

Child Protection Guidelines

Department of Education and Science

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Child Protection

- ◆ Procedures for dealing with Allegations or Suspicions of Child Abuse (DES 1992) ‘red’
- ◆ Children First (DHC 1999) – national guide
- ◆ CPG Procedures for Primary (DES 2001)
- ◆ Consultation process/ partners(DES2003/04)
- ◆ CPG / Procedures for Post Primary (2004)



Child Protection Guidelines

- ◆ Ch.1 – Introduction / relevant legislation
- ◆ Ch.2 – Understanding / recognising child abuse
- ◆ Ch. 3 – Responsibility of school personnel (paid / unpaid)
- ◆ Ch. 4 – Reporting /role of Health Service Executive
- ◆ Ch. 5 – Allegations against school employees
- ◆ Ch. 6 – Peer abuse / bullying
- ◆ Appendices – report form / contacts / guidance notes



Introduction (1.1)

- ◆ Based on Children First
- ◆ Safety and well-being of child the priority
- ◆ Aims to give direction and guidance in dealing with suspicions/allegations
- ◆ BOM/VEC needs to adopt guidelines
- ◆ Not legislation, but incumbent on schools to adhere to these guidelines



Confidentiality (1.2)

- ◆ Information only shared on ‘need to know’ basis
- ◆ Parents should be informed of a report to a Health Service Executive unless this would endanger child. Record should be kept.
- ◆ School personnel DO NOT investigate
- ◆ Health Service Executive or Gardai investigate
- ◆ In emergency, if HSE not available, contact Gardai



LEGISLATIVE BASIS

- ◆ Protection for Persons Reporting Child Abuse 1998 (1.3)
- ◆ Qualified Privilege (common law) (I.4)
- ◆ Freedom of Information Act 1997 (1.5)
- ◆ Data Protection Act 1988 (1.6)
 - a Guide for Data Controllers (DES 2003)
- ◆ Education Act 1998
- ◆ Education & Welfare Act 2000

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Categories of Child Abuse (2.1)

- ◆ Child neglect
- ◆ Emotional abuse
- ◆ Physical abuse
- ◆ Sexual abuse

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Responsibilities (3.1)

- ◆ Schools must provide students with highest standard of care
- ◆ All school personnel are well placed to observe behavioural changes/signs of abuse
- ◆ BOM / VEC must appoint a Designated Liaison Person (DLP) & a Deputy DLP
- ◆ DLP is generally the Principal



Recognition of Abuse (3.3)

- ◆ All personnel should be familiar with signs/symptoms (Ch.2)
- ◆ A person with concerns about a child should liaise with DLP
- ◆ Health Service Executive should always be notified if reasonable grounds for concern (may have been/ is being/ is at risk of being abused)



Designated Liaison Person

- ◆ DLP for school in all dealings with Health Service Executive, Gardai and other parties re child abuse
- ◆ Resource person for staff having concerns
- ◆ Knowledgeable, trained about child protection
- ◆ Notifies BOM / VEC if report made

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Designated Liaison Person

See later

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nyone Dealing with disclosures (3.4)

- ◆ Child will be distressed – need to maintain trust
- ◆ Stay calm / reassure child it was right to tell
- ◆ Don't promise confidentiality
- ◆ Indicate next steps
- ◆ Avoid judgements / leading questions
- ◆ Record disclosure immediately
- ◆ Report immediately to DLP



Recording Disclosure (3.5)

- ◆ Note what you have seen/observed
- ◆ Describe/sketch physical injuries
- ◆ Record what child said, use child's words
- ◆ Avoid conjecture/supposition
- ◆ Sign/ date/ give to DLP (who retains in secure location)

Action to be taken by school personnel (4.1)

- ◆ School personnel who receive an allegation or have a suspicion re abuse should report to the DLP without delay
- ◆ The supports of the school should continue to be made available to the child

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Role of Health Board (4.3 – 4.5)

- ◆ Once allegation is received the HSE has to decide on what, if any, action
- ◆ May call a Child Protection Conference (*parents and/or young person may be involved*)
- ◆ May request, through DLP, for school employee to attend

(employee will be asked for written report)

HSE must inform school of outcome of investigation/enquiry

Allegations/suspensions of abuse by school personnel (5.1)

- ◆ Primary goal is the protection, safety and welfare of the child
- ◆ Employer (BOM or VEC) also has duties and responsibilities towards employee

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Two procedures to be followed (5.1)

- ◆ Reporting procedures in respect of allegation – DLP (5.3)

(Ensure that no child is put at unnecessary risk/ensure necessary protective measures are taken)

- ◆ Procedures for addressing the employment issue – responsibility of employer (5.4) DES17



Reporting (5.3)

- ◆ DLP should proceed as in Ch.4
- ◆ If another employee receives the allegation s/he should proceed as in Ch.4
- ◆ Adults making an allegation can be asked to submit a written account
- ◆ If a child wishes to make a written account this should be allowed
- ◆ DLP should always inform employer of allegation
(whether or not it is being reported to HSE)

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Employer Procedure (5.1/5.2)

- ◆ Should seek legal advice
- ◆ Adhere to written protocol to authorise any immediate actions required to protect children (Appendix 5)
- ◆ Principles of natural justice and fair procedures to be adhered to

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Employer procedure (5.1/5.2) continued

- ◆ Actions intended to be precautionary, not disciplinary
- ◆ Measures should be proportionate to level of risk to child
- ◆ Actions should not unreasonably penalise employee, financially or otherwise, unless necessary to protect children

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Action by the Employer (5.4)

Inform employee that

- a) an allegation has been made
- b) the nature of it
- c) whether report has been sent to HSE
- ◆ Give employee any written records (copy)
- ◆ Offer opportunity to respond in writing
- ◆ If unsure if allegation warrants absence from school consult Child Care Manager (HSE)



'urther action by employer (5.5)

- ◆ Ensure actions taken do not undermine any investigation by HSE or Gardai
- ◆ Maintain close liaison with above
- ◆ Maintain strict confidentiality
- ◆ Follow up action should accord with established grievance and disciplinary procedures



Health Board feedback (5.6)

- Children First puts onus on HSE to
 - investigate promptly
 - feedback to employer re progress
 - pass on (as appropriate) reports/records to employer and employee
- ◆ Employer should always be notified of outcome
- ◆ Employer should maintain close contact with HB

Peer abuse and bullying (6.1–6.3)

- ◆ If child abuse by another child is alleged proceed as in Ch.3 & 4
- ◆ Inappropriate sexualised behaviour between children must be taken seriously – parents informed
- ◆ Peer abuse requires assessment and therapeutic intervention by professionals
- ◆ If there are concerns, seek advice from DSW

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Peer abuse and bullying (6.2/6.3)

- ◆ Schools should arrange to minimise any possibility of abuse re-occurring within the school
- ◆ It is imperative that schools have a policy in place to deal with bullying

(Guidelines on Countering Bullying, DES 1993) DES25



Appendices

- ◆ 1 Standard Report form
- ◆ 2 Health Service Executive Contact Details
- ◆ 3 Child protection Conference and Guidance notes for reports
- ◆ 4 Glossary of Terms
- ◆ 5 Protocol authorising immediate action