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Child Safeguarding Policy and Procedures

Introductory Statement

This policy was devised and formulated by the school community, involving Board of Management, parents and staff of St. Patrick's Senior National School, in accordance with the Rules and Regulations of the Department of Education and Science and the Catholic Primary Schools Management Association. This policy and accompanying procedures are aligned and should be used in conjunction with the Child Protection Procedures for Primary and Post-Primary Schools 2017 and Children First: National Guidance for the Protection and Welfare of Children.

Rationale

The purpose of this policy and accompanying procedures is to give clear direction and guidance to school management and school personnel in relation to meeting the statutory obligations under the Children First Act, 2015 and in the continued implementation within the school setting of the best practice guidance set out in Children First: National Guidance for the Protection and Welfare of Children.

Aims:

- To prioritise the safeguarding and welfare of children attending St. Patrick's Senior National School
- To inform school personnel and parents about St. Patrick's Senior National School's Child Safeguarding Statement, St. Patrick's Senior National School's Child Safeguarding Risk Assessment) and St. Patrick's Senior National School's Child Safeguarding Policy and Procedures
- To assist school personnel with the recognition of possible signs of child abuse
- To inform relevant personnel on the importance of fair, accurate, up-to-date and confidential record keeping
- To give direction and guidance to school authorities and to school personnel in relation to meeting their new statutory obligations under the Children First Act, 2015
- To inform relevant personnel (mandated persons) of their statutory obligations to report child protection concerns that are at or above a threshold of harm.
- To describe criteria for mandated reporting
- To highlight possible consequences for mandated persons who fail to report Child Protection concerns
- To inform school personnel of best practice (non-statutory) obligations which are in place for the purposes of Child Protection
- To communicate action to be taken by all school personnel (teaching and non-teaching) in relation to child protection concerns
- To communicate action to be taken by a teacher registered with The Teaching Council in relation to Child Protection concerns
- To inform school personnel of best practice when dealing with a disclosure from a child
- To communicate action to be taken by the Designated Liaison Person in relation to child protection concerns

- To outline procedures in place for allegations or suspicions of Child Abuse regarding school employees
- To outline procedures and protocol in place if a parent of a pupil in St. Patrick's Senior National School makes an allegation of abuse against a member of St. Patrick's Senior National School personnel.
- To outline procedures and protocol in place if there are allegations or suspicions of Child Abuse regarding school employees

Definition and Recognition of Child Abuse_

Definition of a Child

In Children First: National Guidance for the Protection and Welfare of Children, in this policy and the accompanying procedures, 'a child' means a person under the age of 18 years, who is not or has not been married.

Reasonable Grounds for Concern

The Children First National Guidance 2017 requires that Tusla should always be informed where a person has reasonable grounds for concern that a child may have been, is being, or is at risk of being abused or neglected. If the symptoms of abuse are ignored, it could result in ongoing harm to the child. It is not necessary for a person to prove that abuse has occurred to report a concern to Tusla. All that is required is that the person has reasonable grounds for concern. It is Tusla's role to assess concerns that are reported to it. Where a concern is reported, the information will be carefully considered with any other information available and a child protection assessment will be carried out where sufficient risk is identified.

Reasonable grounds for a child protection or welfare concern include:

- Evidence (e.g. injury or behaviour) 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 or 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

Types of Child Abuse and the Recognition of Possible Signs

Child abuse can be categorised into four different types: Neglect, Emotional Abuse/III-Treatment, Physical Abuse and Sexual Abuse. A child may be subjected to one or more forms of abuse at any given time. The definitions of neglect and abuse presented in this policy and the accompanying procedures are not legal definitions and are taken from the Child Protection Procedures for Primary and Post-Primary Schools 2017. They are intended to describe ways in which a child might experience abuse and how this abuse may be recognised.

Neglect

Neglect is generally 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.

The following are features of child neglect:

- Children being left alone without adequate care and supervision
- Malnourishment, lacking food, unsuitable food or erratic feeding

- Non-organic failure to thrive, i.e. a child not gaining weight due not only to malnutrition but also emotional deprivation
- Failure to provide adequate care for the child's medical and developmental needs, including intellectual stimulation
- Inadequate living conditions - unhygienic conditions, environmental issues, including lack of adequate heating and furniture
- Lack of adequate clothing
- Inattention to basic hygiene
- Lack of protection and exposure to danger, including moral danger or lack of supervision appropriate to the child's age
- Persistent failure to attend school
- Abandonment or desertion

Emotional Abuse / Ill-Treatment

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

Emotional Abuse/Ill-Treatment may be seen in some of the following ways:

- 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
- Bullying
- Conditional parenting in which care or affection of a child is made contingent on his or her behaviours or actions
- 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

Physical Abuse

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

Physical abuse can include the following:

- 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. Child sexual abuse may cover a wide spectrum of abusive activities. 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. Cases of sexual abuse mainly come to light through disclosure by the child or his or her siblings/friends, from the suspicions of an adult and/or by physical symptoms. It should be remembered that sexual activity involving a young person may be sexual abuse even if the young person concerned does not themselves recognise it as abusive.

Examples of child sexual abuse include the following:

- 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, which includes:
 - a) Inviting, inducing or coercing a child to engage in prostitution or the production of child pornography [for example, exhibition, modelling or posing for the purpose of sexual arousal, gratification or sexual act, including its recording (on film, videotape or other media) or the manipulation, for those purposes, of an image by computer or other means]
 - b) Inviting, coercing or inducing a child to participate in, or to observe, any sexual, indecent or obscene act
 - c) Showing sexually explicit material to children, which is often a feature of the 'grooming' process by perpetrators of abuse
- Exposing a child to inappropriate or abusive material through information and communication technology
- Consensual sexual activity involving an adult and an underage person

Bullying

- It is recognised that bullying affects the lives of an increasing number of children and can be the cause of genuine concerns about a child's welfare.
- Children First National Guidance 2017 outlines that bullying can be defined as repeated aggression – whether it be verbal, psychological or physical – that is conducted by an individual or group against others.
- Children First National Guidance 2017 describes bullying as behaviour that is intentionally aggravating and intimidating, and occurs mainly among children in social environments such as schools. It includes

behaviours such as physical aggression, cyber bullying, damage to property, intimidation, isolation/exclusion, name calling, malicious gossip and extortion.

- Bullying can also take the form of identify abuse based on gender, sexual preference, race, ethnicity and religious factors. With developments in modern technology, children can also be the victims of non-contact bullying, via mobile phones, the internet and other personal devices.
- While bullying can happen to any child, some may be more vulnerable. These include children with disabilities or special educational needs; those from ethnic minority and migrant groups; those from the Traveller community; lesbian, gay, bisexual or transgender (LGBT) children and those perceived to be LGBT; and children of minority religious faiths.
- School authorities are required to have a Code of Behaviour and an Anti-Bullying Policy in place in accordance with the Department's "Anti-Bullying Procedures for Primary and Post-Primary Schools" (the Anti-Bullying Procedures) and Circular 0045/2013.
- The Anti-Bullying Procedures define bullying as "unwanted negative behaviour, verbal, psychological or physical conducted by an individual or group against another person (or persons) and which is repeated over time".
- In the context of the Anti-Bullying Procedures "placing a once-off offensive or hurtful public message, image or statement on a social network site or other public forum where that message, image or statement can be viewed and/or repeated by other people" is also regarded as bullying behaviour.
- School personnel should be aware of St. Patrick's Senior National School's Anti-Bullying Policy and the procedures to be followed in relation to any alleged bullying incidents.
- Children First National Guidance 2017 and the Anti-Bullying Procedures provide that in cases of serious instances of bullying where the behaviour is regarded as possibly abusive, a referral may need to be made to Tusla or An Garda Síochána as appropriate.
- Where school personnel have concerns about a child arising from alleged bullying behaviour but are not sure whether to report the matter to Tusla, the Designated Liaison Person shall seek advice from Tusla in accordance with the procedures set out in this policy and the Child Protection Procedures for Primary and Post-Primary Schools 2017.

Responsibilities of All School Personnel

Dealing with Disclosures from Children

- An abused child is likely to be under severe emotional stress and a member of school personnel may be the only adult whom the child is prepared to trust. Great care shall be taken not to damage that trust.
- When information is offered in confidence, the member of school personnel will need tact and sensitivity in responding to the disclosure. The member of school personnel will need to reassure the child, and endeavour to retain his or her trust, while explaining the need for action 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 or her, but not to make promises that cannot be kept e.g. promising not to tell anyone else.
- It is important to deal with any allegation of abuse or neglect in a sensitive and competent way through listening to and facilitating the child to tell about the problem, rather than interviewing the child about details of what happened. Disclosures of abuse must be dealt with sensitively and professionally.
- It must always be remembered that school personnel have a supportive, not an investigative role.
- The following approach is suggested as best practice for dealing with these disclosures:
 - a) React calmly
 - b) Listen carefully and attentively
 - c) Take the child seriously

- d) Reassure the child that they have taken the right action in talking to you • Do not promise to keep anything secret
 - e) Ask questions for clarification only. Do not ask leading questions
 - f) Check back with the child that what you have heard is correct and understood
 - g) Do not express any opinions about the alleged abuser
 - h) Ensure that the child understands the procedures that will follow
 - i) Make a written record of the conversation as soon as possible, in as much detail as possible
 - j) Treat the information confidentially, subject to the requirements of the Children First National Guidance 2017 and relevant legislation.
- The duty of the recipient of such information is to follow the reporting requirements outlined in this policy and in Child Protection Procedures for Primary and Post-Primary School 2017.

Record Keeping

- When using any templates mentioned below, the student's Unique Identifier Code (UIC) is used to protect confidentiality.
- When child abuse or neglect is suspected, it is essential to have a written record of all the information available. Personnel shall note carefully what they have observed and when they observed it. (Observation/Monitoring template can be accessed for teachers on G-Drive with UIC).
- The Monitoring Template is stored in the teacher's Assessment Folder in a designated untitled section at the rear of the folder. This folder is handed on annually to the incoming class teacher. It is stored in a lockable cabinet at all times.
- Signs of physical injury shall be described in detail and, if appropriate, sketched. The Pictorial Record Template can be used in such circumstances.
- Any comment by the child concerned, or by any other person, about how an injury occurred shall be recorded, preferably quoting words actually used, as soon as possible after the comment has been made. The Record of Disclosure Template can be used in such circumstances.
- The record of the discussion shall be signed, dated and given to the Designated Liaison Person who shall retain it.
- The Designated Liaison Person 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.
- The Designated Liaison Person shall retain a copy of every report submitted by him or her to Tusla and shall keep a record of any further actions to be taken by the Designated Liaison Person and of any further communications with Tusla, An Garda Síochána or other parties in relation to that report.
- All records created shall be regarded as highly confidential and placed in a secure location in line with the General Data Protection Regulation.
- To allow for the effective recording and tracking of relevant records and actions, all child protection case files and any parties referenced in such files shall be assigned a unique code or serial number by the Designated Liaison Person.
- A red icon shall be placed beside a pupil's name on Aladdin if a Child Protection file has been opened on their behalf. This ensures clear and confidential communication between the relevant parties.
- In this context "parties" means any party whose identity, if disclosed, might lead to the identification of a child or a person against whom an allegation has been made.
- All school personnel should be aware that Section 17 of the Children First Act, 2015 makes it an offence for a person to disclose information to a third party which has been shared by Tusla during the course of an assessment arising from a mandated report, save in accordance with law, or unless Tusla has given that person written authorisation to do so.

- Failure to comply with this section of the Act is an offence liable to a fine or imprisonment for up to six months or both.

Designated Liaison Person and Deputy Designated Liaison Person

- It is the responsibility of all Boards of Management to designate a senior full-time member of the registered teaching staff of the school as the Designated Liaison Person (DLP) for the school.
- It is expected that the Designated Liaison Person will normally be the Principal.
- It is also the responsibility of the Board of Management to designate another member of the full time registered teaching staff of the school (to be known as the Deputy Designated Liaison Person) to assume the responsibilities of the Designated Liaison Person, in the absence of the Designated Liaison Person. It is expected that, where possible, the Deputy Designated Liaison Person will normally be a Deputy Principal of the school.
- The Board of Management shall ensure that arrangements are in place to enable the Deputy Designated Liaison Person to effectively assume his or her responsibilities in the absence of the Designated Liaison Person and to ensure that the Deputy Designated Liaison Person can access relevant records when required.
- The role of the Designated Liaison Person is to act as the resource person to any member of school personnel who has a Child Protection concern.
- The Designated Liaison Person should be knowledgeable about Child Protection and should be provided with any training considered necessary to fulfil this role.
- However, in cases where there are concerns about a child and the Designated Liaison Person is not sure whether to report the matter to Tusla or whether a report should be submitted as a mandated report, the Designated Liaison Person shall seek advice from Tusla.
- The Designated Liaison Person is responsible for ensuring that the reporting requirements outlined in this policy and Chapter 5 of the Child Protection Procedures for Primary and Post-Primary Schools 2017 are followed correctly and promptly.
- The specific actions to be taken by the Designated Liaison Person in relation to any concerns about a child including those in respect of joint mandated reporting with registered teachers, are detailed in this policy and Chapter 5 of the Child Protection Procedures for Primary and Post-Primary Schools 2017.
- These procedures also require that the Designated Liaison Person shall be appointed as the “relevant person” under section 11 of the Children First Act, 2015 for the purposes of being the first point of contact in respect of the school’s Child Safeguarding Statement.
- The names of the Designated Liaison Person and the Deputy Designated Liaison Person shall be recorded in the Child Safeguarding Statement.
- The name of the Designated Liaison Person shall be displayed in a prominent position near the main entrance to the school.
- The Designated Liaison Person will be the Designated Liaison Person for the school in dealing with Tusla, An Garda Síochána and other parties, in connection with allegations of and/or concerns about child abuse and neglect.
- Those other parties shall be advised by the Designated Liaison Person that they shall conduct all matters pertaining to the processing or assessment/investigation of alleged child abuse through the Designated Liaison Person.
- Where the matter concerns a member of school personnel such matters shall be conducted through the employer (Board of Management).

Statutory Obligations on Registered Teachers

Specific Responsibilities of Registered Teachers

- The Children First Act, 2015 has placed a statutory obligation on specific people to report child protection concerns that are at or above a threshold of harm (as defined in that Act) to Tusla. Such persons are referred to as “mandated persons” under the Act.
- All teachers who are registered with the Teaching Council are mandated persons under the Children First Act, 2015.
- Registered teachers as mandated persons have two main statutory obligations under the Children First Act, 2015 and they are;
 - (a) to report any knowledge, belief or reasonable grounds to suspect that a child has been harmed, is being harmed or is at risk of being harmed to Tusla, and
 - (b) to assist Tusla in assessing a concern which has been the subject of a mandated report, if requested by Tusla in accordance with the Act.
- In accordance with the best practice (non-statutory) requirement of the Children First National Guidance 2017, these procedures continue the previous requirement that any member of school personnel including a registered teacher who receives an allegation or has a suspicion that a child may have been, is being, or is at risk of being abused or neglected, is still required to report the matter, without delay, to the Designated Liaison Person in the school.
- Every registered teacher, as a mandated person, now also has a statutory obligation 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 in the Act.
- Therefore, in addition to reporting his or her concern to the Designated Liaison Person, a registered teacher must also consider whether or not the concern is at or above the defined threshold of harm at which the registered teacher has his or her own statutory obligation under the Children First Act, 2015 to submit a mandated report to Tusla.
- Chapter 5 of the Child Protection Procedures for Primary and Post-Primary Schools 2017 requires that the registered teacher shall liaise with the Designated Liaison Person in relation to determining if the concern in question is at or above the defined threshold of harm at which the registered teacher must submit a mandated report.
- Every registered teacher should note that as a mandated person the statutory obligation under the Children First Act 2015 to make a mandated report to Tusla rests with the individual teacher and this applies regardless of whether or not the Designated Liaison Person reports the concern in question.
- However, a registered teacher who makes a mandated report to Tusla jointly with the DLP meets his or her statutory obligation to report to Tusla under the Children First Act 2015.
- Certain provisions of the Children First Act, 2015 that are relevant to the reporting obligations of mandated persons are set out below:
Section 14 (1) of the Children First Act, 2015 states that:

“where a mandated person knows, believes or has reasonable grounds to suspect, on the basis of information that he or she has received, acquired or becomes aware of in the course of his or her employment or profession as such a mandated person, that a child –

- (a) has been harmed,
- (b) is being harmed, or
- (c) is at risk of being harmed,

he or she shall, as soon as practicable, report that knowledge, belief or suspicion, as the case may be, to the Agency¹.”

¹ Tusla – The Child and Family Agency

- Section 14 (2) of the Children First Act, 2015 also places obligations on mandated persons to report any disclosures made by a child. It states that:
 “Where a child believes that he or she –
 (a) has been harmed,
 (b) is being harmed, or
 (c) is at risk of being harmed,
 and discloses that belief to a mandated person in the course of a mandated person’s employment or profession as such a person, the mandated person shall, ... as soon as practicable, report that disclosure to the Agency
- In accordance with Section 2 of the Children First Act, 2015 the defined threshold of “harm” in relation to a child is as follows:
 “Harm” means, in relation to a child-
 (a) assault, ill-treatment or neglect of the child in a manner that seriously affects or is likely to seriously affect the child’s health, development or welfare, or
 (b) sexual abuse of the child,
 whether caused by a single act, omission or circumstance or a series or combination of acts, omissions or circumstances, or otherwise;”

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

 “Neglect” means, in relation to a child, to deprive the child of adequate food, warmth, clothing, hygiene, supervision, safety or medical care;

 “Welfare” includes, in relation to a child, the moral, intellectual, physical, emotional and social welfare of the child.”

Criteria for Mandated Reporting: Threshold of Harm

- Under the Children First Act, 2015 registered teachers as mandated persons are required to report to Tusla any knowledge, belief or reasonable grounds to suspect that a child has been harmed, is being harmed, or is at risk of being harmed.
- The Act defines harm as assault, ill-treatment, neglect or sexual abuse, and covers single and multiple instances.
- The threshold of harm for each category of abuse at which registered teachers as mandated persons have a statutory obligation to report concerns is set out in Chapter 3 of Children First National Guidance 2017, and is outlined below:
 - a) Neglect**
 The threshold of harm, at which you must report to Tusla under the Children First Act 2015, is reached when you know, believe or have reasonable grounds to suspect that a child’s needs have been neglected, are being neglected, or are at risk of being neglected to the point where the child’s health, development or welfare have been or are being seriously affected, or are likely to be seriously affected.
 - b) Emotional Abuse/Ill-Treatment**
 The threshold of harm, at which you must report to Tusla under the Children First Act 2015, is reached when you know, believe or have reasonable grounds to suspect that a child has been, is

being, or is at risk of being ill-treated to the point where the child's health, development or welfare have been or are being seriously affected, or are likely to be seriously affected.

c) Physical Abuse

The threshold of harm, at which you must report to Tusla under the Children First Act 2015, is reached when you know, believe or have reasonable grounds to suspect that a child has been, is being, or is at risk of being assaulted and that as a result the child's health, development or welfare have been or are being seriously affected, or are likely to be seriously affected.

d) Sexual Abuse

As all sexual abuse falls within the category of seriously affecting a child's health welfare or development, all concerns about sexual abuse must be submitted as a mandated report to Tusla. A registered teacher as a mandated person who knows, believes or has reasonable grounds to suspect that a child has been, is being, or is at risk of being sexually abused has a statutory obligation to report this to Tusla under the Children First Act, 2015. Such reports shall be made in accordance with the reporting requirements outlined in this policy and in the Child Protection Procedures for Primary and Post-Primary Schools 2017.

Consequences of Non-Reporting

- While the Children First Act, 2015 does not impose criminal sanctions on mandated persons who fail to make a report to Tusla, Children First National Guidance 2017 outlines that there are possible consequences for mandated persons who fail to report.
- In the case of registered teachers, there are a number of administrative actions that Tusla could take, if after an investigation, it emerges that a mandated report was not made by a registered teacher and a child was subsequently left at risk or harmed.
- In that regard, Children First National Guidance 2017 provides that Tusla may:
 - (a) make a complaint about the registered teacher under the Fitness to Teach provisions of the Teaching Council Acts 2001 to 2015.
 - (b) pass information regarding the failure to make a report to the National Vetting Bureau of An Garda Síochána. This information could potentially be disclosed to current or future employers when the registered teacher is next Garda vetted.

Reporting of Concerns

Action to be taken by all School Personnel

- If any member of school personnel, including a registered teacher, receives an allegation or has a suspicion that a child may have been abused or neglected, is being abused or neglected, or is at risk of abuse or neglect he or she shall, without delay, report the matter to the Designated Liaison Person in the school, who is responsible for ensuring that the reporting procedures in this policy and the Child Protection Procedures for Primary and Post-Primary Schools 2017 are followed.
- The Designated Liaison Person shall make a written record of any concern brought to his or her attention by a member of school personnel and shall place this record in a secure location.
- All school personnel must have due regard to the need for confidentiality at all times.
- The supports of the school shall continue to be made available to the child(ren) concerned.
- Where the allegation or concern relates to the Designated Liaison Person, the member of school personnel shall, without delay, report the matter to the Chairperson of the Board of Management

- In such cases the Chairperson of the Board of Management shall assume the role normally undertaken by the Designated Liaison Person and shall follow the reporting procedures set out in this policy.

Action to be taken by a Teacher Registered with the Teaching Council (Mandated Person)

- Where a registered teacher receives an allegation or has a suspicion that a child may have been abused or neglected, is being abused or neglected, or is at risk of abuse or neglect he or she shall, without delay, report the matter to the Designated Liaison Person.
- The Designated Liaison Person and the registered teacher must consider whether there are reasonable grounds for concern about the welfare and protection of the child.
- If the Designated Liaison Person and the registered teacher both agree that there are reasonable grounds for concern they shall then jointly consider whether the concern in question is at or above the defined threshold of harm (as set out in this policy and the Child Protection Procedures for Primary and Post-Primary Schools 2017) at which a report must be submitted as a mandated report to Tusla.
- If the Designated Liaison Person and the registered teacher both agree that the concern is at or above the defined threshold of harm at which a mandated report must be made, the concern shall, as soon as practicable, be submitted as a mandated report to Tusla jointly by the Designated Liaison Person and the registered teacher concerned using the Tusla report form.
- The Tusla report form which is available on the Tusla website www.tusla.ie shall be completed as comprehensively as possible and indicate, in the manner required that it is a mandated report under the Children First Act, 2015.
- Where the Designated Liaison Person is unsure whether to report a concern to Tusla or whether a report should be submitted as a mandated report, the Designated Liaison Person shall seek advice from Tusla. The Designated Liaison Person shall inform the registered teacher concerned that such advice is being sought and shall, when received, inform the registered teacher of the advice provided.
- Where Tusla advises that a mandated report should be made, the Designated Liaison Person and the registered teacher concerned shall act on that advice and a mandated report shall, as soon as practicable, be submitted to Tusla jointly by the Designated Liaison Person and the registered teacher concerned in accordance with this policy and the Child Protection Procedures for Primary and Post-Primary Schools 2017.
- In any case (including where the Designated Liaison Person has sought and considered the advice of Tusla) where the Designated Liaison Person and the registered teacher are both satisfied that the concern is not at or above the defined threshold of harm for a mandated report but both consider that it constitutes reasonable grounds for concern, the Designated Liaison Person shall as soon as practicable, report the concern to Tusla in accordance with this policy and the Child Protection Procedures for Primary and Post-Primary Schools 2017.
- In such cases (i.e. where the registered teacher is satisfied that the concern is not at or above the defined threshold of harm for a mandated report) the teacher is not required to submit a report to Tusla.
- In any case (including where the Designated Liaison Person has sought and considered the advice of Tusla) where either the Designated Liaison Person or the registered teacher, has any remaining doubt as to whether the concern is at or above the defined threshold of harm for a mandated report, the Designated Liaison Person or the registered teacher (or both where applicable) shall submit the report to Tusla as a mandated report in accordance with the reporting procedures set out in this policy and in the Child Protection Procedures for Primary and Post-Primary Schools 2017.
- Where applicable, the mandated report shall be submitted to Tusla jointly by the registered teacher and Designated Liaison Person in accordance with this policy and the Child Protection Procedures for Primary and Post-Primary Schools 2017.
- Where the Designated Liaison Person has decided not to report to Tusla or has decided not to submit the report as a mandated report to Tusla, the Designated Liaison Person shall advise the registered teacher

that it remains open to that teacher to seek advice from Tusla and to report his or her concern, or to report that concern as a mandated report to Tusla where he or she still considers that such a report is warranted.

- Where the Designated Liaison Person has decided not to report to Tusla the Designated Liaison Person shall give the registered teacher a clear statement in writing as to the reasons why action is not being taken and a copy of that statement shall be retained by the Designated Liaison Person. If, in such circumstances, the registered teacher decides to report the concern to Tusla or to report the concern as a mandated report to Tusla, he or she shall use the Tusla Report Form which is available on the Tusla website www.tusla.ie and shall also provide a copy of that report to the Designated Liaison Person. Where that report concerns a member of school personnel, the Designated Liaison Person shall inform the Board of Management.

Action to be taken by the Designated Liaison Person

- In cases where there are concerns about a child and the Designated Liaison Person is satisfied that there are reasonable grounds for concern, he or she shall report the matter to Tusla immediately following the procedures for making a report set out in this policy and in the Child Protection Procedures for Primary and Post-Primary Schools 2017.
- Where the Designated Liaison Person considers that the concern is at or above the defined threshold of harm for a mandated, the report in question shall be submitted to Tusla as a mandated report by the Designated Liaison Person.
- In all cases where a registered teacher has brought a concern to the Designated Liaison Person, the Designated Liaison Person and teacher shall also follow the relevant procedures set out in this policy and in the Child Protection Procedures for Primary and Post-Primary Schools 2017.
- Where there are concerns about a child, but the Designated Liaison Person is not sure whether to report the matter to Tusla or whether a report should be submitted to Tusla as a mandated report, the Designated Liaison Person shall seek advice from Tusla.
- In consulting Tusla, the Designated Liaison Person shall be explicit that he or she is requesting advice and consultation and that he or she is not making a report. At this informal stage the Designated Liaison Person need not give identifying details.
- In all cases where the Designated Liaison Person has sought the advice of Tusla the DLP shall retain a record of the consultation which will note the date, the name of the Tusla official and the advice given. It should be noted that if the concern was brought to the attention of the Designated Liaison Person by a registered teacher, the Designated Liaison Person shall inform the registered teacher that Tusla's advice is being sought and shall inform the registered teacher of the advice when received.
- Where Tusla advises that a report should be submitted as a mandated report, the Designated Liaison Person shall act on that advice (and where applicable this report shall be submitted to Tusla jointly with the registered teacher concerned in accordance with this policy and the Child Protection Procedures for Primary and Post-Primary Schools 2017).
- Where the Designated Liaison Person is satisfied that the concern is not at or above the defined threshold of harm for a mandated report but he or she considers that it constitutes reasonable grounds for concern he or she shall report the concern to Tusla in accordance with this policy.
- If the Designated Liaison Person has any remaining doubt as to whether the concern is at or above the defined threshold of harm for a mandated report, the Designated Liaison Person shall submit the report to Tusla as a mandated report in accordance with the reporting requirements set out in this chapter, including, where applicable, those relating to joint reporting with a registered teacher as set out in this policy and in the Child Protection Procedures for Primary and Post-Primary Schools 2017.
- Children First National Guidance 2017 outlines that it is good practice to inform the parent/carer that a report concerning his or her child is being made and the reasons for the decision to make the report.

- Children First National Guidance 2017 provides that it is not necessary to inform a parent/carer that a report is being made –
 - (a) if by doing so, the child will be placed at further risk or
 - (b) in cases where the family’s knowledge of the report could impair Tusla’s ability to carry out a risk assessment or
 - (c) if the reporter is of the reasonable opinion that by doing so it may place the reporter at risk of harm from the family.
- The Designated Liaison Person who is submitting a report to Tusla should inform a parent/carer that a report is being made and the reasons for the decision to report except where any of the conditions at (a) to (c) above apply.
- In any case, where a registered teacher is submitting a report to Tusla, the Designated Liaison Person, rather than the teacher concerned, shall assume the responsibility for informing the parent/carer.
- A record shall be made of the information communicated by the Designated Liaison Person to the parent/carer.
- A decision by the Designated Liaison Person not to inform a parent/carer shall be recorded together with the reasons for not doing so.
- Where the Designated Liaison Person has any doubt as to whether to inform a parent/carer that a report concerning his or her child is being made to Tusla, the DLP shall seek the advice of Tusla.
- If the Designated Liaison Person decides that the concern of the member of school personnel, including that of a registered teacher, should not be reported to Tusla the Designated Liaison Person shall give the member of school personnel a clear statement, in writing, as to the reasons why action is not being taken. A copy of this statement should be retained by the Designated Liaison Person.
- The member of school personnel shall also be advised by the Designated Liaison Person that if he or she remains concerned about the situation, he or she is free to consult with or report to Tusla. If the member of school personnel decides to report the concern to Tusla he or she shall use the Tusla Report Form which can be found on Tusla’s website www.tusla.ie.
- The member of school personnel shall provide a copy of that report to the Designated Liaison Person. Where that report concerns a member of school personnel, the Designated Liaison Person shall inform the Board of Management.
- All reports shall be submitted to Tusla in accordance with this policy and the Child Protection Procedures for Primary and Post-Primary Schools 2017.

Making a Report to Tusla

- 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. The national contacts for Tusla can be found on the Tusla website www.tusla.ie.
- 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.

- The Tusla Report form can be posted to a Tusla authorised person using the contact details on Tusla’s website www.tusla.ie.
- 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.
 - (e) 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.

Child Protection Concern about a Member of School Personnel Raised by a Parent

Child Protection Concern about a Member of St. Patrick’s Senior National School Personnel Raised by a Parent

- Where a parent of a pupil in the school makes an allegation of abuse (as described in this policy and in Chapter 2 of the Child Protection Procedures for Primary and Post-Primary Schools 2017) against a member of school personnel the following additional procedures shall be followed by the Designated Liaison Person and the Board of Management as applicable.
- The Designated Liaison Person shall, within 10 school days of the parent making the allegation (whether to the Designated Liaison Person, the Board of Management or another member of school personnel) issue a written notification to the parent concerned which sets out;

- (a) that in accordance with the requirements of the Child Protection Procedures for Primary and Post-Primary Schools 2017:
- (1) the matter has been reported by the Designated Liaison Person to Tusla or
 - (2) Tusla advice has been sought in respect of the matter by the DLP and on foot of that advice the matter was not reported to Tusla or
 - (3) the DLP determined that the matter did not constitute reasonable grounds for concern as set out under these procedures and therefore did not require reporting to Tusla and the reasons for that determination,
- (b) that it is open to the parent concerned to contact Tusla directly in relation to the matter, should the parent wish to do so and,
- (c) that any allegation of abuse(as described in this policy and in Chapter 2 of the Child Protection Procedures for Primary and Post-Primary Schools 2017) against a school employee reported to Tusla falls to be dealt with under the relevant procedures set out in Chapter 7 “Allegations of Suspicions of Child Abuse Regarding School Employees” of the Child Protection Procedures for Primary and Post-Primary Schools 2017 and, as applicable, under relevant employee disciplinary procedures and therefore shall not be dealt with under the school’s parental complaints procedures.
- In any case where a parent has not received the written notification from the Designated Liaison Person referred to above within the required timeframe, the parent may raise the matter directly with the Designated Liaison Person.
 - If the written notification is not received by the parent within 5 school days of raising the matter with the Designated Liaison Person, the parent may notify the board of management in writing of this fact. In such circumstances, the board of management shall direct the Designated Liaison Person to ensure that a notification containing the information specified in these procedures is issued to the parent within 10 school days of the Board of Management receiving the parent’s written notification.
 - Where a parent of a pupil in the school makes an allegation of abuse against the Designated Liaison Person, the Chairperson of the Board of Management shall assume the role normally undertaken by the Designated Liaison Person and shall follow the procedures as set out above.

Allegations or Suspicions of Child Abuse Regarding School Employees

Introduction

- In this context, employee also includes an unpaid volunteer and abuse refers to abuse as described in this policy and in the Child Protection Procedures for Primary and Post-Primary Schools 2017.
- In the case of primary schools (other than primary schools operating under an Education and Training Board), voluntary secondary schools and community and comprehensive schools the Board of Management is the employer.
- Therefore, in this policy, the phrase “the employer” is used to refer to the Board of Management.
- Employers should also be aware of and comply with employment legislation and any other relevant employee relations policies.
- 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.

- The same person shall not have responsibility for dealing with the reporting issue and the employment issue.
- The Designated Liaison Person is responsible for reporting the matter to Tusla while the employer is responsible for addressing the employment issues.
- Where the allegation/suspicion relates to the Designated Liaison Person, the employer shall assume the responsibility for seeking advice from and/or for reporting the matter to Tusla, as appropriate.
- Where an allegation or suspicion of child abuse regarding a member of the Board of Management has been reported by the Designated Liaison Person (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.

Protocol Authorising Immediate Action

- Employers must have in place a written protocol for authorising immediate action when there is an urgent child safeguarding requirement to immediately absent an employee from the school.
- 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.
- 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.
- 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) Where the Department² is paymaster, 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.

Follow up Emergency Meeting of the Board of Management

- Following the activation of the protocol, an emergency meeting of the Board of Management shall be convened at which the Board of Management will have to consider formally placing the employee on administrative leave and proceeding within the disciplinary process in accordance with the relevant principles and procedures therein including those related to due process and fair procedures.
- Where an allegation of Child Abuse against a member of teaching staff is being dealt with under the disciplinary procedures for teachers, it shall be dealt with under the conduct stream of those procedures.
- Employers should note that legal advice should always be sought in these cases as circumstances can vary from one case to another and it is not possible in these procedures to address every scenario.
- Any action taken by the employer in this regard shall be taken having regard to legal advice received and shall comply, as applicable, with the relevant provisions of employment legislation and relevant disciplinary procedures. The principles of natural justice and fair procedures shall be applied. A decision to place an employee on administrative leave does not imply any degree of guilt on the part of the school employee.
- Immediately after the emergency meeting of the Board of Management, Tusla shall be informed as to whether the employee has been formally placed on administrative leave or where it has been decided not to place the employee on administrative leave, Tusla shall be informed as to the alternative child safeguarding actions that have been taken.
- Where the Department is the paymaster, the Department shall be immediately informed of the decision of the Board of Management in relation to confirming the action taken under the protocol for immediate action and formally placing the employee on administrative leave and where the employee has been placed on administrative leave the Board of Management shall seek the Department's:

(a) Formal approval for the continuation of pay and

(b) Sanction for the employment of a substitute teacher where this is necessary

Reporting Procedure

- Where an allegation of abuse is made against a school employee, the Designated Liaison Person shall immediately act in accordance with the procedures outlined in the "Action to be Taken by the Designated Liaison Person" section of this policy and the Child Protection Procedures for Primary and Post-Primary Schools 2017,
- Once a disclosure is made by a child, a written record of the disclosure shall be made as soon as possible by the person receiving it. If a child wishes to make a written statement this should be allowed. Where an allegation of abuse is made by an adult, a written statement should be sought from this person.

² Department of Education and Skills

- School employees, other than the Designated Liaison Person, who receive allegations of abuse against another school employee, shall report the matter without delay to the Designated Liaison Person as outlined in the “Action to be Taken by All School Personnel” section of this policy and the Child Protection Procedures for Primary and Post-Primary Schools 2017.
- Registered teachers shall also follow the reporting procedures outlined in the “Action to be Taken by a Teacher registered with the Teaching Council” section of this policy and the Child Protection Procedures for Primary and Post-Primary Schools 2017.
- Where the allegation or concern relates to the Designated Liaison Person, the school employee shall, without delay, report the matter to the Chairperson of the Board of Management.
- School employees who form suspicions regarding the conduct of another employee of the school shall follow the procedures outlined in the “Action to be taken by all School Personnel” section of this policy and the Child Protection Procedures for Primary and Post-Primary Schools 2017 and consult with the Designated Liaison Person who may wish to consult with Tusla.
- If the Designated Liaison Person is satisfied that there are reasonable grounds for the suspicion, he or she shall report the matter to Tusla immediately, and where applicable the report shall be submitted as a mandated report or a joint mandated report.
- Registered teachers shall also follow the procedures outlined in the “Action to be Taken by a Teacher Registered with the Teaching Council” section of this policy and the Child Protection Procedures for Primary and Post-Primary Schools 2017, including where appropriate those relating to mandated reports and joint mandated reports.
- The Designated Liaison Person shall also report the matter to the employer who shall proceed in accordance with the procedures outlined in this policy and in the Child Protection Procedures for Primary and Post-Primary Schools 2017.
- Whether or not the matter is being reported to Tusla, the Designated Liaison Person shall always inform the employer of an allegation of abuse against a school employee.
- Where the Designated Liaison Person has not reported an allegation of abuse against a school employee to Tusla and has not sought any advice from Tusla in relation to whether or not the matter should be reported or where the Designated Liaison Person has not reported the matter to Tusla where advised by Tusla that the matter should be reported, the Board of Management shall seek the advice of Tusla in relation to the matter and shall report that matter where Tusla so advises.
- The Chairperson shall seek such advice on behalf of the Board of Management. Where the Board of Management has not complied with the procedures in this policy and the Child Protection Procedures for Primary and Post-Primary Schools 2017 and has not reported a matter to Tusla where Tusla has advised that such a report should be made, it shall notify the school Patron in writing of this fact.

Action to be Taken by the Employer (Board of Management)

- It is essential that at all times the matter is treated in the strictest confidence and that the identity of the employee shall not be disclosed, other than as required under the procedures within this policy and the Child Protection Procedures for Primary and Post-Primary Schools 2017.
- When an employer becomes aware of an allegation of abuse against a school employee, the employer shall arrange to privately inform the employee of the following:
 - (a) the fact that an allegation has been made against him or her;
 - (b) the nature of the allegation;
 - (c) whether or not the matter has been reported to Tusla (either by the Designated Liaison Person, employer, or otherwise).

- The employee shall be given 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 the employee shall be offered the opportunity to respond to the allegation in writing to the employer within a specified period of time. The employee shall be told that his or her explanation to the employer would also have to be passed on to Tusla. The employee may opt not to respond at this juncture.
- Any actions in relation to the employee, including whether he or she shall be placed on administrative leave while the matter is being investigated, are exclusively a matter for the employer.
- The employer shall maintain regular and close liaison with Tusla or An Garda Síochána and a decision on the position of the school employee shall be taken having due regard to any information given to the employer by these authorities.
- The employer shall also keep Tusla informed of any child safeguarding actions it has taken or proposes to take in respect of the employee.
- Where an employee has been directed to absent himself or herself from the school, such an absence does not imply any degree of guilt on the part of the school employee. Where the Department of Education and Skills is paymaster and such an absence is directed (whether under the protocol for immediate action or by a decision of the board of management to place the employee on administrative leave (taken at an emergency meeting or otherwise)), the Department of Education and Skills shall immediately be contacted with regard to:

(a) formal approval for continuation of pay for the relevant period, and

(b) Departmental sanction for the employment of a substitute teacher where necessary for the relevant period.

- Employers are reminded of their responsibilities to maintain strict confidentiality about all matters relating to these issues. The relevant principles of due process, fair procedures and natural justice shall be adhered to by the employer.
- Any information or details that might identify a child should not be recorded in the minutes of Board of Management meetings. Board of Management members are also reminded of their duty to maintain the confidentiality of Board Meetings and must not disclose or discuss matters discussed at board meetings unless explicitly authorised by the Board of Management to do so.
- A Board Member who breaches this requirement may be removed from the board of management by the patron in accordance with the relevant provisions of section 16 of the Education Act, 1998 and may not be protected in any legal proceedings taken against him or her by the general indemnity provided to board of management members under section 14 (7) of the Education Act, 1998.
- It should be noted that any actions taken by the employer in respect of the employee including disciplinary proceedings are a matter between the employer and employee in question and must be handled in the strictest confidence.
- This means that a third party or the person who made the allegation does not have a role in those proceedings, save for the provision of information to any investigation undertaken by the employer or the giving of evidence in a disciplinary hearing where this is applicable, and such person does not have any entitlement to information regarding the progress or conduct of such investigations or proceedings. Similarly, the Department of Education and Skills or the school patron has no role in employer/employee matters.

Further Follow-Up Required

- Employers should note the following when considering the further actions to be taken:

- (a) Legal advice should always be taken in relation to any proposed actions in respect of the employee. The employer shall have regard to the legal advice received and to its obligations to afford fair procedures to its employee.
- (b) Any disciplinary action required shall accord with established disciplinary procedures and shall only be taken following consultation with Tusla (and An Garda Síochána) if involved.
- (c) Depending on the circumstances, Tusla may be restricted in relation to the information it may share with the employer. Accordingly, in certain circumstances, it may be necessary for the employer to call a child, parent or other adult to give evidence and for the child, parent or other adult to be cross-examined as part of a disciplinary hearing. It should be noted, however, that an employer does not have the power to compel such a person to give evidence as part of a disciplinary process. In any case where a child is to give such evidence, the child shall be treated with the utmost care and sensitivity.
- (d) Whilst the employer has the right to conduct its own disciplinary investigation in accordance with the relevant employee disciplinary procedures independent of any Tusla assessment or An Garda Síochána investigation, nonetheless the employer shall have due regard to the following:
 - (1) The employer should take care to ensure that actions taken do not undermine or frustrate any assessment/investigation being conducted by Tusla or An Garda Síochána. It is strongly recommended that the employer maintain a close liaison with these authorities to achieve this and take legal advice in relation to same.
 - (2) Where a report to Tusla has been made in respect of an employee, it should not be assumed that disciplinary proceedings must always await the conclusion of a Tusla assessment or An Garda Síochána investigation. In this regard, the employer should always take legal advice as to whether disciplinary proceedings should proceed or be stayed pending the conclusion of the Tusla assessment/An Garda Síochána investigation and make a decision on whether or not to proceed with disciplinary proceedings in light of that advice.
 - (3) A decision to stay disciplinary proceedings pending the outcome of any Tusla assessment and the reasons for that decision should be communicated to the employee. This communication should make clear that the employer reserves the right to continue disciplinary proceedings at a later point or once the Tusla assessment/An Garda Síochána investigation is complete irrespective of the outcome of that assessment/investigation. It should also indicate that the employer may have regard to the outcome of any such assessment/investigation in deciding what, if any, disciplinary action to take.
 - (4) In any case where it is proposed to continue with disciplinary proceedings, that proposal should be communicated to the employee. Should the employee object to that proposal, the employer should have regard to the basis for that objection before deciding on whether or not to proceed with disciplinary proceedings. The employer should take legal advice before making such a decision. Regard must also be had to not only the obligation not to frustrate the Tusla assessment, but to afford fair procedures to the employee.
 - (5) If a decision is made to stay disciplinary proceedings pending the outcome of a Tusla assessment or an An Garda Síochána investigation, the employee should be kept up-to-date on the progress of the Tusla assessment/Garda investigation (insofar as this is possible). In the event that the employee has been directed to be absent from work, the necessity for the employee to remain absent from work should also be kept under review, in consultation with Tusla and having regard to legal advice.

Information Sharing by Tusla

- Tusla has in place a policy and procedures for its staff that must be followed in relation to responding to allegations of child abuse and neglect which includes procedures for the sharing of information with an employer where such an allegation is made in respect of an employee.
- It should be noted that the decision in relation to whether or not the person should be absented from the school, is entirely a matter for the employer and Tusla has no role in this regard. However, where an allegation of child abuse has been made in respect of a school employee, Tusla can advise a school employer as to the adequacy from a child protection perspective of any steps the school employer proposes to take to protect children.

In relation to the information that it can share with a school employer, Tusla has advised the Department that:

- While an assessment by Tusla is ongoing, Tusla can only provide an update on the progress of that assessment to the school employer where doing so does not prejudice the individual's right to fair procedure. This would usually require information that is to be shared with a school employer to be agreed between Tusla and the person who is subject of the allegation prior to the school employer being informed.
- An individual who is subject of an assessment may ask that information is not shared and in such circumstance, unless Tusla is of the view that not sharing information puts children at potential risk, Tusla would have to respect the wishes of the individual concerned. In such situations Tusla may therefore be very limited as to what information it can provide to a school employer and may be restricted to just confirming that an assessment is still ongoing.
- If, after its investigation, Tusla reaches a conclusion that an allegation is "founded" it will inform the school employer and the relevant registration body (i.e. the Teaching Council in the case of registered teachers).
- Where Tusla has concluded that the allegation is "founded", Tusla will provide a copy (some content may be redacted where it is not relevant to the school's disciplinary process) of its concluding report of its findings, if requested to do so by the school employer.
- If Tusla reaches a conclusion that an allegation is "not founded", it will not share any further information with the school employer beyond confirming that its conclusion in the matter was that the allegation was "not founded".
- Where an allegation of abuse against a member of school personnel has been made directly to Tusla i.e. has not been reported to Tusla by the school, Tusla will contact the relevant school employer where it considers that there is a risk to children. Before it informs the relevant school employer, Tusla will normally first inform the school employee that it intends to do so.
- However, in circumstances where there is a potential immediate serious risk to any child, the safety of the child is paramount and in such circumstance Tusla may deem it necessary to make first contact with the school employer, prior to contacting an alleged abuser, so as to ensure the safety of any child thought to be at immediate risk.
- Such actions will be taken on the basis that no conclusion in respect of the accuracy of allegations made against an individual will be made until such time as the social work assessment is complete.
- In all cases, Tusla will inform the school employee where it shares such information with an employer. The extent to which details of allegations made against the school employee can be shared by Tusla, in such circumstances, will depend on their level of concern and the relevance of the specifics of the allegations to their child protection planning.

The Role of the Designated Liaison Person

The Designated Liaison Person will:

- Act as the resource person to any member of school personnel who has a child protection concern.
- Participate on relevant Child Safeguarding Continuing Professional Development including the Children First E-Learning Programme and the Child Protection Procedures for Primary and Post-Primary Schools E-Learning Programme
- Advise new members of school personnel to avail of relevant Child Safeguarding Professional Development
- Be the Designated Liaison Person for the school in dealing with Tusla, An Garda Síochána and other parties, in connection with allegations of, and/or concerns about child abuse and neglect
- Ensure that the reporting requirements outlined in this policy and the Child Protection Procedures for Primary and Post-Primary Schools are followed correctly and promptly.
- Seek advice from Tusla in cases where there are concerns about a child and the Designated Liaison Person is not sure whether to report the matter to Tusla or whether a report should be submitted as a mandated report
- Where a child transfers from or leaves a school (including transfers from primary to post-primary) and where the Designated Liaison Person is aware that a child protection report relating to that child has been made to Tusla in the past, inform Tusla of the child's transfer/move.
- Communicate a Child Protection Oversight Report to the Board of Management under four headings:
 - (1) Allegations of abuse made against members of school personnel
 - (2) Other child protection concerns in respect of pupils in the school (i.e. concerns that do not involve any allegation of abuse against a member of school personnel)
 - (3) Child protection concerns arising from alleged bullying behaviour amongst pupils and
 - (4) Summary data in respect of reporting

The Role of All School Personnel

All school personnel will:

- Ensure they are familiar with the St. Patrick's Senior National School Child Safeguarding Statement and the St. Patrick's Senior National School Child Safeguarding Risk Assessment
- Ensure they are familiar with the St. Patrick's Senior National School Child Safeguarding Policy and Procedures, the Child Protection Procedures for Primary and Post-Primary Schools 2017 and Children First: National Guidance for the Protection and Welfare of Children to enable them to fulfil their responsibilities therein.
- Ensure they are familiar with the St. Patrick's Senior National School Anti-Bullying Policy, the St. Patrick's Senior National School Anti-Cyberbullying Policy and the St. Patrick's Senior National School Code of Behaviour.
- Adhere to the reporting procedures outlined in the Child Protection Procedures for Primary and Post-Primary Schools 2017 when a child protection concern arises
- Participate on relevant Child Safeguarding Continuing Professional Development including the Children First E-Learning Programme and the Child Protection Procedures for Primary and Post-Primary Schools E-Learning Programme
- Participate on relevant Child Safeguarding Continuing Professional Development including the Children First E-Learning Programme and the Child Protection Procedures for Primary and Post Primary Schools E-Learning Programme.

Role of Teachers Registered with the Teaching Council

Teachers registered with the Teaching Council will:

- Ensure they are familiar with the St. Patrick's Senior National School Child Safeguarding Statement and the St. Patrick's Senior National School Child Safeguarding Risk Assessment
- Ensure they are familiar with the St. Patrick's Senior National School Child Safeguarding Policy and Procedures, the Child Protection Procedures for Primary and Post-Primary Schools 2017 and Children First: National Guidance for the Protection and Welfare of Children to enable them to fulfil their responsibilities therein
- Ensure they are familiar with the St. Patrick's Senior National School Anti-Bullying Policy, the St. Patrick's Senior National School Anti-Cyberbullying Policy and the St. Patrick's Senior National School Code of Behaviour
- Adhere to the reporting procedures outlined in the Child Protection Procedures for Primary and Post-Primary Schools 2017 when a child protection concern arises
- Participate on relevant Child Safeguarding Continuing Professional Development such as the Children First E-Learning Programme and the Child Protection Procedures for Primary and Post-Primary Schools E-Learning Programme
- Participate on relevant Child Safeguarding Continuing Professional Development including the Children First E-Learning Programme and the Child Protection Procedures for Primary and Post Primary Schools E-Learning Programme
- Provide and deliver mandatory curricular provision (Social, Personal and Health Education) which contributes to the prevention of child abuse and neglect
- Seek further information from the Designated Liaison Person when a red icon is attached to a pupil's name on Aladdin (This should take place when the new academic year commences)
- Fully implement The Stay Safe Programme for primary schools.

The Role of Parents

Parents of children attending St. Patrick's Senior National School will:

- Ensure they are familiar with and have access to St. Patrick's Senior National School's Child Safeguarding Statement
- Ensure they are familiar with and have access to St. Patrick's Senior National School's Child Safeguarding Risk Assessment
- Follow procedures and protocol set out in this policy and in Chapter 5 of the Child Protection Procedures for Primary and Post-Primary Schools if a parent of a pupil in St. Patrick's Senior National School makes an allegation of abuse against a member of St. Patrick's Senior National School personnel.
- Be invited to share feedback in relation to the school's compliance with the Child Safeguarding requirements of the Child Protection Procedures for Primary and Post-Primary Schools as part of an annual review.

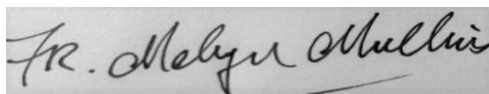
The Role of the Board of Management

The Board of Management will:

- Ensure under Section 10 of the Children First Act, 2015, as far as practicable, that children are safe from harm while availing of the school's services (i.e. while attending the school or while participating in school activities)
- Ensure compliance with the requirements of the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016 (the Vetting Act) and with relevant Department's circulars in relation to Garda vetting of school personnel and other persons who undertake relevant work or activities with children or vulnerable persons.
- Appoint a "relevant person" as the first point of contact in respect of the school's Child Safeguarding Statement. The Designated Liaison Person is appointed in this role.

- Designate another member of the full time registered teaching staff of the school (to be known as the Deputy Designated Liaison Person) to assume the responsibilities of the Designated Liaison Person, in the absence of the Designated Liaison Person. It is expected that, where possible, the Deputy Designated Liaison Person will normally be the Deputy Principal of the school
- Ensure that arrangements are in place to enable the Deputy Designated Liaison Person to effectively assume his or her responsibilities in the absence of the Designated Liaison Person and to ensure that the Deputy Designated Liaison Person can access relevant records when required.
- Provide a copy of its Child Safeguarding Statement to members of school personnel, parents, members of the public, the Parents' Association and to Tusla.
- Carry out an assessment of any potential for harm to children while they are attending the school or while they are participating in school activities (this is known as a Risk Assessment)
- Prepare and display a written Child Safeguarding Statement in accordance with the requirements of the Children First Act, 2015
- Formally adopt the Child Safeguarding Statement and the minutes of the relevant Board of Management meeting shall record this fact
- Review the Child Safeguarding Statement annually or where there is any material change in any matter to which the statement refers.
- Issue the notification confirming completion of the review to the Patron and the Parents' Association
- Publish the notification confirming completion of the annual review on the school website
- Seek feedback from parents in relation to the school's compliance with the Child Safeguarding requirements of these procedures.
- Seek the views of pupils on the school's safeguarding arrangements should also be sought by the Board of Management in a manner appropriate to the age and maturity of the children concerned
- Ensure that all school personnel and Board of Management members have the necessary familiarity with this policy and accompanying procedures, the Child Protection Procedures for Primary and Post-Primary Schools 2017 and Children First: National Guidance for the Protection and Welfare of Children to enable them to fulfil their responsibilities therein.
- Oversee compliance with reporting obligations and compliance with the child safeguarding obligations as set out in this policy and accompanying procedures, the Child Protection Procedures for Primary and Post-Primary Schools 2017 and Children First: National Guidance for the Protection and Welfare of Children.

Signed:



Chairperson of the Board of Management

Date: 19.09.23

