

St.Mary's N.S. Glaslough

Child Protection Policy

Roll Number: 18401R

- The Board of Management of St.Mary's N.S Glaslough has adopted this policy, following consultation with all staff members.

Child Protection Policy

Reviewed and Revised March 2023:

Under section 10 of the Children First Act, 2015 The Board of Management of St Mary's Glaslough has a statutory obligation to ensure, as far as practicable, that children are safe from harm while they are attending the school or while participating in school activities. St Mary's Glaslough recognises its duty of care to their pupils and the Board of Management will always be cognisant of the need for prudent practice from a child protection perspective

The Board of Management (BoM) recognises that child protection and welfare considerations permeate all aspects of school life and must be reflected in each school policy, school 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 BoM of St. Mary's, Glaslough, has approved this Child Protection Policy.

The BoM has adopted and will fully implement without modification the Department of Education Child Protection Procedures for Primary and Post-Primary Schools 2017. These procedures will therefore underpin the content of this policy.

The following key personnel have been identified and ratified by the BoM:

The Designated Liaison Person (DLP) is **Shane Smyth**.

The Deputy Designated Liaison Person (Deputy DLP) is **Joann Johnson**.

In its policies, practices and activities, St Mary's N.S. Glaslough will adhere to the following principles of best practice in Child Protection and Welfare. Our school recognises that the protection and welfare of children is of paramount importance, regardless of all other considerations and will therefore;

- 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
- Fully respect confidentiality requirements in dealing with child protection matters

Specific policies named hereunder are key elements of this overall document and must be referred to in the context of this policy:

- Attendance
- Enrolment
- Code of Behaviour
- Bullying
- Health & Safety
- Record Keeping
- ICT
- Supervision
- Special Education
- Induction of Staff
- Tours/Trips
- Critical Incidents

This policy will also be considered with reference to the participation by pupils in sporting activities, other extra-curricular activities and school outings. Other practices and activities, where child protection might have particular relevance, will consider the procedures outlined within this policy. 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.

This policy is available to all school personnel and the Parent Association and is readily accessible to parents on request. It is also available in hard copy in each classroom. A copy of this policy is available for the attention of the DE and the patron if requested.

Mandated Persons

The Children First Act, 2015 has placed a statutory obligation on specific people to report child protection concerns that are at or above a threshold of harm (as defined in that Act) to Tusla. Such persons are referred to as “mandated persons” under the Act. All teachers who are registered with the Teaching Council are mandated persons under the Children First Act, 2015.

In accordance with section 2 of the Children First Act, 2015 the defined threshold of “harm” in relation to a child is as follows: “harm” means, in relation to a child

- assault, ill-treatment or neglect of the child in a manner that seriously affects or is likely to seriously affect the child’s health, development or welfare
- sexual abuse of the child, whether caused by a single act, omission or circumstance or a series or combination of acts, omissions or circumstances, or otherwise;”

In accordance with section 2 of the Children First Act, 2015 please note the following:

- “ill-treatment” means, in relation to a child, to abandon or cruelly treat the child, or to cause or procure or allow the child to be abandoned or cruelly treated

- “neglect” means, in relation to a child, to deprive the child of adequate food, warmth, clothing, hygiene, supervision, safety or medical care;
- “welfare” includes, in relation to a child, the moral, intellectual, physical, emotional and social welfare of the child.

Confidentiality, Sharing of Information and the Offence of Unauthorised Disclosure

Tusla has the authority to share information concerning a child, who is the subject of a risk assessment with a mandated person who has been asked to provide assistance.

Information that Tusla shares with a registered teacher, including a DLP, where that teacher is assisting Tusla to carry out an assessment, must not be shared by the registered teacher with a third party, unless Tusla considers it appropriate and authorises in writing that the information may be shared. This is in keeping with the principles of data protection which recognise that in certain circumstances information can be shared in the interests of child protection, but that such sharing must be necessary and proportionate.

Section 17 of the Children First Act, 2015 makes it an offence for a person to disclose information to a third party which has been shared by Tusla during the course of an assessment arising from a mandated report, save in accordance with law, or unless Tusla has given that person written authorisation to do so. Failure to comply with this section of the Act is an offence liable to a fine or imprisonment for up to six months or both.

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 a child protection concern ‘reasonably and in good faith’ to TUSLA or any member of an Garda Síochána.

Qualified Privilege

People making a report to the DLP in good faith have ‘qualified privilege’ under common law. Reports made to TUSLA may be subject to provisions of the Freedom of Information Act, 1997. This act 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

Each of these categories are defined in full in Children First National Guidance for the Protection and Welfare of Children 2015

Neglect can be defined in terms of an *omission*, where the child suffers significant harm or impairment of development by being deprived of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, attachment to and affection from adults, medical care.

Emotional Abuse

Emotional abuse is the systematic emotional or psychological ill-treatment of a child as part of the overall relationship between a caregiver and a child. Once-off and occasional difficulties between a parent/carer and child are not considered emotional abuse. Abuse occurs when a child's basic need for attention, affection, approval, consistency and security are not met, due to incapacity or indifference from their parent or caregiver.

Physical Abuse

Physical abuse is when someone deliberately hurts a child physically or puts them at risk of being physically hurt. It may occur as a single incident or as a pattern of incidents. A reasonable concern exists where the child's health and/ or development is, may be, or has been damaged as a result of suspected physical abuse.

Sexual Abuse

Sexual abuse occurs when a child is used by another person for his or her gratification or arousal, or for that of others. It includes the child being involved in sexual acts (masturbation, fondling, oral or penetrative sex) or exposing the child to sexual activity directly or through pornography.

Guidelines for Recognition of Child Abuse

A list of child abuse indicators is contained in Chapter 2 of Children First. This policy draws particular attention to 'persistent evidence' of neglect, including indicators such as no lunch, lack of uniform, no homework, poor attendance, persistent health problems, lack of sleep indicating inappropriate television viewing late at night and other evidence that would indicate lack of supervision in the home. 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:

1. Considering the possibility
2. Looking out for signs of abuse
3. Recording of information

Handling Disclosures from Children

An abused child is likely to be under severe emotional stress. Great care shall be taken not to damage that trust.

Disclosures should be dealt with sensitively and professionally. Teachers should listen and facilitate the child to tell rather than interviewing them. Reassure the child that everything

will be done to protect him/her without making any promises that cannot be kept. Treat all information confidentially and follow the correct reporting procedures. It should be remembered that school personnel have a supportive role, not an investigative one.

Allegations or Suspicions in relation to School Employees

The Chairperson and the DLP are concerned with the protection of the children in their care in the first instance. The DLP and all school personnel must follow the correct reporting procedures in relation to an allegation or suspicion of abuse. However, employees must be protected against false and malicious claims. Due process must be observed in relation to allegations against employees. Legal Advice should be sought by the BoM in relation to an allegation in relation to an employee. If the allegation is against the DLP, the BoM Chairperson will assume the responsibility for reporting the matter to TUSLA.

Reporting

All personnel must follow Child Protection Procedures National Guidelines 5.1.1. If any member of school personnel receives an allegation or suspicion of abuse they must inform the DLP without delay. If that person is non-mandated, then the DLP will follow the reporting procedures. If they are mandated both are involved in making a report. Firstly they must consider if there is reasonable grounds for concern. Then they consider if it is above the threshold of harm. If both parties agree it is above the threshold of harm, then a joint report is made to TUSLA. If they do not consider it to be above the threshold of harm, then the DLP only submits a report.

When an allegation of abuse is made against a school employee, the DLP should act in accordance with the procedures outlined in Children First. A written statement of the allegation should be sought from the person/agency making the report. A parent/guardian may make a statement on behalf of a child. The DLP should always inform the Chairperson of the BoM and is responsible for liaising with TUSLA. The Chairperson assumes responsibility for dealing with the employee.

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 employee should be informed by the Chairperson (Employer) that:

- a. An allegation has been made against him/her
- b. The nature of the allegation
- c. Whether or not the TUSLA or Gardaí has been 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 BoM within a specified period and told that this may be passed to the Gardaí, TUSLA and legal advisers.

The Chairperson must take the necessary steps to protect the child and may consult the BoM in this matter. It is not a requirement that a staff member be placed on administrative leave when a child protection concern is raised in relation to that staff member. Each situation must be dealt with on a case-by case basis. It is recommended that the principal contact the INTO and /or the management body of school to receive additional advice in respect of administrative leave should the issue arise in our school. The principal is also entitled to contact the school's solicitor for advice on the matter. The BoM may offer the employee administrative leave with pay and avoid suspension, thus removing any implication of guilt, but no pressure is to be brought to bear on the employee to avail of this leave. The DE should be immediately informed.

School Measures Taken to Protect the Children in Our Care

There are a number of areas where common sense in our school should prevail in order to protect the children in the school and the staff who care for them. In relation to this, certain points should be noted:

1. St Mary's Glaslough shall fully implement the Stay Safe programme
 2. A copy of the school's child protection policy, which includes the names of the Designated Liaison Person (DLP) and Deputy DLP, will be made available to all school personnel and the Parents' Association and is readily accessible to parents on request
 3. The name of the DLP and other relevant support services are displayed in a prominent position near the main entrance to the school
 4. In addition to informing the school authority of those cases where a report involving a child in the school has been submitted to TUSLA, the DLP shall also inform the school authority of cases where the DLP sought advice from TUSLA and as a result of this advice, no report was made. At each BoM meeting, the Principal's Report shall include the number of all such cases and this shall be recorded in the minutes of the BOM meeting.
 5. St. Mary's Glaslough will undertake an annual review of its Child Protection Policy and its implementation by the school. A checklist will be used in undertaking the review. The school will then put in place an action plan to address any areas for improvement which might be identified in the annual review. The Board of Management shall make arrangements to inform school personnel that the review has been undertaken. Written notification that the review has been undertaken shall be provided to the Parent Association. A record of the review and its outcome shall be made available, if requested, to the patron and the DES.
- Staff who take classes swimming should make sure that there are two adults in attendance at all times. The dressing rooms will be supervised by school staff. The pool area, which are the responsibility of swimming pool personnel, will be supervised by them, as school staff are not permitted to enter deck area of pool during swimming lessons.
 - Staff should make every effort not be alone in a classroom with one child or detain a child on their own after school.

- In the case of special needs pupils where resource hours and assistance are sanctioned on an individual basis, it is school policy that staff in such a situation should work in a room with a window on the classroom door thus rendering the occupants visible.
- Where possible children should work in groups.
- Children with physical disabilities who may require assistance in toileting will be aided by a Special Needs Assistant who has met the necessary screening requirements when being employed by the school.
- It should be noted that children with disabilities may be more at risk of abuse due to a number of reasons. Parents, teachers and all staff involved in services for children with disabilities need to be familiar with the indicators of abuse and to be alert for signs of abuse.

Ratification of Policy

This policy will be reviewed by the Board of Management once in every school year.

This policy was adopted by the Board of Management on

Signed: *Paul Hallid* Signed: *Shore Smyh*
Chairperson of Board of Management Principal

Date: *17/01/2024* Date: *14/1/24*

Date of next review: September 2024