



Our Lady of Mercy Secondary School
Child Protection Procedures 2017-2018



Introduction

The procedures contained in this document have been developed following consultations between The Board of Management, School Management, Teachers, SNAs, Ancillary Staff and The Parents' Council. The procedures take account of the Children First Act, 2015, the updated Children First: National Guidance for the Protection and Welfare of Children published in 2017 and Child Protection Guidelines for Primary and Post-Primary Schools, 2017. In addition the procedures take account of Protections for Persons Reporting Child Abuse Act 1998 and Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012.

In these procedures, the following terms have the following meaning:

- **parent** refers to parent/parents or legal guardian/guardians
- **staff** refers to teachers, SNAs, examiners, supervisors, secretarial staff, support staff, caretaker, maintenance staff and other adults as inferred by the context

These procedures require that in any situation where a member of staff receives an allegation or has a suspicion that a child may have been abused or neglected, is being abused or neglected, or is at risk of being abused or neglected, he or she shall without delay report the matter to the Designated Liaison Person (DLP) in accordance with the procedures set out below. The DLP is responsible for ensuring that any reasonable grounds for concern are reported to Tusla. It is not necessary for the DLP to prove that abuse has occurred in order to report a concern. All that is required is that there are reasonable grounds for concern.

The Children First Act, 2015 has placed certain statutory obligations on **all registered teachers**, who are referred to as **mandated persons** in the Act. It has also placed certain statutory obligations on all schools.

Registered teachers as mandated persons have two main statutory obligations under the Children First Act, 2015 and they are;

- (a) to report any knowledge, belief or reasonable grounds to suspect that a child has been harmed, is being harmed or is at risk of being harmed to Tusla, and
- (b) to assist Tusla in assessing a concern which has been the subject of a mandated report, if requested by Tusla in accordance with the Act.

In accordance with section 2 of the Children First Act, 2015 the defined threshold of "*harm*" in relation to a child is as follows: "*harm*" means, in relation to a child:

- (a) assault, ill-treatment or neglect of the child in a manner that seriously affects or is likely to seriously affect the child's health, development or welfare, **or**
- (b) sexual abuse of the child

These procedures set out the best practice (non-statutory) obligations which are in place for all individuals (including Staff and Parents) in our school community. The statutory obligations under the Children First Act, 2015 operate side by side with the best practice (non-statutory) obligations.

For further reading please refer to the Child Protection Guidelines for Primary and Post-Primary Schools, 2017; https://www.education.ie/en/Schools-Colleges/Information/Child-Protection/child_protection_guidelines.pdf

Child Protection Procedure in OLM

1. Dealing with disclosures from children:

- An abused child is likely to be under severe emotional stress and a member of school personnel may be the only adult whom the student is prepared to trust. Great care shall be taken not to damage that trust.
- When information is offered in confidence, the member of school personnel will need tact and sensitivity in responding to the disclosure. The member of school personnel will need to reassure the student, and endeavour to retain his or her trust, while explaining the need for action which will necessarily involve other adults being informed. It is important to tell the student that everything possible will be done to protect and support him or her, but not to make promises that cannot be kept e.g. promising not to tell anyone else.
- The following approach is suggested as best practice for dealing with these disclosures:
 - React calmly
 - Listen carefully and attentively
 - Take the student seriously
 - Reassure the student that they have taken the right action in talking to you
 - Do not promise to keep anything secret
 - Ask questions for clarification only. Do not ask leading questions
 - Check back with the student that what you have heard is correct and understood
 - Do not express any opinions about the alleged abuser
 - Ensure that the student understands the procedures that will follow
 - Make a written record of the conversation as soon as possible, in as much detail as possible
 - Treat the information confidentially.

2. Reporting disclosures to DLP:

- Where a registered teacher receives an allegation or has a suspicion that a child may have been abused or neglected, is being abused or neglected, or is at risk of abuse or neglect report the matter to the DLP.
- The DLP and the registered teacher must consider whether there are reasonable grounds for concern about the welfare and protection of the child.
- If the DLP and the registered teacher both agree that the concern is at or above the defined threshold of harm a mandated report to Tusla jointly by the DLP and the registered teacher concerned using the Tusla report form will be made.
- Where the DLP is unsure whether to report a concern to Tusla, the DLP shall seek advice from Tusla. The DLP shall inform the registered teacher concerned that such advice is being sought and shall, when received, inform the registered teacher of the advice provided.
- If the DLP and/or the registered teacher are of the opinion, even following advice from Tusla that reasonable grounds for concern remain, a mandated report to Tusla jointly by the DLP and the registered teacher concerned using the Tusla report form will be made.
- Where a member of staff receives an allegation or has a suspicion that a child may have been abused or neglected, is being abused or neglected, or is at risk of abuse or neglect report the matter to the DLP at the first available opportunity.

- The DLP must consider whether there are reasonable grounds for concern about the welfare and protection of the child and will make a mandated report to Tusla using the Tusla report form.
- If the DLP decides that the concern of the member of staff, including that of a registered teacher, should not be reported to Tusla the DLP shall give the member of staff a clear statement, in writing, as to the reasons why action is not being taken. A copy of this statement should be retained by the DLP. The member of staff shall also be advised by the DLP that if he or she remains concerned about the situation, he or she is free to consult with or report to Tusla.

3. Role of DLP:

- The DLP must consider, following a report from any member of staff whether there are reasonable grounds for concern about the welfare and protection of the child and will make a mandated report to Tusla using the Child Protection and Welfare report form (Tusla report form).
- In the case of a registered teacher making a report, the DLP and the registered teacher must consider whether there are reasonable grounds for concern about the welfare and protection of the child.
- The DLP may seek advice from Tusla.
- If the DLP and the registered teacher both agree that the concern is at or above the defined threshold of harm a mandated report to Tusla jointly by the DLP and the registered teacher concerned using the Tusla report form will be made.
- If the DLP decides that the concern of the member of school personnel, including that of a registered teacher, should not be reported to Tusla the DLP shall give the member of staff a clear statement, in writing, as to the reasons why action is not being taken. A copy of this statement should be retained by the DLP. The member of staff shall also be advised by the DLP that if he or she remains concerned about the situation, he or she is free to consult with or report to Tusla.
- Where a student transfers from or leaves a school and the DLP is aware that a child protection report has been made to Tusla in the past, the DLP should inform Tusla of the transfer/move.
- Where an allegation of abuse is made against a member of staff, the DLP shall always inform the board of management at the following meeting.
- Where a parent of a student makes an allegation of abuse against a member of staff additional procedures shall be followed by the DLP and the board of management as applicable under the Child Protection Guidelines for Primary and Post-Primary Schools, 2017.
- Where a member of staff makes an allegation of abuse against another member of staff, additional procedures shall be followed by the DLP and the board of management as applicable under the Child Protection Guidelines for Primary and Post-Primary Schools, 2017.
- The DLP must consider whether to report to An Garda Síochána under the Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012. The DLP may advise any staff member to do same.
- At each board of management meeting, the principal's report to the board shall include a Child Protection Oversight Report containing information under four headings as follows:
 - 1) Allegations of abuse made against members of staff
 - 2) Other child protection concerns in respect of students in the school (i.e. concerns that do not involve any allegation of abuse against a member of staff)

- 3) Child protection concerns arising from alleged bullying behaviour amongst students and
- 4) Summary data in respect of reporting.

This procedure was adopted by the Board of Management on 6th March 2018 and will be reviewed on an annual basis.

Signed: *Michael O'Sullivan*

Signed: *Pádhraic Gibbons*

Michael O'Sullivan

Pádhraic Gibbons

Chairperson of Board of Management

Principal

Date: 6th March 2018

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Date of next review: October 2018