

Child Protection

The Child Protection Guidelines for post-primary schools were published in 2004 and circulated to schools with circular letter M62/04 which outlined the reasons for having such guidelines as, “to meet the need for schools to have in place clear procedures which teachers and other school staff should follow where they suspect, or are alerted to, possible child abuse”.

The guidelines are not a legal document but they do state very clearly that it is “incumbent on school authorities and school personnel to adhere to these guidelines in dealing with allegations/suspensions of child abuse”. (C.P.G. 1.1.4 page 5).

They are issued by the Minister for Education and Science through her Department with very strong recommendations that schools should adopt these guidelines as official school policy. Recent exposure of a variety of cases of abuse in Irish society makes it imperative that those who deal with young people on a daily basis should be alert to the possibility of abuse and, if so informed, take the necessary steps to alert the relevant authorities.

Every organisation which deals specifically with young people under the age of 18 years owe it to their staff and the children to have in place policies outlining best practice to ensure the highest standard of care for all concerned.

As a further sign of the importance attached to ensuring that all schools are familiar with the guidelines the Department of Education and Science followed up their initial circular with circular M44/05 reminding schools again of the importance of in-service for the Designated Liaison Person (DLP) and the subsequent follow-up briefing session to be given by the DLP to all staff in his/her school. The Department has provided further back up to schools, Boards, DLP's etc by funding a telephone advisory service through the three management bodies, J.M.B, IVEA and our own ACCS.

This therefore is a very important issue for all schools. Indeed all adults working with children whether in a paid or voluntary capacity have a duty of care to inform themselves of best practice in their organisation not only for the welfare of the children but also for their own sakes.

The guidelines issued by the DES provide all concerned with a very comprehensive, yet readable, document which enables them to recognise the symptoms of abuse and outlines the procedures for dealing with allegations or suspicions of abuse.

Categories of Abuse:

Abuse happens. Staff working with children must be open to the possibility of abuse taking place, be vigilant and knowledgeable of the signs and symptoms associated with different forms of abuse.

Child abuse is complicated and can take different forms, but usually consists of one or more of the following:

Neglect: Where a child's needs for food, warmth, shelter, nurturance and safety are not provided, to the extent that the child suffers significant harm.

Emotional abuse: Where a child's need for affection, approval and security are not being met and have not been met for some time by their parent or carer.

Physical abuse: Where a child is assaulted or injured in some way that is deliberate.

Sexual abuse: Where a child is used for the sexual gratification of an adult.

In chapter 2 of the Guidelines there is a clear presentation on the above categories of abuse and of the more common symptoms and behavioural signs associated with such abuse. It is important to remember that children can suffer from and be subjected to one or more forms of abuse at any given time.

The relationships between staff and students and the climate in the organisation are important factors which would encourage young people to confide in adults to seek redress from abuse being inflicted on them.

The Role of the Board of Management:

The Board as the employer of all staff in a school has a duty to ensure that the staff is aware of the guidelines and that in-service has been provided to enable them to understand and appreciate the duty of care owed to the students.

The Board must therefore ensure that:

- all staff receive a copy of the guidelines.
- the Guidelines are adopted as official school policy. Staff should know this.
- a Designated Liaison Person (DLP) is appointed. The DLP should be the Principal. The DLP liaises with Board, Staff, Health Services, Gardai, Parents etc.
- Deputy DLP should also be appointed (the Deputy Principal). The Deputy DLP only acts in the absence of the DLP.
- the DLP and Deputy DLP have attended in-service.
- in-service is arranged for all staff, including Board Members. The DES has provided for a half-day briefing session to be taken by each school.
- the Protocol (Appendix 5 page 35 of the Guidelines) should be adopted as official policy. The Protocol authorises immediate action to be taken to direct an employee to absent himself/herself from the school where there are reasonable grounds established concerning allegations of abuse by an employee against a student.

All staff should be aware of the protocol and of the procedures to be followed should it be invoked by the Board.

- that official school policies and work practices are assessed in the light of the advice and direction given in the Guidelines. School policies such as the Code

of Behaviour, Bullying, Extra Curricular and out of school activities, work practices such as detention of individual students, one to one teaching situations, transporting of students in teachers own cars etc. are some of the issues that require attention.

- all staff are properly vetted and checked out prior to appointment.

Designated Liaison Person:

The Guidelines highlight the central role assigned to the DLP in the school. He/She is expected to be informed and knowledgeable of the issues surrounding abuse.

He/She:

- is the resource person for staff.
- ensures that all staff receive the guidelines.
- is expected to in-service his/her staff following training.
- liaises with the various bodies such as the Health Services/Duty Social Worker, Gardai, Board, Staff & Parents.

Suspicious, concerns and/or allegations of abuse which come to the attention of staff members should be reported to the DLP without delay. It is the DLP who reports the matter on to the Health Service Duty Social Worker or Gardai if he/she believes that there are reasonable grounds for concern. If he/she is unsure, advice should be sought from the Duty Social Worker without naming individuals. If the DLP does not report, the person who brought the concern to the DLP may report directly to the Duty Social Worker. In this situation the DLP should furnish that person with a written statement as to the reasons why he/she believed the matter did not warrant reporting.

In the event of an allegation being brought against an employee the reporting procedures are the same. The DLP should seek advice from the HSE and or the Gardai or from a legal source. Chapter 5 of the Guidelines is essential reading for all staff. It is in their own best interests to be familiar with the procedures involved should an allegation be made against them personally or against another employee or if they have to report a suspicion or allegation concerning a colleague.

Staff:

From a staff member's perspective where they have suspicions or concerns about a child being abused or where a child confides in him/her that he/she is or was abused the staff member should, without delay, report the matter to the DLP.

Important Reminders for Staff:

- Neither the DLP nor the staff member should investigate the alleged abuse. This is a statutory function reserved to the HSE or Gardai.
- Confidentiality should be maintained by those who are made aware of the abuse. Secrecy cannot and should not be guaranteed to the child.
- Those reporting abuse, whether a staff member or the DLP are not bringing a charge, or accusing anybody of abuse. They are carrying out their duty of care by reporting in good faith to a designated person. They are covered by

qualified privilege, which protects them from civil liability or discrimination by their employers.

- Where reports are made to the HSE and or the Gardai it is important to remember that these can be accessed under the Freedom of Information and Data Protection Acts. Page 7 of the Guidelines outlines the conditions that apply and the restrictions which may apply under the F.O.I Acts.

Parents and Students:

The thrust of the Guidelines is the welfare of the student. As such it is important that parents and students are made aware of the Guidelines:

- of who the DLP and Deputy DLP are.
- the duties and responsibilities of the DLP to report allegations or suspicions of abuse to the HSE or Gardai. Schools should communicate the central points of the guidelines to the parents using parent meetings, newsletters, parent information booklets etc. Students can be further informed and educated through such programmes as Pastoral Care, SPHE, Guidance Programme, RE (in particular at senior cycle where certain topics such as relationships, suicide etc. are addressed).

Conclusion:

Schools today are very caring places for young people. The atmosphere created is one of belonging, openness and welcome. There are structures and systems in place to meet the varying and different needs of students. Schools address many current and disturbing social issues and are expected to do so, issues such as substance abuse, alcohol addiction, suicide, relationships, depression, obesity etc. The protection of children from abuse should also be addressed with them as an issue of concern for society.

The importance of education and information programmes on these issues for young people cannot be overstated.

This work in schools will hopefully enable and encourage many who suffer abuse or other disturbing emotional problems to seek help, advice and counselling by confiding in a trusted teacher or counsellor. Schools deserve credit and recognition for the wonderful work which is being done for and on behalf of young people today.

The aforementioned guidelines offer direction and support to all who work in the post primary sector. They should be read and studied by all.