

Presentation Boarding School Thurles



Child Safeguarding Policy

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CHILD FIRST POLICY

1.0 Policy

Presentation Boarding School Thurles is fully committed to safeguarding the well-being of children and young people who use our services by protecting them from physical, sexual and emotional harm and neglect. Service Users children are also covered by this policy.

Presentation Boarding School Thurles accepts that in all matters concerning child protection, the welfare and protection of the young person is paramount.

The Children First Act (2015) places specific statutory obligations on organisations which provide 'Relevant Services' services to children and young people. The definition of 'relevant services' in Schedule 1 of the Act includes 'any work or activity which consists of the provision of educational, research, training, cultural, recreational, leisure, social or physical activities to children'. Presentation Boarding School Thurles interacts with young people through the provision of Personal Assistant Services, where there may be children in the home. As the provider of a relevant service, and in line with 'Children First – National Guidance for the Protection and Welfare of Children' (2017), Presentation Boarding School Thurles is obliged to prepare a Child Safeguarding Statement. This is a written statement that specifies the services provided by Presentation Boarding School Thurles and the principles and procedures to be observed to ensure, as far as practicable, that a child coming into contact with these services is safe from 'harm'. It also includes an assessment of risk of 'harm' to a child while coming to the attention of our service and specifies the procedures in place to manage the identified risks. Presentation Boarding School Thurles will publicly display its Child Safeguarding Statement and make it available to parents and guardians, Tusla and members of the public upon request.

2.0 Purpose

This Child Protection Policy aims to protect children who use our services, employees and management of Presentation Boarding School Thurles.

3.0 Scope

This Child Protection Policy applies to all employees of the Presentation Boarding School Thurles.

Everyone to whom the policy applies is required to familiarise themselves with the policy.

4.0 Legislation /other related Policies

- Child Care Act 1991
- Children First, National Guidelines for the Protection and Welfare of Children 1999
- Criminal Justice Act 2006
- Data Protection Act 1988 & 2003
- Domestic Violence Act 1996
- Education (Welfare) Act 2000
- Education Act 1998
- Freedom of Information Act 1997 & 2003
- National Guidance for the Protection and Welfare of Children
- Non- fatal offence against the Person Act 1997
- Protection for Persons Reporting Child Abuse Act 1998
- Protections for Persons Reporting Child Abuse Act, 1998
- Section 176 of the Criminal Justice Act 2006
- The Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act, 2012
- The National Vetting Bureau (Children and Vulnerable Persons) Acts, 2012 - 2016
- The Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act, 2012
- Children First Act 2015
- National Guidance for the Protection and Welfare of Children 2017
- Childcare (Amendment) Act 2022
- Presentation Boarding School Thurles Incident Reporting Policy
- The Principles of Good Practice for the Protection of Children and Young People

5.0 Glossary of Terms and Definitions

Child:	Means a person under the age of 18 years other than a person who is or has been married
CP & W Policy:	Child Protection & Welfare Policy
Organisation:	Includes but is not limited to individuals/groups/agencies that provide services to people
Parents:	Refers to all parents, guardians and carers
Workers:	Refers to staff, volunteers, students, those on clinical/training/ work placements, contractors (that have access to children), Board of Management and Management Committees
SRF:	Standard Report Form for reporting child protections and/or welfare concerns to Tusla
ODC:	Our Duty to Care – The Principles of Good Practice for the Protection of Children and Young People, (DOHC 2002)
C.F:	Child First: National Guidance for the Protection and Welfare of Children, (DCYA 2011)
CPWPH:	Child Protection and Welfare Practice Handbook, (TUSLA2011)

6.0 Roles & Responsibilities

Presentation Boarding School Thurles acknowledges the rights of children to be treated with respect, to be listened to and have their views taken into consideration and to be taken seriously.

Taking account of their age and understanding, children should be consulted and involved in all matters and decisions that may affect their lives. Where there are concerns about a child's welfare, there should be opportunities provided for their views to be heard independently of their parents/carers. Presentation Boarding School Thurles accepts that the protection of children must always come first. All employees of Presentation Boarding School Thurles who suspects that a child is being abused, or is at risk of abuse, has a responsibility and a duty of care to report their concerns to TUSLA, either directly or through Presentation Boarding School Thurles designated liaison person.

The Protection for Persons Reporting Child Abuse Act, 1998 provides immunity from civil liability to people who report child abuse 'reasonably and in good faith' to a designated liaison person, the Health Service Executive or the Gardaí (*Children First, National Guidelines for the Protection and Welfare of Children 1999 p.37*).

Defining Abuse

A child is defined as an unmarried person under the age of 18 years.

Child abuse generally falls into four categories; neglect, emotional abuse, physical abuse and sexual abuse. A child may be subjected to one or more forms of abuse at any given time.

Neglect

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

Harm can be defined as the ill-treatment or the impairment of the health or development of a child. Whether it is significant is determined by his/her 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 over a period of time rather than at one specific point. For instance, a child who suffers a series of minor injuries is not having her needs met for supervision and safety. A child whose ongoing failure to gain weight or whose height 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 threshold of significant harm is reached when the child's needs are neglected to the extent that her well-being and/or development are severely affected.

Emotional Abuse

Emotional abuse is normally to be found in the *relationship* 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:

- The imposition of negative attributes on a child, expressed by persistent criticism, sarcasm, hostility or blaming
- Conditional parenting in which the level of care shown to a child is made contingent on her behaviours or actions

- Emotional unavailability of the child's parents/carer
- Unresponsiveness of the parent/carer and/or inconsistent or inappropriate expectations of the child;
- Premature imposition of responsibility on the child
- Unrealistic or inappropriate expectations of the child's capacity to understand something or to behave and control himself or herself in a certain way
- Under- or over-protection of the child
- Failure to show interest in, or provide age-appropriate opportunities for, the child's cognitive and emotional development
- Use of unreasonable or over-harsh disciplinary measures
- Exposure to domestic violence
- 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 *threshold of significant harm* is reached when abusive interactions dominate and become *typical* of the relationship between the child and the parent/carer.

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.

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.

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

7.0 Procedure

Presentation Boarding School Thurles accepts that child abuse is a difficult subject, and it is understandable that some employees may be reluctant to acknowledge that it exists. Employees may be afraid of being thought of as insensitive, breaking confidences or appearing disloyal if they report suspected child abuse. However, early intervention may reduce the risk of serious harm occurring to a child at that time or in the future. Therefore, all concerns about child welfare must be reported.

Your ability to recognise child abuse can depend as much on your willingness to accept the possibility of its existence as it does on the knowledge and information you may have. 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 i. 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.

There are normally three stages in the identification of child neglect or abuse:

- Considering the possibility
- Looking out for signs of neglect or abuse

- Recording of information

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.

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.

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

- disclosure of abuse by a child or young person
- age-inappropriate or abnormal sexual play or knowledge
- specific injuries or patterns of injuries
- absconding from home or a care situation
- attempted suicide
- underage pregnancy or sexually transmitted disease
- 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.

Responsibility to report child abuse or neglect

Employees must be alert to the possibility that children whom they are in contact with may be suffering from abuse or neglect. The guiding principles in regard to reporting child abuse or neglect may be summarised as follows:

- The safety and well-being of the child must take priority
- Reports should be made without delay to the designated liaison person or Tusla 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 on-going or further harm to the child
- A concern about a potential risk to a child posed by a specific person, even if the children are unidentifiable, should be communicated to the Designated Liaison Officer who may in turn report it to the TUSLA Children & Family Services.

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:

- 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
- 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.

As an employee of Presentation Boarding School Thurles you will have contact with adult family members and you may pick up signs of problems within a family. The association between parental problems (such as poor mental health, domestic violence and substance misuse) and child abuse and neglect is well established. You are therefore vital in recognising the possible impact that such problems may be having on the children you come in contact with on a daily basis and whether these impact negatively on the care, safety and well-being of the child. While you may be working primarily with the adults in the household), the information you may have could be crucial in ascertaining and managing present and future risks to a child or young person. If you have any concerns you must report this concern to the designate liaison person in Presentation Boarding School Thurles. 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 Tusla 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.

A person who makes a report in good faith and in the child's best interests may also be protected under common law by the defence of qualified privilege. Tusla 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.)

Disclosure

Disclosures should always be taken seriously and should be acted upon by informing the designated liaison person, or the Tusla Children and Family Services.

Presentation Boarding School Thurles provides an environment that encourages security, confidence and trust, so enabling young people to share their concerns. A young person will carefully select a person to confide in. That chosen person will be someone they trust and have confidence in. It is important that a young person who discloses child abuse feels supported and facilitated in what may be a frightening and traumatic process for them. A young person may feel perplexed, afraid, angry, despondent and guilty. It is important that any negative feelings they may have are not made worse by the kind of response they receive.

A young person who divulges child abuse to a Presentation Boarding School Thurles staff member has engaged in an act of trust and their disclosure must be treated with respect, sensitivity, urgency and care.

A child may see you as a trusted adult who works in their home and may disclose incidences of abuse to you. It is important that you are aware and prepared for this:

- Be as calm and natural as possible
- Remember that you have been approached because you are trusted and possibly liked. Do not panic
- Be aware that disclosures can be very difficult for the child
- Remember, the child may initially be testing your reactions and may only fully open up over a period of time
- Listen to what the child has to say. Give them the time and opportunity to tell as much as they are able and wish to
- Do not pressurise the child. Allow her to disclose at her own pace and in her own language
- Conceal any signs of disgust, anger or disbelief
- Accept what the child has to say – false disclosures are very rare
- It is important to differentiate between the person who carried out the abuse and the act of abuse itself. The child quite possibly may love or strongly like the alleged abuser while also disliking what was done to them. It is important therefore to avoid expressing any judgement on, or anger towards, the alleged perpetrator while talking with the child
- It may be necessary to reassure the child that your feelings towards him/her have not been affected in a negative way as a result of what they have disclosed

When asking questions:

- Questions should be supportive and for the purpose of clarification only
- Avoid leading questions, such as, asking whether a specific person carried out the abuse
- Also, avoid asking about intimate details or suggesting that something else may have happened other than what you have been told. Such questions and suggestions could complicate the official investigation

Confidentiality

Do not promise to keep secrets. Tell the child that:

- You acknowledge that they have come to you because they trust you
- You will be sharing this information only with people who understand this area and who can help. There are secrets, which are not helpful and should not be kept because they make matters worse. Such secrets hide things that need to be known if people are to be helped and protected from further ongoing hurt. By refusing to make a commitment to secrecy to the child, you do run the risk that they may not tell you everything (or, indeed, anything) there and then.

However, it is better to do this than to tell a lie and ruin the child's confidence in yet another adult. By being honest, it is more likely that the child will return to you at another time. Think before you promise anything – Do not make promises you cannot keep.

At the earliest possible opportunity:

- Record in writing, in factual manner, what the child has said, including as far as possible, the exact words used by the child
- Inform the designated liaison person Aisling Kiely immediately
- It is also important to remember that you may receive information about possible child abuse from a third party.
- If this occurs you should discuss with the person who has raised the concern, if reasonable ground for concern exists you should then discuss this information with Presentation Boarding School Thurles designated liaison person.

- A concern about a *potential risk* to children posed by a specific person, even if the children are unidentifiable, should also be communicated to the designated liaison person who will report the concerns to the Children and Family Services

Protecting children should not be seen as a separate response from promoting their welfare. Those with protection concerns must be mindful of the welfare and needs of a child in the same way that those with child welfare concerns must be alert to potential abuse and neglect

Remember – if in doubt, check it out. If you are concerned about the safety of a child and are unsure what to do, talk to your Designated Liaison Officer or Tusla Duty Social Worker

This could be just a telephone call and provides an opportunity to discuss the query in general and to decide whether a formal referral is warranted.

Designated Liaison Person

The designated liaison person is the title given to the person appointed by Presentation Boarding School Thurles to deal with child protection issues reported by Presentation Boarding School Thurles staff or service users or family members.

The Designated Liaison Person for Presentation Boarding School is **Aisling Kiely**, Boarding School Manager and can be contacted at **0504 21131 or 085 8062947**.

The Deputy Designated Liaison Person if Aisling Kiely is not available is the Deputy Manager Marie Byrne who can be contacted at **0504 21131 or 085 8062947**.

Both Designated Liaison Persons have the required knowledge about child protection and have undertaken training on this subject and continue to update themselves on new developments

The role of the Designated Liaison Person (Relevant Person) involves the following duties:

- Be fully familiar with your organisation's duties in relation to the safeguarding of children.
- Have good knowledge of your organisation's guiding principles and child safeguarding procedures.
- Ensure that the organisation's reporting procedure is followed, so that child protection and welfare concerns are referred promptly to Tusla.
- Consult informally with a Tusla Duty Social Worker if necessary.
- Where appropriate, make a formal report of a child protection or welfare concern to Tusla on behalf of their organisation, using the Child Protection and Welfare Report Form.

Inform the child's parents/guardians that a report is to be submitted to Tusla or An Garda Síochána, unless:

- o Informing the parents/guardians is likely to endanger the child
- o Informing the parents/guardians may place you as the reporter at risk of harm from the family;
- o The family's knowledge of the report could impair Tusla's ability to carry out an assessment.

- Record all concerns or allegations of child abuse brought to your attention as well as any action/inaction taken in response to these concerns.
- Provide feedback to the referrer, as appropriate.
- Ensure that a secure system is in place to manage confidential records.
- Act as a liaison with Tusla and An Garda Síochána, as appropriate.
- Where requested, jointly report with a mandated person.

MANDATED PERSONS

Mandated persons are people who have contact with children and/or families who, by virtue of their qualifications, training and experience, are in a key position to help protect children from harm.

A list of mandated persons is maintained by Presentation Boarding School Thurles and each of these individuals has received Child Protection training and is aware of their legal obligations under the Children's First Act 2015.

All mandated persons in the service, are required to report any knowledge, belief or reasonable suspicion that a child has been harmed, is being harmed, or is at risk of being harmed. These reports will be made in line with the procedures in this policy. These mandated persons must also assist Tusla, on request, in its assessment of child protection concerns about children who have been the subject of a mandated report.

All employees, and volunteers of Presentation Boarding School Thurles, will be made aware of and be familiar with this Child Protection Policy and Safeguarding Statement through an in-house induction and on-going training.

All staff and volunteers will sign up to the overall Child Protection Policy and Safeguarding Statement of Presentation Boarding School Thurles. The Designated Liaison Person acts as a liaison with outside agencies and a resource person to any staff member or volunteer who has child protection concerns. All staff that are mandated persons also have an obligation to report, child protection concerns at or above a defined threshold to Tusla - Child and Family Agency.

This report can be made in person, by telephone or in writing. Contact numbers for local Tusla offices are given in Appendix ii.

Before deciding whether or not to make a formal report, the Designated Liaison Person may wish to discuss his/her concerns with a health professional or directly with Tusla Children and Family Services.

In the event of an emergency where the Designated Liaison Person thinks a child is in immediate danger and cannot get in contact with Tusla, the Gardaí will be contacted. This may be done through any Garda station.

Standard Reporting Procedure

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 Tusla Children and Family Services Duty Social Worker

If a child is in immediate danger and contact cannot be made with the Tusla Children and Family Services Duty Social Worker then An Garda Síochána will be contacted.

Under no circumstances should a child be left in a situation that exposes her to harm, or risk of harm, pending Tusla intervention, in the event of emergency, where the staff member cannot get in touch with the Designated Liaison Person or Tusla, they should contact the Gardaí.

Concerns about a child that are reported anonymously should be followed up fully in accordance with Tusla standard procedures. If the report has been made through a third party, the person mediating should be requested to facilitate contact between the original person who reported the

concern and the Tusla Children and Family Services. If, however, contact is not facilitated, for whatever reason, the concerns reported via the third party must be fully investigated. There is a Standard Report Form for reporting child welfare and protection concerns to the TUSLA (see Appendix iii) which the Designated Liaison Person will use when reporting child protection and welfare concerns to the Tusla Children and Family Services. If the report is made by telephone, the form will be completed and forwarded subsequently to Tusla.

If the Designated Liaison Person decides to submit a report of suspected child abuse or neglect to the Tusla Children and Family Services or to An Garda Síochána, the parents/carers should be informed unless doing so is likely to endanger the child.

The report must provide any accounts of the parents or child's views about the concern that are known to them.

Presentation Boarding School Thurles is committed to ensuring that thru on-going training the Designated Liaison Persons will keep themselves updated on new developments on child protection.

Recording of information

All employees of Presentation Boarding School Thurles who suspect neglect or abuse must report their concerns to the designated Liaison Person. The Designated Liaison Person must keep records which are factual, accurate and legible. It may include the following information:

- The name, address and age of the child (or children) for whom the report is being made
- The name of the child's school
- The name and contact details of the person reporting concerns
- Whether the person reporting is a professional, a person working with children or a member of the public
- The relationship to the child of the person making the report
- 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
- The names and addresses of the parents/carers of the child or children
- The names of other children in the household
- The name, address and details of the person allegedly causing concern in relation to the child or children
- The child's and/or parents/carers own views, if known and relevant
- 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
 - Any other relevant information

Confidentiality

Details of any decisions taken should be recorded while explaining the reason for these decisions. These records should be dated and signed. Copies of all documents are retained and the original sent to Social Work Service. This information should be only shared on a need to know basis

No undertakings regarding secrecy can be given. This should be made clear to all parties involved, although they can be assured that all information will be handled taking full account of legal requirements.

Ethical and statutory codes concerned with confidentiality and data protection provide general guidance. They are not intended to limit or prevent the exchange of information between different professional staff with a responsibility for ensuring the protection and welfare of children. 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.

Presentation Boarding School Thurles' Designated Liaison Person may have relevant information to contribute to the assessment of a child protection and welfare concern. This information should normally only be sought by Tusla when the parents/carers concerned have been informed that such information will be sought. However, in circumstances where the perceived risk to the child is such that it is not deemed desirable to contact the parents/carers in the first instance, a Tusla Professional could justifiably request *designated liaison person* to release whatever information might enable clarification of the initial reported concern. If the designated liaison person decides to submit a report or suspect's child abuse or neglect to the Tusla Children and Family Services or to An Garda Síochána, the parents/carers should be informed unless doing so is likely to endanger the child.

It is the responsibility of the designated liaison person to ensure that all files are stored in a locked filing cabinet which can only be accessed also by deputy the designated liaison person.

Cases not reported to Tusla or An Garda Síochána

If the designated person decides not to report your concerns to Tusla or An Garda Síochána, then you will be given a clear written statement of the reasons why Presentation Boarding School Thurles is not taking such action. If you remain concerned about the situation, you are free to consult with, or report to, Tusla or An Garda Síochána.

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 Tusla 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.

Tusla 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.)

Retrospective disclosures by Adults

If a person, including third parties, reports suspected child abuse to you, your responsibility in the first instance is:

- To establish, in consultation with the individual who has raised the concern, if reasonable grounds for concern exist

The information received should be forwarded to the Tusla Children and Family Services' Duty Social Worker if reasonable grounds for concern exist, regardless of whether the source wishes to be identified or not. The source should be made aware that the information will be reported.

If you are unsure whether the concern constitutes reasonable grounds for concern, you may consult informally with the Duty Social Worker or in the event of an emergency and the unavailability of Tusla, to An Garda Síochána.

Protections for Persons Reporting Child Abuse Act, 1998

This Act came into operation on 23rd January, 1998. The main provision of the Act is:

- The provision of immunity from civil liability to any person who reports child abuse "reasonably and in good faith" to designated officers of health boards or any member of An Garda Síochána.
- The provision of significant protections for employees who report child abuse. These protections cover all employees and all forms of discrimination including dismissal.
- The creation of a new offence of false reporting of child abuse where a person makes a report of child abuse to the appropriate authorities "knowing that statement to be false". This is a new criminal offence designed to protect innocent persons from malicious reports.

A suspicion that is not supported by any objective indication of abuse or neglect would not constitute a reasonable suspicion or reasonable grounds for concern. However, these suspicions should be recorded or noted internally by the Designated Person only, as future suspicions may lead to the decision to make a report. Earlier suspicions may provide important information to the Health Service Executive.

The Data Protection Act, 1988 & 2003 , and GDPR 2018.

The Act only applies to the automatic processing of personal data. It gives a right to every individual, irrespective of nationality or residence, to establish the existence of personal data, to have access to any such data relating to him and to have inaccurate data rectified or erased. It requires data controllers to make sure that the data they keep are collected fairly, are accurate and up-to-date, are kept for lawful purposes, and are not used or disclosed in any manner incompatible with those purposes. It also requires both data controllers and data processors to protect the data they keep, and imposes on them a special duty of care in relation to the individuals about whom they keep such data. There are only three exclusions under the Act:

- data relating to state security
- information that is required by law to be made available to the public
- Personal data kept only for personal or recreational purposes

The Boarding School Manager and Deputy Manager are in contact with staff on an on-going basis in the course of services being provided. In addition formal face to face meeting with staff take place twice a year. Additional meetings are arranged at short notice where the employees request such meeting and the Manager will arrange a meeting if there are any issues with the duty of care service being provided. Any issues that cannot be dealt with by the Manager can be referred for outside supervision where this is deemed the most appropriate course of action.

The **Protections for Persons Reporting Child Abuse Act 1998** makes provision for the protection from civil liability of persons 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 within Tusla 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.

A person who makes a report in good faith and in the child's best interests may also be protected under common law by the defence

Dealing with Allegations against Staff

When an allegation is made against a staff member, the following steps will be taken:

- Any action will be guided by the agreed procedures, the applicable employment contract and the rules of natural justice. The priority will be to ensure that no child is exposed to unnecessary risk.
- The welfare of the child is paramount and reporting of the allegation will take place without delay.
- Protective action will be proportionate to the level of risk involved and guided by agreed procedures, employees contract and may result in the employee being suspended.
- Any allegation of abuse will be dealt with sensitively and support given to staff.
- The Manager will inform the employee that an allegation has been made against him/her and the nature of the allegation.
- The Employee will be afforded the opportunity to respond, which is noted and is part of the formal report to Tusla.
- The Designated Person (unless the allegation is being made against them) and the Manager will be informed as soon as possible.
- The Designated Person will deal with the procedure in respect of the child and the normal reporting procedures to Tusla will be adhered to.
- The parents of the child will be informed of the allegation and the action taken.
- The Manager will, as a matter of urgency, take any necessary immediate action. The follow up on an allegation of abuse against a staff member of Presentation Boarding School Thurles will be made in consultation with Tusla and An Garda Síochána.
- Presentation Boarding School Thurles Manager will ensure that increase level of supervision is given to the employee. Presentation Boarding School Thurles' Manager will ensure that actions taken do not undermine or frustrate any investigations being conducted by Tusla or An Garda Síochána.

8.0 Revision & Audit

This Policy will be reviewed every two years and procedure amendments made as necessary in line with changes in legislation and company governance codes. All employees will be notified of changes in this Policy.

9.0 Appendices

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| Appendix i | Local contacts for Tusla Children & Family Services |
| Appendix ii | Standard Report Form |
| Appendix iii | Presentation Boarding School Thurles Incident Report Sheet |

Appendix i

NORTH TIPPERARY North Tipperary Duty Social Work Team, Civic Offices, Limerick Road, Nenagh, Co. Tipperary (067) 46 636

North Tipperary Child Protection Services: Social Work Department, Annbrook, Nenagh, Co. Tipperary (067) 41 934

St. Mary's Health Centre, Parnell Street, Thurles, Co. Tipperary (0504) 24 609

STANDARD REPORT FORM*(For reporting CP&W Concerns to HSE)***A. To Principal Social Worker/Designate:****1. Date of Report****2. Details of Child**

Name:		Male	☐	Female	☐
Address:		DOB		Age	
		School			
Alias		Correspondence address (if different)			

3. Details of Persons Reporting Concern(s)

Name:		Telephone No.	
Address:		Occupation:	
		Relationship to client:	
Reporter wishes to remain anonymous	☐	Reporter discussed with parents/guardians	☐

4. Parents Aware of Report

Are the child's parents/carers aware that this concern is being reported to the HSE?	Yes	No
	☐	☐

5. Details of Report

(Details of concern(s), allegation(s) or incident(s) dates, times, who was present, description of any observed injuries, parent's view(s), child's view(s) if known.)

STANDARD REPORT FORM*(For reporting CP&W Concerns to HSE)*
 Feidhmeannacht na Seirbhíse Sláinte
 Health Service Executive
6. Relationships

Details of Mother		Details of Father	
Name:		Name:	
Address: (if different to child)		Address: (if different to child)	
Telephone Nos.		Telephone Nos.	

7. Household composition

Name	Relationship	DOB	Additional information, e.g. school/occupation/other

8. Name and Address of other personnel or agencies involved with this child:

	Name	Address
Social Worker		
PHN		
GP		
Hospital		
School		
Gardaí		
Pre-School/Crèche/YG		
Other (specify):		

9. Details of person(s) allegedly causing concern in relation to the child

Relationship to child:	Age	Male ☐	Female ☐
Name:	Occupation:		
Address:			

10. Details of person completing form

Name:	Occupation:
Signed	Date:

INCIDENT REPORT SHEET

Date of the incident: _____

Situation/ Location: (Where did the incident occur?)

Antecedent Behavior: (What led up to the incident, did the persons involved exhibit any unusual/significant behavior prior to the incident)

Incident: (What actually occurred?)

Witnesses: (Name, Address, Phone No.)

Action to be taken: (What follow up action is required?)

Any other relevant comments:

Person Completing Form :

Name: _____ Phone: _____

Address: _____

Signature: _____ Date: _____

This policy was ratified by the Board of Management on Tuesday , March 28th 2023

Signed : Maire Collins

28/3/2023

Chairperson of the Board of Management

Signed : Margaret Skeha

28/3/2023

Secretary of Board of Management
