



The Board of Management recognises that child protection and welfare considerations permeate all aspects of school life and must be reflected in all of the school's policies, practices and activities. Accordingly, in accordance with the requirements of the Department of Education and Skills' Child Protection Procedures for Primary and Post Primary Schools, the Board of Management of St. Catherine's NS has agreed the following child protection policy:

1. The Board of Management has adopted and will implement fully and without modification the Department's Child Protection Procedures for Primary and Post Primary Schools as part of this overall child protection policy.
2. The Designated Liaison Person (DLP) is [Ger Ó Sé](#)
3. The Deputy Designated Liaison Person (Deputy DLP) is [Fidelma Carroll](#).
4. In its policies, practices and activities, St Catherine's NS will adhere to the following principles of best practice in child protection and welfare: The school will:

recognise that the protection and welfare of children is of paramount importance, regardless of all other considerations;

fully co-operate with the relevant statutory authorities in relation to child protection and welfare matters
adopt safe practices to minimise the possibility of harm or accidents happening to children and protect workers from
necessity to take unnecessary risks that may leave themselves open to accusations of abuse or neglect;
develop a practice of openness with parents and encourage parental involvement in the education of their children;

respect confidentiality requirements in dealing with child protection matters with a special vulnerability.

5. School policies, practices and activities that are particularly relevant to child protection and which are available on request include:

- SPHE curriculum, Strand Unit on 'Safety and Protection', Stay Safe Programme
- Code of Behaviour/Anti-Bullying Policy .
- Health and Safety Statement.
- Swimming Policy
- School Tours / Outings
- Supervision of pupils policy
- School Attendance Strategy (This policy is in development.)

The Board has ensured that the necessary policies, protocols or practices as appropriate are in place in respect of each of the above listed items.

6. The Board reports and seeks the advice of the HSE on all allegations of Child Protection issues.

7. This policy has been made available to school personnel and the Parents' Association and is readily accessible to parents on request. A copy of this policy will be made available to the Department and the patron if requested.

8. This policy will be reviewed by the Board of Management once in every school year.

This policy was adopted by the Board of Management on 13 September 2016

Signed: [Paul O' Hare](#) Chairperson of Board of Management

Date: [13 September 2016](#) Date of next review: [September 2017](#)

Signed: [Ger Ó Sé](#) Principal

Date: 13 September 2016

Appendix 1.

Whilst preparing the students to contribute and play a pivotal role in their community, it was felt that, in the formulation of our Child Protection Policy, due consideration should be given to the philosophy and ethos of St. Catherine's N.S. It is a co-educational primary school, which aims to provide a well ordered, caring, happy and secure atmosphere where the intellectual, spiritual, physical, moral and cultural needs of the pupils are identified and addressed. While respect is paid to all religions and /or value systems, St. Catherine's N.S. is a denominational school with a Roman Catholic ethos. The school supports the principles of inclusiveness, equality of access and of participation in the school life, with respect for diversity of traditions, values and beliefs, language and ways of life in society, whilst working within the context and parameters of D.E.S. regulations, curricula and programmes.

The Stay Safe programme is the primary resource used in this school to provide education for children on child abuse prevention. The programme is taught as part of the schools' SPHE curriculum under the strand unit Safety and Protection.

On enrolment of their child parents will be informed that the Stay Safe programme is in use in the school and a copy of the Stay Safe 'A Parent's Guide' provided on request.

The formal lessons of the programme will be taught in their entirety every second year in accordance with the SPHE two-year cycle plan.

Staff will make every effort to ensure that the messages of the programme are reinforced whenever possible.

Best Practice:

- The welfare of children is of paramount importance
- 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.
- Children have a right to be heard, listened to and to be taken seriously. Taking account of their age and understanding, they should be consulted and involved in all matters and decisions, which may affect their lives.

Definition and Recognition of Child Abuse

Types of child abuse

In the 'a child' means a person under the age of 18 years, excluding a person who is or has been married.

Definition of 'neglect'

Neglect can be defined in terms of an where the child suffers significant harm or impairment of development by being deprived of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, attachment to and affection from adults, and/or medical care.

Harm is defined as the ill-treatment or the impairment of the health or development of a child. Whether it is determined by the child's health and development as compared to that which could reasonably be expected of a child of similar age.

Neglect generally becomes apparent in different ways rather than at one specific point. For example, a child who suffers a series of minor injuries may not be having his or her needs met in terms of necessary supervision and safety. A child whose height or weight is significantly below average may be being deprived of adequate nutrition. A child who consistently misses school may be being deprived of intellectual stimulation.

The is reached when the child's needs are neglected to the extent that his or her well-being and/or development are severely affected.

Definition of 'emotional abuse'

Emotional abuse is normally to be found in the between a parent/carer and a child rather than in a specific event or pattern of events. It occurs when a child's developmental need for affection, approval, consistency and security are not met. Unless other forms of abuse are present, it is rarely manifested in terms of physical signs or symptoms. Examples may include:

- (i) the imposition of negative attributes on a child, expressed by persistent criticism, sarcasm, hostility or blaming;
- (ii) conditional parenting in which the level of care shown to a child is made contingent on his or her behaviours or actions;
- (iii) emotional unavailability of the child's parent/carer;
- (iv) unresponsiveness of the parent/carer and/or inconsistent or inappropriate expectations of the child;
- (v) premature imposition of responsibility on the child;
- (vi) unrealistic or inappropriate expectations of the child's capacity to understand something or to behave and control himself or herself in a certain way;
- (vii) under- or over-protection of the child;
- (viii) failure to show interest in, or provide age-appropriate opportunities for, the child's cognitive and emotional development;
- (ix) use of unreasonable or over-harsh disciplinary measures;
- (x) exposure to domestic violence;
- (xi) exposure to inappropriate or abusive material through new technology.

Emotional abuse can be manifested in terms of the child's behavioural, cognitive, affective or physical functioning. Examples of these include insecure attachment, unhappiness, low self-esteem, educational and developmental underachievement, and oppositional behaviour. The of is reached when abusive interactions dominate and become of the relationship between the child and the parent/carer.

Definition of 'physical abuse'

Physical abuse of a child is that which results in actual or potential physical harm from an interaction, or lack of interaction, which is reasonably within the control of a parent or person in a position of responsibility, power or trust. There may be single or repeated incidents.

Physical abuse can involve:

- (i) severe physical punishment;
- (ii) beating, slapping, hitting or kicking;
- (iii) pushing, shaking or throwing;
- (iv) pinching, biting, choking or hair-pulling;
- (v) terrorising with threats;
- (vi) observing violence;

- (vii) use of excessive force in handling;
- (viii) deliberate poisoning;
- (ix) suffocation;
- (x) fabricated/induced illness;
- (xi) allowing or creating a substantial risk of significant harm to a child.

Definition of 'sexual abuse'

Sexual abuse occurs when a child is used by another person for his or her gratification or sexual arousal, or for that of others. Examples of child sexual abuse include:

- (i) exposure of the sexual organs or any sexual act intentionally performed in the presence of the child;
- (ii) intentional touching or molesting of the body of a child whether by a person or object for the purpose of sexual arousal or gratification;
- (iii) masturbation in the presence of the child or the involvement of the child in an act of masturbation;
- (iv) sexual intercourse with the child, whether oral, vaginal or anal;
- (v) sexual exploitation of a child, which includes inciting, encouraging, propositioning, requiring or permitting a child to solicit for, or to engage in, prostitution or other sexual acts. Sexual exploitation also occurs when a child is involved in the exhibition, modeling or posing for the purpose of sexual arousal, gratification or sexual act, including its recording (on film, video tape or other media) or the manipulation, for those purposes, of the image by computer or other means. It may also include showing sexually explicit material to children, which is often a feature of the 'grooming' process by perpetrators of abuse;
- (vi) consensual sexual activity involving an adult and an underage person. In relation to child sexual abuse, it should be noted that, for the purposes of the criminal law, the age of consent to sexual intercourse is 17 years for both boys and girls. An Garda Síochána will deal with the criminal aspects of the case under the relevant legislation.

It should be noted that the definition of child sexual abuse presented in this section is not a legal definition and is not intended to be a description of the criminal offence of sexual assault.

Recognising child neglect or abuse

Child neglect or abuse can often be difficult to identify and may present in many forms. A list of indicators of child abuse is contained in Appendix 1. No one indicator should be seen as conclusive in itself of abuse. It may indicate conditions other than child abuse. All signs and symptoms must be examined in the context of the child's situation and family circumstances.

Guidelines for recognition

The ability to recognise child abuse can depend as much on a person's willingness to accept the possibility of its existence as it does on their knowledge and information. There are commonly three stages in the identification of child neglect or abuse:

- (i) considering the possibility;
- (ii) looking out for signs of neglect or abuse;
- (iii) recording of information.

Stage 1: Considering the possibility

The possibility of child abuse should be considered if a child appears to have suffered a suspicious injury for which no reasonable explanation can be offered. It should also be considered if the child seems distressed without obvious reason or displays persistent or new behavioural problems. The possibility of child abuse should also be considered if the child displays unusual or fearful responses to parents/carers or older children. A pattern of ongoing neglect should also be considered even when there are short periods of improvement. □

Stage 2: Looking out for signs of neglect or abuse

Signs of neglect or abuse can be physical, behavioural or developmental. They can exist in the relationships between children and parents/carers or between children and other family members/other persons. A cluster or pattern of signs is more likely to

be indicative of neglect or abuse. Children who are being abused may hint that they are being harmed and sometimes make direct disclosures. Disclosures should always be taken very seriously and should be acted upon, for example, by informing the HSE Children and Family Services. The child should not be interviewed in detail about the alleged abuse without first consulting with the HSE Children and Family Services. This may be more appropriately carried out by a social worker or An Garda Síochána. Less obvious signs could be gently explored with the child, Play situations, such as drawing or story-telling, may reveal information.

Some signs are more indicative of abuse than others. These include:

- (i) disclosure of abuse by a child or young person;
- (ii) age-inappropriate or abnormal sexual play or knowledge;
- (iii) specific injuries or patterns of injuries;
- (iv) absconding from home or a care situation;
- (v) attempted suicide;
- (vi) underage pregnancy or sexually transmitted disease;
- (vii) signs in one or more categories at the same time. For example, signs of developmental delay, physical injury and behavioural signs may together indicate a pattern of abuse.

Many signs of abuse are non-specific and must be considered in the child's social and family context. It is important to be open to alternative explanations for physical or behavioural signs of abuse. □

Stage 3: Recording of information

If neglect or abuse is suspected and acted upon, for example, by informing the HSE Children and Family Services, it is important to establish the grounds for concern by obtaining as much information as possible. Observations should be accurately recorded and should include dates, times, names, locations, context and any other information that may be relevant.

Care should be taken as to how such information is stored and to whom it is made available.

Children with additional vulnerabilities

Certain children are more vulnerable to abuse than others. Such children include those with disabilities, children who are homeless and those who, for one reason or another, are separated from their parents or other family members and who depend on others for their care and protection. The same categories of abuse – neglect, emotional abuse, physical abuse and sexual abuse – are applicable, but may take a slightly different form. For example, abuse may take the form of deprivation of basic rights, harsh disciplinary regimes or the inappropriate use of medications or physical restraints

Fatal child abuse

In the tragic circumstances where a child dies as a result of abuse or neglect, there are four important aspects to be considered: criminal, child protection, bereavement and notification.

Criminal aspects: This is the responsibility of An Garda Síochána and they must be notified immediately. The Coroner must also be notified and his or her instructions complied with in relation to post-mortems and other relevant matters.

Child protection aspects: These will be particularly relevant if there are other children in the family/ in the same situation, and will therefore require immediate intervention by the HSE Children and Family Services to assess risk.

Bereavement aspects: The bereavement needs of the family must be respected and provided for and all family members should be given an opportunity to grieve and say goodbye to the deceased child.

Notification aspects: The HSE should notify the death of a child to the National Review Panel and to the Health Information and Quality Authority in accordance with the HIQA's (HIQA, 2010):

all deaths of children known to the child protection system;

all deaths of children known to the child protection system.

serious incidents involving a child in care or known to the child protection services.

Managers and staff cooperate fully with any review undertaken to establish the facts of the case and any action that should be taken, to identify learning that will improve services in the future and to provide assurance to the public.

Reporting Concerns and Standard Reporting Procedure

Responsibility to report child abuse or neglect

Everyone must be alert to the possibility that children with whom they are in contact may be suffering from abuse or neglect. This responsibility is particularly relevant for professionals such as teachers, childcare workers, health professionals and those working with adults with serious parenting difficulties. It is also an important responsibility for staff and people involved in sports clubs, community activities, youth clubs, religious/faith sector and other organisations catering for children.

The HSE Children and Family Services should always be informed when a person has reasonable grounds for concern that a child may have been, is being or is at risk of being abused or neglected.

Child protection concerns should be supported by evidence that indicates the possibility of abuse or neglect.

A concern about to children posed by a specific person, even if the children are unidentifiable, should also be communicated to the HSE Children and Family Services.

The guiding principles in regard to reporting child abuse or neglect may be summarised as follows:

- (i) the safety and well-being of the child must take priority;
- (ii) reports should be made without delay to the HSE Children and Family Services.

Any reasonable concern or suspicion of abuse or neglect must elicit a response. Ignoring the signals or failing to intervene may result in ongoing or further harm to the child.

Section 176 of the Criminal Justice Act 2006 introduced the criminal charge of reckless endangerment of children. It states: 'A person, having authority or control over a child or abuser, who intentionally or recklessly endangers a child by –

- (a) causing or permitting any child to be placed or left in a situation which creates a substantial risk to the child of being a victim of serious harm or sexual abuse, or
- (b) failing to take reasonable steps to protect a child from such a risk while knowing that the child is in such a situation,

is guilty of an offence.' The penalty for a person found guilty of this offence is a fine (no upper limit) and/or imprisonment for a term not exceeding 10 years.

The HSE has a statutory obligation to identify children who are not receiving adequate care and protection, to provide family support services and, where necessary, to take children into the care of the HSE. People who report concerns need to be assured that their information will be carefully considered with any other information available, and a child protection assessment will only proceed where sufficient risk is identified.

Any professional who suspects child abuse or neglect should inform the parents/carers if a report is to be submitted to the HSE Children and Family Services or to An Garda Síochána, unless doing so is likely to endanger the child.

The HSE will respect the wishes of non-professionals reporting concerns in good faith who ask to remain anonymous in as much as possible, but cannot give a guarantee that the information would not be sought and given within judicial proceedings. (The Data Protection Acts offer protection under privacy, but should the information be sought directly within legal proceedings, there is no guarantee.)

Designated Liaison Persons for reporting neglect or abuse

Every organisation, both public and private, that is providing services for children or that is in regular direct contact with children should:

- (i) Identify a designated liaison person to act as a liaison with outside agencies and a resource person to any staff member or volunteer who has child protection concerns.

(ii) The designated liaison person is responsible for ensuring that the standard reporting procedure is followed, so that suspected cases of child neglect or abuse are referred promptly to the designated person in the HSE Children and Family Services or in the event of an emergency and the unavailability of the HSE, to An Garda Síochána.

(iii) The designated liaison person should ensure that they are knowledgeable about child protection and undertake any training considered necessary to keep themselves updated on new developments.

Standard Reporting Procedure

Any person reporting a child abuse or neglect concern should do so without delay to the HSE Children and Family Services. A report can be made in person, by telephone or in writing. Contact numbers for Duty Social Worker Swords Co. Dublin is

8708070

Before deciding whether or not to make a formal report, you may wish to discuss your concerns with a health professional or directly with the HSE Children and Family Services

Under no circumstances should a child be left in a situation that exposes him or her to harm or to risk of harm pending HSE intervention. In the event of an emergency where you think a child is in immediate danger and you cannot get in contact with the HSE, you should contact the Gardaí. This may be done through any Garda station.

The Standard Report Form for reporting child welfare and protection concerns to the HSE should be used by professionals, staff and volunteers in organisations working with or in contact with children, or providing services to children when reporting child protection and welfare concerns to the HSE Children and Family Services. If a report is made by telephone, this form should be completed and forwarded subsequently to the HSE.

The HSE will follow up on all referrals, even if the Standard Report Form has not been used.

Information to be included when making a report

The ability of the HSE Children and Family Services or An Garda Síochána to assess and investigate suspicions or allegations of child abuse or neglect will depend on the amount and quality of information conveyed to them by the people reporting concerns. As much as possible of the following detail should be provided:

- (i) the name, address and age of the child (or children) for whom the report is being made;
- (ii) the name of the child's school;
- (iii) the name and contact details of the person reporting concerns;
- (iv) whether the person reporting is a professional, a person working with children or a member of the public;
- (v) the relationship to the child of the person making the report;
- (vi) a full account of what constitutes the grounds for concern in relation to the protection and welfare of the child or children, e.g. details of the allegation, incident, dates, description of any injuries, etc;
- (vii) the names and addresses of the parents/carers of the child or children;
- (viii) the names of other children in the household;
- (ix) the name, address and details of the person allegedly causing concern in relation to the child or children;
- (x) the child's and/or parents/carers' own views, if known and relevant;
- (xi) the names and addresses of other personnel or agencies involved with the child or children, e.g. GP, social worker, public health nurse, Gardaí, etc;
- (xii) any other relevant information.

The standard form available in the appendices of Child First Book will be used.

Confidentiality

The effective protection of a child often depends on the willingness of the staff involved with children to share and exchange relevant information. It is therefore critical that there is a clear understanding of professional and legal responsibilities with regard to confidentiality and the exchange of information.

All information regarding concern or assessment of child abuse or neglect will be shared on 'a need to know' basis in the

interests of the child with the relevant statutory authorities.

No undertakings regarding secrecy can be given. Teachers and others working with a child and family will make this clear to all parties involved, although they can be assured that all information will be handled taking full account of legal requirements and following the procedures outlined in St Catherine's

The provision of information to the statutory agencies for the protection of a child is not a breach of confidentiality or data protection.

It must be clearly understood that information gathered for one purpose must not be used for another without consulting the person who provided that information.

Legal protection

The Protections for Persons Reporting Child Abuse Act 1998 makes provision for the protection from civil liability of persons who have communicated child abuse 'reasonably and in good faith' to designated officers of the HSE or to any member of An Garda Síochána. This protection applies to organisations as well as to individuals. This means that even if a communicated suspicion of child abuse proves unfounded, a plaintiff who took an action would have to prove that the person who communicated the concern had not acted reasonably and in good faith in making the report.

RESPONSIBILITIES OF THE DESIGNATED LIAISON PERSON.

If the teacher/school employee and the D.L.P. are satisfied that there are reasonable grounds for the suspicion or allegation, the D.L.P should:

- (a) Decide whether the incident can be adequately dealt with within the school, through parental contact.
- (b) In cases where there are concerns about a child, but uncertainty about whether to report the matter to the appropriate health board, advice should be sought by contacting the appropriate health board staff, explicitly requesting advice/consultation, not reporting an incident.
- (c) Report the matter to the local health board. When such a report is being made, the Chairperson of the Board of Management shall be informed.
- (d) In the event of an emergency, or the non-availability of health board staff, report the concerns to an Garda Síochána.
When submitting the report to the health board/An Garda Síochána inform the parents/guardians, unless doing so is likely to endanger the child or place the child at further risk.
- (f) Monitor the progress of children who are considered to be at risk.

Should the D.L.P. decide not to act on a reported concern, and the school employee remains concerned, he/she is free to consult with/report directly to the health board.

The Standard Reporting form should be completed by the D. L. P.

As the main care-givers to children outside the family context, having regular contact with children in the school setting, teachers have a general duty of care to ensure that arrangements are in place to protect children and young people from harm. In this regard, young people need to be facilitated to develop their self-esteem, confidence, independence of thought and the necessary skills to cope with possible threats to their personal safety both within and outside the school.

Please refer to Section on

Practice:

The following areas have been considered by the staff and board of management of this school as areas of specific concern in relation to child protection. Following discussion and consultation the staff and board of management have agreed that the following practices be adopted.

a) Physical contact

Physical contact between school personnel and the child should always be in response to the needs of the child and not the needs of the adult.

While physical contact may be used to comfort, reassure or assist a child the following should be factors in determining it's appropriateness:

- It is acceptable to the child
- It is open and not secretive
- The age and developmental stage of the child

School personnel should avoid doing anything of a personal nature for children that they can do for themselves.

b) Visitors / Guest Speakers:

Visitors/guest speakers should never be left alone with pupils. The school (principal/teachers) has a responsibility to check out the credentials of the visitor/guest speaker and to ensure that the material in use by guests is appropriate.

c) Children with specific toileting/intimate care needs:

In all situations where a pupil needs assistance with toileting /intimate care a meeting will be convened, after enrolment and before the child starts school, between parents/guardians, class teacher, special needs assistant, principal and if appropriate the pupil . The purpose of the meeting will be to ascertain the specific needs of the child and to determine how the school can best meet those needs. The staff to be involved in this care will be identified and provision will be made for occasions when the particular staff involved are absent.

A written copy of what has been agreed will be made and kept in the child's file.

Two members of staff will be present when dealing with intimate care/ toileting needs. Any deviation from the agreed procedure will be recorded and notified to the DLP and the parents/guardians.

d) Toileting accidents:

Clean underwear and suitable clothing will be kept in the school so that if a pupil has an 'accident' of this nature they will in the first instance be offered fresh clothing into which they can change.

If the pupil for whatever reason cannot clean or change themselves and the parents/guardians cannot be contacted the child will be assisted by members

of staff familiar to the child. In all such situations two members of staff should be present.

A record of all such incidents will be kept and principal and parents will be notified.

e) One- to One teaching

Where one-to-one teaching is in the best interest of the child every effort will be made to ensure that this teaching takes place in an open environment, either with an open door or in rooms with door windows. Parents of children who are to be involved in one-to-one teaching will be informed and their agreement sought.

Work being carried out by special needs assistants will be carried out under the direction of the class teacher in an open environment

f) Changing for Games/ PE/ Swimming

Pupils will be expected to dress and undress themselves for games/PE/ swimming. Where assistance is needed this will be done in the communal areas and with the consent of parents. Under no circumstances will members of staff/ volunteers be expected to or allowed to dress/undress a child in a cubicle/private area. In such situations where privacy is required the parent/guardian of the child will be asked to assist the child.

At all times there must be adequate supervision of pupils.

RESPONSIBILITIES OF THE BOARD OF MANAGEMENT.

It is responsibility of the Board of Management of St. Catherine's National School to:

- Ensure parents and guardians are aware of this policy
- Ensure staff are familiar with the current Child Protection Policy, and follow procedures therein
- Promote training for teachers and ensure they have a good working knowledge of child protection issues and procedures
- Have clear written procedures in place concerning action to be taken where allegations are received against school employees

Where allegations are made against members of staff the following will apply.

Where an allegation or suspicion of child abuse or neglect regarding a member of the Board of Management has been reported by the DLP (or employer as above) to the HSE, the Board of Management shall inform the patron that a report involving a Board member has been submitted to the HSE. It is a matter for the patron to determine if any action is necessary regarding the member's continued role on the Board.

Where an allegation or suspicion of child abuse or neglect regarding a member of the Board of Management has been reported by the DLP (or employer as above) to the HSE, the Board of Management shall inform the patron that a report involving a Board member has been submitted to the HSE. It is a matter for the patron to determine if any action is necessary regarding the member's continued role on the Board.

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, should be provided for staff where necessary. The Employee Assistance Service for teachers may be in a position to offer assistance to teachers. The employee shall be treated fairly which includes the right not to be judged in advance of a full and fair enquiry.

Legal advice will be sought.

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

Protocol authorising immediate action.

The following protocol authorises immediate action under section 5.2 of the 'Child Protection Procedures for Primary and Post Primary Schools'.

In the context of these procedures, where circumstances warrant it, as a precautionary measure in order to protect the children in the school and in accordance with the principles of natural justice and the presumption of innocence, the chairperson of the Board of Management is authorised by the school authority to direct an employee to immediately absent himself/herself from the school without loss of pay until the matter has been considered by the employer.

The employee will be invited to a meeting with the chairperson, the purpose of which is to inform the employee of the allegation and the action being taken. The employee may be accompanied by an appropriate person of his or her choice and will be so advised.

In any event, the employee will also be advised of the matter, in writing.

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 this policy. Once a disclosure is made by a child, a written record of the disclosure shall be made as soon as possible by the person receiving it. If a child wishes to make a written statement this should be allowed. Where an allegation of abuse or neglect is made by an adult, a written statement should 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 inform the board of the allegation.

The board of management of St Catherine's has decided that where a report is made advice will in all cases be sought from the HSE.

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 the policy. The DLP shall then follow the procedures outlined.

Where the allegation or concern relates to the DLP, the school employee shall, without delay, report the matter to the Chairperson of the Board of Management. In such cases, the Chairperson shall assume the role normally undertaken by the DLP and shall follow the procedures set out for dealing with the allegation or concern.

School 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 shall report the matter to the HSE immediately. The DLP shall also report the matter to the board who shall proceed in accordance with the procedures outlined below.

Action to be taken by the employer

It is essential that at all times the matter is treated in 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 employer.

When an employer becomes aware of an allegation of abuse or neglect against a school employee, the employer shall 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 employer).

The employee shall 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 shall be offered the opportunity to respond to the allegation in writing to the board within a five day period. The employee shall be told that his/her explanation to the employer would also have to be passed on to the HSE.

Where the employer 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 employer 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 shall have due regard to the advice offered. If, in the opinion of the board the nature of the allegation warrants immediate action or the ratification of action taken under the protocol referred to above, the employer shall direct that the employee absent himself/herself from the school with immediate effect. The principles of natural justice and fair procedures shall be applied.

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

Where the board 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 or ex-gratia payments in lieu of remuneration as appropriate, and
- (b) Departmental sanction for the employment of a substitute teacher where necessary.

Strict confidentiality about all matters relating to these issues will be applied. The principles of due process and natural justice shall be adhered to by the board at all times.

Any information or details that might identify a child will not be recorded in the minutes of Board of Management meetings.

Further follow-up required

The board should take care to ensure that actions taken do not undermine or frustrate any assessment/investigation being conducted by the HSE or An Garda Síochána. A close liaison with these authorities will be maintained to achieve this.

Any further follow up action required shall accord with established disciplinary procedures and shall 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, board will advise the employee of the situation and shall follow the agreed procedures for the sector. In cases where section suspension with pay applies, the Department of Education and Skills shall be informed of the outcome.