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Child Protection Policy

2010

Central Model Infants' School,

Marlborough Street,

Dublin 1.

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1. Introductory Statement

There is an obligation on schools to provide pupils with the highest possible standard of care in order to promote their well-being and protect them from harm. (DES Child Protection Guidelines 2001). The staff, parents and management of the Central Model Infants' School have developed and agreed this policy in line with the current recommendations and guidelines relating to child abuse and child protection guidelines. This policy has also been developed with the safety and welfare of the children in our school as paramount.

This policy addresses the responsibilities of the school in the following areas:

- A) Prevention- curricular provision
- B) Procedures- procedures for dealing with concerns/disclosures
- C) Practice- best practice in child protection

Copies of this policy document and the Department of Education and Science Child Protection Guidelines and Procedures (2001), Children First Guidelines Department of Health and Children (1999) and the relevant recording and reporting forms will be made accessible to all staff on classroom computer desktops, staffroom and office.

This policy, Child Protection procedures and practices and the Care Team policy will be included in the first staff meeting of each new school year. It is incumbent on all staff to familiarize themselves with the above-mentioned documents.

2. Aims

This policy aims to

- Create a safe, trusting, responsive and caring environment
- Provide a personal safety skills education which specifically addresses abuse prevention for all children in the school
- Develop awareness and responsibility in the area of child protection amongst the whole school community
- Put in place procedures for good practice to protect all children and staff
- Ensure that all staff members are aware of and familiar with the 'Children First' (1999) and DES guidelines (2001) and procedures in relation to reporting concerns and/or disclosures of child abuse
- Provide for ongoing training in this and related areas for all school staff

3. Prevention

The Stay Safe programme is the primary resource used in this school to provide education for children on abuse prevention. On enrolment of their child parents will be informed that the Stay Safe programme is in use in the school.

The programme is taught as part of the schools' SPHE programme under the strand unit Safety and Protection. It includes personal safety and safety issues. The formal lessons of the programme will be taught in their entirety every year.

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

4. Procedures

4.1 Staff

All staff (Teachers, SNAs, ancillary, secretarial, caretaking etc.) in this school will follow the recommendations for reporting concerns or disclosures as outlined in 'Children First' (1999) and the DES 'Child Protection, Guidelines and Procedures' (pp 5 – 20, 2001).

4.2 Board of Management

The Board of Management of the school will

- Arrange for the planning, development and implementation of an effective child protection programme
- Monitor and evaluate its effectiveness
- Ensure that appropriate training and information on child protection is provided for all staff, parents and Board of Management members on a regular basis.

4.3 Designated Liaison Person

The Board of Management of this school has appointed Catherine Groves (Principal) as the Designated Liaison Person (DLP) and Catherine O'Connell (Deputy Principal) as Deputy Designated Liaison Person (DDL). Should the Principal be absent over a long period of time the DDL will become the DLP and a new Deputy Designated Liaison Person will be appointed.

The staff and management of this school have agreed the duties of the DLP are as follows:

- The DLP acts as a liaison with outside agencies, HSE, Gardaí and other parties with child protection concerns
- The DDL will inform all school personnel of the availability of the Child Protection Guidelines and Procedures, DES and Children First Guidelines in the school. S/he will circulate the DES guidelines and photocopy/circulate to all staff Chapters 3 & 4 & Appendix 1 of the Children First guidelines and advise on good practice.
- The DLP will be available to staff for consultation regarding suspicions or disclosures of abuse. S/he will keep records of these consultations.
- All concerns/ disclosures/allegations 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.
- The DLP should inform the Chairperson of the Board of Management that such a report is being made
- The DLP should inform the class teacher(s) of any siblings the child has in the school including the Central Model Senior School

4.4 Confidentiality

All information regarding concerns of possible child abuse should only be shared on a need-to-know basis. Ask yourself whether 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, or has been abused, is not a breach of confidentiality. The DLP, who is submitting a report to the HSE or Gardai Siochana, should inform a parent/guardian, unless

doing so is likely to endanger the child or place him/her at further risk. A decision not to inform a parent/guardian should be recorded together with the reason for not doing so. It is not the responsibility of school staff to make enquiries of a parent/guardian. In cases of an emergency, where a child appears to be at immediate risk, and it is not possible to contact the HSE, the Garda Siochana can be contacted. Under no circumstances should a child be left in a dangerous situation pending HSE intervention.

4.5 Legislation

Protection for Persons Reporting Child Abuse Act 1998.

This Act provides for -

Immunity from civil liability for any person who reports child abuse “reasonably and in good faith” to designated officers of the HSE or any member of the Garda Siochana”. This means that even if a reported suspicion of child abuse proves to be unfounded, a plaintiff who took an action would have to prove that the reporter had not acted reasonably and in good faith in making the report. Significant protections are provided for all employees who report child abuse, up to and including dismissal. The 1998 Act created a new offence of false reporting of child abuse. This is a new criminal offence designed to protect innocent persons from malicious reports.

Also refer to Children First (1999) 2.4 p. 26 and DES Guidelines (2001) 1.4.2 p. 6.

Freedom of Information Act 1997

Any reports which are made to the HSE may be subject to the provisions of the Freedom of Information Act 1997 which enables members of the public to obtain access to personnel information relating to them which is in the possession of public bodies. However the Freedom of Information Act 1997 also provides that public bodies may refuse access to information obtained by them if that information is confidential.

Education (Welfare) Act (1997)

Persistent failure to attend school constitutes neglect.

Data Protection Act 1998(Electronic)

Data Protection Act 2003 (Paper)

A parent can request any records kept by a school in a child’s name.

Schools are required to keep important documents until a child has reached 18 years of age.

Education Act 1998

The duty of care towards children and protecting their educational rights.

Qualified Privilege

If a member of the Board of Management or school personnel reports suspected abuse to the DLP or to the Chairperson of the Board of Management, such communication would be regarded under common law as having qualified privilege (see Department of Education and Science Child Protection guidelines of 2001, section 1.4.2 and 1.4.3 for further explanation).

Those reporting a child’s disclosure are not seen to be making an allegation or accusing, but carrying out their duty, acting in loco parentis.

Ref: Children First Chapter II

5. Practice:

The staff and Board of Management of the Central Model Infants' School have considered the following as areas of specific concern in relation to child protection. Following discussion and consultation with parents the staff and Board of Management have agreed that the following practices be adopted.

5.1 Induction

All parents will be made aware of attendance rules and their implications as laid down in the Education Welfare Act (2000). All parents are given a copy of the Code of Behaviour/Anti-bullying policy and RSE policy on their child's enrolment and are made aware of their implications. New teachers will be made aware of the school's Child Protection policy and procedures by the DDLP. Students/ volunteers/parents will also be informed of our Child Protection policy by the DDLP before starting their placement in the school.

This policy and Child Protection procedures and practices will be included in the first staff meeting of each new school year.

5.2 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: -

- It is acceptable to the child
- It is open and not secretive
- The age and developmental stage of the child

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

5.3 Visitors / Guest Speakers:

Visitors/guest speakers should never be left alone with pupils. The school (Principal/teachers) has a responsibility to check out the credentials of the visitor/guest speaker and to ensure that the material in use by guests is appropriate.

Any unaccompanied visitors should be approached by a staff member to ascertain the purpose of their visit and either directed to the principal's office or supervised in the discharge of their business.

5.4 Supervision

School supervision policy will be followed by all staff to ensure there is a comprehensive supervision of children at all breaks. Children who need to use the toilet during yard time will be accompanied by a designated First Class child and must report back to the teacher on duty on their return. Each teacher has copy of supervision timetable and rota in staffroom as well. (See also Supervision Policy)

5.5 Administration of First Aid While every precaution will be taken under our Health and Safety Statement to ensure the safety of children, we realise that accidents will happen. Accidents will be noted in our Incident book and will be addressed under our accident policy as part of Health and Safety. (See also Health and Safety Policy)

5.6 Bullying

Children are encouraged to play co-operatively at all times. Inappropriate and bullying behaviour is addressed in our Code of Behaviour and Anti-Bullying policy. If any incident occurs which is considered to be of a sexualized nature the DLP will be notified and will respond accordingly. (See also Code of Behaviour)

5.7 Attendance

Our school attendance will be monitored as per our attendance policy. With regards to child protection we will pay particular attention to trends in non-attendance. We will also monitor non-attendance in correlation with signs of neglect/physical/emotional abuse.

5.8 Communication

Every effort will be made to enhance pupil-teacher communication. If pupils have concerns they will be listened to sympathetically. The SPHE/Oral Language/RE programmes allow for open pupil-teacher communication, which is hoped will aid the pupil-teacher relationship. If teachers have to communicate with pupils on a one-to-one basis, they are requested to leave the classroom door open.

5.9 Children with specific toileting/intimate care needs:

In all situations where a pupil needs assistance with toileting /intimate care a meeting will be convened, after enrolment and before the child starts school, between parents/guardians, class teacher, special needs assistant, principal and if appropriate the pupil. 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 to be involved in this care will be identified and provision will be made for occasions when those particular staff involved is absent. A written copy of what has been agreed will be made and kept in the child's file. The Board of Management will be made aware of the agreed procedures.

Two members of staff will be present when dealing with intimate care/toileting needs. Any deviation from the agreed procedure will be recorded and notified to the DLP and the parents/guardians.

5.10 Toileting accidents:

Clean underwear and suitable clothing will be kept in the school so that if a pupil has an accident of this nature they will in the first instance be offered fresh clothing into which they can change. If the pupil for whatever reason cannot clean or change themselves and the parents/guardians cannot be contacted the child will be assisted by members of staff familiar to the child. In all such situations two members of staff should be present. A record of all such incidents will be kept in the Incident Book and principal and parents will be notified.

5.11 One to One teaching

It is the policy in this school that one-to-one teaching is often in the best interest of the child. Every effort will be made to ensure that this teaching takes place in an open environment, with visibility and accessibility a priority. There are many drop-in visits by the principal to these rooms. Parents of children who are to be involved in one-to-one teaching will be informed and their agreement sought.

The two teachers trained in the Reading Recovery programme (Mary Coghlan and Catherine O'Connell) have attended training in relation to child protection.

Work being carried out by special needs assistants will be carried out under the direction of the class teacher in an open environment.

5.12 Changing for Swimming

Pupils will be expected to dress and undress themselves for 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 to 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. It is forbidden by law to use any photographic or recording technology in swimming pools in Ireland. 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. (See also Swimming Policy)

5.13 Acceptable Internet Use Policy

This policy ensures that pupils will benefit from learning opportunities offered by the school's Internet resources in a safe and effective manner. The school will employ a number of strategies in order to maximize learning opportunities and reduce risks associated with the Internet. (See also Acceptable Internet Use Policy)

5.14 Court Orders

Where the school is made aware of a court order being in place that prevents someone from having access to a child, a copy of that order will be requested by the school. A copy of this order will be kept in the child's file and in the Dismissal Time record book. In the event of the parent/guardian's non-compliance with the court order the Gardaí should be summoned to the school to enforce it.

5.15 Care Team

The purpose of this team is to co-ordinate roles in relation to our children's needs. It integrates whole school and community approaches to meeting needs of the children identified, to set up supports for child, parent and teacher and to remediate problem(s) of children. Any teacher may make a referral of a child to the Care Team. The Care Team Coordinator keeps a written record of the meetings. (See also Care Team policy)

6. Handling Disclosure from Children

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.

The following advice is offered to school personnel to whom a child discloses abuse.

Do

Do listen attentively

Do accept what the child is saying

Do seek clarity gently

Do reassure the child without making promises

Do explain that further help may have to be sought

Do record in writing what the child has said in as near as possible the words the child told it as soon as possible, noting

- What, where and when?
- Descriptions and possible sketches of physical injuries
- Explanations of injuries using direct quotations if appropriate

Retain the record securely

The DLP should be informed and given relevant records

Don't

Don't ask leading questions

Don't over re-act

Don't promise to keep secrets

Don't conduct your own investigation

Don't inform inappropriate others

Don't promise that a specific action will ensue

Don't embellish or alter the facts, as you know them.

(The lessons of the Stay Safe programme come in to play here, 'good' secrets and 'bad' secrets)

7. Definition of Child Abuse

The 'Children First' guidelines categorize child abuse information into 4 types

- Neglect Ref: Children First 3.2.1 p. 31, appendix 1 p. 125
- Emotional abuse Children First 3.3.1 p. 31, Appendix 1 p. 125 - 126
- Physical abuse Children First 3.3.1 p. 32, appendix 1 p. 126 - 128
- Sexual abuse. Children First 3.3.1 p. 31, Appendix 1 p. 125 - 126

These are carefully discussed on the 'Children First' summary, pages 9-12.

The information also provides information and language that is useful when recording information.

All staff in the school should be familiar with these sections of 'Children First', but should also be aware that indicators of abuse must be examined in the total context of the child's situation and family circumstances.

8. Recognition of Child Abuse

The recognition of abuse normally runs along three stages:

1. Considering the possibility- the appearance of inexplicable/serious injury, child appearing distressed for no obvious reason, unusual behavioural problems or fearful appearance in the company of parent/carer.
2. Observing signs of abuse - patterns of signs is the most reliable indicator of abuse. Children may make direct/indirect disclosures, which should always be taken seriously. Less obvious disclosures may be gently explored without direct questioning e.g.: play situations, drawing, story telling. Indicators of harm must always be considered in relation to the child's social and family context and it is important to be open to explanations.
3. Recording of information-it is important to establish the grounds for concern by obtaining as much detailed information as possible. Observations should be recorded and should include dates, times, names, locations, context and any other relevant information. When questioning a child leading questions should not be asked. Questions should be open ended so as not to lead or prompt the child.

Ref: 3.9.1 p. 34

Children First pp. 105- 108

9. Reporting Procedures

Action by Staff Member-If a school employee receives an allegation or has a suspicion that a pupil is being abused they should record the information and report it to the DLP. Ongoing information may be recorded on the record sheet provided in staff member pack. The pupil name is not to appear on any recording of information; the pupil's roll book registration number is to be used instead. All such information is to be kept in a secure locked place in the school. Confidentiality is vital at all times.

10. Action by the DLP

If school staff have concerns about a pupil but are not sure whether to make an actual report, the DLP can consult with the HSE making it clear that she is seeking advice and not making a formal report. Identifying details need not be given but if the HSE advises that a referral be made the DLP should act on that advice.

If the DLP is satisfied that there are reasonable grounds for suspicion of child abuse s/he will:

- Report it to the HSE immediately.
- A report should be made to the duty social worker in person by phone or in writing. Personal contact is the best way to assist the social worker in gathering as much relevant information as possible.
- In the event of an emergency, the report should be made to the Garda Síochána.
- The DLP should provide the HSE with as much information as possible as outlined in the Standard Reporting Form.
- The DLP should have written notes with them when making the report so what is said on the telephone is reflected in the formal written report.

- The DLP should inform the Chairperson of the Board of Management that such a report is being made. The level of information given is to be based on the best interest of the child
- The DLP should inform the parents of the child a report has been made unless it puts the child at further risk. The DLP can have the DDLP or another staff member present if support is needed
- If the DLP decides that the concerns of a school employee should not be referred to the HSE she should give a clear statement in writing as to the reasons why action is not being taken.
- If the school employee remains concerned they should be advised that they are free to report to the HSE themselves, using a standard reporting form.

The standard reporting form and an outline of a body is given to each teacher at the September staff meeting and in an induction meeting for those staff members joining during the school year. Catherine O'Connell (DDLDP) does this.

11. Allegations / Suspicions of School Employees

In situations where an allegation of abuse is made against a school employee, while the most important consideration is the protection of the child, the Board of Management (BOM) has a duty in respect of their employees as well. As employers the Chairperson of the BOM should seek legal advice in such cases as circumstances can vary from one case to another and guidelines cannot address every scenario. If the Chairperson is absent go to the Patron's representative on the Board of Management.

In such cases there are two procedures that should be followed:

1. *The reporting procedure in respect of the allegation*
2. *The procedure for dealing with the employee.*

1. The Reporting Procedure in respect of the allegation:

- The DLP will immediately inform the Chairperson of the BOM.
- The DLP will seek a written statement of the allegation from the person/agency making the allegation. Parents/guardians may make a statement on behalf of the child
- The DLP will seek advice from the HSE and will take responsibility for reporting, based on this advice.
- If the DLP, following advice following consultation with the HSE, decides that this matter is not for reporting, s/he must inform the Chairperson. They must then inform, in writing, the person or agency making the allegation, of the reasons for this decision. If this person or agency still has concerns, they are free to consult with or report to the relevant HSE or Gardaí on an individual basis. The provisions of the Protection for Persons reporting Child Abuse Act 1998 apply, once they report reasonably and in good faith.
- If the DLP, following consultation with the HSE, decides that this matter is for reporting s/he should inform the Chairperson, who should proceed in accordance with the procedures in the Child Protection Guidelines and Procedures, DES, 2001.
- The DLP/Deputy DLP completes a standard reporting form as comprehensively as is possible.

2. The procedure for dealing with the employee

- When the Chairperson becomes aware of an allegation of abuse s/he will always seek legal advice and base his/her response on this advice.
- The Chairperson will consider whether there is any risk to pupils' safety. If the Chairperson considers that there is a risk – s/he may require the employee to take immediate administrative leave. If unsure the chairperson will consult with the HSE/Gardaí.
- If administrative leave has been invoked, the chairperson will inform the DES. The HSE (in some cases the Gardaí) may also be notified in accordance with legal advice received.
- Once it is deemed necessary by the DLP and Chairperson to make a report (after receiving advice from the HSE) the Chairperson will convene and inform a meeting of the BOM as soon as possible.
- 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 BOM will investigate the matter. They will convene a further meeting, once the relevant information has been gathered. At this meeting the BOM will consider in detail
 - The allegations made and their source
 - The advice given by relevant authorities
 - The written responses of the employee.
- At this meeting also
 - The person/agency who is alleging abuse by the school employee should be offered an opportunity to present his/her case to the BOM and may be accompanied by another person
 - Parents/guardians may act on behalf of child
 - The employee should also be afforded an opportunity to present his/her case and may also be accompanied.
- The BOM must deal with the matter sensitively and the employee must be fairly treated.
- The BOM will make a decision on action, if any, based on their investigation and will inform the employee of this in writing. They will also inform the DES of the outcome, if the employee has been absent on administrative leave.
- Where it is not possible for the BOM to conduct an enquiry into allegations (e.g. where abuse has occurred in past employment, or where the employee is undergoing investigation by relevant authorities), the Chairperson will act on advice of authorities. The Chairperson will maintain close contact with the HSE and receive reports and records from them where appropriate.

12. Child Protection Meetings/Case Conferences

- A request is made from the HSE through the DLP who should consult with the Chairperson of the B.O.M. 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, Child Protection Guidelines and Procedures, DES).
- 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 HSE 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 following on from their report
- Teachers attending a child protection meeting/case conference should familiarise themselves with the protocol outlined on pgs. 149 – 155 of Children First Guidelines, 1999; pgs. 13-14 Child Protection Guidelines and Procedures, DES.

13. Intellectual Difficulties

Specific issues may arise in the presentation and assessment of a child with learning difficulties. They may include:

- Communication- some children may have limited verbal skills and other methods of communication may be needed, such as drawing.
- Level of Understanding- It is important to take into account a child's level of understanding when explaining the assessment process and when seeking explanations of events.
- Time- some children may have difficulty with the time scale and recall of events. Children with intellectual difficulties may have a short concentration span and it is important to have regular intervals during interviews.

It is particularly important for children with learning difficulties to have someone present who knows the child during all stages of the process.

14. Ethnicity and Culture

We recognize and celebrate cultural and ethnic diversity. Our child protection policy applies equally to all pupils, parents and staff.

15. Success Criteria

We will evaluate the success of this policy using the following criteria:

- Every member of our school community will be aware of and follow our child protection procedures
- Delivery and participation by all staff in training
- Delivery of the SPHE curriculum
- Resources to support the delivery of SPHE
- Delivery and participation by children in the Stay Safe Programme
- Assessment of these procedures by participants following a child protection case
- Feedback from all staff

16. Timeframe for Implementation

These procedures will be implemented following ratification by the BOM.

17. Timeframe for Review

At the first staff meeting of every year the DDLP will initiate a review of the Children First Guidelines and Child Protection Guidelines and Procedures, DES.

A review will be conducted based on the criteria above, following any and all incidents when the guidelines are used.

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

Policy ratified by the Board of Management on _____

Signed: _____
Chairperson

Appendix

Resources

Legal documents

Children First National Guidelines for the Protection and Welfare of Children, Department of Health and Children (1999)

Child protection Practices and Procedures, Department of Education and Science (2001)

Resource books

Teaching programme

Stay Safe Programme

‘CMIS Child Protection’ folder on desk top of all computers