

Guidelines for dealing with allegations or suspicions of child abuse.

## **CHILD PROTECTION POLICY.**

Ss. Peter and Paul's Primary School

In recent years, as a society, we have become very aware of the problem of child abuse through neglect, emotional, physical or sexual abuse. It is with this in mind that the B.O.M. has put the following child protection Policy in place.

### **AIM.**

In line with our Mission Statement and School Ethos Ss. Peter and Paul's C.B.S. Primary School aims to provide its pupils with the highest standards of care and protection, in order to promote each child's wellbeing and safeguard him from harm while in the school. The B.O.M. of Ss. Peter & Paul's Christian Brothers Primary School has adopted the 'Children First' Guidelines of the Department of Health and Children 1999 and the Child Protection Procedures of the Department of Education and Science 2001. It also implements the procedures in regard to child protection as outlined in Circular 0065/2011.

### **DESIGNATED LIAISON PERSON(DLP)**

The Principal, John Hickey will act as DLP. Catherine Kearney shall act as Deputy 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. Those other parties should be advised that they should conduct all matters pertaining to the processing or investigation of alleged child abuse through the DLP.

### **GUIDELINES FOR RECOGNITION OF CHILD ABUSE.**

All signs and symptoms must be examined in the total context of the child's situation and family circumstance. Child abuse can be categorised into four different types.

- Neglect
- Emotional abuse
- Physical abuse
- Sexual abuse.

A child may be subjected to one or more forms of abuse at any given time. There are commonly three stages in the identification of child abuse.

They are:

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

iii. Recording of information.

The ability to recognise child abuse depends as much on a person's willingness to accept the possibility of its existence as it does on their knowledge and information.

## **CHILDREN WITH SPECIAL VULNERABILITIES.**

Certain children are more venerable to abuse than others. These include children with disabilities and children who for one reason or another, are separated from parents or other family members and who depend on others for their care and protection. The same categories of abuse i.e. neglect, emotional abuse, physical abuse, sexual abuse may be applicable, but may take a slightly different form.

## **HANDLING DISCLOSURES 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. When information is offered in confidence the member of staff will need to act with tact and sensitivity in responding to the disclosure. The member of staff will need to reassure the child, and retain his 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, but not to make promises that cannot be kept e.g. promising not to tell anyone else. The welfare of the child is regarded as the first and paramount consideration. In so far as is practicable, due consideration will be given, having regard to age and understanding, to the rights of the child.

While the basis for concern must be established as comprehensively as possible, the following advice is offered to school personnel to whom a child makes a disclosure of abuse.

- Remain calm
- Listen to the child with sensitivity, openness, carefully and supportively.
- Take all disclosures seriously.
- Do not interview child formally
- Obtain only necessary relevant facts if and when clarification is needed.
- 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 of dates, times, names, locations, context and factual details of conversation. This information should then be passed onto the Principal or DLP who is responsible for reporting the matter to the health board or An Garda Síochána. All records and information should be regarded as highly confidential and retained in a secure location by the DLP. The location for same will be in a filing cabinet in the principal's office.

**It is of vital importance that confidentiality must never be promised to a person/child making a disclosure and the requirement to respond to the health board must be explained in a supportive manner.**

If the reporting person or member of the school staff and the DLP is satisfied that there are reasonable grounds for the suspicion/allegation the procedures for reporting as laid out in 'Children First' will be the following:

- The DLP should report the matter to the relevant health board immediately in person, by phone or in writing. This report will be facilitated by the health board duty social worker.
- In the event of an emergency or the non-availability of health board staff, the report should be made to An Garda Síochána at any Garda Station. Where a child appears to be at immediate and serious risk, under no circumstances should a child be left in a dangerous situation pending Health Board intervention.
- 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 chairman may be informed after the report has been submitted.
- 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. All information should only be shared on a need to know basis in the interests of the child. Any decision not to inform a parent/carer should be briefly recorded together with the reasons for not doing so, and retained by the DLP.

In cases where 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.

- The DLP should consult the duty social worker.
- The DLP should be explicit that he/she is requesting advice and consultation not making a report.
- The DLP would not have to give identifying details at this informal stage, as supplied when a report is being made
- If a health board advises that a referral should be made the DLP should act on that advice.
- Where the DLP decides that the concerns of the school personnel/employee should not be referred to the relevant health board the school personal/employee should be given a clear statement in writing as to the reasons why action is not being taken. If the school personal/employee remains concerned he/she should be advised that he/she is free to consult with or report to the health board re. the situation.

## **CHILD PROTECTION CONFERENCE.**

Attendance at a child protection conference may be requested from the relevant health board. This request should be made to the DLP who in turn should consult with the Chairperson of the BOM of the school. The Chairperson may through the DLP request

the appropriate authorities to clarify why the attendance of the school employee at the child protection conference is considered necessary and who else is going to be present:

- It would be normal for a person attending a child protection conference to provide a report.
- The 'Children First' guidelines state that professionals should always be informed when children and/or parents/guardians are going to be present at a child protection conference. If any school personnel have a concern about parent/guardian involvement they should contact the chairperson of the child protection conference in advance for guidance.
- The recommendations of the child protection conference are concerned with the future planning for the child's family.
- The child protection conference may request closer observation of the child's behaviour, peer interaction, school progress or informal conversations by the school personnel.
- 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 professional involved. Wherever appropriate and within the normal limits of confidentiality health board staff have a responsibility to inform persons reporting alleged child abuse and other involved professionals about the outcomes of any enquiry or investigation into that reported concern.

### **Allegations or Suspicions of child abuse by any school Employees.**

The most important consideration to be taken into account by the Chairperson of a Board of Management, or the DLP in situations where an allegation of abuse is made against a school employee is the protection of children. Their safety and well-being must be a priority. However because of the involvement of a school employee, the Board of management has duties in respect of them as well. Employees also have a right to protection against claims which are false or malicious. As employer, the Board of Management should always seek legal advice as the circumstances can vary from one case to another. The response and course of action is guided by the legal advice having due regard to the particular circumstance applicable. This legal advice is sought by the Chairperson of the Board of Management and DLP.

There are two procedures to be followed:

- i. the reporting procedure in respect of the allegation(child).
- ii. 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. The DLP has responsibility for reporting the matter to the Health Board. The Chairperson of the BOM has responsibility, acting in consultation with his/her Board for addressing the employment issues. However, where the allegation of abuse is against the DLP, the Chairperson of the BOM will assume the responsibility for reporting the matter to the appropriate health board.

## Reporting.

When an allegation of abuse is made against any school employee, the DLP should immediately act in accordance with the procedures outlined in Child Protection Policy. A written statement of the allegation should be sought from the person/agency making the allegations (parents/guardians may make a statement on behalf of the child). The ability of the health board or the Board of Management to assess suspicions of allegations of abuse will depend on the amount and quality of information conveyed to them. The DLP should always inform the Chairperson of the Board of Management of the allegation whether or not the matter is being reported to the appropriate health board.

School employees other than the DLP who receive allegations against other school employees should immediately report the matter to the DLP.

School employees who form suspicions regarding the conduct of another school employee should consult with the DLP. The procedures outlined in Child Policy Protection will then be followed.

The Chairperson of the Board of Management and the DLP should make the employee aware privately:

- i. that an allegation has been made against him/her
- ii. the nature of the allegation
- iii. whether or not the Health Board or Gardaí have 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, the Chairperson of the Board of Management, as a matter of urgency 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. (financially or otherwise).

If the nature of the allegations warrant immediate action in the Chairperson's opinion, the Board of Management should be convened to consider the matter. The Board will consider feedback if any has been received from the Health Board, Gardaí or relevant source. This may result in the Board of Management directing that the employee absent himself/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 of the B.O.M.

## **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 Department of Education and Science should be immediately informed with regard to:

- i. formal approval for the paid leave of absence of the school employee and
- ii. Department sanction for the employment of a substitute teacher.

## **Further Follow-up Required.**

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.

(Ratified by Board of Management on \_\_\_\_\_)

Signed: \_\_\_\_\_  
Chairperson, B.O.M.

## **NB.**

Employees/managers should take care to ensure actions taken by them do not undermine or frustrate any investigations being conducted by the health board or An Garda Síochana. It is strongly recommended that employers maintain a close liaison with these authorities to achieve this.

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 B.O.M. should convene a further meeting.

1. In certain situations it might not be possible for the B.O.M. to reach any definitive conclusions as to whether the alleged situation could occur:
  - i. Where the allegations of abuse relates to the past employment of the school employee
  - ii. Where these allegations are being investigated by either the health board or An Gardaí.

The Chairperson of the Board of Management should maintain regular/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 of those authorities. If a decision is taken that the school employee should take administrative leave of absence the DES should be immediately informed.

2. 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 the Garda Siochana in relation to the allegation and the written response of the employee to the allegations.

At this meeting the person who is alleging abuse by a school employee should be offered an opportunity to present his/her case to the Board and may be accompanied by another person. The employee likewise.

Having followed the procedures outlined and having sufficient information, the Board should then make a decision on the action. The DES should be informed of the outcome where the school employee has been absent on administrative leave.

### **Peer Abuse and Bullying.**

In some cases of child abuse the alleged perpetrator will also be a child. In such situations it is particularly important to consider how a Health Board and other agencies can provide care for both the child victim and the child abuser. However, it is also very important that the different types of behaviour are clearly identified and that no young person is wrongly labelled “a child abuser”, without a clear analysis of the particular behaviour. See Chapter 11 of ‘Children First’.

Where child abuse is alleged to have been carried out by another child, the reporting procedures outlined in policy should be followed.

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

Sexualised behaviour may also be indicative of a situation that requires assessment by the Health Board. Early referral and intervention is essential, - children who are abusive towards other children require comprehensive assessment and therapeutic intervention by skilled care professionals.

### **Sexual abuse by children and young people.**

Where school personnel have concerns about a child but are not sure whether to report the matter to the appropriate Health Board, appropriate advice should be sought. To do so, the DLP should consult the appropriate Health Board Staff. In doing this the DLP should be explicit that he/she is requesting advice and consultation and that he/she is not making a report. At this informal stage, it would be envisaged that the DLP would have to give identifying details as is required when a report is being made.

In cases where children are abusive towards other children, it is the responsibility of the relevant health Board to establish appropriate treatment programmes to cater for the above.

Schools should also make appropriate arrangements to minimise the possibility of any abusive behaviour re-occurring within the school. Assurances should be provided to parents/guardians of the abuse victim that all reasonable measures will be taken to ensure the safety of their children within the school. The principal and class teacher should make arrangements to meet the parents of all the children involved in the incident with a view to addressing the matter. Separate meetings should be arranged for parents of the involved children.

## **Bullying.**

School Management authorities are responsible in the first instance for dealing with bullying in school, and should exercise this responsibility having regard to the 'Guidelines on Countering Bullying Behaviour in Primary and Post-Primary Schools' issued by the Dept. of Education in 1993.

School authorities should also take account of the child abuse prevention programme which was issued to all national schools under the joint auspices of the Department of Education and Health in 1993. This programme covers all forms of child abuse including bullying c.f. School Bullying Policy.

Only serious instances of bullying behaviour should be referred to the Health Board with a view to drawing up an appropriate response. This will also be necessary if the Bullying behaviour is potentially abusive.

## **Resource Material.**

Child Protection Procedures for Primary and Post Primary School 201  
Child Protection and Welfare Handbook (H.S.E.)  
Children First – National Guidance for the Protection and Welfare of Children 2011  
Child Protection Guidelines and Procedure  
Children First (DES)  
National Guidelines for the Protection and Welfare of Children. (Dept. of Health & Children Sept 1999.  
Stay Safe Programme  
S.P.H.E. Programme

### **Also included.**

South Eastern Health Board  
Community Care Area Address Phone no./fax  
Suggested template for a standard reporting form for reporting child protection and welfare concerns to a Health Board.  
Health Board notification form.  
Sample letter to parents from school  
Sample record for Teacher's use in class & some suggestions for monitoring.

