

Child Protection Policy

St. John the Evangelist NS

Child Protection Policy for St. John the Evangelist NS

Introductory Statement & Rationale

St John the Evangelist NS in line with our mission statement and ethos aims to protect the well-being of its staff and students by providing a safe and nurturing environment at all times.

We have taken a number of measures to create a safe and inclusive ethos in the school, where the wellbeing of students is central. The school, in partnership with all stakeholders has ensured a number of policies and procedures have been developed with a view to ensuring the physical and psychological safety of staff and students, both in ordinary time and in the event of a critical incident.

School Ethos

St. John the Evangelist N.S. is a co-educational, Catholic Primary School which promotes the full and harmonious development of all children, including intellectual, physical, cultural, moral and spiritual development. In our school we are committed to the holistic development of all pupils, preparing them to reach their full potential and to play a full and active role in their community. Our school is an inclusive, multi-cultural school that cherishes all children equally. We provide a safe and happy environment for all children. All our children have a right to an education which is appropriate to them as individuals. We endeavour to nurture each child to develop their full potential in an environment where they are valued.

Aims

- Provision of personal safety skills education for all children.
- Creation of a safe, trusting, responsive and caring environment.
- Put in place procedures for good practice to protect children and staff (teachers/ancillary)
- Ensure all staff members are aware of and familiar with the DES guidelines and procedures in relation to reporting suspicions/allegations of child abuse as outlined in Child Protection Guidelines 2017 and Children First 2017
- Provision of ongoing training to ensure staff competency in the area of Child Safeguarding.

Guidelines for the Management and Organisation of Child Protection in our School

It is the policy of St. John the Evangelist NS to follow the procedures as laid down in Child Protection Guidelines and Procedures 2017 provide by DES in conjunction with Children First 2017 and Circular 0081/2017, in any case where we suspect, or are alerted to, child abuse, including where a child discloses instances of abuse.

1. Role of the Board of Management:

It is the primary responsibility of the Board of Management of St. John the Evangelist NS to protect the children within the school to whom they have a duty of care. The responsibilities of the Board of management are outlined in Chapter 4 of the Children First Guidelines 2017 and in Chapters 7 and 9 of the Child Protection Guidelines 2017:

- Planning and implementation of a Child Protection policy
- Oversee Staff Development in relation to Child Safeguarding.
- Appointing a Designated Liaison Person and a deputy Designated Liaison Person.
- Respond to allegations/suspicions of child abuse involving employees.
- Invoke administrative leave of employee if the nature of the allegation warrants immediate action.
- Monitor and evaluate the procedures and policy relating to Child Protection.

2. Role of the Staff:

The responsibilities of the staff of St. John the Evangelist NS are as outlined in the Children First Guidelines 2017 and in the Child Protection Guidelines 2017

- Teaching of a Child Protection Programmes – Stay Safe
- Recording of and responding to allegations of child abuse as recommended in the Children First Guidelines 2017 and in the Child Protection Guidelines 2017

➤ Designated Liaison Person: James Carroll (Principal)

➤ Deputy Designated Liaison Person: Siobhán Mc Donagh (Deputy Principal)

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- The DLP will ensure that all staff are aware of the procedures and guidelines and attend any further training, if provided.
- The DLP will ensure that each teacher has a copy of this policy on Child Protection as well as a copy of the Child Safeguarding Statement.
- The DLP will ensure that parents are informed of these procedures at enrolment.
- Each staff member understands the process of recording concerns. We monitor the progress of pupils about whom we have concerns and who may be at risk in a manner consistent with our duty as teachers. These records are maintained confidentially
- It is the policy of this school to follow the procedures as laid down in the Child Protection Guidelines and Procedures 2017, Children First 2017 and Circular 0081/2017.

3. Procedures for dealing with an employee of the school who is alleged to be in breach of child protection legislation

In general, the same person should not have responsibility for dealing with the reporting of such an allegation to the appropriate authorities (Tusla or An Garda Síochána) and with the employment issues.

- The DLP will be responsible for reporting the matter to Tusla/Gardai.
- The Chairperson of the Board of Management, acting in consultation with his/her Board of Management, will be responsible for addressing the employment issues.
- Where an allegation of abuse is against the DLP, the Chairperson will also assume responsibility for reporting the matter to Tusla/Gardai.
- Legal advice should always be sought.

The priority for the Board of Management is the protection, safety and well-being of pupils. However, as an employer, the Board of Management also has duties and responsibilities in respect of its employees. Due regard should be given to the rights and interests of the pupils under the care of the Board of Management and to those of an employee against whom an allegation is made. The employee should be treated fairly and should not be judged in advance of a full and fair enquiry.

Employee Support

The school employee may need support pending investigation and resolution of the matter.

External services shall be made available to the employee for this purpose.

Legal Advice

The Board should seek legal advice when dealing with an employee against whom a suspicion has been raised or an allegation of abuse made.

4. Reporting Procedure

Where an allegation of abuse is made against a school employee, the DLP (or Chairperson, if the allegation is against the Principal/DLP) should immediately act in accordance with the reporting procedures set out in this policy. A written statement of the allegation should be sought from the person(s)/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 appropriate body/agency, the DLP should always inform the Chairperson of the Board of Management and the Trustees of the allegation.

Reporting of concerns

It is the policy of St. John the Evangelist NS to follow the procedures as laid down in the Child Protection Guidelines and Procedures 2017 in any case of reported concern / disclosure.

- If a school employee receives an allegation or has a suspicion that a pupil is being abused the school employee should, in the first instance, report the matter to the Designated Liaison Person in the school.
- The need for confidentiality, which can be referred to in Chapter 3 of the Child Protection Guidelines 2017, should be maintained at all times throughout the procedure.

*Guidelines when mentioned below refer to the Child Protection Guidelines and Procedures 2017

Action to be taken by Designated Liaison Person:

If the school employee and the Designated Liaison Person are satisfied that there are reasonable grounds for the suspicion or allegation (see Chapter 5 of these guidelines) the Designated Liaison Person should report the matter to Tusla immediately.

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It may be useful to note that specific guidelines for the action to be taken by the Designated Liaison Person are outlined at 5.3.1, 5.3.2, 5.3.3, 5.3.4, 5.3.5, 5.3.6, 5.3.7, 5.3.8 and 5.3.9.

Making a report

In regard to making a report to Tusla, the Designated Liaison Person should follow procedures outlined in section 5.4 of the guidelines

- A concern may be made known initially to Tusla either in person, by phone or in writing, to the local social work duty service in the area where the child lives.
- It is generally most helpful if persons wishing to report child abuse concerns make personal contact with Tusla. This will facilitate the duty social worker in gathering as much information as possible about the child and his or her parents/carers.
- The national contacts for Tusla can be found on the Tusla website www.tusla.ie. Each school should be familiar with the contact details for the Tusla team in its own area or region.
- In the case of any concern (whether the concern was made known initially in person, by phone or in writing to either Tusla or An Garda Síochána), the Tusla Report form which is available on the Tusla website www.tusla.ie shall be completed and forwarded to Tusla as soon as possible thereafter.
- Although all information requested might not be available to the person making a report, the Tusla Report form shall be completed as comprehensively as possible.
- The Tusla Report form shall be used for reporting all concerns to Tusla. In order to submit a report as a mandated report, the reporter shall indicate, in the manner required, on the Tusla Report form that the report is a mandated report under the Children First Act, 2015. Tusla Report form can be submitted on the Tusla online portal which allows for electronic submission of reports to Tusla.
- Under no circumstances should a child be left in a situation that exposes him or her to harm or risk of harm pending intervention by Tusla. If it is considered that a child is in immediate danger and Tusla cannot be contacted, An Garda Síochána should be contacted without delay.

Mandated persons should also note –

(a) Under the Children First Act, 2015 mandated persons are required to make a written report as soon as practicable using the Tusla Report form. The mandated person should indicate, in the

manner required on the form that the report is a mandated report under the Children First Act, 2015.

(b) All mandated reports received by a Tusla authorised person will receive a formal acknowledgement of receipt by Tusla.

(c) Mandated persons are not required to report the same concern more than once. However, if a mandated person becomes aware of any additional information a further report shall be made.

(d) In addition, a mandated person is not required to make a report where the sole basis for his or her knowledge, belief or suspicion of harm is as a result of information he or she has acquired, received or become aware of:

(1) from another mandated person that a report has been made to Tusla in respect of the child concerned by that other person or

(2) from a person other than a mandated person, who has reported jointly with a mandated person, that a report has been made to Tusla in respect of the child concerned by that other person, or

(3) pursuant to assisting Tusla in assessing a concern Additional considerations:

Where a mandated person acting in the course of his or her employment or profession as a mandated person knows, believes or has reasonable grounds to suspect that a child may be at risk of immediate harm and should be removed to a place of safety, he or she may make a report to Tusla other than by means of the Tusla Report form. In such cases, a Tusla Report form must be submitted as soon as possible thereafter but in any event not later than 3 days after the making of the first-mentioned report.

Information on the role of Tusla and what happens after a report is made can be found in chapter 6 of these procedures.

5. Action to be taken by the Chairperson

It is essential that the matter be treated in the strictest confidence and that the identity of the employee should not be disclosed until such time as the employee has been offered the opportunity to address and/or be represented to the Board of Management.

The first priority should be to ensure that no child is exposed to unnecessary risk.

Where the Chairperson of a Board of Management becomes aware of an allegation of abuse against a school employee (including the Principal), the Chairperson should:

- Maintain strict confidentiality
- Ensure that the principles of due process and natural justice are adhered to at all times

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- Convene an immediate meeting of the Board of Management
- Privately inform the employee of the following:
 - (a) The fact that an allegation has been made against him/her
 - (b) The nature of the allegation
 - (c) Whether or not the matter has been reported to Tusla by the Designated Liaison Person (or the Chairperson).
- Give the employee a copy of the written record and/or allegation and any other related documentation while ensuring that appropriate measures are in place to protect the child.
- Once the matter has been reported to Tusla, afford the employee an opportunity to respond to the allegation in writing to the Board of Management within a specified period of time.
- Inform the employee that his/her explanation to the Board of Management will also have to be passed on to the Tusla.
- Consult with Tusla or relevant authorities for advice if unsure as to whether the nature of the allegations warrants the absence of the employee from the school while the matter is being investigated and have due regard to the advice offered.
- Direct that the employee refrain from attending school with immediate effect if in the opinion of the Board of Management the nature of the allegation warrants immediate action.
- Where the Board of Management has directed an employee to refrain from presenting to work in school, contact D.E.S. immediately to seek (a) formal approval for paid leave of absence of the school employee; (b) departmental sanction for the employment of a substitute teacher.
- Inform the Stakeholders.
- Inform, in confidence, the pupil or parent making the allegation, of the leave of absence.
- Ensure that any follow-up action required accords with established grievance and disciplinary procedures and is only made following consultation with Tusla or relevant authorities.
- Maintain close liaison with Tusla or relevant authorities to ensure that actions taken do not undermine or frustrate any investigations being conducted by them.
- Inform D.E.S. and the Stakeholders of the outcome.

6. Action to be taken by the Board of Management

In a school context, the most important consideration to be taken into account is the protection of children, and their safety and well-being must be the priority. Each school authority also has a duty and responsibility, as an employer, in respect of its employees. The Board of Management shall refer to the Child Protection Guidelines 2017 chapter 7 to assist them in providing due regard to the rights and interests of the children under their care and those of the employee against whom an allegation is made.

It is important to note that there are two procedures to be followed:

- (a) the reporting procedure in respect of the allegation/suspicion;
- (b) the procedure for dealing with the employee.

In general the same person shall not have responsibility for dealing with the reporting issue and the employment issue. The designated liaison person (DLP) is responsible for reporting the matter to Tusla while the employer is responsible for addressing the employment issues. However, where the allegation/suspicion relates to the DLP, the employer shall assume the responsibility for seeking advice from and/or for reporting the matter to Tusla, as appropriate.

Reporting procedure in respect of the allegation/suspicion

- Where an allegation or suspicion of child abuse regarding a member of the board of management has been reported by the DLP (or employer as above) to Tusla, the board of management shall inform the patron that a report involving a board member has been submitted to Tusla. It is a matter for the patron to determine if any action is necessary regarding the member's continued role on the board of management, including whether the patron shall exercise his or her powers under section 16 of the Education Act, 1998.
- In the context of allegations or suspicions of child abuse regarding school employees the primary goal is to protect the children within the school. However, school employees can be subject to erroneous or malicious allegations. The employee shall be treated fairly which includes the right not to be judged in advance of a full and fair process and as applicable, in accordance with the relevant disciplinary procedures.

- The Employee Assistance and Wellbeing Programme for Teachers and Special Needs Assistants also continues to be available to offer assistance to teachers and special needs assistants.
- At all stages it should be remembered that the first priority is to ensure that no child is exposed to unnecessary risk. 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.

Procedure for dealing with the employee

The Board of Management must have in place a written protocol for authorising immediate action (Appendix 3 – Child Protection Guidelines 2017) when there is an urgent child safeguarding requirement to immediately absent an employee from the school. For example, this protocol will apply where the need for immediate action arises during the course of a school day or just prior to the commencement of a school day and where the immediate safeguarding of children requires that such action must not be delayed pending or contingent on the convening of a meeting of the board of management or the receipt of legal advice. Such action may also be triggered by the school being informed by Tusla or An Garda Síochána of a risk to children.

In the context of these procedures, where circumstances warrant it, as an essential precautionary measure in order to protect the children in the school, the chairperson of the Board of Management is authorised by the school authority to direct an employee to immediately absent himself or herself from the school without loss of pay until the matter has been considered by the employer. It is very important to note that the action under the protocol is intended to be precautionary and not disciplinary.

The action under this protocol is an interim measure pending the employer's consideration of the matter.

The employee will be invited to a meeting with the chairperson of the Board of Management, the purpose of which is to inform the employee of the allegation and the action being taken.

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The employee may be accompanied by an appropriate person of his or her choice and will be so advised.

In any event, the employee will also be advised of the matter, in writing. The Chairperson of the Board of Management shall also make a record of the meeting which shall be retained on the relevant case file.

The guiding principle that must inform this protocol and its application is that the protection and welfare of children is of paramount importance, regardless of all other considerations. Keeping children safe in these circumstances means that the protocol will inevitably have to be activated immediately and without waiting to convene a board of management meeting or the receipt of legal advice. It is also very important to note that the actions under the protocol are intended to be precautionary and not disciplinary.

However once the safeguarding action of absencing the employee under the protocol has been put in place, the following shall apply -

(a) An emergency meeting of the board of management shall be convened

(b) Tusla shall be informed that the protocol has been operated and that the employee will be absent from the school pending an emergency meeting of the board of management. This may be done in tandem with the reporting of the allegation or if necessary by way of a separate notification to Tusla.

(c) The Department shall also immediately be contacted with regard to seeking the Department's:

1. formal approval for continuation of pay for a limited period to allow for the convening of the emergency board of management meeting, and
2. sanction for the employment of a substitute teacher where this is necessary for a limited period to allow for the convening of the emergency board of management meeting.

Initial Meeting to hear about the allegation(s)

- Whether or not the employee is absent from the school on administrative leave, it is necessary for the Chairperson to call an immediate meeting of the Board of Management to inform Board members of the nature of the allegation(s), the action to be taken in respect of same and the outcome of any consultations with Tusla and/or An Garda Síochána.

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- Members of the Board of Management should be reminded of their responsibilities to maintain strict confidentiality about all matters relating to the issue. The principles of due process and natural justice should be adhered to by the Board.
- In certain situations, it might not be possible for the Board of Management to reach any definitive conclusions as to whether the alleged abuse actually occurred.
- Such a situation could occur where allegations of abuse relate to the past employment of the school employee and where these allegations are being investigated by either Tusla or An Garda Síochána.
- In such cases, it may not prove possible for the Board of Management to conduct any proper inquiry into the allegations.
- In these cases, the Chairperson of the Board of Management should maintain regular and close liaison with those authorities and a decision on the position of the school employee should be taken having due regard to the advice given to the Board of Management by those authorities.
- If a decision is taken that the school employee should take administrative leave of absence, the following should be informed immediately – DES Paymaster and (in strict confidence) the pupil or parent who made the allegation.
- Where an allegation is made by a third party, against a former staff member, the Board of Management should write to Tusla, without giving identifying details, seeking advice on how to proceed.
- Where an allegation is made, by a third party, in relation a current staff member's previous employment, the Board of Management should write to Tusla, without giving identifying details, seeking advice on how to proceed.
- In both cases, a written record should be kept of the nature of the allegation, advice sought, actions taken and outcome.

Subsequent Meeting to consider the allegation(s)

- Where the alleged abuse has taken place within the school, or is related to abuse of pupils of the school by school employees outside of school time, the Board of Management should convene a further meeting to consider in detail the allegations which have been made against the school employee and the source of those allegations, the advice of Tusla and/or

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An Garda Síochána in relation to the allegation(s) and the written response of the employee to the allegation(s).

- At this meeting, the person/agency who is alleging abuse by the school employee should 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 should be afforded an opportunity to make a presentation of his/her case to the Board and may be accompanied by another person.
- Having followed the procedures outlined above, and having satisfied itself that it has sufficient information to make a determination in relation to the allegation, the Board should then make a decision on the action, if any, it considers necessary to take in respect of the employee.
- The Department of Education and Science be informed of the outcome where the school employee has been absent on administrative leave.

Outcome of disciplinary investigation

- At the end of the investigation, a meeting should be arranged to inform the employee of the next steps.
- The employee may be accompanied or represented by a person of his/her choice.
- If the outcome is a disciplinary charge, further action will be in accordance with standard disciplinary procedures and will happen after the child protection enquiries.
- If the employee has been suspended and it is not intended to proceed with any form of disciplinary action or to dismiss, the suspension should be lifted immediately by the appropriate body.
- The Principal should meet the employee to discuss the person's return to work.

Child Protection surrounding the primary care needs of a student - SNA's

In the case of Special Needs Assistants (SNAs), they too will be made aware of the child protection guidelines and the policy of this school. If an outside speaker/coach visits the school, the class teacher will be present at all times.

Intimate care procedures involved in an SNA's duties will be agreed in consultation with the pupil, his/her parents/guardians any other personnel involved in the care of the pupil. This will be in keeping with best practice and the best interests of the child and with due consideration to maintaining the child's personal dignity.

7. Organisational and Curricular areas:

- We contribute to the prevention of child abuse through the SPHE curriculum. The Child Protection Programme that is to be implemented in St. John the Evangelist NS is the Stay Safe Programme. It will be taught from Senior Infants to Sixth Class. It will be taught in a 4-week block to maintain the integrity of the Stay Safe programme. Any additional resources selected will be in keeping with the aims of this policy.
- If children are withdrawn, they will be accommodated in another teacher's classroom.
- With regard to matters of a confidential nature, the school cannot take any responsibility for what is discussed amongst students during yard time/informal time.
- All children with special needs are included and participate in the SPHE programme with their own classes. Teachers will adapt and modify activities so that all children can participate.
- The methodologies and approaches used will be as recommended in the SPHE curriculum.
- Parents are invited to view the curriculum and may speak to the class teacher if they have any concerns.

8. Provision for Ongoing Support

Provisions to be made to support teachers, pupils, parents and board members involved in Child Protection at policy and programme level include:

- Regular contact with parents and the provision of the Parent's Guide to Stay Safe at commencement of the programme.
- Staff and BOM will attend training in relation to Child Protection when required to.

9. Policies that Support Child Protection

The following policies related to Child Protection have been drawn up in consultation with parents, the Board of Management and other stakeholders within the school community.

- Code of Behaviour
- Enrolment
- Anti-Bullying
- Health and Safety Statement
- Critical incident
- Learning for All
- RSE

Success Criteria

We will know this policy has been implemented if:

- The teachers preparation, planning and teaching is based on this plan.
- Procedures outlined in the policy have been consistently followed.

We will know it has achieved its aims if the pupils have been enabled to:

- Develop personal safety skills strategies.
- Have an awareness of the teachings on Child Safety within the Stay Safe Programme.

Ratification

This policy was reviewed and ratified by the Board of Management of St. John the Evangelist NS in October 2023 and will be implemented with immediate effect.

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Communication, Monitoring and Review

This policy will be communicated to staff and the school community as appropriate and will be subjected to regular review. In accordance with the systematic cycle of review of policies adopted in St. John the Evangelist NS.

The policy be reviewed on an annual basis.

Signed: Rose O'Driscoll
(Chairperson of Board of Management)

Signed: James Carroll
(Principal)

Date: 5/10/22
Date of next review: Sept 2023

Date: 5/10/22