

Appendix 3

New Child Protection Procedures for Primary and Post-Primary Schools 2017

CL 81/2017 addresses the publication of the new *Child Protection Procedures for Primary and Post-Primary Schools 2017*. The new procedures, which take account of the Children First Act, 2015 and the “Children First: National Guidance for the Protection and Welfare of Children”, **came into effect from 11 December 2017**.

Mandated Persons and Mandated Reports

Under the new procedures all teachers registered with the Teaching Council are mandate persons. All mandated persons are obliged to submit mandated reports to Tusla regarding child protection concerns which reach a threshold of harm as defined in the Children First Act, 2015.

The DLP and Joint Mandated Reporting

The new procedures state:

“The pivotal role of the DLP in child protection is long established in the schools sector and in recognition of the significant leadership skills required of the role, the DLP is normally the school principal”.

The Board of Management will also appoint a Deputy Designated Liaison Person, DDLP, generally a Deputy Principal. With regard to child protection concerns, mandated persons are obliged to liaise with the DLP and where applicable submit joint mandated reports to Tusla.

Child Safeguarding Statement

Schools must complete a Child Protection Risk Assessment and publish a new Child Safeguarding Statement as set out in Chapter 8 of the new procedures **by 11 March 2018**. Guidance and Department of Education and Skills developed templates to assist the Risk Assessment process and Child Safeguarding Statement can be accessed in ACCS Info Bulletin 45(a)/17 on www.accs.ie.

Transitional Period

Although the old procedures cease to apply from 11 December 2017, during the transitional period from **11 December 2017 to 10 March 2018 inclusive**, as schools are preparing their Child Safeguarding Statements, the existing child protection policies of schools shall continue to apply subject to the following –

- (a) the new procedures, apart from those relating to the school’s Child Safeguarding Statement which are set out in Chapter 8, are deemed to replace the old procedures in all existing child protection policies and
- (b) The new procedures, apart from those relating to the school’s Child Safeguarding Statement which are set out in Chapter 8, shall be implemented **without modification by all schools**

CL 81/2017 states:

The procedures include -

- a) The reporting procedures to be followed by registered teachers in respect of their role as mandated persons, including a requirement to liaise with the Designated Liaison Person (DLP) and, where applicable, to submit mandated reports jointly with the DLP to Tusla.*
- b) Guidance and direction for schools in relation to meeting their statutory obligations in relation to Child Safeguarding Statements. In that regard, the procedures require that all Boards of Management use the relevant templates published by the Department when preparing, publishing and reviewing their Child Safeguarding Statement.*

c) Significantly enhanced oversight measures which are aimed at ensuring full compliance by schools with the Children First Act 2015, Children First National Guidance 2017 and with the Department's requirements as set out in the procedures for schools. The new oversight measures are set out in Chapter 9 of the procedures and include oversight by the Board of Management of the school's Child Safeguarding requirements and a new Child Protection Oversight Report which must be provided to the Board of Management, as part of the Principal's report to the Board, at every Board of Management meeting. While the reporting requirements in respect of the Child Protection Oversight Report may appear extensive, it should be noted that the requirement to provide the information specified in this report applies only where cases of a specific type (as set out in sections 9.5 to 9.8 inclusive of the procedures) arise in the school. Where any such case does arise, it is essential that the Board of Management is provided with the information necessary for it to have oversight of compliance with the relevant reporting requirements, particularly where the matter relates to a school employee.

Child Protection Oversight Report

A significant aspect of the Board of Management's oversight involves the Principal's Child Protection Oversight Report. The procedures state:

9.4.1 At each Board of Management meeting, the principal's report to the board shall include a Child Protection Oversight Report containing information under 4 headings as follows-

(1) Allegations of abuse made against members of school personnel (see section 9.5)

(2) Other child protection concerns in respect of pupils in the school (i.e. concerns that do not involve any allegation of abuse against a member of school personnel) (see section 9.6) 78

(3) Child protection concerns arising from alleged bullying behaviour amongst pupils (see section 9.7) and

(4) Summary data in respect of reporting (see section 9.8)

9.4.2 The information that shall be provided under each of the headings (1) to (4) is set out at sections 9.5 to 9.8 of these procedures.

It is essential all Board of Management members are familiar with the provisions contained in Section 9, Oversight, of the Procedures.

PDST Programme of Support for Child Protection

It is imperative that Boards of Management ensure that all school personnel and Board of Management members have the necessary familiarity with these procedures to enable them to fulfil their responsibilities therein.

Schools will be permitted two separate half-day school closures during the 2017/18 school year to allow time, as a school community, to engage with the revised procedures.

These days should take the following format:

Day 1

Schools engage with the 90-minute Universal e-Learning programme developed by Túsla which is available to schools by clicking on the link www.pdst.ie/childprotection. This programme was written to support all personnel, regardless of profession, in recognising concerns about children and reporting such concerns, as required.

Day 2

Schools engage with the dedicated PDST on-line resource to guide them through the revised DES procedures (scheduled to become available early February 2018). Click on the link www.pdst.ie/childprotection to access this resource once it has become available.

In addition to the above school closures, PDST will be facilitating the following supports:

- One full-day, face-to-face seminar for Designated Liaison Persons (DLPs) and Deputy Designated Liaison Persons (DDLPs) which will be rolled out in Education Centres commencing January 2018
- In-school support from PDST, on request, subject to prior engagement with other supports already available to schools and outlined above