



*Scoil Mhuire*  
*Cill Orglan, Co. Chiarraí.*

## Child Protection Policy

### 1. INTRODUCTION

The Board of Management of **Scoil Mhuire** value and encourage the participation of pupils in all activities that enhance their spiritual, physical, emotional, intellectual and social development. The school recognises the dignity and rights of all pupils and is committed to ensuring their protection and support. Management and staff accept and recognise our responsibilities both to develop awareness of the practices which cause children harm and to create an environment that safeguards the well-being of all the children that attend the school.

The Child Protection Policy of **Scoil Mhuire** has been developed in accordance with:

- Child Protection Guidelines and Procedures, Department of Education & Science, 2001.
- Children First National Guidelines for the Protection and Welfare of Children, Department of Health & Children, 1999.

Queries about Child Protection Procedures in our school should be directed to:

- *Board of Management Chairperson, Stephen Clifford, Annadale Road, Killorglin, Co Kerry.*

Allegations or suspicions of child abuse should be brought to the attention of the Chairperson of the Board of Management, the Designated Liaison Person (DLP), or the relevant authorities.

- *Stephen Clifford, Annadale Road, Killorglin, Co Kerry.*
- *Tomás Ó Colgáin, Scoil Mhuire, Killorglin, 066-9761779.*
- *Mr Vincent Moriarty, Scoil Mhuire & Ms Anne Heffernan, Scoil Mhuire.*
- *Killorglin Garda Station, 066-9790500.*
- *Kerry Health Service Executive (HSE) office 1850-241850*

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

- Prevention-curriculum provision
- Procedures-procedures for dealing with concerns/disclosures
- Practice-best practice in child protection

1. An individual copy of this policy document and the appended section from the Department of Education and Skills (DES) Protection Guidelines and Procedures will be made available to all staff.
2. Parents were invited to view the draft policy prior to the policy being ratified by the Board of Management
3. It is incumbent on all staff to familiarise themselves with 'Children First' and the DES Child Protection Guidelines & Procedures. In particular chapter 3: Definition and Recognition of child Abuse and Chapter 4; Basis for reporting and standard reporting procedures. Staff are asked each September to read these Chapters. See A-Z

## **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' and the DES guidelines and procedures in relation to reporting concerns and /or disclosures of child abuse
- Provide for ongoing training in this and related areas for all the school staff

## **Prevention:**

## **2. BACKGROUND PROCEDURES**

### **2.1 Child Abuse: Towards a Definition**

*Scoil Mhuire* has adopted the definition of child abuse as described in the 'Children First Guidelines'.

The 'Children First Guidelines', defines child abuse by using 4 categories: neglect, emotional abuse, physical abuse and sexual abuse. It should be noted that a child may be subject to more than one form of abuse at any given time. Definitions for each form of abuse are detailed in Children First, Department of Health & Children p. 31-33.

#### **Neglect**

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, medical care or attachment to and affection from adults. The threshold of significant harm is reached when the child's needs are neglected to the extent that their well-being and/or development are severely affected.

#### **Emotional Abuse**

Emotional abuse is normally found in the relationship between a care-giver (an adult person who has responsibility for a child in the short or long term) and a child rather than in a specific event or pattern of events. It occurs when a child's needs for affection, approval, consistency and security are not met. It is rarely manifested in terms of physical symptoms. Children show signs of emotional abuse by their behaviour (for example excessive clinginess to or avoidance of the parent or carer), their emotional state (low self-esteem, unhappiness) or their development. The threshold of significant harm is reached when abusive interactions dominate and become typical of the relationship between the child and parent or carer.

#### **Physical Abuse**

Physical abuse is any form of non-accidental injury or any injury that results from willful or neglectful failure to protect a child. Examples of physical injury include:

- shaking,
- use of excessive force in handling,
- deliberate poisoning,
- suffocation,

- Munchausen's Syndrome by proxy (where parents make up stories of illness about their child or cause physical signs of illness), or
- allowing or creating a substantial risk of significant harm to a child.

### **Sexual Abuse**

Sexual abuse occurs when a child is used by another person for their gratification or sexual arousal, or for that of others. Examples of sexual abuse include:

- exposing sexual organs or intentionally performing any sexual act in the presence of a child,
- intentional touching or molesting the body of a child, by a person or object, for the purpose of sexual arousal or gratification,
- masturbating in the presence of a child or involving the child in the act of masturbation,
- engaging in sexual intercourse with the child, whether oral, vaginal or anal,
- sexually exploiting a child, or
- consensual sexual activity between an adult and a child under 17 years.

(In relation to child sexual abuse, it should be noted that, for the purposes of criminal law, the age of consent to sexual intercourse is 17 years).

### **Aggressive/Bullying/Sexualised Behaviour:**

While bullying is not a category in itself, it is important to be aware of it in relation to child abuse. Bullying can be defined as repeated verbal, psychological or physical aggression that is conducted by an individual or group against others. It includes behaviour such as teasing, taunting, threatening and hitting.

- In ***Scoil Mhuire*** peer to peer bullying as described above will be dealt with in accordance with the school's Code of Behaviour.
- Bullying behaviour that is perpetrated by an adult against a child will be dealt with under the provisions of this policy.

Sexualised behaviour displayed by an individual child, or occurring between children is inappropriate. Should such behaviour occur the school:

- Will arrange meetings (separate meetings if there are children from more than one family implicated) with the parent(s)/guardian(s) of the child/children involved.
- May if deemed appropriate seek advice from the HSE.

In a situation where child abuse is alleged to have been carried out by another child, the child protection procedures will be adhered to for both the victim and the alleged abuser; that is, the matter will be considered a child care and protection issue for both children.

## **2.2 Responsibility to Report Suspected or Actual Abuse**

Any person who suspects that a child is being abused or is at risk of abuse, has a responsibility and a duty of care to report their concerns to the Health Service Executive or an Garda Síochána, either directly or through the Designated Liaison Person/s (DLP).

The Protection for *Persons Reporting Child Abuse Act, 1998* provides immunity from civil liability to people who report child abuse 'reasonably and in good faith' to the HSE or the Gardaí.

Persons furnishing information with regard to suspicions of child abuse 'reasonably and in good faith' to the DLP's or Chairperson of the Board of Management are protected under '*Qualified Privilege*' as defined by Common Law.

It is a criminal offence to make a report of child abuse 'knowing the statement to be false'.

### **2.3 The Health Service Executive**

The HSE has a range of statutory responsibilities in the area of child welfare, family support, child protection and child care.

Once an allegation of child abuse has been reported to the HSE, it is then a matter for the HSE to decide upon the action, if any, which is necessitated by that report.

In the case of allegations or suspicions of child abuse by school employees the *Children First* guidelines place an onus on the HSE to ensure that arrangements are put in place to provide feedback to the Board of Management in regard to the progress of a child abuse investigation regarding an employee. It is clearly stated in those guidelines that efforts should be made to investigate complaints against employees promptly bearing in mind the serious implications for an innocent employee. The HSE is required to pass on reports and records to the Board of Management and the employee in question where appropriate. The Board of Management should always be notified of the outcome of investigations. It is the responsibility of the Chairperson of the Board of Management to maintain close contact with the health boards to ensure that the health boards act promptly in cases of alleged abuse involving school employees.

## **3. ROLES & RESPONSIBILITIES**

### **3.1 The Board of Management**

The Board of Management of *Scoil Mhuire* acknowledges its responsibilities in respect of child protection to include the following:

- Primary responsibility for the care and welfare of pupils.
- The development and implementation of an effective child protection policy.
- The appointment of a DLP and deputy DLP.
- The review and evaluation of the child protection policy and associated procedures.
- The provision of appropriate staff development and training.
- To monitor the progress of children at risk.
- The investigation of allegations of child abuse against one of the school's employees which have been reported to the Health Service Executive (HSE) or An Garda Síochána.
- To ensure that curriculum provision aimed at the prevention of child abuse is in place.
- The development of a policy on teachers' attendance at child protection meetings/case conferences and the provision of advice to teachers before attending such meetings/conferences.

### **3.2 School Staff & Volunteers**

All staff, teachers, special needs assistants, ancillary staff, secretarial, caretaker etc. have a general duty of care to ensure that arrangements are in place to protect children from harm.

- Staff is responsible for adhering to the child protection procedures as detailed in the school's child protection policy.
- Teaching staff are responsible for the delivery of the curriculum aimed at the prevention of child abuse.
- Staff and volunteers are expected to comply with the child protection Code of Good Practice as detailed in this document.
- All school personnel are especially well placed to observe changes in behaviour, failure to develop or outward signs of abuse in children. In situations where school staff or volunteers suspect abuse or have concerns regarding the welfare of a child they are required to act in accordance with the procedures detailed in this document.

### **3.3 Role of the Designated Liaison Person (DLP)**

- The Designated Liaison Person has specific responsibility for child protection. The principal Tomás Ó Colgáin is the DLP appointed by the Board of Management. The DLP is the first point of contact within the school regarding suspicions or disclosures of abuse.
- This person is the Designated Liaison Person for the school in all dealings with the HSE, An Garda Síochána and other parties, in connection with allegations of abuse.
- In instances where there are reasonable grounds for a suspicion or allegation of child abuse the DLP is responsible for reporting the matter to the HSE, or in the case of an emergency the Garda Síochána.
- The DLP is responsible for informing the Chairperson of the Board of Management if a report involving a pupil in the school has been submitted to the HSE or Garda Síochána.

### **3.4 Role of the Deputy Designated Liaison Person (DDLDP)**

- The Deputy Designated Liaison Person is responsible for performing the DLP's responsibilities if *he/she* in unavailable or in *his/her* absence.
- The DDLDPs of Scoil Mhuire are Mr Vincent Moriarty /Mrs Anne Heffernan appointed by the Board of Management. Should circumstances warrant it, the Deputy Principal Vincent Moriarty or Assistant Principal Anne Heffernan will act as DLP.

## **4. CHILD PROTECTION: CREATING A SAFE & SECURE ENVIRONMENT**

### **4.1 Code of Good Practice for, BoM members, Staff & Volunteers**

*For the purposes of the Code of Good Practice the term personnel describes anyone who engages with pupils of the school during the school day (including school activities organised outside of school hours or off the school premises), whether as a paid employee or as a volunteer.*

#### **General Conduct**

- Physical punishment of pupils is not permissible under any circumstances.
- Verbal abuse of pupils, the use of sexual innuendo or telling jokes of a sexual nature in the presence of pupils is never acceptable. Great care should be taken if it is necessary to have a conversation regarding sexual matters with a pupil.
- Being alone with a pupil is not good practice. If a situation arises where it is necessary to be alone with a pupil, another member of staff should be informed immediately, and the room door should remain open for the duration. A diary note that the meeting with the young person took place, including the reasons for it, should be made.
- All pupils must be treated with equal respect - favouritism is not acceptable.
- Personnel should not engage in or tolerate any behaviour – verbal, psychological or physical – that could be construed as bullying or abusive.
- A disproportionate amount of time should not be spent with any particular pupil or group of pupils.
- Under no circumstances should school personnel give alcohol, tobacco or drugs to pupils.

#### **Respect for Physical Integrity**

- The physical integrity of pupils must be respected at all times.
- Personnel must not engage in inappropriate physical contact of any kind – including tough physical play, physical reprimand and horseplay (tickling, wrestling). This should not prevent appropriate contact in situations where it is necessary to ensure the safety and well-being of a pupil (for example, where a pupil is distressed).

### **Respect for Privacy**

- The right to privacy of pupils must be respected at all times.
- Particular care regarding privacy must be taken when pupils are in locations such as changing areas, swimming pools, showers and toilets as outlined in the school's Code of Behaviour.
- Photographs of pupils must never be taken while they are in changing areas (for example, in a locker room or bathing facility) or toilets.
- Tasks of a personal nature (for example, helping with toileting, washing or changing clothing) should not be done for pupils if they can undertake these tasks themselves.

### **Meetings with Pupils**

- If it is necessary to meet alone with a pupil, such meetings should not be held in an isolated environment. The times and designated locations for meetings should allow for transparency and accountability (for example, be held in rooms with a clear glass panel or window, in buildings where other people are present, and with the door of the room left open).
- Both the length and number of meetings should be limited.
- Parents or guardians should be informed that the meeting(s) took place, except in circumstances where to do so might place the pupil in danger.
- When the need for a visit to the home of a pupil or young person arises, professional boundaries must be observed at all times.

### **Pupils with Special Needs or Disability**

- Pupils with special needs or disability may depend on adults more than other pupils for their care and safety, and so sensitivity and clear communication are particularly important
- Where it is necessary to carry out tasks of a personal nature for a pupil with special needs, this should be done with the full understanding and consent of parents or guardians.
- In carrying out such personal care tasks, sensitivity must be shown to the pupil and the tasks should be undertaken with the utmost discretion.
- Any care task of a personal nature which a pupil or young person can do for themselves should not be undertaken by personnel.

In an emergency situation where this type of help is required, parents should be fully informed as soon as is reasonably possible. Should the need arise the class teacher accompanied by another member of staff will assist the child.

### **Vulnerable Pupils**

- As especially vulnerable pupils may depend on adults more than other children for their care and safety, sensitivity and clear communication are of utmost importance.
- Workers should be aware that vulnerable pupils may be more likely than other pupils to be bullied or subjected to other forms of abuse, and may also be less clear about physical and emotional boundaries.
- It is particularly important that vulnerable pupils should be carefully listened to, in recognition of the fact that they may have difficulty in expressing their concerns and in order that the importance of what they say is not underestimated.

### **Handling Disclosures from Pupils**

When information is offered in confidence staff will act with 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 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 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 wishes of the child.

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 and openness.
- 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 of dates, times, names, locations, context and factual details of conversation.
- Report the matter to the DLP (or to the Chairperson of the BoM if the DLP is implicated)

### **Maintaining Records**

When child abuse is suspected, it is essential to have a record of all the information available.

Personnel should note carefully what they have observed and when they observed it. Signs of physical injury should be described in detail and, if appropriate, sketched. Any comment by the child concerned, or by any other person, about how an injury occurred should be recorded, preferably quoting words actually used, as soon as possible after the comment has been made.

All records so created should be regarded as highly confidential and retained in a secure location by the Designated Liaison Person.

### **4.2 Vetting of New Employees**

The Board of Management undertakes that:

- A Garda Vetting Report is requested in respect of all new appointees (permanent, fixed term and substitute).
- Reference checks will be carried out in respect of all new appointees.

### **4.3 Induction of New Employees**

- All new employees will be given a copy of this policy.

The DLP will be responsible for:

- providing all new teachers and ancillary staff of the Child Protection Guidelines and Procedures, DES, 2001 and Children First Guidelines, 1999.
- providing all new staff with a copy of this policy document and discussing their obligations with regard to same.
- All new teachers are expected to teach the designated SPHE objectives for their class.

### **4.4 Supervision**

Every effort will be made to ensure that there is comprehensive supervision of pupils throughout the school day. A roster of staff on duty will be displayed in the office/staff room. Teachers will ensure that pupils are visible in the schoolyard. Pupils will not be permitted to leave the school yard or engage with adults outside of the schoolyard.

#### **4.5 One-to-One Teaching**

Parent(s)/Guardian(s) will be made aware when one-to-one teaching is deemed to be in the best interest of a pupil. Written consent will be required for all one-to-one teaching. When possible the room has to have a glass panel allowing high visibility.

#### **4.6 Attendance**

Procedures with regard to the monitoring of school attendance are contained in the school's Code of Behaviour.

#### **4.7 Curriculum**

- The 'Stay Safe' programme is the primary resource used in this school to provide education for children on abuse prevention. The programme is taught as part of the schools' Social and Personal Health Education (SPHE) curriculum under the strand unit Safety and Protection (Personal Safety). The school's registration form informs the parents/guardians that the Stay Safe programme is in use in the school.
- The formal lessons of the programme will be taught in their entirety every second year in accordance with the SPHE two-year cycle plan.
- Staff will make every effort to ensure that the messages of the programme are reinforced whenever possible.
- The Stay Safe pack for children with learning difficulties will be used as the need arises.
- The learning support teacher, resource teacher will support the programme of prevention e.g. language development.

#### **4.8 Use of Images of Children**

- The school undertakes to seek parents' or guardians' permission for the use of photographs of pupils for any publicity purposes.
- At school ceremonies and other public events, the school will publicly announce the use of photographic and audio visual equipment so that anyone who would rather not be photographed or videoed can remove themselves.
- Only images of pupils in appropriate dress will be used.
- Inappropriate use of images of pupils will be brought to the attention of the DLP.
- No images of any pupil may be taken by an external agency or person without receiving the prior authorisation of the school principal.

#### **4.9 Use of Technology**

- Procedures with regard to the use of technology are contained in the school's Acceptable Usage Policy.
- Procedures with regard to the use of mobile phones *are outlined in the school's mobile phone policy. We discourage the bringing of mobile phones to school except in exceptional circumstances.* Pupils are forbidden to use mobile phones in class or on the school premises. Phones are to be switched off from the time the children enter the school grounds.

#### **4.10 School Visitors**

Procedures with regard to school visitors are contained in **the School Visitors Policy**.

When a guest speaker addresses the children the class teacher will remain in the classroom and make the speaker aware of this school policy. (Appendix 1)

#### **4.11 Travel**

Best practice in relation to travel with pupils will be observed. Personnel will not undertake any car or minibus journey alone with a pupil. If, in certain circumstances, only one adult is available, there should be a minimum of two pupils present for the entire journey. In the event of an emergency, where it is necessary to make a journey

alone with a pupil, a record of this will be made and the pupil's parent(s) or guardian(s) will be informed as soon as is possible.

#### **4.12 School Tours / Overnight Trips**

- All trips, including day trips and overnight stays, will be carefully planned in advance, to include adequate provision for safety in regard to transport, facilities, activities and emergencies. Adequate insurance will be put in place.
- Written consent by a parent or guardian specifically for each trip and related activities will be obtained in advance.
- A copy of the itinerary and contact telephone numbers will be made available to parents and guardians.
- There will be adequate, gender-appropriate, supervision for boys and girls.
- Arrangements and procedures will be put in place to ensure that rules and appropriate boundaries are maintained in the relaxed environment of trips away.
- Particular attention will be given to ensuring that the privacy of young people is respected when they are away on trips.
- The provision of appropriate and adequate sleeping arrangements will be ensured in advance of the trip.
- Sleeping areas for boys and girls will be separate and supervised by two adults of the same sex as the group being supervised.
- At least two adults will be present in dormitories in which children are sleeping. Under no circumstances will an adult share a bedroom with a young person.
- If, in an emergency situation, an adult considers it necessary to be in a child's dormitory or bedroom without another adult being present they will (a) immediately inform another adult in a position of responsibility and (b) make a diary note of the circumstances.

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 the parents.

## **PRACTICES**

### **6. REPORTING CASES OF SUSPECTED CHILD ABUSE**

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:

- Considering the possibility
- Looking out for signs of abuse
- Recording of information

#### **6.1 Action to be taken by School Personnel**

- If a school employee receives an allegation or has a suspicion that a pupil is being abused the school employee will, in the first instance, report the matter to the Designated Liaison Person.

#### **6.2 Action to be taken by the Designated Liaison Person**

- If the school employee and the Designated Liaison Person are satisfied that there are **reasonable grounds** for the suspicion or allegation the Designated Liaison Person will report the matter to the HSE immediately.

## Reasonable Grounds

The following examples are quoted in *Children First Guidelines* as constituting reasonable grounds for concern:

- Specific information from the child that he/she was abused;
- An account by a person who saw the child being abused;
- Evidence, such as injury or behaviour, which is consistent with abuse and unlikely to be caused another way;
- An injury or behaviour which is consistent both with abuse and with an innocent explanation but where there are corroborative indicators supporting the concern that it is a case of abuse e.g. a pattern of injuries, an implausible explanation, other indications of abuse, dysfunctional behaviour; and
- Consistent evidence, over a period of time that a child is suffering from emotional or physical neglect.

A suspicion, which is not supported by any objective indication of abuse or neglect, would not constitute a reasonable suspicion or reasonable grounds for concern in the first instance.

- The DLP will make every attempt to make personal contact with the duty social worker but in any event such a report will be made to the HSE in writing.
  - In the event of an emergency, or the non-availability of HSE staff, the report will be made to An Garda Síochána.
  - When a report is being made to the HSE or An Garda Síochána, the Chairperson of the Board of Management of the school will be informed.
  - When a report is being made to the HSE or An Garda Síochána, the DLP will inform a parent/guardian unless doing so is likely to endanger the pupil or place the pupil at further risk. A decision not to inform a parent/guardian will be recorded together with the reasons for not doing so.
- In cases where school personnel have concerns about a child, but are not sure whether to report the matter the Designated Liaison Person will consult the appropriate HSE staff. In consulting the HSE, the Designated Liaison Person will clearly state that **he/she** is requesting advice and consultation and that **he/she is not making a report**. If the HSE advises that a referral should be made, the Designated Liaison Person will act on that advice.
- If following consultation with the appropriate HSE staff, the Designated Liaison Person decides that the concerns of the school employee will not be referred, the school employee will be given a clear statement, in writing, as to the reasons why action is not being taken. The school employee will be advised that, if he/she remains concerned about the situation, he/she is free to consult with or report to the HSE.

## 7. CHILD PROTECTION CONFERENCES

A child protection conference is a forum for the co-ordination of information from all relevant sources, including where necessary, school employees. The child protection conference plays a pivotal role in making recommendations and planning for the welfare of children who may be at serious risk.

- A request from the HSE for a school employee to attend a child protection conference should be made to the Designated Liaison Person who will consult with the Chairperson of the Board of Management of the school. The Chairperson of the Board of Management may, through the Designated Liaison Person, request the appropriate authorities to clarify why the attendance of the school employee at the child protection conference is considered necessary, who else is going to be present and if the employee is required to provide a report.
- If there are concerns about the attendance of parents/guardians, the school will contact the conference chairperson for guidance.

- As a result of the CP conference the school employee may be requested to keep the child's behaviour under closer observation, in a manner that is not inconsistent with the school employee's existing duties to his/her class as a whole. 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. Wherever appropriate and within the normal limits of confidentiality, HSE 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.

## **8. ALLEGATIONS OR SUSPICIONS OF CHILD ABUSE BY SCHOOL EMPLOYEES**

The primary concern of the Board of Management of *Scoil Mhuire* is to protect the pupils attending the school to whom we have a duty of care. However, as an employer, the Board of Management also has responsibilities towards its employees. In this respect and in the event of an allegation of abuse being made against an employee of the school the Board of Management will observe the employees' right not to be judged in advance of a full and fair enquiry.

Should an allegation of abuse be made against a school employee the Board of Management undertakes to seek legal advice in respect of same.

### **8.1 Reporting Procedure**

- School employees, other than the Designated Liaison Person, who receive allegations of abuse against another school employee, will report the matter without delay to the Designated Liaison Person (or Chairperson of the Board of Management if appropriate).
- School employees who form suspicions regarding the conduct of another school employee will consult with the Designated Liaison Person (or Chairperson of the Board of Management if appropriate).
- **Where an allegation of abuse is made against a school employee, the Designated Liaison Person** within the school will immediately act in accordance with the procedures outlined in Section 6.2 of this policy. A written statement of the allegation will be sought from the person/agency making the allegation (parents/guardians may make a statement on behalf of the child).
- Whether or not the matter is being reported to the HSE, the Designated Liaison Person will inform the Chairperson of the Board of Management of the allegation.
- Where the allegation of abuse is against the Designated Liaison Person, the Chairperson of the Board of Management will assume responsibility for reporting the matter to the HSE or An Garda Síochána.

### **8.2 Action to be taken by the Chairperson of the Board of Management**

- When a Chairperson of a Board of Management becomes aware of an allegation of abuse against a school employee, the Chairperson will privately inform the employee of the following:
  - the fact that an allegation has been made against him/her;
  - the nature of the allegation;
  - whether or not the matter has been reported to the HSE or An Garda Síochána by the Designated Liaison Person.

- The employee will be given a copy of the written allegation, and any other relevant documentation. The employee will be requested to respond to the allegation in writing to the Board of Management within a specified period of time. The employee will be informed that his/her explanation to the Board of Management will also have to be passed on to the HSE.
- In accordance with its duty of care the first priority of the Board of Management will be to ensure that no child is exposed to unnecessary risk. In this respect the Chairperson of the Board will as a matter of urgency take any necessary protective measures. These measures will be proportionate to the level of risk and will not unreasonably penalise the employee, financially or otherwise, unless necessary to protect pupils.
- If, in the Chairperson's opinion, the nature of the allegation warrants immediate action, the Chairperson, on behalf of the Board of Management, will direct that the employee absent him/herself from the school with immediate effect. Where the Chairperson is unsure as to whether the nature of the allegations warrants the absence of the employee from the school while the matter is being investigated, s/he will consult with the HSE and/or An Garda Síochána for advice as to the action that those authorities consider necessary. Following those consultations, the Chairperson will have due regard for the advice offered.
- Any absence by a school employee will be regarded as administrative leave of absence with pay and not a suspension. Such a leave of absence will not imply any degree of guilt on the part of the school employee. Where such a leave of absence is invoked, the Department of Education and Skills will be contacted with regard to:
  - Formal approval for the paid leave of absence of the school employee; and
  - Departmental sanction for the employment of a substitute teacher.
- The Chairperson will convene an immediate meeting of the Board for this purpose and inform the Board members of the nature of the allegations, the action taken in respect of same and the outcome of any consultations with the HSE and/or An Garda Síochána.

### **Allegations Against Employees Pertaining to Previous Employment / Incidents Outside of School Hours:**

- In situations where the allegations of abuse relate to the past employment of the school employee and where these allegations are being investigated by either the HSE or An Garda Síochána the Chairperson of the Board of Management will maintain regular and close liaison with those authorities and a decision on the position of the school employee will be taken having due regard to the advice given to the Board of Management by those authorities. If the decision is taken that the school employee should take administrative leave of absence, the Department of Education and Skills will be immediately informed.
- Where the alleged abuse has taken place within **Scoil Mhuire**, or relates to the abuse of pupils of the school by school employees outside of school time, the Board of Management will convene a further meeting. At this meeting the Board will consider in detail the allegations which have been made against the school employee and the source of those allegations, the advice of the HSE and/or An Garda Síochána in relation to the allegation and the written response of the employee to the allegations. At this meeting
  - the person/agency who is alleging abuse by the school employee will be offered an opportunity to present his/her case to the Board and may be accompanied by another person in doing so.
  - Parents/guardians may act on behalf of a child.
  - Likewise the employee will be afforded an opportunity to make a presentation of his/her case to the Board and may also be accompanied by another person.

April 2010

- Having followed the procedures outlined above, and having satisfied itself that it has sufficient information to hand in order to make a determination in relation to the allegation, the Board will then make a decision on the action, if any, it considers necessary to take in respect of the employee. The Department of Education and Skills will be informed of the outcome where the school employee had been directed to absent him/herself on administrative leave.

## 9. CONFIDENTIALITY

- All information regarding concerns of possible child abuse will only be shared on a need to know basis in the interests of the child.
- Giving information to those who need to have that information, for the protection of a child who may have been, or has been abused, is not a breach of confidentiality.
- Any Designated Liaison Person who is submitting a report to the health board or An Garda Síochána will inform a parent/guardian unless doing so is likely to endanger the child or place the child at further risk. A decision not to inform a parent/guardian will be recorded together with the reasons for not doing so.
- The Board of Management and staff of **Scoil Mhuire** give an undertaking to deal with all child protection issues with the utmost confidentiality.

## 10. RELATED POLICIES

Links to the policy/planning areas:

- **Prevention:** SPHE curriculum, Strand Unit on 'Safety and Protection',  
The School Code of Behaviour
- **Procedures:** Code of Behaviour  
Health and safety Statement
- **Practice:** Swimming Policy  
School tours/Outings  
IT-Acceptable use policy  
*School Visitors Policy*  
*ETC.*

## 11. POLICY RATIFICATION

The policy was ratified by the Board of Management of **Scoil Mhuire** at its meeting held on the *06.07.2010*.

Signed: \_\_\_\_\_ Chairperson, Board of Management

## 12. PATRON'S APPROVAL

This policy has been approved by St. Senan's Education Office, acting on behalf of the Patron **Bishop William Murphy**.



**Scoil Mhuire**  
**Cill Orglan, Co. Chiarraí.**

**VISITORS POLICY**

**All visitors report to the school secretary.**

**If a class teacher has arranged for a visitor to his/her classroom he/she will inform the Principal prior to the visit.**

- External facilitators/tutors are approved in advance by the principal and board of management (BOM). Visitors must work under the guidance and supervision of the classroom teacher, who must remain in the classroom with the pupils at all times and retain the central role in the delivery of the subject matter. Interventions without the direct involvement of the teacher are not appropriate. Visitors must never replace the class teacher. To do so would undermine the integrity of the curriculum, the credibility and professionalism of the teacher and school, and could compromise the safety and welfare of the pupils.
- Outside facilitators who contribute to the SPHE/RSE programme can play a valuable role in supplementing, complementing and supporting a planned, comprehensive and established SPHE programme.
- Any supplementary interventions must be age and stage appropriate, and should include evidence-based content and methodology and clear educational outcomes.
- All materials proposed for use must be approved in advance by the principal and BOM, be age and stage appropriate for pupils and be in line with the ethos of the school, and the principles of the SPHE curriculum. There is a need also to take account of all relevant school policies and procedures, including the school's child protection policy, RSE policy and substance misuse policy.
- Interventions and external inputs should be evaluated by the school principal, teachers, in terms of the content, approach, methodology and proposed learning outcomes.

**This policy is based on Circular 0022/2010. A copy of this circular is in Appendix 1. With the Visitor's Policy.**