

## Child Protection Guidance Note

This guidance note is a short summary of the resources which schools should have, the available training and the main provisions of the new child protection procedures from the perspective of the board of management.

### Resources/essential reading:

- [Children First-National Guidance for the Protection and Welfare of Children 2011](#) issued by the Department of Children and Youth Affairs
- [Child Protection Procedures for Primary and Post-Primary School 2011](#) issued by the Department of Education & Skills (DES Child Protection Procedures)
- [Circular 63/2010](#) for the requirements in relation to vetting. Also refer to CPSMA's FAQ regarding same.

### Training

- A National Programme of training is available to all boards of management of primary schools and is funded by the DES. One of the modules is on child protection. The local diocesan education secretary is the convenor of this training
- Training on the *Stay Safe* programme is provided for the whole school community (i.e. staff, parents and boards of management) through CAPP (The Child Abuse Prevention Programme). Normally CAPP write out to schools each year regarding the training that is available. CAPP intends to give priority to schools that have not availed of training in the last 5 years but will facilitate schools that request training. The contact details for CAPP are 01-6206347 or email [staysafe@indigo.ie](mailto:staysafe@indigo.ie) CAPP is now part of the Professional Development Service for Teachers (PDST).

### The DES Child Protection Procedures

The DES Child Protection Procedures replace the guidelines that issued in 2001. Schools are required to adhere to the DES 2011 Child Protection Procedures in dealing with allegations or suspicions of child abuse.

The purpose of the DES Child Protection Procedures is to:-

- Give direction and guidance to schools in the implementation of Children First when dealing with allegations/suspicions of child abuse and
- To provide information to school authorities and school personnel to enable them to be alert to and to be aware of what to do in situations where there is a concern, suspicion or allegation of child abuse or neglect.

The DES Child Protection Procedures emphasise that the most important consideration is the protection of children. The safety and well-being of children must be the priority. Child protection and welfare considerations permeate all aspects of school life and should be reflected in all of the school's policies, practices and activities

All information regarding concerns of possible child abuse should be shared only on a “need to know” basis in the interests of the child. The test is whether or not the person has any legitimate involvement or role in dealing with the issue. Records created by the DLP are highly confidential and must be filed by the DLP in a secure filing system. See guidance below regarding record keeping.

The phrase “school personnel” is used in the DES Child Protection Procedures to encompass all adults who are involved in the operation of the school including employees and voluntary workers.

Strict confidentiality must be maintained. Any information or details that might identify a child should not be recorded in the minutes of board of management meetings.

In cases where school personnel have concerns about a child, but the DLP is not sure whether to report the matter to the HSE, the DLP shall seek advice from the HSE Children and Family Services and in consulting them, the DLP should be explicit that s/he is requesting advice/consultation and that s/he is not making a report. At this informal stage the DLP need not give identifying details. The DLP shall take a note of the date, the name of the HSE official and the advice given. If the HSE advises that a report should be made, the DLP shall act on that advice.

### **Duties on Board of Management**

The DES 2011 Child Protection Procedures require Boards of Management to:-

- Formally adopt and implement without modification the new “*Child Protection Procedures for Primary and Post Primary Schools*” as part of their overall child protection policy
- Fully implement the *Stay Safe* programme which is mandatory
- Fully implement the Social, Personal and Health Education (SPHE) programme which is mandatory
- Use the standard template child protection policy which is in Appendix 1 of the DES Child Protection Procedures
- Name the DLP and deputy DLP in the school’s child protection policy. The DLP is normally the principal
- The name of the DLP must be displayed in a prominent position near the main entrance to the school
- The school’s child protection policy must be made available to all school personnel, the parents’ association and readily accessible to parents on request
- At each board of management meeting:
  1. The principal’s report shall state the number of reports made to the HSE by the DLP, since the last board of management meeting. The principal’s report shall state only the number and not include any other details
  2. The principal’s report shall also state the number of cases, since the last board meeting, where the DLP sought advice from the HSE and as a

result of this advice, no report was made. The principal's report shall state only the number and not include any other details

3. Where there were no such cases at 1 or 2 state this fact.
  4. The minutes of the board of management meeting shall record the above.
- An annual review of the school's child protection policy shall be conducted by the board of management
    - As part of the annual review the board of management must specifically review the school's implementation of the DES Child Protection Procedures. Appendix 2 of the DES Child Protection Procedures contains a checklist that shall be used as an aid to conducting the annual review. The checklist is not intended as an exhaustive list
    - The board of management shall put in place an action plan to address any areas for improvement identified by the review and arrange for these to be dealt with as quickly as possible
  - The board must have in place a protocol authorising immediate action when there is a requirement for a staff member to be put on administrative leave (see Appendix 6 of the DES Child Protection Procedures.)

### **School's Child Protection Policy**

Appendix 1 of the DES Child Protection Procedures contains a template child protection policy which schools must use.

The school's child protection policy must (as per the template)

- Recognise that child protection and welfare considerations permeate all aspects of school life and must be reflected in all of the school's policies, practices and activities
- State that the board of management has adopted and will implement fully and without modification the DES Child Protection Procedures as part of its overall child protection policy
- Name the DLP
- Name the deputy DLP
- Confirm that in its policies, practices and activities, the board of management will adhere to the following principles of best practice in child protection and welfare:
  - Recognise that the protection and welfare of children is of paramount importance, regardless of all other considerations
  - Fully co-operate with the relevant statutory authorities in relation to child protection and welfare matters
  - Adopt safe practices to minimise the possibility of harm or accidents happening to children and protect workers from the necessity to take unnecessary risks that may leave them open to accusations of abuse or neglect
  - Develop a practice of openness with parents and encourage parental involvement in the education of their children; and

- Fully respect confidentiality requirements in dealing with child protection matters.
- List other school policies, practices and activities that are particularly relevant to child protection and state that the board has ensured that the necessary policies, protocols and or practices are in place. Examples of policies include the code of behaviour/anti-bullying policy, pupil attendance strategy, supervision of pupils, policies relating to sporting activities/school outings etc.
- Confirm that the policy has been made available to school personnel, the parents' association and is readily accessible to parents on request
- Confirm that the policy will be made available if requested to the Department and the patron
- State that the policy will be reviewed by the board of management once in every school year
- Insert the date that the policy was adopted on
- The chairperson must sign **and** date the policy
- The principal must sign **and** date the policy
- Insert date of next review.

### **Allegations against school employees**

Refer to chapter 5 of the DES Child Protection Procedures which must be fully adhered to.

Legal advice should always be sought in these cases.

Strict confidentiality must be maintained.

The procedures provide for:-

- The reporting procedure in respect of the allegation/suspicion and
- The procedure for dealing with the employee.

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

The board must have in place a written protocol for authorising immediate action when there is a requirement for a staff member to be put on administrative leave (Appendix 6 of the DES Child Protection Procedures)

### **Guidance on record keeping**

All records/documentation relating to specific child protection issues (in other words records that involve specific individuals as distinct from general information) must in the case of hard copy physical documents be securely stored in a special purpose storage facility and in the

case of soft copy/electronic records be kept in a password protected computer system using encryption where appropriate by the DLP. All documents filed in the secure filing system should be given coded reference with unique identifier references and an index of all references should be securely maintained within the system.

Only those persons who need to have access to these records because of their role in relation to child protection should have access to this system i.e. the DLP and in his/her absence, the deputy DLP. No other member of staff should have access to this secure filing system or the records in it.

While the control of and access to these records is confined to the DLP and deputy DLP (where applicable), the chairperson of the board of management may need to access or store documents in the secure filing system when addressing employment related matters that involve a child protection dimension.

Where a child protection issue arises regarding an employee, all records/documentation should contain unique identifier references and be filed by the DLP in the secure filing system. The minutes of the specially convened meeting of the board should be recorded using a unique identifier reference (not the employee's initials), circulated only at the next meeting but not sent out. The minutes should be collected at the meeting and kept securely in the secure filing system. There should be no reference to this matter in the agreed report circulated to the wider school community.