

**RATHFARNHAM EDUCATE TOGETHER NATIONAL SCHOOL****CHILD PROTECTION POLICY****Policy purpose:**

The Board of Management, BOM, of Rathfarnham Educate Together National School, RETNS, believes that children should be cherished and given the highest possible standards of care and protection to promote their well-being and protect them from harm. The BOM strives to assure that pupils of the school are protected in three main ways: first, by making sure that the adults who undertake work in the school are screened for their suitability to work with children; second, by ensuring that the school is a safe and secure environment in which children can flourish; and, third, by putting in place appropriate procedures to deal with any concerns about child protection inside or outside the school.

To these ends, the BOM endorses Educate Together's Garda Vetting Procedures (2016) <https://www.educatetogether.ie/support/garda-vetting> and adopts the Department of Education and Skills' (DES) Child Protection Procedures for Primary and Post-Primary Schools (2011) [http://www.education.ie/en/Schools-Colleges/Information/Child-Protection/cp\\_procedures\\_primary\\_post\\_primary\\_2011.pdf](http://www.education.ie/en/Schools-Colleges/Information/Child-Protection/cp_procedures_primary_post_primary_2011.pdf) and the Children First guidelines (2011) <http://www.dcy.gov.ie/documents/Publications/ChildrenFirst.pdf>

The policy also takes cognisance of the updated Garda vetting requirements as set out in Department of Education and Skills Circular 0031/2016 [http://www.education.ie/en/Circulars-and-Forms/Active-Circulars/cl0031\\_2016.pdf](http://www.education.ie/en/Circulars-and-Forms/Active-Circulars/cl0031_2016.pdf)

Useful contacts in this regard include: **[insert contacts on file in RETNS at present]**

HSE - Rathfarnham

Tusla – the Child and Family Agency

Rathfarnham Garda station

***This policy should be considered in conjunction with other child-related policies in RETNS, for example, the policies on Garda vetting; anti-bullying; behaviour; and employment.***

**Procedures:****1. Responsibilities****1.1 Board of Management**

The BOM will ensure that at its meetings child protection matters are a standard agenda item of the Principal's report. The BOM will also ensure that its members undertake to familiarise themselves with the legislative guidelines in this area and confirm same. The BOM will also ensure that adequate training is offered to staff in child protection matters. Furthermore, the BOM may choose to make available training on child protection matters to parents and guardians.

**1.2 Principal and Deputy Principal**

The Principal (Mary Carron) is responsible for ensuring that the child protection procedures are implemented. She is the school's Designated Liaison Person (DLP) who acts as the link between the school and any outside agencies on child protection matters, as well as being the resource for any staff member with child protection concerns. The Principal is also the individual with prime responsibility for reference checks and Garda vetting. The Deputy Principal (Anna O'Herlihy) is the Deputy DLP and will take on the Principal's duties in her absence. Both are required to undergo relevant training in child protection.

**1.3 Other employees**

All staff, including the Principal and Deputy Principal, are obliged to provide children with the highest possible standards of care in order to promote their well-being and protect them from harm. All staff are required to undergo training as requested by the BOM on child protection matters, so that they are aware of their obligations as listed in this document.

**1.4 Others**

Other parties who work in the school (such as parents and guardians acting as volunteers, transition year students, student teachers, external persons on selection boards, contractors, etc.) are required to co-operate with the provisions of this document so that the protection of children can be assured.

## **2. Screening of staff and volunteers**

### **2.1 Recruitment process**

Teaching staff and Special Needs Assistants (SNAs) are recruited in accordance with DES regulations and the school's own employment policy. Other staff are recruited in line with the school's employment policy. Parents and guardians are always encouraged to volunteer for school activities. Volunteers who are not current parents or guardians may be recruited on an *ad hoc* basis to assist with school activities.

Offers to work in the school will only be made subject to relevant screening checks and Garda vetting. Until such time as these have been satisfactorily completed, all offers are provisional and candidates may have no unsupervised access to children in the school.

### **2.2 Accounting for gaps in career history**

During the recruitment process for paid employees, selection boards will pay particular attention to gaps in candidates' career histories and seek explanations for these during interviews and reference checks. It is particularly helpful to compare the candidate's CV with her/his Garda vetting form (see section 2.4), which in the case of teaching staff is undertaken by the Teaching Council.

### **2.3 Undertaking reference checks**

Reference checks form an integral part of the recruitment process for all paid staff positions. All candidates will be required to provide the contact details of at least two referees. References will only be taken up for the preferred candidate (and any potentially suitable alternatives) once interviews have taken place, not before. Referees are always asked if they have any child protection concerns in relation to the candidate. If any concerns are raised, the Principal will bring these back to the selection board for that post for further discussion.

## 2.4 Garda vetting

The school will comply fully with the statutory requirements for Garda vetting, as outlined in Circular 0031/2016. [http://www.education.ie/en/Circulars-and-Forms/Active-Circulars/cl0031\\_2016.pdf](http://www.education.ie/en/Circulars-and-Forms/Active-Circulars/cl0031_2016.pdf)

***See also RETNS Garda Vetting Policy***

As and from 29 April 2016, section 12 of the Vetting Act requires that a school authority must not, other than where certain exemptions (which are set out at section 5.3 of the circular) apply, commence the employment (whether under contract of employment or otherwise) of an employee to undertake relevant work or activities before the school authority receives a vetting disclosure from the Garda National Vetting Bureau in respect of that person. This requirement applies in respect of all types of appointment of any duration including full-time, part-time and substitute positions. A school authority that contravenes this requirement commits a criminal offence punishable by a fine of up to €10,000 or a prison term of up to 5 years or both.

An important new aspect of the vetting arrangements is the check for any relevant 'soft' information. This is information other than criminal convictions held by An Garda Síochána that leads to a bona fide belief that a person poses a threat to children or vulnerable persons. However, Circular 0031/2016 makes clear that Garda vetting does not provide clearance for persons to work with children. It simply provides to the registered organisation particulars of any criminal record and/or specified information in respect of the person concerned or where there is no criminal record or specified information shall state this fact. The Vetting Act provides that a school authority may consider and take into account all the information in a vetting disclosure when assessing the suitability of the person who is the subject of the disclosure to do relevant work or activities.

In accordance with Circular 0031/2016 the BOM of RETNS will continue to engage in thorough recruitment practices, including the checking of references and any gaps in career history, which are an essential element of child protection practice. As an additional safeguard, all persons being appointed to the school, whether to teaching or non-teaching positions, will be required to provide a statutory declaration made during the same or previous calendar year. In addition, a form of undertaking must also be signed by all persons prior to appointment to any teaching or non-teaching position of any duration. This form will be retained securely in the employee's personnel file.

The BOM of the school will determine whether any information in a vetting disclosure would render a person unsuitable for employment/engagement by the school. **The primary criterion in assessing the significance of the information in the disclosure will be its relevance to child protection.** The Board of Management will take an objective and balanced approach in this regard and will make the judgment as to the person's suitability. Any person who is required to be vetted but refuses to do so cannot be appointed or engaged by the school in any capacity including in a voluntary role (Circular 0031/2016, Section 9.6)

If reference checks have been satisfactorily completed and there is no disclosure (that is, no records have been found by the Garda National Vetting Bureau), the candidate will be formally offered the position and the contract of employment will be signed.

If there is a disclosure, the matter must be brought back to the selection board to decide whether the conviction renders the candidate unsuitable. In so doing, the selection board must have regard to Teaching Council guidelines on this issue and consider:

- The nature of the offence(s) and the possible relevance to the post
- The age of the offence(s) and the age of the candidate at the time of the offence(s)
- The frequency of the offence(s).

The selection board may call in the candidate to discuss the disclosure, but is not obliged to do so. If this happens, the interviewee's responses must be recorded verbatim. If the facts of the disclosure are seriously disputed (for example, in a case of disputed identity), the candidate will be required to complete a new Garda vetting form and the process will recommence.

In the case of volunteers or other staff (that is, staff who are not teachers or SNAs) who may have unsupervised access to children, any disclosures will be dealt with directly by the BOM instead of the selection board.

Prior to appointing any individual (including substitute teachers), to any teaching or non-teaching position, the school must view and retain a copy of that individual's child protection related

statutory declaration. Furthermore, an associated form of undertaking must be signed by the new employee. These documents are not necessary if previously completed within the same or previous calendar year.

## **2.5 Record keeping**

Written records of all stages of the screening process will be maintained and dealt with in the strictest confidence. Documentation relating to successful candidates will be kept in individual sealed and signed envelopes in a locked filing cabinet in the Principal's office. Documentation relating to unsuccessful candidates will be destroyed.

## **2.6 Vetting and re-vetting of current staff and volunteers**

It is the long-term intention of the BOM to create a positive culture of vetting and re-vetting within the school. Circular 0031/2016 (pg 4) states:

*3.6 There is no requirement under Section 12 of the Vetting Act to obtain vetting disclosures in respect of existing employees, volunteers, sports coach etc. who undertake relevant work or activities in the school under contracts of employment or existing arrangements that were in place prior to 29 April 2016. Such persons will however be required to be vetted in due course under the retrospective and re-vetting requirements of the Act (sections 21 and 20 of the Vetting Act respectively).*

**See also RETNS Garda Vetting Policy**

## **3. Day to day child protection matters**

### **3.1 Minimising unsupervised access to children**

The school will strive to minimise the amount of unsupervised access to children by adults at all times - this includes during school excursions and extra-curricular activities. Adults who have not completed the Garda vetting procedure should not have unsupervised access to children. Wherever viable, there will be more than one adult in a setting with children, either directly or nearby. One-to-one meetings/activities with children will be avoided and if these are deemed to be necessary, these will take place with visibility from outside the room in which the meeting/activity is taking place. In such instances, doors will be kept open at all times. Anyone who visits the premises during school

hours and is neither a member of staff nor a parent/guardian, will be given a clearly identifiable visitor badge at reception and will be required to wear this during their stay.

### **3.2 Treating children with dignity**

Any behaviour that is inappropriate or abusive to children will never be tolerated. Age appropriate language, media and activities are always used in the school. The consumption and distribution of explicit sexual matter amongst primary school children is wholly inappropriate. The school curriculum, especially the Stay Safe programme, develops children's skills in keeping themselves safe by promoting respectful relationships, encouraging children to express themselves and offering appropriate support to those who are experiencing difficulties. Furthermore, the school's behaviour policy stresses the need for children to behave appropriately towards their peers.

There is also a recognition about the need to be respectful of children in situations where their privacy might be compromised. For example, a minimum of two adults will always be present in swimming pool changing rooms and when treating a child following an accident if any of their clothing needs to be removed. Also, if the school enrolls any children with special intimate care needs, carefully considered plans will be implemented with the consent of all parties involved.

### **3.3 Photography and film**

Photographs of children undertaking school activities can have many benefits for the children themselves, their teachers, parents/guardians and the school as a whole, provided certain guidelines are followed. The content of photographs will preserve the dignity of children. If photographs are made publicly available, the use of children's names in captions, especially family names, will normally be avoided. Photographs that include children linked to names will be avoided on the school's website. The Principal reserves the right to stop anybody from photographing or filming any children if she feels it is inappropriate. It is presumed that parents and guardians will consent to their children being photographed in accordance with the above. If they do not consent, or if they are unhappy about the use of a particular image, they are requested to meet with the Principal to discuss their concerns.

### **3.4 Court orders**

Parents and guardians are required to inform the Principal of any current court orders which affect custody and access to their child(ren). The Principal will ensure staff are made aware of any such orders. The school can only enforce access restrictions if court orders are in place.

## **4. Dealing with suspicions and allegations of child abuse**

### **4.1 Introduction**

Abuse of children might take the form of neglect, or emotional, physical or sexual abuse, or a combination of these. Child abuse concerns must never be ignored and must be reported to the appropriate authorities. In cases of uncertainty or doubt, professional advice must always be sought and due regard must be had for that advice. Where the interests of the child and a parent/adult appear to conflict, the child's interests will be paramount.

### **4.2 Suspicions or disclosures of abuse**

Anyone in the school community might recognise potential signs of abuse, although teachers are particularly well placed to do so and must be vigilant for such signs at all times (see appendix 3 of the Child Protection Procedures for Primary and Post-Primary Schools). Furthermore, a disclosure of abuse might be made, either by a child or adult. An employee to whom a disclosure is made must never undertake to maintain secrecy; s/he must record the information exactly and pass it on without delay to the DLP.

If unsure whether to proceed with a formal report, the DLP may at this stage seek advice from the Health Service Executive (HSE) and Tusla – the Child and Family Agency (see appendix 5 of the Child Protection Procedures for Primary and Post-Primary Schools). The DLP must be explicit that she is requesting advice and not making a report. The DLP must report the number of such advice requests at the next meeting of the BOM, even if this is zero.



### **4.3 Reporting suspicions or disclosures of abuse**

Reporting suspicions or disclosures of child abuse does not mean accusing someone of an offence. Provided that claims are not malicious, it is simply a question of carrying out one's duty reasonably and in good faith. If a person has a reasonable suspicion or grounds for concern that a child may have been, or is being abused, they must inform the DLP. It should be noted that it is not the responsibility of any other member of the school community to make enquiries of children or their families about suspicions or allegations of child abuse.

To report a suspicion or disclosure of child abuse, the DLP must make immediate personal contact with HSE Child and Family Services. In the event of an emergency or non-availability of the duty social worker, she must notify An Garda Síochána. In addition, she must decide whether or not the parents or guardians of the child should be informed. A decision not to inform a parent or guardian should only be made if doing so is likely to place a child at further risk.

Regardless of who is contacted in the first instance, the standard reporting form (see appendix 4 of the Child Protection Procedures for Primary and Post-Primary Schools) must be completed and forwarded to HSE Child and Family Services as soon as possible thereafter. The DLP must report the number of such reports made at the next meeting of the BOM, even if this is zero.

If the person about whom a report has been submitted is a member of the school's BOM, the BOM shall inform Educate Together, who shall determine what further action is necessary, if any.

### **4.4 Child protection conferences**

The HSE may request the attendance of school employees to a case conference and a report by the school employee(s) at this conference. In the event of such a request, the DLP will consult with the Chairperson of the BOM. Following conferences, school employees may be requested to keep a child's behaviour under closer observation.

#### **4.5 Confidentiality and record keeping**

Giving information to others for the protection of a child is not a breach of confidentiality. However, due to the sensitivities around child abuse suspicions and allegations, information will only be shared on an extremely limited 'need to know' basis. Carefully recorded notes of the entire process will be made and retained by the DLP in a locked filing cabinet in her office. BOM minutes will never refer to a child by name.

#### **4.6 Peer abuse**

Although clearly linked to bullying, which is addressed in the school's behaviour policy, only the most serious and sustained instances of bullying would be regarded as peer abuse. In a situation where child abuse is alleged to have been carried out by another child, this must be considered as a child protection issue for both children. If there is any conflict of interest between the welfare of the victim and that of the alleged abuser, the victim's welfare will be of paramount importance.

Where there are suspicions or allegations of peer abuse, the DLP will follow the same advice and reporting procedures as outlined in sections 4.2 and 4.3. She will also inform the parents/guardians of all parties and make arrangements to meet with them separately with a view to resolving the matter.

#### **4.7 Suspicions about and allegations against an employee**

In a school context, the most important consideration is the protection of children. However, the BOM, as an employer, also has responsibilities in respect of its employees. If there is a suspicion/allegation of child abuse against an employee, there are two procedures to be followed, namely, (1) the advice/reporting procedure in respect of the suspicion/allegation and (2) the procedure for dealing with the employee.

##### **4.7.1 Procedure for seeking advice and reporting**

School employees who have suspicions or receive allegations about another school employee, must inform the DLP without delay. If there is any suspicion or allegation of child abuse against an employee, regardless of whom raises the concern, the DLP will act immediately in accordance with the advice and reporting procedures outlined in sections 4.2 and 4.3. She will always seek competent legal advice and will always inform the BOM (even if no report to the HSE is made). She will also inform the school's insurance company if an allegation has been made. If the suspicion or allegation is made against the DLP, the Chairperson of the BOM will assume the role normally undertaken by the DLP.

#### **4.7.2 Procedure for dealing with the employee**

As the employer, the BOM recognises that it is possible for employees to be subject to erroneous or malicious allegations; any allegation will therefore be dealt with sensitively and in a supportive manner. The employee shall be treated fairly. This includes the matter being handled in strict confidence and the individual not being judged in advance of a full and fair enquiry.

When an employer becomes aware of an allegation, the employer will privately inform the employee that an allegation has been made against her/him, what the nature of the allegation is, and whether the matter has been reported to the HSE. The employer will furnish the employee with a copy of the written allegation and any related documentation, seek a written response within a defined time frame (which they will be informed will also be passed on to the HSE) and take the appropriate protective measures, seeking advice from the HSE/Garda as necessary.

If the nature of the allegation warrants immediate action, the employer will direct the employee to absent her/himself from school with immediate effect; the employee will then be on 'administrative leave of absence' (see appendix 6 of the Child Protection Procedures for Primary and Post-Primary Schools). Where such an absence is directed, the DES shall be contacted immediately to deal with remuneration and substitution matters.

The employer will take care to ensure that any actions it takes do not undermine any investigation being conducted by the HSE/Garda. The employer will therefore maintain regular and close liaison with these authorities, having due regard for their advice before making decisions on the position of the school employee. The disciplinary procedures laid out in the school's employment policy shall be followed at all times.

## **5. Review**

This document and its implementation will be reviewed annually by the BOM (see appendix 2 of the Child Protection Procedures for Primary and Post-Primary Schools). The BOM will make arrangements to inform school personnel and the school community that the review has been undertaken.

**Reviewed policy approved by the Board of Management on 8 December 2016.**

**Policy amendments approved by Board of Management on 9 October 2017.**

## Appendix 2 – checklist for annual review of child protection policy

### Appendix 2: Checklist for Annual Review of the Child Protection Policy

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

The checklist is designed as an aid to conducting this review and is not intended as an exhaustive list. Individual Boards of Management may wish to include other items in the checklist that are of particular relevance to the school in question.

As part of the overall review process, Boards of Management should also assess other school policies, practices and activities vis a vis their adherence to the principles of best practice in child protection and welfare as set out in the school's child protection policy.

	Yes/No
Has the Board formally adopted a child protection policy in accordance with the 'Child Protection Procedures for Primary and Post Primary Schools'?	Y
As part of the school's child protection policy, has the Board formally adopted, without modification, the 'Child Protection Procedures for Primary and Post Primary Schools'?	Y
Are there both a DLP and a Deputy DLP currently appointed?	Y
Are the relevant contact details (HSE and An Garda Síochána) to hand?	Y
Has the DLP attended available child protection training?	Y
Has the Deputy DLP attended available child protection training? <b>NEW APPOINTMENT - NO TRAINING AVAILABLE</b>	N
Have any members of the Board attended child protection training?	Y
Has the school's child protection policy identified other school policies, practices and activities that are regarded as having particular child protection relevance?	Y
Has the Board ensured that the Department's "Child Protection Procedures for Primary and Post Primary Schools" are available to all school personnel?	Y
Has the Board arrangements in place to communicate the school's child protection policy to new school personnel?	Y
Is the Board satisfied that all school personnel have been made aware of their responsibilities under the 'Child Protection Procedures for Primary and Post Primary Schools'?	Y
Since the Board's last annual review, was the Board informed of any child protection reports made to the HSE/An Garda Síochána by the DLP?	N
Since the Board's last annual review, was the Board informed of any cases where the DLP sought advice from the HSE and as a result of this advice, no report to the HSE was made?	Y
Is the Board satisfied that the child protection procedures in relation to the making of reports to the HSE/ An Garda Síochána were appropriately followed?	Y
Were child protection matters reported to the Board appropriately recorded in the Board minutes?	Y
Is the Board satisfied that all records relating to child protection are appropriately filed and stored securely?	Y
Has the Board ensured that the Parents' Association (if any), has been provided with the school's child protection policy?	Y

	Yes/No
Has the Board ensured that the school's child protection policy is available to parents on request?	Y
Has the Board ensured that the Stay Safe programme is implemented in full in the school? (applies to primary schools)	Y
Has the Board ensured that the SPHE curriculum is implemented in full in the school?	Y
Is the Board satisfied that the Department's requirements for Garda Vetting have been met in respect of all school personnel (employees and volunteers)? *	Y
Is the Board satisfied that the Department's requirements in relation to the provision of a child protection related statutory declaration and associated form of undertaking have been met in respect of persons appointed to teaching and non-teaching positions?*	Y
Is the Board satisfied that, from a child protection perspective, thorough recruitment and selection procedures are applied by the school in relation to all school personnel (employees and volunteers)?*	Y
Is the Board satisfied that the 'Child Protection Procedures for Primary and Post Primary Schools' are being fully and adequately implemented by the school?	Y
Has the Board identified any aspects of the school's child protection policy and/or its implementation that require further improvement?	Y
Has the Board put in place an action plan containing appropriate timelines to address those aspects of the school's child protection policy and/or its implementation that have been identified as requiring further improvement ?	Y
Has the Board ensured that any areas for improvement that that were identified in any previous review of the school's child protection policy have been adequately addressed?	Y

\*In schools where the VEC is the employer the responsibility for meeting these requirements rests with the VEC concerned. In such cases, this question should be completed following consultation with the VEC.

Signed   
Chairperson, Board of Management

Date 9/10/17 

Signed   
Principal

Date 9/10/17

Notification regarding the Board of Management's annual review of the child protection policy

To: \_\_\_\_\_

The Board of Management of \_\_\_\_\_ wishes to inform you that:

- The Board of Management's annual review of the school's child protection policy was completed at the Board meeting of \_\_\_\_\_ [date].
- This review was conducted in accordance with the checklist set out in Appendix 2 of the Department's 'Child Protection Procedures for Primary and Post Primary Schools'

X Signed   
Chairperson, Board of Management

Date 9/10/17

Signed   
Principal

Date 9/10/17

