department of Education & Science 2001  
"Child Protection and Good Practice Guidelines" - Tennis Ireland 2005  
DES Circular 0065/2011  
IPPN

### *School Philosophy and Ethos.*

Monkstown Educate Together NS seeks to help our pupils to grow and develop into healthy, confident, mature adults, capable of realising their full potential mentally, physically, spiritually, emotionally and socially as human beings. In line with our school's mission statement, which in part states, "our school strives to create a happy, safe, inclusive and nurturing environment where the uniqueness of each child is celebrated." In developing this policy we hope to create a space where the pupils of METNS will be listened to with understanding and respect and that any concerns will be acted upon.

Our school operates under the direct patronage of Dalkey School Project and adheres to the principles of Educate Together. The four underlying principles of our ethos are:

- Co-educational
- Child-centred



- Multi denominational
- Democratically run

### **Aims**

- To promote the welfare of all the pupils in our care
- To ensure that the entire school community ( including teachers, S.N.A.s, administrative staff, caretaker, parents/guardians, volunteers etc.) are aware of and familiar with the “ Children First” and the DES guidelines and procedures in relation to reporting concerns and /or disclosures of child abuse in all its forms – emotional, physical, sexual and neglect.
- To develop awareness and responsibility in the area of child protection amongst the whole school community
- To put in place clear procedures for good practice in protecting all children and school personnel
- To identify curricular content and resources that will contribute to the prevention of child abuse and will enable children to properly deal with abuse if it occurs.
- Provide for ongoing training in this and related areas for all school staff.

### **Prevention**

**In METNS we work to ensure that our school is physically and emotionally safe.**

The “Stay Safe” Programme is the primary resource used to provide education for children on abuse prevention. The programme is taught as part of the school’s SPHE curriculum under the strand unit “Safety and Protection.” The formal lessons of the programme will be taught in their entirety every second year in accordance with the SPHE two year cycle. Our SPHE programme promotes the protective skills of self esteem and assertiveness. Circle time methodology is used on a whole school basis. Our anti bullying policy is implemented in all classes. Co-operative interpersonal skills are developed through working in pairs and in groups. Older pupils are encouraged to deal positively with conflict and negotiation. Consensus building is also developed. On enrolment of their child, parents will be informed that the “Stay Safe” programme is in use in the school and a copy of the “Stay Safe, A parent’s guide” will be provided. For an overview of programme see the appendix attached. Staff will make every effort to ensure that the messages of the programme are reinforced with pupils whenever possible.

### **Procedures**

All staff (teachers, S.N.A.’s, ancillary; secretarial, caretaking etc.) will follow the recommended procedures for reporting concerns or disclosures as outlined in “Children First” and the Department of Education and Science document “Child Protection , Guidelines and Procedures” .



***The procedures are laid out as follows:***

1. Appointment of a designated liaison person (DLP)
2. Roles and Responsibilities
3. Guidelines

**1. Appointment of a Designated Liaison Person ( DLP)**

- The BOM of this school has appointed Rosario Kealy, Principal as the DLP, with specific responsibility for child protection.
- Eilis Kendlin, Deputy Principal, has been appointed as Deputy DLP and will take the place of the DLP if she is unavailable for whatever reason.
- The positions of DLP/DDLP will be addressed at the first meeting of each new BOM.
- The DLP will continue to act as such until such time as she is replaced by the BOM for whatever reason.

**2. Roles and Responsibilities**

***The BOM has primary responsibility for the welfare of all pupils. The BOM will arrange for:***

- The planning, development and implementation of an effective child protection programme
- The monitoring and evaluation of its effectiveness
- The provision of appropriate staff development and training

***Specifically they will***

- Appoint a DLP, and DDLP
- Have clear procedures for dealing with allegations or suspicions of child abuse
- Monitor the progress of children at risk
- Ensure that curricular provision is in place for the prevention of child abuse.
- Investigate and respond to allegations against a school employee if he/ she has been reported to the Health Board or Gardaí
- Decide whether a staff member will attend child protection meetings/case conferences and to advise teachers before attending such meetings/conferences.
- Ensure that all staff members, BOM members and PTA committee have a copy of Child Protection Policy.
- Ensure that parents are informed about and have access to a copy of Child Protection Policy

**Designated Liaison Person (DLP)**



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. The action to be taken by the DLP in cases where there are reasonable grounds for suspicion, or where an allegation has been made, are detailed in 'Child Protection DES' Chapter 3 – Section 3.2 pg 11 – 12.

The DLP shall inform BOM of any incidents reported to or advice sought from the health board.

*All staff (to include teachers, S.N.A.'s caretaker, secretary etc.)*

- have a **general duty of care** to ensure that arrangements are in place to protect children from harm
- It is the responsibility of all teachers and staff members to familiarise themselves with the *Children First National Guidelines for the Protection and Welfare of Children* (1999) especially *Chapter 3: Definition and Recognition of Child Abuse, Chapter 4: Basis for reporting and Standard Reporting Procedures Signs and Symptoms of Child Abuse (see attached)*

### 3. Guidelines

- All concerns/disclosures involving child protection/child welfare issues will be reported in the first instance to the DLP (deputy DLP where appropriate)
- 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 only be given on a need to know basis

### Guidelines for teachers and staff

#### 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 and be restricted to persons who have a legitimate involvement in dealing with the issue.

If submitting a report to the Health Board or An Garda Síochána, the DLP should inform the child's parents/guardians unless such an action is likely to endanger the child or might 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. This protection covers 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 member of a Board of Management or school personnel furnish information to the DLP or the Chairperson of the Board of Management regarding suspicions of child abuse, 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 the 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 of the 'Children First' (Pg 125 – 131) It is important to stress that, no one indicator should necessarily be seen as conclusive evidence that abuse is taking place; but that it may originate from other causes. 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

A Checklist of this procedure will be given to every member of staff

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 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

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, 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 privately make the employee under suspicion, aware of the following:

- a) That 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 will be exposed to unnecessary risk. Therefore, as a matter of urgency, the Chairperson 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, in the Chairperson's opinion, the nature of the allegations warrants immediate action, 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 should be taken to this advice.

## Administrative Leave

Should the Board of Management direct that the employee to 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.

### **Guidelines for the DLP in handling reported concerns and disclosures**

- Where the DLP/Deputy DLP have concerns about a child, but are not sure whether to report the matter to the Health Board, they should seek appropriate advice. To do this the DLP/Deputy should make informal contact with the assigned (on duty) Social Worker. The DLP/Deputy in this case, should be explicit that she is requesting advice and not making a report. If advised to report the matter, the DLP will act on that advice.
- A report will then be made to the Health Board by the DLP/Deputy in person, by telephone or in writing. In the event of an emergency or the non-availability of Health Board staff, the report should be made to the Gardaí. The DLP should also report the matter to the Chairperson of the BOM, who should then follow the procedures as outlined in *Chapter 4 ( Section 4.3) of Children First National Guidelines (1999)*
- A standard reporting form is completed by the DLP/Deputy as comprehensively as possible ( See *Appendix of "Children First"* )
- Parents/Guardians will normally be informed that a report is being made. It may be decided that informing the parent/carer is likely to endanger the child or place the child at further risk. The decision not to inform the parent/carer should be briefly recorded together with the reasons for not doing so.
- When there are allegations or suspicions of Peer Abuse the DLP will follow the same procedure.

-Parents of all parties will be notified and the DLP will inform the Chairperson.

-Principal and class teachers will make arrangements to meet separately with all parents to resolve the matter.

-The school will make arrangements to minimise the possibility of the abusive behaviour recurring.

### **Child Protection Meetings (Case Conferences)**

- Where a request for a case conference is made by the Health Board through the DLP, the DLP should consult with the Chairperson of the BOM of the school. The Chairperson may seek clarification through the DLP as to why the attendance of the school employee is necessary and ascertain who else will be present.



- The school employee may complete a report for the meeting/conference. (See Appendix 3)
- The school employee will be advised if children/parents/guardians are going to be present. The school employee may contact the *Chairperson of the Child Protection Meeting* for advice.
- The school employee may keep a child's behaviour under closer observation, if requested to do so. This may include observing the child's behaviour, peer interactions, school progress or informal conversations.
- In all cases, individuals who refer or discuss their concerns about the care and protection of children with Health Board staff, should be informed of the likely steps to be taken by the professionals involved.
- Where appropriate and within the normal limits of confidentiality, reporting staff will be kept informed about the outcomes of any enquiry or investigation as a result of their report.
- Teachers attending a child protection meeting/case conference should familiarise themselves with the protocol outlined on pgs. 149-155 of *Children First National Guidelines for the Protection and Welfare of Children (1999)*

## **Practices.**

### ***Organisational Implications***

#### ***Induction of Teachers & Ancillary Staff.***

The DLP will be responsible for informing all new teachers and ancillary staff of the Children's First Guidelines (2011) and Child Protection Policy.

#### ***Behaviour***

Children are to be encouraged at all time to play co-operatively and to show respect for themselves and others. Positive language is encouraged at all times. Refer to METNS Positive Behaviour Policy

Bullying is not tolerated at METNS and is addressed under our Anti-Bullying Policy. If any behaviour is of a sexualised nature or regarded as being particularly abusive, the matter will be referred to the DLP.

#### ***Physical Contact***

Physical contact between school personnel and the child should always be in response to the needs of the child and not the needs of the adult. While physical contact may be used to comfort, reassure or assist a child the following should be factors in determining it's appropriateness:-

- is it acceptable to the child



- is it open and not secretive
- the age and development of the child

School personnel should avoid doing anything of a personal nature for children that they can do for themselves.

### ***Inappropriate Physical Contact by pupils***

Children in the school setting can at times be overly emotionally attached to their teacher/SNA especially where small group or one to one teaching is taking place. This attachment can manifest itself sometimes in wanting to show affection to their teacher which can appear inappropriate to an onlooker. Such behaviour is also not in the best interest of either pupil/teacher/SNA. The pupil becomes clingy and dependent and the teacher/SNA leave themselves open to allegations of misconduct. Should a teacher/SNA have any concerns, a meeting will be arranged with the pupil's parents and the matter discussed. A written copy of what has been agreed will be made and kept in the child's file. This is for the protection of all parties.

### ***Supervision***

Every effort will be made to ensure that there is comprehensive supervision of pupils throughout the school day. A roster of staff duty will be drawn up and displayed in the staff room. Teachers will ensure that all children are visible in the play area. Children may not leave the school grounds or boundaries.

Children may only use the toilets with permission from an adult member of staff during breaks. During yard time the toilet area closest to the yard will be used. A playground helper/SNA will supervise the child's trip to the toilet.

One to one teaching may at times be in the best interest of the child. Every effort will be made to ensure that this teaching takes place in an open environment. Parents of children who are to be involved in one to one teaching will be informed and their permission sought. Work being carried out by special needs assistants will be carried out under the direction of the class teacher in an open environment.

### ***Visitors***

All visitors are expected to report to school office. Staff on yard duty will be aware of visitors entering the schoolyard and direct them to the school office. All visitors working on school premises should wear a "visitor badge". Visitors should never be left alone with pupils. The drop-off/pick-up of children throughout the teaching day will be processed through the school office.

### ***After school activities/classes***



Classes / training etc. that take place after school are never given to pupils on their own.

### ***Transport/escort of pupils***

Written permission is usually sought for transport of pupils in staff cars. Staff should not give lifts or escort a pupil home on his/her own. In the event of an emergency where this is necessary a full record of event is reported to the principal and parents.

### ***Intimate care/toileting needs***

Prior to the pupil coming to school, a meeting between parents, class teacher, S.N.A. and if appropriate the pupil will take place. The purpose of the meeting will be to ascertain the specific needs of the child and to determine how the school can best meet those needs. The staff involved in this care will be identified and provision will be made for occasions when designated staff are absent. A written copy of what has been agreed will be made and kept in the pupil's file. Two members of staff will be present when dealing with intimate care and toileting needs. Any deviation from the agreed procedures will be recorded and notified to the DLP and the parents.

### ***Toileting accidents***

Clean underwear will be kept in the school so that if a pupil has a toilet accident they can change. If a pupil for whatever reason cannot clean or change themselves and the parents cannot be contacted, the child will be assisted by members of staff familiar to the child. In such situations 2 members of staff should be present. A record of all incidents will be kept and principal and parents notified.

A supply of sanitary towels will also be kept in the school.

### ***Changing for games/PE/Swimming***

Pupils will be expected to dress and undress themselves for games/PE/swimming. Where assistance is needed this will be done in the communal areas and with the consent of parents. Under no circumstances will members of staff/volunteers be expected or allowed to dress/undress a child in a cubicle/private area. In such situations where privacy is required the parent/guardian of the child will be asked to assist the child. At all times there must be adequate supervision of pupils. While every effort will be made to adhere to best practice as agreed and outlined above, in the event of an emergency where this is not possible or practicable a full record of the incident should be made and reported to principal and parents.

### ***Attendance***

School attendance is monitored carefully and good attendance encouraged. The parents/guardians/NEWB will be informed of any concerns relating to a child's attendance.



Children who miss 20 days or more will be reported to the NEWB in accordance with legislation.

### **Curricular Implications**

- SPHE Curriculum will be supported by the Walk Tall Programme and the RSE Programme
- Stay Safe programme will be taught in Senior Infants, 2<sup>nd</sup>, 4<sup>th</sup> and 6<sup>th</sup>,
- PE strand on Aquatics
- Learn Together Programme

### **Linked Procedures/Policies**

- Positive Behaviour Policy /Anti Bullying Policy
- Health and Safety Policy/ statement
- Policy on Special Needs
- Garda Vetting Policy,
- After School Activities/ Parental Involvement Policies.
- School Tours / Outings Policy
- Use of Internet /Mobile Phones
- SPHE Policy

### **Review and Monitoring**

This policy will be monitored and reviewed by the BOM on an annual basis and when the need arises. The BOM will ensure that adequate training and support is provided for all staff.

At the first staff meeting of every school year the DLP will remind all teachers of the guidelines and copies of *Chapter 3&4& Appendix 1 of the Children First Guidelines* will be made available as required.

### **Ratification and Communication**

A copy of the policy, which is kept in the Principal's office/Secretary's office, may be accessed by parents at any time. It can also be viewed on the school website. Each staff member should have a hard copy of policy.

This policy was ratified by the B.O.M. in June 2010  
Annual review was carried out 21st November 2011 and approved by BOM

Signed: Clodagh O' Brien, Chairperson - Rosario Kealy, Principal