

6.2 Child Protection – Procedures for Handling Disclosures

This document outlines good practice and procedures for handling disclosures.

All staff members (teachers, SNA's, ancillary, secretarial, caretaking etc.) in this school will follow the procedures for reporting concerns or disclosures as outlined in the 'Child Protection Procedures for Primary and Post-Primary Schools' (DES 2017). The BOM has appointed Laura Maher (Principal) as the Designated Liaison Person (DLP) and Gráinne Casey as the deputy DLP. Both members of staff have undertaken training.

A copy of the 'Children First – National Guidance for the Protection and Welfare of Children 2017' is available online. Each staff member has been given a copy of the school's 'Child Safeguarding Statement' and 'Child Safeguarding Risk Assessment'. All staff also have access to the 'Child Protection Procedures for Primary and Post Primary Schools 2017'. It is incumbent on all staff members to familiarise themselves with 'Children First' and the DES child protection guidelines and procedures. New staff will be invited to a Child Protection meeting each year to outline these procedures.

Practice

a) Physical contact

Physical contact between school personnel and the child should always be in response to the needs of the child and not the needs of the adult. Whilst physical contact may be used to comfort, reassure or assist a child, the following should be factors in determining it's appropriateness;

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

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

b) Visitors/ Guest Speakers

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

c) Children with specific toileting/ intimate care needs

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

d) Toileting accidents

Clean underwear and suitable clothing will be kept in the school so that if a pupil has an 'accident' of this nature they will in the first instance be offered fresh clothing into which they can change. The pupil will be assisted by members of staff familiar to the child.

e) One to One teaching

One-to-one teaching can be at times in the best interest of the child. Every effort will be made to ensure that this teaching takes place in an open environment. Parents of children who are to be involved in one-to-one teaching will be informed and their agreement sought.

Types of Abuse

There are 4 main types of abuse;

- Neglect
- Emotional Abuse
- Physical Abuse
- Sexual Abuse

Recognising signs of Child Abuse

Best practice in relation to identifying cases of child abuse;

- Consider the possibility
- Look out for Signs of Abuse
- Record Information
- Report

Reasonable grounds for concern include;

- Evidence that is consistent with abuse and is unlikely to have been caused in any other way.
- Any concern about possible sexual abuse.
- Consistent signs that a child is suffering from emotional or physical neglect.
- A child saying or indicating by other means that he/she has been abused.
- Admission or indication by an adult or a child of an alleged abuse they committed.
- An account from a person who saw the child being abused.

Neglect

- Neglect is defined in terms of an omission of care, where a child's health, development or welfare is impaired by being deprived of food, clothing, warmth, hygiene, medical care, intellectual stimulation, supervision and safety.
- Emotional neglect may also lead to the child having difficulties of attachment.

Features of Neglect

- Being left alone without adequate care and supervision
- Malnourishment, lacking food, unsuitable food or erratic feeding
- Failure to thrive (due to malnutrition and/or emotional deprivation)
- Failure to provide adequate care for medical and developmental needs
- Inadequate living conditions
- Lack of adequate clothing
- Inattention to basic hygiene
- Lack of protection and exposure to danger
- Persistent failure to attend school
- Abandonment or desertion

Emotional Abuse:

- 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 the 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.
- It can also occur when adults responsible for taking care of children are unaware of and unable (for a range of reasons) to meet the children's emotional and developmental needs.
- A reasonable concern for the child's welfare would exist when the behaviour becomes typical of the relationship between the child and the parent or carer.
- There may be no physical signs of emotional abuse unless it occurs with another type of abuse. A child may show signs of emotional abuse through their actions or emotions in several ways. These include insecure attachment, unhappiness, low self-esteem, educational and developmental underachievement, risk taking and aggressive behaviour.
- No one indicator is conclusive evidence of emotional abuse. Emotional abuse is more likely to impact negatively on a child where it is persistent over time and where there is a lack of other protective factors.

Features of Emotional Abuse

- Rejection
- 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, particularly unplanned)
- Continuous lack of praise and encouragement
- Persistent criticism, sarcasm, hostility or blaming of the child
- Conditional parenting
- Extreme over-protectiveness
- Inappropriate non-physical punishment (e.g. locking child in bedroom)
- Ongoing family conflicts and family violence
- Seriously inappropriate expectations of a child relative to his or her age and stage of development
- Bullying

If a child is coming to school regularly in a distressed state or if they are talking about violence in the home towards another sibling or parent, notes should be taken of this. If there are visible signs of abuse, you should ask the parent if they are OK and if necessary offer them telephone numbers of agencies which can help them, pointing out to them that getting help is important as domestic violence is emotionally damaging to children. The DLP should be made aware of situations like these and advice may be sought from Tusla.

Physical Abuse

- Physical abuse is when someone deliberately hurts a child 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

- The Children First Act, 2015 includes a provision that abolishes the common law defence of reasonable chastisement in court proceedings.

Features of Physical Abuse

- Physical punishment
- Beating, slapping, hitting or kicking
- Pushing, shaking or throwing
- Pinching, biting, choking or hair-pulling
- Use of excessive force in handling
- Deliberate poisoning
- Suffocation
- Fabricated/induced illness
- Female genital mutilation

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
- Sexual activity involving a young person may be sexual abuse even if the young person concerned does not themselves recognise it as abusive.
- It rarely involves just a single incident and in many instances occurs over a number of years.
- Child sexual abuse most commonly happens within the family, including older siblings and extended family members.

Examples of Sexual Abuse

- Any sexual act intentionally performed in the presence of the child
- An invitation to sexual touching or intentional touching or molesting of a child's body whether by a person or object for the purpose of sexual arousal or gratification
- Masturbation in the presence of a child or the involvement of a child in an act of masturbation
- Sexual intercourse with a child, whether oral, vaginal or anal
- Sexual exploitation of a child
- Exposing a child to inappropriate or abusive material through information and communication technology
- Consensual sexual activity involving an adult and an underage person

Mandated Person

Every registered teacher, as a mandated person, now have 2 statutory obligations;

1. To make his or her own mandated report to Tusla where the concern about the child is at or above a threshold of harm as defined under the Children First Act 2015. (This can also be done jointly with the DLP)
2. To assist Tusla in assessing a concern which has been the subject of a mandated report , if requested by Tusla.



Handling Disclosures from Children

If a child makes a disclosure that something has happened to them, or if there is evidence of physical harm or serious emotional distress, the teacher should try to comfort the child and ask the following questions:

- Are you o.k.?
- Why are you upset?
- What happened?

If a child makes a disclosure it is then appropriate to ask the following questions:

- When did it happen?
- Where did it happen?
- Who did that?

The following advice is offered to school personnel to whom a child makes a disclosure of abuse:

- Respond calmly
- Listen carefully
- Take the child seriously
- Reassure the child that they were right to tell you
- Do not promise to keep anything secret
- Ask questions for clarification only
- Do not ask leading questions or make suggestions to the child for example; why did they do that?, what did you do?, was it your ____ who did that?
- Do not question any other child in the school for example brother, sister, or cousin.
- Check back with the child that what you have heard is correct and understood
- Do not express any opinions about the alleged abuse
- Explain that further help may have to be sought.
- Make a written record of the conversation as soon as possible, in as much detail as possible including; times, names, locations, context and factual details of conversations.
- Treat the information confidentially

This information should then be reported to the Designated Liaison Person (Laura Maher) or in her absence, the Deputy Designated Liaison Person (Gráinne Casey)

Recording

- School personnel shall note carefully what they have observed and when they observed it and in the case of a disclosure by a child or comment by another person quote words actually used, as soon as possible after the comment has been made. Signs of physical injury shall be described in detail and, if appropriate, sketched.
- The record of the discussion shall be signed, dated and given to the DLP who shall retain it.
- The DLP shall record all concerns or allegations of child abuse brought to his or her attention, and the actions taken following receipt of a concern or allegation of child abuse.
- If the situation is brought to the attention of the Duty Care Social Worker written evidence will be required and the 'Standard Report Form' should be jointly filled in with the DLP.
- Information given by a child or parent is shared with staff strictly on a need to know basis based on the best interest of the child.
- Giving information to others for the protection of a child is not a breach of confidentiality.

- The DLP will inform parents/carers if a report is being submitted to Tusla or An Garda Síochána unless doing so is likely to endanger the child.

General protocol is that the DLP or, where applicable, the Deputy DLP contacts all agencies such as the Gardaí, Duty Care Social Worker or Women's Aid on behalf of and in collaboration with members of staff. In cases of emergency, where a child appears to be at immediate and serious risk, and a Duty Social Worker is unavailable, An Garda Síochána should be contacted.

Storage of Child Protection Files

- All records so created should be regarded as highly confidential and retained in a secure location by the Designated Liaison Person.
- A soft copy of all Child Protection Tusla records will be kept on the server on a secure location that only the DLP and Deputy DLP have access to.
- All hard copies of Child Protection Tusla records will be kept in a filing cabinet in a locked store. Each file is assigned an unique code, rather than the child's name.

Confidentiality

All information regarding concerns of possible child abuse should only be shared on a 'need to know' basis in the interests of the child. The giving of information to those who need to have that information is not a breach of confidentiality. This procedure exists for the protection of a child who may have been or has been abused. The DLP who is submitting a report to Tusla or An Garda Síochána should inform a parent/guardian, unless doing so is likely to endanger the child or place a child at further risk. A decision not to inform a parent/guardian should be briefly recorded together with the reasons for not doing so. In emergency situations, where the Duty Care Social Worker cannot be contacted and the child appears to be at immediate and serious risk, An Garda Síochána should be contacted immediately. A child should not be left in a dangerous situation pending Duty Social Worker intervention.

Allegations against School Employees

While each school authority has a duty and responsibility, as an employer, in respect of its employees, the protection, safety and well-being of children must be the priority. Where an allegation of abuse is made against a member of school personnel, the DLP shall always inform the employer (ETB) and the Board of Management (BOM). This applies whether or not the matter is being reported to Tusla.

Employees shall be treated fairly which includes the right not to be judged in advance of a full and fair process. The principles of natural justice and fair procedures shall be applied. The employer shall as a matter of urgency ensure that any necessary protective measures are taken, including where there is an urgent child safeguarding requirement to immediately absent an employee from the school activating the protocol authorising immediate action.

There are two procedures to be followed:

1. The reporting procedure
2. The procedure for dealing with the employee.

The DLP has responsibility for reporting the matter to Tusla. The Chairperson of the BOM has responsibility, acting in consultation with the Patron, for addressing the employment issues. If the allegation is against the DLP the Deputy DLP will report the allegation to the Chief Executive of Dublin

and Dunlaoghaire ETB and the Chairperson of the BOM. The Chief Executive will then assume the responsibility for reporting the matter to Tusla.

School employees, other than the DLP who receive allegations against another school employee, should immediately report the matter to the DLP. The procedures outlined in the 'Child Protection Procedures for Primary and Post Primary Schools 2017' will then be followed.

Reporting

When an allegation of abuse is made against a school employee, the DLP should immediately act in accordance with the procedures outlined in the 'Child Protection Procedures for Primary and Post Primary Schools 2017'.

A written statement of the allegation should be sought from the person/agency making the report. The DLP should always inform the Chairperson of BOM and the Patron of any allegation.

The Chairperson, the Patron and the DLP should make the employee aware

- a) That 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 BOM/Patron within a specified period and told that this may be passed to the Gardaí, Tusla, and legal advisers.

The priority in all cases is that no child be exposed to unnecessary risk. Therefore, as a matter of urgency, the Chairperson of BOM and the Patron 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 and the Patron's opinion, the BOM should be convened to consider the matter. The BOM will consider feedback, if any has been received from the HSE, Gardaí or relevant sources. This may result in the BOM directing that the employee absent him/herself from the school forthwith while the matter is being investigated (Administrative Leave). When the BOM is unsure as to whether this should occur, advice should be sought from the Gardaí and/or the Duty Care Social Worker and the legal advisers to the school management.

Administrative Leave

Should the BOM direct that the employee absent him/herself as above until such time as a case is heard. 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 informed immediately.

Board of Management

The Chairperson shall inform the BOM 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.



Telephone Numbers and Agencies which may be of assistance

Tusla	Tel: 01 8708000
Blanchardstown Garda Station	Tel: 01 6667000
National Adult Counselling Service	Tel: 1800 235284
INTO Employee Assistance	Tel: 1800 411057
One in Four	Tel: 01 6624070
Rape Crisis Centre	Tel: 1800 778888
Women's Aid Helpline	Tel: 1800 341 900 (www.womensaid.ie)

Signed: *Laura Maher*

Principal

Date: October 5th 2020

Signed: *John Walsh*

Chairperson of BOM

Date: _____

Last date reviewed: September 2020

Next review date: September 2021