



The Institute of Education

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CHILD PROTECTION POLICY

Background

The Child Care Act (1991), Children's Act 2001 and the UN Convention on the Rights of the Child (1992), enshrine in law the paramount principle of the welfare of children. They were designed to promote the welfare and protection of children (0 – 18 years). The Acts cover the rights and responsibilities of parents, the protection of children in emergencies, children in care, the supervision of pre-schools and the duty of the Health Service Executive (HSE) to promote the welfare of children who are not receiving adequate care and protection.

In 2004, "Child Protection Guidelines for Post Primary schools", updated in 2011, was published by the Department of Health and Science and offers support and guidance to people who come into regular contact with children, and who are, therefore, in a position of responsibility in recognising and responding to possible child abuse.

Legislative Basis for policy

- Child Care Act 1991
- Children's Act 2001
- Education Act 1998
- Education and Welfare Act 2000
- Protection for Persons Reporting Child Abuse 1998
- Freedom of Information Act 1997/2003

Copies of these acts can be found at www.education.ie.

This Child Protection Policy is drawn up in conjunction with these acts and guidelines. At The Institute of Education, the safety and protection of the child is of paramount importance in all situations.

Care Team

The Management of The Institute of Education, have in place a Care Team to help with the recognition and reporting of child abuse and to provide a support to children at risk of child abuse.

This Care Team comprises: Designated Liaison Person (DLP), Mr Richard Whealans and Deputy Designated Liaison Person (DDL), Ms. Mary Dorgan. The Care Team has the power to co-opt Ms Anne Marie Griffin, Mr Jim Darcy, Ms Orla Ní Shúilleabháin, and Ms Helen Casey.

Recognising Child Abuse

The Institute of Education will endeavour to protect pupils from abuse or risk of abuse.

Abuse can fall under the following four headings:

- Neglect
- Emotional Abuse
- Sexual abuse
- Physical Abuse

All members of staff are expected to be vigilant and report concerns immediately to the DLP, DDL or the Guidance Counsellor. Students are encouraged to report to staff any type of bullying or abuse they may be aware of. Students are also aware that confidentiality cannot be guaranteed if it compromises the safety of a student. The safety and protection of students is a priority in all cases.

The following would merit further investigation:

- A student alleges abuse to the DLP/DDL
- Another person reports allegations of a student being abused
- Obvious evidence of physical injuries inconsistent with an accident
- A student showing signs of being emotionally distressed

Copies of the "Child Protection Guidelines for Post Primary Schools" can be accessed on www.education.ie and are available from the DLP and the DDL upon request.

Keeping Records

Where child abuse is suspected, staff members will make a written record of all information available. This written record will include:

1. Date and Time
2. Place where disclosure was made/concern was raised
3. Facts pertaining to the case

Where possible, the students own words should be quoted in the report. No leading questions should be asked.

This written record will not contain any opinions or judgements and will be given to the DLP or DDLP. No attempt will be made by any member of staff to investigate the issue other than to establish if there are reasonable grounds for concern. Where the DLP or DDLP establish there are grounds for concern, the DLP will inform the HSE immediately through the duty social worker. The parents will always be informed except, in the judgment of the DLP, where this may endanger a student further. Depending on the circumstances the DLP may deem it necessary to contact the HSE and An Garda Síochána.

The written record will be kept confidential at all times and stored in a safe place by the DLP/DDLP to protect the student involved.

Allegations Made Against a Teacher or Staff Member

Introduction

The most important consideration to be taken into account is the protection of children, and their safety and well-being must be the priority. The Institute of Education also has a duty and responsibility, as an employer, in respect of its employees.

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

1. The reporting procedure in respect of the allegation/suspicion;
2. The procedure for dealing with the employee.

Responsibilities

Where an allegation is made against a teacher, other member of staff, or unpaid volunteer, it will be the responsibility of the DLP or DDLP to ensure that any complaint is thoroughly investigated, (protecting the rights of both the child and the employee).

In general the same person shall not have responsibility for dealing with the reporting issue and the employment issue. The Designated Liaison Person is responsible for reporting the matter to the appropriate HSE area while the Board of Management is responsible for addressing the employment issues. However, where the allegation/suspicion related to the DLP, the Board of Management shall assume the responsibility for seeking advice from and/or for reporting the matter to the HSE, as appropriate.

In the context of allegations or suspicions of child abuse or neglect regarding school employees the primary goal is to protect the children within the school. However, school employees may be subject to erroneous or malicious allegations. Therefore any allegation of abuse or neglect shall be dealt with sensitively and support, including counselling, shall be provided for staff where necessary.

At all stages it should be remembered that the first priority is to ensure that no child is exposed to unnecessary risk. The Institute shall, as a matter of urgency, ensure that any necessary protective measures are taken. These measures will be proportionate to the level of risk and will not unreasonably penalise the employee, financially or otherwise, unless necessary to protect children.

Protocol authorising immediate action

The Institute has in place a protocol for authorising immediate action when there is a requirement for a staff member to be put on administrative leave. (See Appendix 5 – Protocol authorising immediate action). It is very important to note that the actions described here are intended to be precautionary and not disciplinary.

Where the protocol is invoked to absent an employee from the school an emergency meeting of the Board of Management shall be convened.

Reporting Procedure

Where an allegation of abuse or neglect is made against a school employee, the DLP shall immediately act in accordance with the procedures outlined in section 9.1.3 above.

Once a disclosure is made by a child, a written record of the disclosure will be made as soon as possible by the person receiving it. If a child wishes to make a written statement this will be allowed. Where an allegation of abuse or neglect is made by an adult, a written statement will be sought from this person. The ability of the HSE or the employer to assess suspicions or allegations of abuse or neglect will depend on the amount and quality of information conveyed to them. Whether or not the matter is being reported to the HSE, the DLP will always inform the employer of the allegation.

School employees, other than the DLP, who receive allegations of abuse or neglect against another school employee, shall report the matter without delay to the DLP as outlined in section 9.1.3 of these procedures.

Where the allegation or concern relates to the DLP, the school employee will, without delay, report the matter to the Chairperson of the Board of Management. In such

cases, the Chairperson will assume the role normally undertaken by the DLP and will follow the procedures set out in 9.1.3 for dealing with the allegation or concern.

Employees who form suspicions regarding the conduct of another school employee shall consult with the DLP who may wish to consult with the HSE. If the DLP is satisfied that there are reasonable grounds for the suspicion, he/she will report the matter to the HSE immediately. The DLP will also report the matter to the Board of Management who will proceed in accordance with the procedures set out at 9.2.5 below.

Action to be taken by The Institute

It is essential that at all times, the matter is treated with the strictest confidence and that the identity of the employee shall not be disclosed, other than as required under the procedures within this document, until such time as the employee has been offered the opportunity to address and/or be represented to the Board of Management.

When The Institute becomes aware of an allegation of abuse or neglect against an employee, the Board of Management will arrange to privately inform the employee of the following:

- a)** The fact that an allegation has been made against him/her;
- b)** The nature of the allegation;
- c)** Whether or not the matter has been reported to the HSE (either by the DLP or the Board of Management).

The employee will 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 the HSE the employee will be offered the opportunity to respond to the allegation in writing to the Board of Management within a specified period of time. The employee will be told that his/her explanation to the Board of Management will also have to be passed on to the HSE.

Where the Board of Management is unsure as to whether the nature of the allegation warrants the absence of the employee from the school while the matter is being investigated, the Board of Management shall consult with the HSE and/or An Garda Síochána for advice as to the action that those authorities would consider necessary. Following those consultations, the Board of Management will have due regard to the advice offered. If, in the opinion of the employer, the nature of the allegation warrants

immediate action or the ratification of action taken under the protocol referred in section 9.2.3 above, the Board of Management will direct that the employee absent himself/herself from the school with immediate effect. The principles of natural justice and fair procedures will be applied.

The Board of Management will maintain regular and close liaison with the HSE or An Garda Síochána and a decision on the position of the school employee will be taken having due regard to the advice given to the employer by these authorities.

Where the Board of Management has directed an employee to absent himself/herself from the school, such an absence would not imply any degree of guilt on the part of the school employee. Where such an absence is directed, the Department of Education and Skills shall immediately be contacted with regard to:

- a)** Formal approval for the payment of remuneration as appropriate, and
- b)** Departmental sanction for the employment of a substitute teacher where necessary

Any information or details that might identify a child should not be recorded in the minutes of Board of Management meetings. The Institute recognises it's responsibility to maintain strict confidentiality about all matters relating to these issues.

Further Follow Up Required

The Institute will take care to ensure that actions taken do not undermine or frustrate any assessment/investigation being conducted by the HSE or An Garda Síochána. The Board of Management will maintain a close liaison with these authorities to achieve this.

Any further follow up action required will accord with established disciplinary procedures and will only be made following consultation with the HSE (and An Garda Síochána if involved).

After the consultations referred to above have taken place, and when dealing with the question of the future position of the employee, the Board of Management will advise the employee of the situation and will follow the agreed procedures for the sector. In cases where an employee has been directed to absent himself/herself from the school, the Department of Education and Skills will be informed of the outcome.

Feedback from the Health Service Executive

The HSE Children and Family Services will provide feedback to The Institute or person-in-charge on the progress of a child abuse investigation involving an employee.

The HSE will seek to promptly assess complaints and to complete its assessment as quickly as possible, bearing in mind the serious implications for innocent employees.

The Institute or persons-in-charge will be notified of the outcome of the assessment/investigation. This will assist the Board of Management in reaching a decision about the action to be taken in the longer term concerning the employee.

The Institute of Education also ensures the protection of anyone making a report of child abuse as provided under the "Protection for Persons Reporting Child Abuse Act 1998". Other policies and guidelines which ensure the safety and protection of the child at all times include:

- 1.** Code of Behaviour and Discipline
- 2.** Anti – bullying Policy
- 3.** Code of Professional Conduct for Teachers

ANTI-BULLYING POLICY

Background

In accordance with the requirements of the Education (Welfare) Act 2000 The Board of Management of The Institute has adopted the following anti-bullying policy. This policy fully complies with the requirements of the 'Anti-Bullying Procedures for Primary and Post-Primary Schools,' which were published in September 2013.

Introduction

Everyone has a right to a safe, inclusive learning and working environment. We are all responsible for ensuring each person is valued, listened to and protected. The Institute disapproves of offensive or aggressive behaviour by any of its members.

Pupils who are being bullied may develop feelings of insecurity and extreme anxiety. Self-confidence may be damaged with a consequent lowering of their self-esteem. While they may not talk about what is happening to them, their suffering is indicated through changes in mood and behaviour.

All management, teaching and non-teaching staff, students and their parents should have an understanding of what bullying is. All management, teaching and non-teaching staff should know what the school policy is on bullying, and follow it when bullying is reported.

All students and parents should know what the school policy is on bullying, and what they should do if bullying arises. Bullying will not be tolerated. Students and parents should be assured that they will be supported when bullying is reported.

Students need to be aware of bullying and its consequences. Students need to be aware of the importance of reporting and the procedures involved. Students and staff have a shared responsibility to make school and class a safe and secure place, which is inclusive of all.

The Definition of Bullying

Bullying is behaviour which makes other people feel uncomfortable or threatened. It involves physical, verbal or emotional abuse by an individual or group. Bullying is any negative, verbal, emotional/psychological or physical behaviour directed against anyone in the school by an individual or group.

Bullying can be:-

- Emotional: Being unfriendly, excluding, tormenting, insulting, ignoring.
- Physical: Pushing, kicking, hitting, punching or any use of violence.
- Racist: Racial taunts, graffiti, gestures.
- Sexual: Unwanted physical contact or sexually abusive comments.
- Identity based: Because of, or focusing on the issue of sexuality, Homophobic bullying, bullying based on membership of the Traveller community and bullying of those with disabilities or special educational needs.
- Verbal: Name-calling, sarcasm, spreading rumours, teasing.
- Electronic: Mobile threats by text messaging and calls, abusive/silent telephone/ mobile calls.
- Cyber: All areas of the Internet, such as e-mail and internet chat room misuse.

Indications of Bullying Behaviour

- Unwillingness to go to school, refusal to attend, missing
- Unexplained changes either in mood or behaviour
- Deterioration in educational performance, loss of enthusiasm and interest in school
- Pattern of physical illnesses (e.g. headaches, stomach aches)
- Spontaneous out-of-character comments about either pupils or teachers
- Unexplained bruising or cuts
- Unexplained changes in either mood or behaviour, it may be particularly noticeable before returning to school after weekends or more especially after longer school holidays
- Visible signs of anxiety or distress-crying, not eating, vomiting, difficulty in sleeping
- Possessions missing or damaged
- Reluctance and/or refusal to say what is troubling him/her

These signs do not necessarily mean that a pupil is being bullied. If repeated or occurring in combination these signs do warrant investigation in order to establish what is affecting the student.

Procedures for Noting and Reporting an Incident of Bullying Behaviour

All reports of bullying behaviour are noted, investigated and dealt with in a sensitive manner. In this way, it is hoped that pupils will gain confidence in disclosing bullying behaviour. Students are strongly encouraged to report incidents of alleged bullying to a member of the school community. **Issues or incidents that are not reported cannot be dealt with.**

Practical ways of reporting bullying include:

- Directly approaching a staff member
- Parents contacting the school directly
- Getting a friend to report the bullying
- Leaving a note in a piece of homework to be given up to a teacher

The Institute's procedures for investigation, follow-up and recording of bullying behaviour and the established intervention strategies used by The Institute for dealing with cases of bullying behaviour are as follows:

- Incidents of bullying are reported to staff.
- All reports of bullying, no matter how trivial will be investigated by the Deputy Principal/ Designated Liaison Person (DLP).
- Serious cases of bullying behaviour by students will be referred immediately to the Principal by the Deputy Principal/ DLP.
- Non-teaching staff such as caretakers, cleaners etc. are encouraged to report any incidents of bullying behaviour they witness to the Deputy Principal/ DLP.
- In the case of a complaint regarding a staff member, this should normally in the first instance be raised with the DLP who will inform the Principal and The Board of Management.

Procedures for Investigating and Dealing with Bullying Behaviour

A calm, unemotional problem-solving approach will be taken when dealing with incidents of bullying behaviour reported by either students, or staff or parents/guardians. In any alleged incident of bullying, the Deputy Principal/ DLP will speak separately to the students involved, in an attempt to get both sides of the story.

All interviews will be conducted with sensitivity and with due regard to the rights of all the students involved. The alleged victim and alleged perpetrators of the incident will be spoken to and encouraged to solve the problem.

When analysing incidents of bullying behaviour, the Deputy Principal/ DLP will seek answers to questions of what, when, who and why, in a calm manner, setting an example in dealing effectively with conflict in a non-aggressive manner.

If a group is involved, each member will be interviewed individually and then the individuals may be met as a group. Each member will be asked for his/her account of what happened to ensure that everyone is clear what everyone else has said. Other students may also be interviewed to get a clearer picture.

Where the incident is deemed to be minor, a verbal warning will be given to the student to stop the inappropriate behaviour, pointing how he/she is in breach of the Rules, Regulations and Disciplinary Procedures and to get her/him to see the situation from the victim's point of view. If deemed appropriate, parents may be contacted.

If the behaviour persists the parents/guardians of the victims and bullies will be informed. Thus, they will be given the opportunity of discussing the matter and are in a position to help and support the student before a crisis occurs. Appropriate sanctions will be imposed.

In cases where it has been determined that serious bullying has occurred, the Principal/ Deputy Principal will meet with the Parents/Guardians of the parties involved as appropriate, in order to:

1. Explain actions being taken and the reasons for them, referring them to the School Rules, Regulations and Disciplinary Procedures.
2. Discuss ways in which they can reinforce or support the actions taken by the school.

The Principal/Deputy Principal who is investigating cases of serious bullying behaviour will keep a written record of their discussions with those involved. It may also be appropriate or helpful to ask those involved to write down their account of the incident.

Support

All students involved in bullying (bullies, victims and their peers) are given assistance/counselling through the pastoral care team within the school.

This care team includes:

- Year Head
- Guidance Counsellors
- Deputy Principal
- Principal

Serious cases of bullying behaviour are referred immediately to the DLP or Deputy DLP who may, if necessary, refer them on to An Garda Síochána.

This school policy is subject to continuous review.