

Child Protection Policy

North Connaught College

Designated Liaison Person: Mary Madden

Deputy Designated Liaison Person: Margaret Scollan

Based on the guidelines entitled 'Children First National
Guidelines'

Revised: September 2013

Ethos Statement

MSL ETB is a community of learners with an historic and unique tradition as a provider of education and training. In responding to the needs of the community it delivers the highest standards of teaching and learning.

MSL ETB Colleges, Schools and Centres of Education are democratic, co-educational and multi-denominational in character where policies, practices and attitudes are underpinned by the core values of Respect, Equity and Fairness.

Mission Statement

At North Connaught College students are encouraged to actively participate in a Learning Environment, where each individual is supported, respected as unique and where every effort is made to develop knowledge and skills

appropriate to their needs. ■

INTRODUCTION

The guidelines, entitled, 'Children First, National Guidelines for the Protection and Welfare of Children' were introduced in 1999. The guidelines are intended to assist people in identifying and reporting child abuse and to improve professional practice in both statutory and voluntary agencies and organisations that provide services for children and families.

North Connaught College (NCC) are committed to practice which protects children from harm and have set in place guidelines which aim to highlight issues of Child Protection, and to familiarise all staff with procedures for reporting suspected or disclosed abuse.

The procedures deal specifically with three central issues that arise:

1. The procedure for reporting suspicions or allegations of abuse of a young person.
2. The procedure for dealing with an employee who is alleged to have abused a young person.
3. The procedure for dealing with suspected sexual abuse by children and young people

These guidelines adhere to the basic aims and objectives as set out in the document, National Guidelines for the Protection and Welfare of Children.

Having read these guidelines, staff should be informed on the following:-

- An understanding of what abuse is
- Identify signs and symptoms of abuse
- Have guidelines on how to deal with disclosures
- Key roles of individuals within BCC/SCFE
- Procedures for reporting suspected or disclosed abuse
- Recording incidents or concerns
- Professional responsibility to adopt safe practices to minimise the possibility of harm or accidents happening to children and protect staff from the necessity to take risks and leave them open to accusations of abuse or neglect.

Designated Liaison Person

The DLP will act as a liaison person with outside agencies and as a resource person to any staff member or volunteer who has child protection concerns. The DLP should be knowledgeable about child protection and undertake any training considered necessary to keep himself/herself updated on new developments. The DLP acts for the school in all dealings with the HSE, An Garda Síochána, and other parties, in connection with allegations of and/or concerns about child abuse. Those other parties should conduct all matters pertaining to the processing or investigation of alleged child abuse through the DLP.

Principles for Best Practice in Child Protection

Taken from 'Children First: National Guidelines for the Protection and Welfare of Children'

The principles that should inform best practice in child protection include the following:

- 1) The welfare of children is of paramount importance.
- 2) A proper balance must be struck between protecting children and respecting the rights and needs of parents/carers and families; but where there is conflict, the child's welfare must come first.

- 3) Children have the right to be heard and taken seriously. Taking account of their age and level of understanding, they should be consulted and involved in relation to all matters and decisions that affect their lives.
- 4) Early intervention and support should be available to promote the welfare of children and families, particularly where they are vulnerable or at risk of not receiving adequate care or protection.
- 5) Parents/carers have a right to respect and should be consulted and involved in matters which concern their family.
- 6) Actions taken to protect a child, including assessment, should not in themselves be abusive or cause the child unnecessary distress. Every action and procedure should consider the overall needs of the child.
- 7) Intervention should not deal with the child in isolation; the child must be seen in a family setting.
- 8) The criminal dimension of any action cannot be ignored.
- 9) Children should only be separated from parents/carers when all alternative means of protecting them have been exhausted. Reunion should always be considered.
- 10) Effective prevention, detection and treatment of child abuse require a co-ordinated multi-disciplinary approach.
- 11) In practice, effective child protection requires compulsory training and clarity of responsibility for personnel involved in organisations working with children.
- 12) Early intervention and support should be available to promote the welfare of children and families, particularly where they are vulnerable or at risk of not receiving adequate care or protection.

Definition of Child Abuse

Child abuse can be categorised into four different types:

| | |
|----------------|-----------------|
| Neglect | Emotional Abuse |
| Physical Abuse | Sexual Abuse |

A child may be subjected to more than one form of abuse at any given time. The National Guidelines have adopted the following definitions of child abuse:

Neglect

Where a child suffers significant harm or impairment by being deprived of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, attachment to and affection from adults or medical care.

Emotional Abuse

Emotional abuse is normally to be found in the relationship between a care-giver and a child rather than in a specific event or pattern of events. It occurs when a child's needs for affection, approval, consistency and security are not met.

Physical Abuse

Physical abuse is any form of non-accidental injury that causes significant harm to a child, or injury which results from wilful or neglectful failure to protect a child.

Sexual Abuse

Sexual abuse occurs when a child is used by another person for his or her gratification or sexual arousal.

Recognising Child Abuse

The ability to recognise child abuse depends as much on a person's willingness to accept the possibility of its existence as it does on knowledge and information. Even for "experts" it is often very hard to decide if a child has been abused.

Examples of Reasonable Grounds for Concern

- Specific indication from the child that he/she was abused.
- An account by a person who saw the child being abused.
- Evidence - such as an injury or behaviour which is consistent with abuse and unlikely to be caused another way.
- An injury or behaviour which is consistent both with abuse and with an innocent explanation but where there are corroborative indicators supporting the concern that it is a case of child abuse – e.g. a pattern of injuries, an implausible explanation, other indications of abuse, dysfunctional behaviour and
- Consistent indication over a period of time that the child is suffering from emotional or physical abuse.

How Sensitive Issues May Come To Your Attention

Disclosures may be made at any time, but may come during or after a group discussion where topics of a sensitive nature have been discussed.

Observing consistent signs of neglect over a period of time e.g.

- Unkempt appearance.
- Change in behaviour.
- Signs of physical abuse, bruising, injuries.
- Inconsistent stories, excuses relating to injuries
- Information from a third party
- Sudden drop in performance
- Reluctance to go home
- Changes in attendance patterns
- Inappropriate sexual awareness, behaviour or language

What to do in the event of a Disclosure

- Do not over-react – stay calm.
- Actively listen.
- Believe the young person.
- Do not stop the young person from recalling significant events.
- Do not ask leading questions. The child should not be questioned unless the nature of what s/he is saying is unclear.

- Your job is to support and facilitate the young person and not to ascertain the facts – that is the role of the HSE or the Gardai.

Confidentiality must never be promised to a person making a disclosure.

When information is offered in confidence, the member of staff will need tact and sensitivity in responding to the disclosure. The member of staff will need to reassure the child, and endeavour to retain his/her trust, while explaining the need for action which will necessarily involve other adults being informed. It is important to tell the child 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. As soon as possible, make notes and write them up. Ensure that notes are factual and objective - record time, date and sign.

Action to be taken by school personnel

If a member of staff receives an allegation or has a suspicion that a child may have been abused, or is being abused he/she should without delay, report the matter to the DLP. A written record of the report should be made and placed in a secure location by the DLP.

The one thing you MUST NOT do is NOTHING.

Action to be taken by DLP

If the DLP is satisfied that there are reasonable grounds for the suspicion or allegation he/she should report the matter to the HSE immediately. If in doubt about reasonable grounds, consult with the Duty Social Worker, who is available to talk to persons with child protection issues, Mon to Fri., 10 a.m. to 5 p.m. It may be important to make it clear at this stage that the purpose of the call is to seek advice rather than make a formal complaint. (See Appendix for contact number)

If there are reasonable grounds, then report the matter immediately, initially by telephone to the Duty Social Worker.

Complete Standard Report Form. (See Appendix)

Send completed Report Form to Principal Social Worker, Markievicz House, Sligo.

Keep a written record of events.

In the event of an emergency or the non-availability of a Social Worker, a report may be sent to the Garda Síochána.

Responsibility for the investigation of Child Abuse cases, suspected or otherwise, rests with the HSE and the Gardaí.

Children First recommends that:-

If the designated person decides that reasonable grounds for reporting the incident, or suspicion to the HSE or An Garda Síochána do not exist, **the individual worker who referred the matter should be given a clear written statement of the reasons why the DLP is not taking action.**

If the worker remains concerned, they are free to consult with the HSE or An Garda Síochána themselves. The provisions of the Protections for Persons Reporting Child Abuse Act, 1998 apply once they report 'reasonably and in good faith'.

Record of Information

Name of child

Address of child

Age of child

Source of information

Date, time, place and mode of reception of information

Identity of any third party present

The precise information imparted

Names and addresses of any third parties referred to

All suspicions relating to the information imparted and factual basis for same

Details of all subsequent meetings, discussions, action taken, with young person, colleagues or interested parties.

If parents contacted. If not, then record reason for not doing so

In all situations, including those in which the cause of concern arises from a disclosure made in confidence, it is extremely important to record the details of an

allegation or reported incident, regardless of whether or not a referral is subsequently made to a statutory agency.

Co-operation with Parents/Carers

Any professional who suspects child abuse should inform the family if a report is likely to be submitted to the Health Board or an Garda Siochana, unless doing so is likely to endanger the child.

Storage of Information

Any reports/completed forms should be stored in a safe and secure location.

Adjustments cannot be made to an existing document. In the event of new developments/information, a new document should be completed which will accompany the existing document. These documents should be stored permanently as they belong to the College and not to the person who first made the report.

When an individual makes a report to the statutory authorities, the possibility always exists that he/she may be called to give evidence should legal action be taken.

Freedom of Information Act, 1997

Any reports which are made to Health Boards may be subject to the provisions of the Freedom of Information Act, 1997, which enables members of the public to obtain access to personal information relating to them which is in the possession of public bodies. However, the Freedom of Information Act also provides that public bodies may refuse access to information obtained by them in confidence.

The Protection for Persons Reporting Child Abuse Act, 1998

The Protection for Persons Reporting Child Abuse Act, 1998 makes provision for the protection from civil liability of persons who have reported child abuse 'reasonably and in good faith'. This protection applies to organisations as well as individuals.

Induction and Training of Staff

It is the policy of BCC/SCFE that all new staff are required to undertake an induction course so as to assist them in getting to know the college, their colleagues and their job expectations and conditions. Induction is an opportunity for staff to familiarise themselves with existing policies and procedures for dealing with discipline, grievances and the Child Protection Policy.

To maintain quality standards and good practice, BCC/SCFE recognises the need for on-going training in matters linked to Child Protection and to review and revise policies accordingly.

Protecting Children and Workers

IT DOESN'T MAKE SENSE TO...

- Spend excessive amounts of time alone with children away from others
- Take children alone in a car on journeys, however short
- Take children to your home

NEVER....

- Engage in rough physical games including horseplay - apart from structured sports activities
- Engage in sexually provocative games
- Allow or engage in inappropriate touching of any form
- Allow children to use inappropriate language unchallenged
- Make sexually suggestive comments about or to a child, even in fun
- Let allegations made by a child go unchallenged or unrecorded
- Do things of a personal nature for children that they can do for themselves

TASKS OF A PERSONAL NATURE - should only be carried out

- For very young children or children with disabilities
- With the full understanding and consent of parents
- In an emergency situation - parents should be fully informed

TOUCHING SHOULD:

- Be in response to the need of the child and not the need of the adult;
- Be with the child's permission - resistance from the child should be respected;
- Avoid breasts, buttocks and groin;
- Be open and not secretive;
- Be governed by the age and developmental stage of the child.

RECREATIONAL ACTIVITIES

REMEMBER

Always work openly with children

If manual support is required, it should be provided openly.

If groups have to be supervised in the changing rooms, always ensure staff of appropriate gender work in pairs.

Where there are mixed groups away from home, they should always be accompanied by a male and female member of staff.

Allegations of Abuse against Staff

In the event of an allegation of abuse being made against a staff member BCC/SCFE recognises it has obligations to the child and the staff member, having due regard for the rights and interests of the child on the one hand, and those of the staff member against whom the allegation is made on the other hand.

Staff may be subjected to false or malicious allegations, therefore, any allegation of abuse needs to be dealt with in a sensitive, supportive manner. **However, the primary goal is to protect the child** while taking care to treat the staff member fairly. It is important to note here that there are two procedures to be followed:

- 1) The reporting procedure in respect of the child
- 2) The procedure for dealing with the staff member

It is generally recommended that the same person should not have responsibility for dealing with both the reporting issues and the employment issues.

General Procedures

1. The Reporting Procedure in Respect of the Child

The reporting procedure in respect of the child should be carried out by the DLP while the employer is responsible for addressing the employment issues. However, where the allegation of abuse is against the DLP, the employer should assume responsibility for reporting the matter to the HSE.

The first priority is to ensure that no child is exposed to unnecessary risk.

The designated person should, as soon as possible, inform the Chief Executive Officer of MSL ETB that an allegation of child abuse has been made against a member of staff.

The C.E.O. should set in place any necessary protective measures to ensure the safety of the child. These measures should be proportionate to the level of risk, and should not unreasonably penalise the staff member financially or otherwise, unless necessary to protect the child.

Allegations should be assessed promptly and carefully.

If a decision is made to report the matter to the HSE or An Garda Síochána, the designated person should follow the standard reporting procedure as already outlined in this policy.

Action taken in reporting an allegation of child abuse against an employee should be based on an opinion formed reasonably and in good faith. The parents/carers of the young person should be informed of the complaint against the staff member. Advice should be taken from the statutory authorities as how best to do this.

All information and action taken should be recorded carefully.

BCC/SCFE, in conjunction with MSL ETB will co-operate closely and fully with the HSE and Garda Síochána in any investigation that may follow.

2. Procedure for Dealing with Staff Member

The Designated Officer will inform the Chief Executive Officer of MSL ETB, as soon as possible, that an allegation of child abuse against a staff member has been made.

The ETB has obligations to the child and to the staff member. Any allegation should be dealt with sensitively and the employee must be treated fairly. However, the first priority is the protection of the child and the C.E.O. should set

in place any protective measures to ensure the protection of the child. These measures should be proportionate to the level of risk.

It is essential that at all times the matter be treated in the strictest confidence and that the identity of the employee should not be disclosed until such time as the employee has been offered the opportunity to address and/or be represented to the employer.

The C.E.O. should arrange to privately inform the employee of the following:

- The fact that an allegation has been made against him/her
- The nature of the allegation
- If a formal report has been sent to the Statutory Authorities

The employee should 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 should be offered an opportunity to respond to the allegation in writing within a specified time frame. The employee should be told that his/her response would also have to be forwarded to the HSE.

The employer may decide to direct that the employee absent him/herself from his/her place of work while the investigation is being carried out. The principles of natural justice and fair procedures must be adhered to.

Support, in the form of counselling, independent of the organisation will be made available to the staff member.

The ETB, in conjunction with BCC/SCFE, will co-operate closely and fully with the Health Board and Garda Síochána in any investigation linked to the allegation.

Sexual abuse by children and young people

In some cases of child abuse the alleged perpetrator will also be a child. It is important that potentially abusive behaviour between children is not ignored and, as appropriate, certain cases should be referred to the HSE. However, it is also very important that the different types of behaviour are clearly identified and that no young person is wrongly labelled “a child abuser”, without a clear analysis of the particular behaviour.

The *Children First* guidelines outline four different categories of behaviour under the following headings

Normal Sexual Exploration: This could consist of naïve play between two children which involves the exploration of their sexuality. There should not be any coercive or dominating aspects to this behaviour. Usually, there is no need for child protection intervention of any kind in this type of behaviour.

Abusive Reactive Behaviour: In this situation, one child who has been abused already acts out the same behaviour on another child. While this is serious behaviour and needs to be treated as such, the emphasis should be on addressing the victim's needs of the child perpetrator.

Sexually Obsessive Behaviour: In this type of situation the children may engage in sexually compulsive behaviour e.g. excessive masturbation. These children may have extreme comfort needs and may need very specific help in addressing these needs.

Abusive Behaviour by Adolescents and Young People

Behaviour that is abusive will have elements of domination, coercion or bribery and certainly secrecy. If there is no age difference between the two children or no difference in status, power or intellect, then it may be simply experimentation. If there is an age gap between the two children then this type of behaviour must be taken seriously.

Reporting Procedure: This is similar to the procedure already outlined in this policy.

Separate meetings should be arranged with the parents/carers of all children involved in such behaviour with a view to resolving the situation. Children who are abusive towards other children require comprehensive assessment and therapeutic intervention by skilled care professionals.

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 should seek advice from the Duty Social Worker. In consulting the Duty Social Worker, the DLP should be explicit that he/she is requesting advice and consultation and that he/she is not making a report. At this informal stage the DLP need not give identifying details. If the Social Worker advises that a referral should be made, the DLP should act on that advice.

Where children are sexually abusive towards other children, it is the responsibility of the HSE to establish appropriate treatment programmes to cater for children who engage in abusive behaviour against other children.

Schools should make appropriate arrangements to minimise the possibility of abusive behaviour re-occurring within the school.

Schools should also provide assurances to parents/carers of the abuse victim that the school will take all reasonable measures to ensure the safety of their children within the school. Arrangements should be made to meet, individually the parents/carers of all the children involved in the incident with a view to addressing the matter

Appendix 1

Glossary

| | |
|------------------------------|--|
| Child | In Ireland, the Child Care Act, 1991 defines a child as any person under the age of 18 years, excluding a person, who is or who has been married. |
| Statutory Authorities | These are An Garda Síochána and the HSE. They are obliged under the law to investigate and intervene in child abuse cases. |
| Caregiver | Any adult person who has responsibility for the child in the short term or long term. |
| Designated Officer | A senior member of staff appointed to deal with child protection concerns reported by staff or young people. |
| Child Abuse | Child abuse can be categorised into a number of different types: neglect, emotional abuse, physical and sexual abuse. A child may be subject to more than one form of abuse at any given time. |

Appendix 2

CONTACT NUMBERS AND ADDRESSES

Community Care Area Sligo/Leitrim

Health Services Executive

Markievicz House

Sligo

Telephone Number 071 9155177

Fax Number 071 9155131

DUTY SOCIAL WORKER

10a.m - 5p.m Monday to Friday

071 9155133

An Garda Siochana

Tubbercurry Garda Station

071 9185002

Appendix 3

STANDARD REPORTING FORM

FOR REPORTING CHILD PROTECTION AND WELFARE CONCERNS TO the HSE

(Or in cases of emergency, or outside HSE, to An Garda Síochána)

1. Date of Report: _____
2. Name of person reporting: _____
3. Address of person reporting: _____
4. Relationship of reporting person with the child concerned: _____
5. Method of Report (telephone calls, personal calls to office): _____
6. FAMILY DETAILS (Give details of child here & details of other members of household at Q.8 below)

| | |
|-----------------------------------|---|
| Details of child concerned | |
| Surname: _____ | Male <input type="checkbox"/> Female <input type="checkbox"/> |
| Forename: _____ | Date of Birth: _____ |
| Alias (Known as): _____ | |
| Address: _____ _____ | |
| Telephone number(s): _____ | |

7. State whether you consider your report to indicate (a) suspected or actual child abuse or (b) need for family support, giving reasons

| | Physical Abuse | Sexual Abuse | Emotional Abuse | Neglect |
|-----------|--------------------------|--------------------------|--------------------------|--------------------------|
| Suspected | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Actual | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Reason: _____

8. Details of other family members/household members

| Name | Age | Relationship to child | Employment/School | Location |
|------|-----|--------------------------|-------------------|----------|
| | | | | |
| | | | | |

9. Name of other professionals involved with child/ren and/or parents/carers.

Public health nurse: _____

School: _____

General practitioner: _____

Any other agency _____

or professional involved _____

(Please describe the nature of any involvement):

10. REPORT DETAILS: Describe, as fully as possible the nature of the problem or incident being reported, giving details of times and dates of individual incidents, the circumstances in which they occurred, any other persons who were present at the time, and their involvement:

11. Has any explanation been offered by the child, and/or parents/carers, which would account for the current problem or incident? (Details)

12. As far as possible, describe the state of the child/ren's physical, mental and emotional well-being

13. If child abuse is being alleged, who is believed to be responsible for causing it? Include (if known)

Name: _____

Address: _____

Degree of contact with child: _____

Degree of contact with other children: _____

14. Describe (in detail) any risks to which the child/ren in this situation are believe to be exposed

15. How did this information come to your attention?

16. What has prompted you to report your concern at this time?

17. What evidence of harm exists at present?

18. Are there any factors in the child and/or parents/carers' present situation, which may have relevance to the current concern? (For example, recent illness, bereavement, separation, addiction, mental health problems or other difficulties)

19. Are there any factors in the child and/or parents/carers' situation which could be considered protective or helpful (for example, extended family or community support).

20. Has any action been taken in response to the current concern or incident – please give details

21. Are the child's parent/carers aware that this concern is being reported to the HSE?

22. Is there a need for urgent protective action at this point?

23. Any other comments

SIGNED: _____

DATE: _____