

SETANTA SPECIAL SCHOOL

Child Protection Policy

Introduction

The Board of Management of Setanta Special School recognises that child protection and welfare considerations permeate all aspects of school life and must be reflected in all of the school's policies, practices and activities. Accordingly, in accordance with the requirements of the Department of Education and Skills' 'Child Protection Procedures for Primary and Post-Primary Schools', the Board of Management has agreed this policy. This policy document has been drawn up by staff, parents and Board of Management of Setanta Special School in response to recent changes in legislation. The policy takes account of the provisions of the following legislation:

- **The Education Act 1998**
- **The Education (Welfare) Act 2000**
- **The Protection of Persons Reporting Child Abuse Act 1998**
- **Education for Persons with Special Educational Needs Act 2004**
- **Safety, Health at Work Act, 2005**
- **Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012**

In all instances of suspicion or allegations of abuse or neglect, the following guidelines will be referenced:

Children First (Department of Health & Children, 2011)

Child Protection Guidelines and Procedures (Department of Education and Science, 2011)

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

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

- (1) Prevention – curriculum provision**
- (2) Procedures – procedures for dealing with concerns/disclosures**
- (3) Practice – best practice in child protection**

An individual copy of this document and the appended sections will be made available to all staff. All staff will be required to sign a statement confirming that they have read and understand the contents of this document and this statement will be kept on each employee's file. It is incumbent on all staff to familiarise themselves with 'Children First', the Department of Health and Children guidelines (2011) and The DES Child Protection Guidelines and Procedures (2011). Copies of these documents are available to staff in the school.

In the absence of guidance from the Department of Education, this document also summarises the provisions of the **Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012** (this Act is referred to in the rest of this document as the Withholding Information Act 2012) This Act has introduced the mandatory reporting to An Garda Síochána of certain criminal offences against children and vulnerable persons. Some acts of neglect or abuse may come under both the DES Child Protection Procedures and the Withholding Information Act 2012 and some acts of neglect or abuse may only come under one of them. The Withholding Information Act 2012 relates to everyone and is not specifically aimed at schools or social workers or any one section of society. It is a criminal offence to fail to report an offence which comes under the Withholding Information Act 2012. This policy aims to ensure that staff members understand their reporting obligations under this Act and sets out the school procedures for making such reports.

The Designated Liaison Person (DLP) is Loman Ó Loingsigh (Principal).

The Deputy Designated Liaison Person (Deputy DLP) is Fiona O'Donovan (Deputy Principal).

AIMS OF POLICY

The aims of the Child Protection Policy are to:

- Put in place clear procedures for dealing with and reporting suspected/alleged cases of child neglect or abuse
- Endeavour to safeguard the well being of the child and intervene when necessary to protect their right
- Help school personnel recognise the signs of neglect or abuse
- 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
- Provide a safe environment for our school community
- Clarify the obligations all staff members of the school have to report certain information to the Gardaí.

In its policies, practices and activities, Setanta Special School will adhere to the following principles of best practice in child protection and welfare:

The school will

- Recognise that the protection and welfare of children is of paramount importance, regardless of all other considerations;
- Fully co-operate with the relevant statutory authorities in relation to child protection and welfare matters;
- Adopt safe practices to minimise the possibility of harm or accidents happening to children and protect workers from the necessity to take unnecessary risks that may leave themselves open to accusations of abuse or neglect;
- Develop a practice of openness with parents and encourage parental involvement in the education of their children; and
- Fully respect confidentiality requirements in dealing with child protection matters.

PART 1: PREVENTION

WHOLE SCHOOL CLIMATE

The whole school climate and ethos is a child friendly, supportive environment which values and displays children's work/creativity, assemblies and is staffed by adults modelling good behaviour who celebrate children's achievements and acknowledge effort and success.

STAFF TRAINING

The DLP will inform staff of current practices and relevant in-service training courses. Where possible, external staff training will be arranged to inform staff of their duty of care, procedures and responsibilities in relation to child protection.

CURRICULUM PROVISION

Setanta Special School caters for children with autism and it is recognised that our pupils are more vulnerable to abuse than others. The school provides an adapted autism-specific curriculum that provides children with appropriate supports to address their needs. The following programmes are already in place in the school:

Social Personal and Health Education (SPHE) Programmes

The **Stay Safe Programme** for Children with Special Needs is used to provide education for children on abuse prevention. The programme is fully implemented and is taught as part of the school's Social, Personal and Health Education curriculum under the strand unit Safety and Protection. It will form part of each child's individual plan of work. The content of this plan is delivered in accordance with the cognitive needs of the pupils. Special consideration is needed to ensure delivery of the core messages of the Stay Safe programme. Delivery of the programme will happen during dedicated teaching time which will be on a whole school basis, as set out in the SPHE policy contained in the Setanta School Plan, and SNAs will assist teacher in this process. Staff will make every effort to ensure that the messages of the programme are reinforced whenever possible and a record of work will form part of each pupil's individual assessment record file to assist with continuity.

Parents will be informed prior to the commencement of the programme and can discuss the programme content and any issues arising with their child's class teacher. A copy of 'Stay Safe: A Parent's Guide' is available for any parent who would like

more information.

In addition the school uses various **self esteem enhancement programmes/activities** to adapt and deliver the SPHE curriculum.

Healthy Lifestyle/Eating

Healthy living is promoted through the implementation of the school's Healthy Eating Policy and through delivery of each pupil's Individual Education Plan.

Parental involvement

Parents are made aware of programmes taught in school at induction meetings, IEP meetings, IEP review meetings, Parent/Teacher meetings and Information presentations/talks on related topics. Parents also get feedback throughout the school year through the home/school communication system; Information meetings for parents using guest speakers from outside agencies;

PART 2: CHILD PROTECTION

All staff (Teachers, SNAs, Secretarial, care-taking, cleaning, etc.) in Setanta Special School will follow the procedures for reporting concerns or disclosures, as set out below as **Child Protection Policy and Procedures: Setanta Special School**. These are based on “Children First”, the Department of Health and Children Guidelines (2011) and “Child Protection”, the Department of Education Child Protection Guidelines and Procedures (2011). A copy of the full text of this policy should be kept in all classrooms, staff room and reception and be available to all staff. The policy will be available to all parents on request and the Parents’ Association will also receive a copy of the policy.

The staff and management of this school have agreed the following:

- All concerns/disclosures involving child protection/child welfare issues will be reported in the first instance to the DLP (deputy DLP where appropriate);
- Each report to the DLP will be written on the appropriate record form (see appendix 1), dated and signed by the person making that report;
- A strict adherence to maintaining confidentiality – information regarding concerns or disclosures of abuse or neglect should only be given on a ‘need to know’ basis;
- If during the school day, a member of the clinical team has a concern they should also report to the DLP;
- If any information is reported to the DLP and the information must be reported to An Garda Síochána under the Withholding Act 2012, the reporting staff member and DLP shall make a joint report of the information to the Gardaí.

DEFINITIONS OF ABUSE

Abuse can take place in different ways and forms and the following descriptors provide definitions of the different types of abuse. Child abuse can be categorised into four different types:

- Neglect
- Emotional abuse
- Physical abuse
- Sexual Abuse

DEFINITION OF 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, attachment to and affection from adults.

DEFINITION OF EMOTIONAL ABUSE

Emotional Abuse is normally to be found in the relationship between caregiver and a child rather than in specific events or patterns of events. It occurs when a child's needs for affection, approval, consistency and security are not met. Unless other forms of abuse are present, it is rarely manifested in terms of physical signs or symptoms.

DEFINITION OF PHYSICAL ABUSE

Unsatisfactory explanations, varying explanations, frequency and clustering for the following events are high indications of concern regarding physical abuse. There are many different forms of physical abuse, but skin, mouth and bone injuries are the most common.

DEFINITION OF SEXUAL ABUSE

Sexual abuse occurs when a child is used by another person for his/her gratification or sexual arousal.

More details of each type of abuse is contained in **Appendix 1, p.70, Children First) GUIDELINES FOR RECOGNISING THE SIGNS OF ABUSE (3.9. Children First)**

A list of child abuse indicators is contained in Appendix 1 'Children First' – Pg. 70-74.

It is important to stress that, no one indicator should be seen as conclusive in itself of abuse; it may indicate conditions other than child abuse. All signs and symptoms must be examined in the total context of the child's situation and family circumstances.

The recognition of abuse normally runs along three stages:

1. **Considering the possibility** – if a child appears to have suffered an inexplicable and suspicious injury, seems distressed without obvious reason, display usual behaviour problems or appears fearful in the company of parents/carers
2. **Observing signs of abuse** a cluster of pattern of signs is the most reliable indicator of abuse. Children may make direct or indirect disclosures, which should always be taken seriously. Less obvious disclosures may be gently explored with a child, without direct questioning (which may be more usefully be carried by the Health Board or Garda). Play situations such as drawing or story telling may reveal significant information which could be considered in relation to the child's social and family context, and it is important to always be open to alternative explanations.
3. **Recording of Information** it is important to establish the grounds for concern, by obtaining as much information as possible. Observations should be recorded and should include dates, times, names, locations context and any information which could be considered relevant or which might facilitate further assessment/investigation.

HANDLING DISCLOSURES FROM CHILDREN (3.5 DES Child Protection Guidelines and Procedures)

An abused child is likely to be under severe emotional stress and staff members 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 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 the possible consequence, 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. 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.

- Listen to the child
- Communication with children should, on all occasions, take the form of the child's usual form or method of communication.
- Take all disclosure seriously
- Do not ask leading questions nor make suggestions to the child
- Offer reassurance but do not make promises
- Do not stop a child recalling significant events
- Do not react or over-react
- Explain that further help may have to be sought
- Record the discussion accurately and retain a written record by using staff reporting form (see appendix 1). Ensure that this form is completed fully and accurately. **This written information should be given to and retained by the DLP.**

DESIGNATED LIAISON PERSONS (DLP) (3.2 DES Child Protection Guidelines and Procedures)

All Boards of Management must designate the School Principal to have specific responsibility for child protection. This person will be the Designated Liaison Person for the school in dealing with the 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 investigations of alleged child abuse through the Designated Liaison Person (DLP). Where the Designated Liaison Person is unavailable for whatever reason, arrangements should be in place for another nominated senior member of staff to assume his/her responsibility, i.e. the Deputy Designated Liaison Person.

The School Principal, Loman O Loingsigh, will act as DLP following ratification by the Board of Management. **The Deputy Liaison Person is Fiona O'Donovan,, Deputy Principal.** 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.

ACTION TO BE TAKEN BY THE DESIGNATED LIAISON PERSON (4.2 DES Child Protection Guidelines and Procedures)

If the school employee and the Designated Liaison Person are satisfied that there are reasonable grounds for the suspicion or allegation the DLP should report the matter to the relevant Health Board immediately. It may be useful to note:

1. A report should be made to the Health Board in person by phone and writing. Each Health Board has a social worker who is available during certain hours to meet with, or talk on the telephone, to persons wishing to report child protection concerns
2. It is generally most helpful if persons wishing to report child abuse concerns make personal contact with the duty social worker. This will facilitate the social worker in gathering as much information as possible about the child and his parent/carers

3. In the event of an emergency, or the non availability of health board staff, the report should be made to the Garda. This may be done at any Garda Station or at the School's local Garda Station in Blackrock.

It is recommended that all reports should include as much as possible of the information sought in the Standard Reporting Form (see appendix 3). Since all information requested may not be available to the person making the report, the form should be completed as comprehensively as possible. **When such a report is being made to the health board or the Garda Síochána, the Chairperson of the Board of Management should be informed.**

Reporting Procedures for the DLP are contained in Appendix 2.

ALLEGATION/SUSPICIONS INVOLVING SCHOOL EMPLOYEES

The most important consideration for the Chairperson, Board of Management or the DLP is the safety and protection of the child. However, employees also have a right to protection against claims, which are false and malicious.

As employers, the Board of Management should always seek legal advice as the circumstances can vary from one case to another. There are two procedures to be followed:

- The Reporting Procedure
- The Procedure for dealing with the Employee

The DLP has responsibility for reporting the matter to the HSE/Garda Síochána. The Chairperson, Board of Management has responsibility, acting in consultation with his/her board, for addressing the employment issues.

If the allegation is against the DLP, the Chairperson of the Board of Management will assume the responsibility for reporting the matter to the Health Board/An Garda Síochána.

REPORTING

In the case where the 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. To do so, the DLP should consult the appropriate Health Board staff. In consulting the appropriate Health Board staff, the DLP would have to give identifying details as are required when a report is being made. If the Health Board advises that a referral should be made, the DLP should act on that advice by using the HSE Standard Reporting Form (Appendix 3).

If, following the discussion outlined above, the DLP decides that the concerns of the school employee should not be referred to the relevant Health Board; the school employee should be given a clear statement, in writing, as to the reason why the action is not being taken. The school employee should be advised that, if he/she remains concerned about the situation, he/she is free to consult with or report to the Health Board. Again, the standard reporting form of these guidelines should be used. Any person making a reasonable report in good faith would be covered by the **Protection for Persons Reporting Child Abuse Act, 1998**.

Where the information which the staff member has learned relates to a criminal offence against a child or vulnerable person, and this information has been reported to the DLP, the default course of action should be for the staff member and the DLP to report the information to the Gardaí in addition to any report to the HSE. The list of relevant offences coming under the Withholding Information Act 2012 is listed in Appendix Six of this policy. For children, the list includes most sexual and violent offences against a child (but does not include “technical” physical assault which does not cause harm). The list of relevant offences for vulnerable persons is not as broad. A child is defined in the Act as being under the age of 18. A vulnerable person is someone who is suffering from a mental disorder, an intellectual disability or a physical impairment any of which would severely restrict the ability of the person to protect themselves from serious exploitation or abuse.

If either the DLP and Staff member have information which would be of material assistance in apprehending, prosecuting or convicting someone who has committed a listed offence against a child or vulnerable person, both the DLP and staff member

are legally required to report this information to An Garda Síochána. In order to reduce multiple reports of the same information to HSE/Gardaí and in line with the requirements of Children First, the Board of Management has delegated its reporting obligations to the DLP and the DLP shall make all such reports on behalf of the Board of Management and each member thereof.

In certain limited cases, the requirement to report to An Garda Síochána is lifted. These cases relate to where the victim, their parent, the victim's doctor or medical professional or a social worker has grounds and capacity to ask that the information not be reported. The very complex requirements relating to these sections are set out in full in the Withholding Information Act 2012. For example, if the child in question is over 14 and has the capacity to request that the information not be reported to the Gardaí, this may act as a defence to being accused of failing to report the information An Garda Síochána. Similarly if a social worker or GP who is working with the child or his family decides that the information should not be reported, this may act as a defence to being accused of failing to report the information An Garda Síochána. These exceptions are very tightly circumscribed, and in all cases where a decision is being taken not to make a report to the Gardaí, detailed legal advice should be sought by the school on behalf of all staff members who would be affected by the decision.

As already stated above, the default course of action for all offences which seem to be covered by the Withholding Information Act 2012, should be to report any relevant information to the Gardaí.

CONFIDENTIALITY (1.9 DES Child Protection Guidelines and Procedures)

All information regarding concerns of possible child abuse should be only shared on a need to know basis, in the interest of the child. The test is whether or not the person has any legitimate involvement or role in dealing with the issue.

Giving information to those who need to have that information for the protection of the child who may have been or has been abused, is not a breach of confidentiality.

The DLP who is submitting a report to the Health Board or An Garda Síochána should inform a parent/guardian, unless doing so is likely to endanger the child or place that child at further risk. A decision not to inform a parent/guardian should be briefly recorded together with the reason for not doing so.

In emergency situations, where the Health Board cannot be contacted, and the child appears at immediate and serious risk, An Garda Síochána should be contacted immediately.

Under no circumstances should a child be left in a dangerous situation, pending a Health Board intervention.

PROTECTION FOR PERSONS REPORTING CHILD ABUSE

The Protection for Persons Reporting Child Abuse Act, 1998 came into operation on 23rd January 1999. Its main provisions are:

1. The provision of immunity from civil liability to any person who reports child abuse '**reasonably and in good faith**' to designated officers of Health Board or any member of An Garda Síochána. This means that even if a reported suspicion of child abuse proves unfounded, a plaintiff who took an action would have to prove that the person who reported had not acted reasonably and in good faith making the report.
2. The provision of significant protections for employees who report child abuse. These protections cover all employees and all forms of discrimination up to and including dismissal.
3. The creation of a new offence of false reporting of child abuse where a person makes a report of child abuse to the appropriate authorities **knowing that statement to be false**. This is a new criminal offence designed to protect innocent persons from malicious reports.

QUALIFIED PRIVILEGE (1.11 DES Child Protection Guidelines and Procedures)

While the legal protection outlined above only applies to reports made to the appropriate authorities (i.e. Health Boards and An Garda Síochána), Common Law qualified privilege continues to apply as heretofore. Consequently, should a Board of Management member or school personnel furnish information with regard to suspicions of child abuse to the DLP or Chairperson of the Board of Management, such communication would be regarded under common law as having qualified privilege.

Qualified privilege arises when the person making the communication has a duty to do so, or a right, or interest to protect the child and where the communication is made to a person with a similar duty, right or interest. The person making the report,

acting in loco parentis, would be expected to act in the child's best interests and in general, making the report would be regarded as acting in such a manner. Privilege can be displaced only where it can be established that the person making the report acted maliciously.

FREEDOM OF INFORMATION ACT 1997

Reports made to the Health Service Executive may be subject to provisions of the Freedom of Information Act 1997, which enables a member 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.

PART 3: PRACTICE

The following provides general guidelines for the implementation of this policy for staff and adults when working and interacting with pupils in Setanta Special School. Norms have to be established so that children can expect consistency from staff throughout the school day.

The staff and Board of Management of this school have identified the following as areas of general concern in relation to child protection. Following discussion and consultation the staff and Board of Management have agreed that the following practices be adopted.

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. While physical contact may be used to comfort, reassure or assist a child the following should be factors in determining its appropriateness:

- It is acceptable to the child
- It is open and not secretive
- The age of the child
- Touching should never be intrusive or inappropriate
- School personnel should avoid doing anything of a personal nature for children that they can do for themselves
- Staff should not be involved in physical contact with a child that relates to the delivery of clinical therapy
- Activities for which physical contact are necessary, e.g. brushing, deep pressure, etc. will be modelled for the child with the aim of encouraging independence

A strict two person policy is implemented in all aspects of delivery of personal/intimate care, including toileting.

RESPECT

It is vital to the dignity and personal development of children with special needs that persons coming into contact with them during their school day show respect. This can be done in many ways, for example:

- Allowing the child to become part of the decision-making process and then act on the child's contributions
- Giving praise and compliments as much as possible
- Allocating ability and age appropriate responsibilities such as getting own lunch, putting away coat, etc.
- Setting tasks that are achievable for the child
- Being careful not to talk about pupils when they can overhear

We should be aware of how we speak and behave towards the children as we go about our daily work, for example:

- Attempting to establish eye-contact when we speak to them
- Using reduced language, visual aids and/or signs to assist their understanding
- Thanking them and praising them by using positive behaviour management

PERSONAL CARE

After enrolment, and before the child starts in Setanta Special School, parents/guardians of new pupils will be invited to attend an introductory meeting with the School Principal, their child's new Class Teacher and the Special Needs Assistants who will be supporting their child's care needs whilst in school. Amongst other things, this meeting will seek to establish the specific needs of the child in relation to personal care, and determine how the school can best meet those needs.

The following personal care guidelines have been agreed by the staff and Board of Management:

- **Two staff members should address personal care needs at all times**
- Staff should inform pupils what is being done and/or where they are going
- There should be appropriate language, conversations and interactions at all times with pupils in order to avoid any upset or worry to pupils or any misinterpretation of events

- Pupils should never be left totally alone, but it is important to try to ensure as much privacy as possible, especially for senior pupils
- Staff should not talk about issues in front of pupils

ATTENDANCE

Pupils' attendance will be monitored in accordance with the school policy on attendance and attention will be paid to the following in correlation with signs of abuse:

- Partial attendance
- Trends in non-attendance
- Notes explaining child absences

STAFF BACKGROUND CHECKS

Setanta Special School has a responsibility to ensure all adults who are in contact with pupils meet the required Garda Vetting requirements and have signed the required Statutory Child Protection Declaration. This includes all staff, placement students and volunteers. The school also has the responsibility to check the credentials/references of all teaching and non-teaching staff, visitors, placement students and volunteers.

IN-CLASS SUPPORT

All tasks and activities that are supporting the learning of the pupil will be undertaken under the direction of the Class Teacher and in an appropriate environment. The Class Teacher is responsible for the supervision and safety of pupils at all times during the school day.

SUPERVISION

It is considered to be best practice for staff to, as far as is reasonably possible, to ensure that pupils have two staff present at all times. It is also acknowledged that 1.1 teaching is often in the best interests of some pupils. These pupils should be accompanied by an SNA to the 1.1 teaching session. Every effort will be made to ensure that this teaching takes place in an appropriate environment and with appropriate protection for both pupil and teacher.

REPORTING INCIDENTS OR ISSUES OF CONCERN

Every effort should be made by staff to adhere to the best practice as agreed and outlined in this policy and taking into account good practice and common sense. Further guidance for staff may be referred to in Appendix 4. However, in the event of an emergency, where neither is possible nor practicable, a full record of any incident should be made and reported to the DLP as soon as possible after the event.

RELATED SCHOOL POLICIES

Setanta Special School is currently using and developing a series of policies, practices and curricular programmes in relation to pupils' safety and well-being. The Board of Management is committed to ensuring that all the necessary policies, protocols and practices as appropriate to child protection are in place. The following school policies which compliment the Child Protection Policy are as follows:

- Code of Behaviour and Anti-Bullying Policy
- Health & Safety Statement
- Mission Statement
- Healthy Eating Policy
- Swimming Guidelines
- Delivery of Personal & Intimate Care Policy
- Curriculum Policies (including SPHE)
- Supervision Policy
- Social Outings Policy
- IT – Acceptable Use Policy
- Reporting of Incidents and Accidents
- Attendance Strategy
- Record-keeping Policy
- Induction of new pupils, school staff, clinical staff and placement students
- Garda Vetting Policy
- School Transport Policy
- Whole School Planning Process
- Data Protection & Record Retention Policy

TIME-FRAME FOR REVIEW AND MONITORING

This policy will be monitored and reviewed by the Board of Management on an annual basis, when new legislation or regulations demand or when the need arise. A review of this policy will be conducted based on the criteria above, following any and all incidents when the guidelines are used and by using the Checklist for review contained in DES circular 0065/2011, which may be referred to in Appendix 5.

At the first staff meetings of each year the DLP will remind all staff of the contents of this policy and refer them to the relevant guidelines and procedures located throughout the school.

RESPONSIBILITY FOR REVIEW

- DLP/School Principal
- All Staff
- Board of Management

RATIFICATION AND COMMUNICATION

- This policy was ratified by the Board of Management on 09/10/12.
- This policy has been made available to school personnel and the Parents' Association and is readily accessible to parents on request. A copy of this policy will be made available to the Department and the patron, if requested.

Single Manager, Setanta School, Don Mahon

Date of review: July 2017

APPENDIX 1

SETANTA SPECIAL SCHOOL

CHILD PROTECTION SCHOOL RECORD FORM

APPENDIX 2

REPORTING PROCEDURES FOR DLP

REPORTING PROCEDURES FOR DLP

- DLP receives report of child protection concern
- DLP records the report – date/time/context. Child's registration number is used for recording purposes
- DLP makes decision on how to proceed based on information received
- DLP informs Chairperson of Board of Management that initial contact is being made with Health Board
- DLP makes contact with Health Board seeking advice (Do not give name of child at this point. Be very clear that you are seeking advice). Take the name of the person you spoke to and record conversation
- Duty Social Worker makes recommendation. This may involve school continuing to monitor the situation. Record this decision and send written record of this decision to Health Board. Alternatively a formal referral made on standard reporting form may be recommended by Social Worker (Keep a copy on file in a secure place)
- If Health Board not available and case warrants immediate response – Gardaí are informed
- If the offence is one which is listed in Schedule Six of this policy, then a report should always be made to the Gardaí in addition to any report to the Health Board. If the report came from a staff member, this report should be signed by the staff member and the DLP.
- Decision made on informing/not informing parents - taking safety of the child into consideration as number one priority. A decision NOT to inform parent/s should only be made where there is a genuine concern for the safety of the child. Be transparent with parent/s and ensure that they are aware that you have a non-negotiable responsibility as DLP to act in the best interests of the child (Refer to Children First)
- If DLP decides not to contact Health Board in relation to the case – person who made original report must be informed in writing
- Continued monitoring of child should be recommended

- Child Protection concerns that have been reported to the Health Board/Gardaí should be included in the Principal's Report to Board of Management Meeting - Child's name is not used

IMPORTANT CONTACT DETAILS:

Health Board

**Dublin South,
Social Work Department,
Our Lady's Clinic,
Patrick Street,
Dun Laoghaire,
Co. Dublin.**

Tel: 01 6637300

Garda Station (Blackrock)

01 6665200

Hospital

National Children's Hospital, Tallaght

Tel: 01 4142000

Crumlin Children's Hospital

Tel: 01 4096100

CAPP (Stay Safe Programme): Tel: 01 6206346

Beechpark Services (Social Work): Tel: 01 2782972

APPENDIX 3

HSE STANDARD REPORTING FORM

STANDARD REPORT FORM*(For reporting CP&W Concerns to HSE)*
 Feidhmeannacht na Seirbhíse Sláinte
 Health Service Executive

A. To Principal Social Worker/Designate: _____
1. Date of Report

2. Details of Child

Name:		Male	<input type="checkbox"/>	Female	<input type="checkbox"/>
Address:		DOB		Age	
		School			
Alias		Correspondence address (if different)			

3. Details of Persons Reporting Concern(s)

Name:		Telephone No.	
Address:		Occupation:	
		Relationship to client:	
Reporter wishes to remain anonymous	<input type="checkbox"/>	Reporter discussed with parents/guardians	<input type="checkbox"/>

4. Parents Aware of Report

		Yes	No
Are the child's parents/carers aware that this concern is being reported to the HSE?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

5. Details of Report
(Details of concern(s), allegation(s) or incident(s) dates, times, who was present, description of any observed injuries, parent's view(s), child's view(s) if known.)

FORM NUMBER: CC01:01:00

STANDARD REPORT FORM

(For reporting CP&W Concerns to HSE)



6. Relationships

Details of Mother		Details of Father	
Name:		Name:	
Address: (if different to child)		Address: (if different to child)	
Telephone Nos.		Telephone Nos.	

7. Household composition

Name	Relationship	DOB	Additional information, e.g. school/occupation/other

8. Name and Address of other personnel or agencies involved with this child:

	Name	Address
Social Worker		
PHN		
GP		
Hospital		
School		
Gardaí		
Pre-School/Crèche/YG		
Other (<i>specify</i>):		

9. Details of person(s) allegedly causing concern in relation to the child

Relationship to child:		Age		Male	<input type="checkbox"/>	Female	<input type="checkbox"/>
Name:		Occupation:					
Address:							

10. Details of person completing form

Name:		Occupation:	
Signed		Date:	

APPENDIX 4

GUIDANCE FOR STAFF

WHAT TO DO IF A CHILD MAKES A DISCLOSURE

Child Protection Guidelines Checklist for School Employees

Designated Liaison Person: Loman O Loingsigh, School Principal

Deputy Designated Liaison Person: Fiona O'Donovan, Deputy School Principal

If a child discloses information to you:-

- Listen
- Do not ask leading questions
- Offer reassurance but do not promise not to tell
- Explain that other adults may need to be told - DLP
- Do not stop the child speaking
- Do not over react or comment
- Inform DLP - If you have a reasonable suspicion or reasonable grounds for concern that a child is at risk or has suffered abuse, the DLP should contact the Health Board for advice
- At the earliest opportunity, record accurately what the child has said – Using the child's own words. Record date/time and context of the disclosure. Use child's registration number – Not child's name
- Facts only
- Sketch signs of physical injury if appropriate
- Retain records for a period of 21 years in keeping with the school's Record Keeping Policy

The following should also be reported to the DLP:

- An account from a person who saw a child being abused
- Injury consistent with abuse
- Dysfunctional behaviour
- Implausible explanations for injury or behaviour
- Consistent evidence over a period of time that a child is being emotionally or physically neglected

Health Board Response:

- School is asked to monitor the situation
- Formal report is requested , sent by DLP and on receipt case is allocated to Social Worker
- Preliminary enquiry – Screening process
- Initial assessment

Possible outcomes:

- Case closed
- Family support
- Child Protection Plan (usually following a case conference)

WHAT TO DO IF A CHILD TELLS YOU OF ABUSE

These 7 Rs are a useful guideline to the INITIAL reaction to a disclosure to a staff member caring for, or working with, a pupil in Setanta Special School.

1. Receive:

- Listen to what is being said, without displaying shock or disbelief
- Accept what is said
- Take notes discreetly, retaining original copy of these notes

2. Reassure:

- Reassure the child but only so far as is honest and reliable. For example, don't make promises you may not be able to keep like "I'll stay with you" or "Everything will be alright now."
- Don't promise confidentiality; you have a duty to refer. Explain to the child that you will need some help to deal with what he/she has told you.
- Do reassure and alleviate guilt, if the child refers to it. For example, you should say: "You're not to blame", "You're not alone", "You're not the only one this sort of thing has happened to".

3. React:

- React to the child only as far as is necessary for you to establish whether or not you need to refer to this matter.
- Don't "interrogate" for full details.
- Do not ask "leading" questions such as, "What did he do next?" (this assumes he did) or "Did he touch your private parts?" Such questions may invalidate your evidence and the child's in any later prosecution in court.
- Do ask open questions like, "Anything else to tell me?", "Yes?", "And?"
- Do not criticize the alleged perpetrator. The child may love him/her and reconciliation may be possible.
- Do explain what you have to do next and to whom you have to talk.
- Try to see the matter through yourself and keep in contact with the child.

4. Record:

- Make some notes at the time on any paper which comes to hand and write them up as soon as possible
- Do not destroy these original notes
- Record the date, time, place, any noticeable non-verbal behaviour and the words used by the child. If the child uses sexual 'pet' words, record the actual words used, rather than translating them into 'proper' words. Any injuries or bruises noticed may be recorded on a diagram showing the position and extent.

- Record statements and observable things, rather than your interpretations or assumptions.

5. Remember:

- To follow agreed reporting procedures
- That this matter must be dealt with in the strictest of confidence and not discussed except with those mentioned in School Guidelines.

6. Refer:

- To the Principal Teacher as per guidelines.

7. Relax:

- Relax and get some support for yourself.

APPENDIX 5

**CHECKLIST FOR ANNUAL REVIEW OF SETANTA SPECIAL SCHOOL CHILD
PROTECTION POLICY**

**CHECKLIST FOR ANNUAL REVIEW OF SETANTA SPECIAL SCHOOL CHILD
PROTECTION POLICY**

The Board of Management must undertake an annual review of its child protection policy and the following checklist shall be used by Setanta Special School for this purpose.

The checklist is designed as an aid to conducting this review and is not intended as an exhaustive list. It is taken from Appendix 2, DES circular 0065/2011.

The Board of Management should also assess other school policies, practices and activities to ensure adherence to the principles of best practice in child protection and welfare as set out in this policy.

	YES/NO
Has the Board formally adopted a child protection policy in accordance with the 'Child Protection Procedures for Primary and Post Primary Schools'?	
As part of the school's child protection policy, has the Board formally adopted, without modification, the 'Child Protection Procedures for Primary and Post Primary Schools'?	
Are there both a DLP and a Deputy DLP currently appointed?	
Are the relevant contact details (HSE and An Garda Síochána) to hand?	
Has the DLP attended available child protection training?	
Has the Deputy DLP attended available child protection training?	
Have any members of the Board attended child protection training?	
Has the school's child protection policy identified other school policies, practices and activities that are regarded as having particular child	

protection relevance?	
Has the Board ensured that the Department's "Child Protection Procedures for Primary and Post Primary Schools" are available to all school personnel?	
Have the Board arrangements in place to communicate the school's child protection policy to new school personnel?	
Is the Board satisfied that all school personnel have been made aware of their responsibilities under the 'Child Protection Procedures for Primary and Post Primary Schools'?	
Is the Board satisfied that all school personnel have been made aware of their responsibilities under the Withholding Information Act 2012?	
Since the Board's last annual review, was the Board informed of any child protection reports made to the HSE/An Garda Síochána by the DLP?	
Since the Board's last annual review, was the Board informed of any cases where the DLP sought advice from the HSE and as a result of this advice, no report to the HSE was made?	
Is the Board satisfied that the child protection procedures in relation to the making of reports to the HSE/An Garda Síochána were appropriately followed?	
Were child protection matters reported to the Board appropriately recorded in the Board minutes?	
Is the Board satisfied that all records relating to child protection are appropriately filed and stored securely?	
Has the Board ensured that the Parents' Association has been provided with the school's child protection policy?	
Has the Board ensured that the school's child protection policy is available	

to parents on request?	
Has the Board ensured that the Stay Safe programme is implemented in full in the school?	
Has the Board ensured that the SPHE curriculum is implemented in full in the school?	
Is the Board satisfied that the Department's requirements for Garda Vetting have been met in respect of all school personnel (employees and volunteers)?	
Is the Board satisfied that the Department's requirements in relation to the provision of a child protection related statutory declaration and associated form of undertaking have been met in respect of persons appointed to teaching and non-teaching positions?	
Is the Board satisfied that, from a child protection perspective, thorough recruitment and selection procedures are applied by the school in relation to all school personnel (employees and volunteers)?	
Is the Board satisfied that the 'Child Protection Procedures for Primary and Post Primary Schools' are being fully and adequately implemented by the school?	
Has the Board identified any aspects of the school's child protection policy and/or its implementation that require further improvement?	
Has the Board put in place an action plan containing appropriate timelines to address those aspects of the school's child protection policy and/or its implementation that have been identified as requiring further improvement?	
Has the Board ensured that any areas for improvement that were identified in any previous review of the school's child protection policy have been adequately addressed?	

APPENDIX 6

OFFENCES LISTED IN
SCHEDULE ONE
(RELATING TO CHILDREN)
AND
SCHEDULE TWO
(RELATING TO VULNERABLE PERSONS)
OF THE
CRIMINAL JUSTICE (WITHHOLDING OF INFORMATION ON OFFENCES AGAINST
CHILDREN AND VULNERABLE PERSONS) ACT 2012

Offences against children which must be reported to the Gardaí under the Withholding Information Act 2012

1. Murder.
2. Manslaughter.
3. Common law offence of false imprisonment.
4. Rape.
5. Rape under section 4 of the Criminal Law (Rape)(Amendment) Act 1990.
6. Sexual assault.
7. Aggravated sexual assault within the meaning of section 3 of the Criminal Law (Rape) (Amendment) Act 1990.
8. An offence under section 1 of the Punishment of Incest Act 1908 (incest by males).
9. An offence under section 2 of the Punishment of Incest Act 1908 (incest by females of or over 17 years of age).
10. An offence under section 6(1) of the Criminal Law (Sexual Offences) Act 1993.
11. An offence under section 2 of the Criminal Law (Sexual Offences) Act 2006 (defilement of child under 15 years of age).
12. An offence under section 3 of the Criminal Law (Sexual Offences) Act 2006 (defilement of child under the age of 17 years).
13. An offence under either of the following provisions of the Child Trafficking and Pornography Act 1998—

- (a) section 3 (child trafficking and taking, etc., child for sexual exploitation),
- (b) section 4 (allowing child to be used for child pornography).

14. An offence under section 2 of the Sexual Offences (Jurisdiction) Act 1996 insofar as it relates to an offence specified in the Schedule to that Act that is also specified in this Schedule.

15. An offence under any of the following provisions of the Criminal Law (Human Trafficking) Act 2008—

- (a) section 2 (trafficking, etc., of children),
- (b) section 5 insofar as it relates to a child who has been trafficked for the purpose of his or her exploitation (soliciting or importuning for purposes of prostitution of trafficked person),
- (c) section 7 insofar as it relates to an offence under section 2 of that Act or section 3 (other than subsections (2A) and (2B)) of the Child Trafficking and Pornography Act 1998.

16. An offence under section 249 of the Children Act 2001 (causing or encouraging sexual offence upon a child).

17. An offence under section 176 of the Criminal Justice Act 2006 (reckless endangerment of children).

18. An offence under any of the following provisions of the Non-Fatal Offences against the Person Act 1997—

- (a) section 3 (assault causing harm),
- (b) section 4 (causing serious harm),
- (c) section 5 (threats to kill or cause serious harm),
- (d) section 13 (endangerment),
- (e) section 15 (false imprisonment),
- (f) section 16 (abduction of child by parent, etc.),
- (g) section 17 (abduction of child by other persons).

19. An offence under section 246 of the Children Act 2001 (cruelty to children).

20. An offence under any of the following provisions of the Criminal Justice (Female Genital Mutilation) Act 2012—

(a) section 2 (offences of female genital mutilation, etc.),

(b) section 3 (offence of removal from State for purpose of female genital mutilation),

(c) section 4 (acts, etc., done outside State).

Offences against vulnerable persons which must be reported to the Gardaí under the Withholding Information Act 2012

1. Common law offence of false imprisonment.
2. Rape.
3. Rape under section 4 of the Criminal Law (Rape) (Amendment) Act 1990.
4. Sexual assault.
5. Aggravated sexual assault within the meaning of section 3 of the Criminal Law (Rape) (Amendment) Act 1990.
6. An offence under section 1 of the Punishment of Incest Act 1908 (incest by males).
7. An offence under section 2 of the Punishment of Incest Act 1908 (incest by females of or over 17 years of age).
8. An offence under either of the following provisions of the Criminal Law (Sexual Offences) Act 1993—
 - (a) subsection (1) of section 5 insofar as it provides for an offence of having sexual intercourse, or committing an act of buggery, with a person who is mentally impaired within the meaning of that section (other than a person to whom the alleged offender is married or to whom he or she believes with reasonable cause he or she is married),
 - (b) subsection (2) of section 6 insofar as it provides for an offence of soliciting or importuning a person who is mentally impaired within the meaning of that section (whether or not for the purposes of prostitution) for the purposes of the commission of an act that would constitute an offence under section 5(1) (insofar as it is referred to in *paragraph (a)*) of that Act or an offence referred to in section 2 of the Criminal Law (Rape) (Amendment) Act 1990.

9. An offence under section 2 of the Sexual Offences (Jurisdiction) Act 1996 insofar as it relates to an offence specified in the Schedule to that Act that is also specified in this Schedule to the extent that it is so specified.

10. An offence under any of the following provisions of the Criminal Law (Human Trafficking) Act 2008—

(a) section 4 (trafficking of persons other than children),

(b) section 5 insofar as it relates to a person in respect of whom an offence under subsection (1) or (3) of section 4 of that Act has been committed (soliciting or importuning for purposes of prostitution of trafficked person),

(c) section 7 insofar as it relates to an offence under section 4 of that Act.

11. An offence under section 3 of the Non-Fatal Offences against the Person Act 1997 (assault causing harm)

APPENDIX 7
STAFF DECLARATION

SETANTA SPECIAL SCHOOL

STAFF DECLARATION

Please sign in the space below to confirm that you meet the requirements of the school policy on child protection

Setanta Special School Child Protection Policy,

'Children First', the Department of Health and Children guidelines (2011) and

"Child Protection", the DES Child Protection Guidelines and Procedures (2011).

I confirm that I have read and also that I have continuing access to the abovementioned documents.

Signed: _____ Date: _____