



O Connell Primary Child Protection Policy



An Edmund Rice School

Child Protection policy

The Board of Management of O'Connell Primary School 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 O'Connell's Primary School has agreed the following child protection policy:

The Board of Management has adopted and will implement fully and without modification the Department's Child Protection Procedures for Primary and Post Primary Schools as part of this overall child protection policy.

The Designated Liaison Person (DLP) is Mr. Michael McHugh

The Deputy Designated Liaison Person (DDL) is Ms Ciara Naughton

In its policies, practices and activities, O'Connell Primary 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 and 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.

Purpose

The main purpose of this policy document is to give direction and guidance to school personnel in dealing with allegations/suspensions of child abuse. It is based on the underlying principle of reporting all cases where the well being of the child is threatened.

Legislation

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 Care Act 1991
- Domestic Violence Act 1996
- The Non-Fatal Offences Against the Person Act 1997
- Protection for Persons Reporting Abuse Act 1998
- The Education Act 1998
- Welfare Acts 2000 -2003
- Children Act 2001
- Criminal Justice Act 2006
- Data Protection Acts 1988 and 2003
- Non-Fatal Offences against the Person Act 1997
- Freedom of Information Acts 1997 and 2003

Scope of Policy

To whom does this apply?

1. The policy applies to all employees of the school e.g. teachers, classroom assistants, special needs assistants, visiting teachers, MDT, therapists, secretary, caretaker and cleaners.
2. All school volunteers.
3. Parents/ guardians/ carers

Designated Liaison Person (DLP)

The Principal will act as DLP. This has been ratified by the Board of Management. The Support Teacher shall act as Deputy DLP in the absence of the Principal.

The DLP has specific responsibility for child protection and will represent the school in all dealings with HSE, An Garda Síochána and other parties in

connection with allegations/suspicions of abuse. All matters pertaining to the processing or investigation of child abuse will be processed through the DLP.

The DLP will immediately inform the Chairperson of the Board of Management of the school that a report involving a pupil in the school has been submitted to the relevant social services.

In discharging these responsibilities the DLP shall have regard to 'Child Protection Procedures for Primary and Post Primary Schools' Chapter 3 –Sections 3.2 and 3.3

Disclosure

Disclosure of child abuse generally comes in one or more of the following three channels:

- A specific disclosure from the abused child.
- A statement from a person who witnessed the abuse
- A staff member observes the signs/symptoms of child abuse.

Definition of Child Abuse

Physical abuse

This includes any form of accidental injury or injury which results from wilful or neglectful failure to protect a child. Examples include the following:

Hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child, including by fabricating the symptoms of, or deliberately causing, ill health to a child.

Emotional abuse

Here the child's need for affection, approval, consistency and security are not met and results in the persistent emotional ill-treatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person, age or developmentally inappropriate expectations being imposed on children, causing children frequently to feel frightened, or the exploitation or corruption of children.

Sexual abuse

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape or buggery) or non-penetrative acts. They may include involving children in looking

at, or in the production of, pornographic material, or encouraging children to behave in sexually inappropriate ways.

Neglect

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development, such as failing to provide adequate food, shelter and clothing, or neglect of, or unresponsiveness to, a child's basic emotional needs.

Guidelines for Recognising Child Abuse

No one indicator will be seen as conclusive in itself and we are aware it may indicate conditions other than child abuse (See Appendix 3, Child Protection Procedures for Primary and Post Primary Schools).

Neglect

- Abandonment or desertion
- Children persistently being left alone without adequate care and supervision
- Malnourishment, lacking food or erratic feeding
- Lack of warmth
- Lack of adequate clothing
- Lack of protection and exposure to danger or lack of supervision appropriate to the child's age
- Persistent failure to attend school
- Failure to thrive e.g. child not gaining weight not alone due to malnutrition but also due to emotional deprivation
- Failure to provide adequately for the child's medical problems
- Exploited or overworked

Emotional Abuse

- Rejection
- Lack of praise and encouragement
- Lack of comfort and love
- Lack of attachment

- Lack of proper stimulation (e.g. fun and play)
- Lack of continuity of care (e.g. frequent moves)
- Serious over-protectiveness
- Inappropriate non-physical punishment (e.g. locking in bedrooms)
- Family conflict and /or violence
- Sexual, physical or neglectful abuse is also emotional abuse
- Inappropriate expectations of a child's behaviour – relative to his/her age and stage of development

Physical Abuse

- Bruises and bites
- Fractures
- Swollen joints
- Burns/Scalds
- Abrasions/Lacerations
- Haemorrhages (retinal, subdural)
- Damage to body organs
- Poisonings
- Failure to thrive
- Coma/ unconsciousness
- Death

(Children First P.126 See P. 127 – 128 of Children First for more details)

- Use of illegal drugs - see our Substance Use Policy

Sexual

All employees and volunteers are aware that sexual abuse frequently but not always happens within the family. It is noted that physical signs may not be evident in some cases of sexual abuse due to the nature of the abuse or the fact that the disclosure was made some time after the abuse took place. Nonetheless we are alert to the following physical and behavioural signs:

- Bleeding from the vagina/anus
- Difficulty/pain in passing urine/faeces
- An infection /vaginal discharge/warts/rash in genital area
- Noticeable and uncharacteristic change of behaviour
- Hints about sexual activity
- Age – inappropriate understanding of sexual behaviour
- Inappropriate seductive behaviour
- Sexually aggressive behaviour with others
- Uncharacteristic sexual play with peers/toys
- Unusual reluctance to join in normal activities which involve undressing e.g. games and swimming
- Mood change e.g. child becomes withdrawn, fearful, acting out
- Lack of concentration (change in school performance)
- Bed wetting, soiling
- Psychosomatic complaints; pains, headaches
- Skin disorders
- Nightmares, change in sleep pattern
- School refusal
- Separation anxiety
- Loss of appetite
- Isolation

In age 10 yrs and over the following may be indicators:

- Mood change, depression, failure to communicate
- Running away
- Drug, alcohol, solvent abuse
- Self-mutilation

- Suicide attempts
- Delinquency
- Truancy
- Eating disorders
- Isolation

Confidentiality

All information regarding concerns of child abuse or suspected child abuse will be shared on a 'need to know' basis in the interests of the child. This will depend on whether or not the person receiving the information has any legitimate involvement or role in dealing with the issue. School personnel, who give information to those who 'need to know', do not breach confidentiality. Where a child or other person makes a disclosure to an employee of the school, in no circumstances will such employee give an undertaking not to report or to keep the information confidential.

All records/ observations/ information gathered by school personnel will be stored in a locked cabinet. Where the DLP makes a complaint to the HSE/Garda, a copy of the complaint will be held in a locked cabinet.

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 HSE 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.

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.

Data Protection Acts 1988 – 2003

Under these Acts information/data ascertained about an individual for a specific and stated purpose may not be divulged for any other purpose.

However the sharing of information between agencies is permitted where there is suspected abuse or other unlawful activity. The protocols of these Acts will be adhered to in O'Connell's.

Reporting Procedure

Where any employee or school volunteer receives an allegation or has a suspicion that a pupil is being abused the following procedure will apply:

1. He/she will report the matter to the DLP in the school.
2. Where the employee/volunteer and the DLP are satisfied that there are reasonable grounds for the suspicion or allegation, the DLP will report the matter to the HSE, using the "Standard reporting form for reporting child protection and welfare concerns to a health board" (see copy attached)
3. In the event of an emergency, or the non – availability of health board staff (i.e. after hours) a report will be made to An Garda Síochána at Clontarf Garda Station.
4. The DLP will inform the Chairman of the Board of Management that a report has been made.
5. The DLP will make a decision as to whether to inform the parents/guardian or not when a report has been made. The guiding principle will be that parents/guardians will be informed unless this is likely to endanger the child.
6. Where the DLP decides not to inform the parents/guardian, this will be recorded and the reasons for not doing so.
7. In cases where there are concerns about a child, but the Designated Liaison Person is not sure whether to report the matter to the HSE, the DLP shall seek advice from the HSE Children and Family Services. In consulting the HSE, the

DLP shall be explicit that he/she is requesting advice and consultation and that he/she is not making a report. At this informal stage the DLP need not give identifying details.

If the HSE advises that a report should not be made, the DLP shall as soon as possible inform the Board of Management of this fact. In the interest of protecting the anonymity of the child, no details of the case should be disclosed to the Board of Management unless there are issues which need to be addressed directly by the Board of Management.

Principal's report to the Board of Management

At each Board of Management meeting the principal's report shall:

- (a) State the number of reports made to the HSE by the DLP, since the last Board of Management meeting and
- (b) State the number of cases, since the last Board meeting, where the DLP sought advice from the HSE and as a result of this advice, no report was made, or
- (c) Where there were no such cases at (a) or (b) above, state this fact.

The minutes of the Board of Management meeting shall record the above.

Education and Prevention

In response to our shared concern for the welfare of our pupils the school acknowledges its educational role in the area of child abuse prevention. O'Connell's promotes the safety and well-being of all its pupils through the primary school curriculum and the hidden curriculum in the school but in particular through the following programmes:

- Stay Safe
- Walk Tall
- Relationship and Sexuality Education
- Social, Personal Health Education (SPHE)
- Internet Safety Talks

The following school policies are particularly relevant to child protection and the BOM has ensured that the necessary protocols or practices, as appropriate, are in place in respect of each of the listed items:

- Code of Behaviour and Discipline
- Anti-bullying

- Attendance
- School Tours and Outings
- Substance Use Policy
- Data Protection Policy

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 (Ch. 5 'Child Protection Procedures for Primary and Post Primary Schools'):

- 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 of the Board of Management has responsibility, acting in consultation with his/her board, for addressing the employment issues.

If the allegation is against the DLP, the 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 4, Sec 4.2, ('Child Protection Procedures...')

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 5.3.3, will then be followed. The employer (BOM chairperson) should privately inform the employee against whom an allegation has been made that:

- a) An allegation has been made against him/her
- b) The nature of the allegation

c) Whether or not the HSE or Gardaí has been/will be/must be/should be informed.

The employee should be given a copy of the written allegation and any other relevant documentation. The employee should be requested to respond to the allegation in writing to the Board of Management within a specified period and told that this may be passed to the Gardaí, Health Board, and legal advisors.

The priority in all cases is that no child be exposed to unnecessary risk. Therefore, as a matter of urgency, the Chairperson should take any necessary protective measures. These measures should be proportionate to the level of risk and should not unreasonably 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). In this regard the Chairperson may affect the protocol authorising immediate action (see Appendix 6, 'Child Protection Procedures.....') if absolutely necessary. When the Board of Management is unsure as to whether this should occur, advice should be sought from the Gardaí and/or the Child Care Manager of the HSE and the legal advisors to the Board of Management 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. (5.4.7 'Child Protection Procedures....')

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.

Allegations or suspicions re other adults associated with the school in a voluntary capacity

The procedure outlined for employees will apply to this category of persons. Where such person is performing voluntary services, such services will be dispensed with for the duration of the investigation.

Activities Involving non-school Personnel

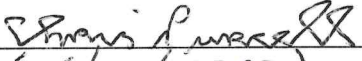
Any new volunteer/sports coach/extra-curricular teacher will be required to meet the Department's requirements for Garda Vetting of school personnel.

Where there are activities involving parents who may or may not have vetting, there must be a minimum of two teachers present at all times.

This policy has been made available to school personnel and the Parents' Association 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.

The name of the Designated Liaison Person in O'Connell Primary is displayed near school entrances.

This policy was reviewed by the Board of Management October 2022

Signed:  Signed: _____
(06/10/2022)

Chairperson of Board of Management Principal

Date:  Date: 6-10-22

Date of next review: 2023

Appendix 1: Template Child Protection Policy

Template Child Protection Policy of O'Connell Primary

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 O'Connell's CBS 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: Michael McHugh
3. The Deputy Designated Liaison Person (Deputy DLP) is: Ciara Naughton
4. In its policies, practices and activities, O'Connell Primary 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 and 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;
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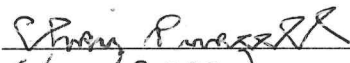
The school will also adhere to the above principles in relation to any adult pupil with a special vulnerability.

5. This section of the child protection policy should be used to list school policies, practices and activities that are particularly relevant to child protection (e.g. the Code of Behaviour/Anti-bullying Policy, Pupil Attendance Strategy, Supervision of Pupils, Sporting Activities/School Outings/Pupil Work Placements at post primary etc.)

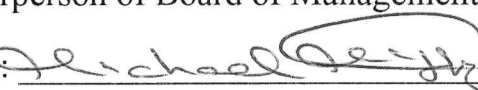
The Board has ensured that the necessary policies, protocols or practices as appropriate are in place in respect of each of the above listed items.

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 was reviewed by the Board of Management Oct 2022

Signed:  Signed: _____
(6/10/2022)

Chairperson of Board of Management Principal

Date:  Date: 6-10-22

Date of next review: Aug 31st 2023

