



St. Malachy's Primary School Child Protection / Safeguarding Policy

Updated 24/1/2016

To be revised during 2016-17 year based upon *Co-operating to Safeguard Children and Young People in Northern Ireland* March 2016 and is to incorporate a new 5th category of abuse: **Exploitation.**

Introduction:

“Children have the right to be protected from all forms of violence. They must be kept safe from harm and they must be given proper care by those looking after them. When adults or organisations make decisions which affect children they must always think first about what would be best for the child.” (Extract from the United Nations Convention on the Rights of the Child 1991)

“In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be of primary consideration” Article 3 UN Convention on the Rights of the Child

Children (Northern Ireland) Order 1995 states that the welfare of the child must be held to be paramount.

This policy is based upon the ‘The Governors’ Handbook for Safeguarding and Child Protection’ (DENI Revised 2012) and ‘Pastoral Care in School: Child Protection’ (DENI 1999)

Child Protection Ethos:

The Board of Governors, the Principal and the staff of St. Malachy's P.S. recognise that we have a primary responsibility for the care, welfare and safety of all the children in our charge. We aim to carry out this duty through our pastoral care policy and to provide our children with a safe, caring and supportive environment. We recognise the individuality of each of the children and will provide opportunities for them to develop their talents and abilities to their full potential. To help protect them we will create teaching environments that will enable them to learn about possible abuse in all its forms and make them aware of unwelcome or undesirable behaviours. We will help them develop the skills and the confidence that they will need to keep themselves safe and we will discuss ways to prevent or talk about abuse.

We appreciate that all members of staff and all volunteers working in any capacity within the school must be subject to standard vetting procedures and police checks. We accept the agreed code of conduct governing our behaviour towards the children and will be vigilant at all times to ensure that any sign or evidence of abuse in any form is reported to the designated teacher and will be given due attention and consideration.

We understand that school based decisions must be made in light of the overall welfare of the children and not just be educational.

Definitions and Potential Signs and Symptoms of Abuse:

Child abuse occurs when a child is neglected, harmed or not provided with proper care. There are different types of abuse and a child may suffer more than one of them.

What we need to be aware of:

Three levels of abuse:

- Potential: Circumstances that might make abuse likely to happen.
- Suspected: Appearance, behaviour, or injury alerts someone to suspect abuse has or is occurring.
- Confirmed: Abuse is proven either in court or by admission of guilt.

Types of Abuse

Physical Abuse is the deliberate physical injury to a child, or the wilful or neglectful failure to prevent physical injury or suffering. This may include hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, confinement to a room or cot, or inappropriately giving drugs to control behaviour.

Possible signs and symptoms of physical abuse include:

- unexplained bruises or burns, particularly if they are recurrent
- human bite marks, welts or bald spots
- unexplained lacerations, fractures or abrasions
- untreated injuries
- self-destructive tendencies
- improbable excuses given to explain injuries
- chronic runaway
- aggressive or withdrawn
- fear of returning home
- reluctant to have physical contact
- clothing inappropriate to weather – worn to hide part of the body
- bullying
- admission of excessive punishment
- undue fear of adults
- flinching at sudden movements

Emotional Abuse is the persistent emotional ill-treatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to a child that he or she is worthless or unloved, inadequate, or valued only insofar as he or she meets the needs of another person. It may involve causing a child frequently to feel frightened or in danger, or the exploitation or corruption of a child. Some level of emotional abuse is involved in all types of ill-treatment of a child, though it may occur alone. Domestic violence, adult mental health problems and parental substance misuse may expose a child to emotional abuse.

Possible signs and symptoms of emotional abuse include:

- sudden speech disorder
- signs of self-harm or mutilation
- compulsive stealing or scrounging
- signs of drug or solvent abuse
- eating problems
- wetting and/or soiling
- attention-seeking behaviour
- poor peer relationships
- continual self-deprecation neurotic behaviour (e.g. rocking, hair twisting, thumb-sucking)
- reluctance for parent liaison
- fear of new situations
- chronic runaway
- inappropriate emotional responses to painful and stressful situations
- poor hair /poor skin /alopecia
- swollen extremities
- recurrent diarrhoea
- non accidental injuries
- over reaction to mistakes
- extremes of passivity/aggression

Sexual Abuse involves forcing or enticing a child to take part in sexual activities. The activities may involve physical contact, including penetrative and non-penetrative acts. They may include non-contact activities, such as involving children in looking at, or in the production of pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

Possible signs and symptoms of sexual abuse include:

- soreness or bleeding in the genital or anal areas or in the throat
- torn, stained or bloody underclothes
- chronic ailments such as stomach pains or headaches
- difficulty in walking or sitting
- frequent urinary or yeast infections
- pain on urination
- be chronically depressed or suicidal
- inappropriately seductive or precocious behaviour

- use of sexually explicit language
- low self-esteem, self-devaluation, lack of confidence
- recurring nightmares/fear of the dark
- outbursts of anger or hysteria
- overly protective to siblings
- bruising on the inner thigh or buttocks
- anorexic/ Bulimic

Neglect is the persistent failure to meet a child’s physical, emotional and/or psychological needs, likely to result in significant harm. It may involve a parent or carer failing to provide adequate food, shelter and clothing, failing to ensure access to appropriate medical care or treatment, lack of stimulation or lack of supervision. It may also include non-organic failure to thrive (faltering growth).

Possible signs and symptoms of neglect include:

- constant hunger
- poor state of clothing and/or personal hygiene
- untreated medical problems
- emaciation/distended stomach
- constant tiredness
- lack of social relationships
- compulsive stealing or scrounging
- frequently absent or late
- low self-esteem

Exploitation:

To be updated. See latest documentation.

It can be difficult even for the experts to recognise abuse. There is no single indicator. Abuse is constant and repetitive. It is important to build up a picture of what you hear or observe. Important to maintain factual records and pass these on to the designated teacher. It will however be important in the case of either physical or sexual abuse to act quickly for the child’s safety and because forensic evidence could be lost within 72 hours. Abuses come from all social classes, with 20% in N.I. from the professional classes. There has been a big increase in peer sexual offences. Research shows that the main sources of referrals are teachers, school nurses and EWO’s so it is important to be vigilant and to follow the procedures.

Bullying: “Childline” which was set up to look at the problem of abuse now reports more calls about bullying than anything else, so while it may not be one of the known forms of abuse it can not be ignored. The department of Education (1998) defines bullying as “deliberately hurtful behaviour, repeated over a period of time, where it is difficult for the victim to defend him/herself.” Bullying is the premeditated, malicious, belittling and continuous act of power. It can be “overt” (assault) “covert” (social exclusion) “verbal”(name calling, mother cussing) and “non verbal” (recent problem has been text messaging and e mails) Can lead to underachievement, low esteem, emotional damage, social exclusion and in extreme cases significant harm.

Signs such as those described above and others are not in themselves proof that abuse has occurred. All staff, however, should be aware of the possible implications of, and alert to, all such signs, particularly if they appear in combination or are regularly repeated. More detailed guidance regarding the signs and symptoms of child abuse can be found in Appendix 2 of the ACPCs' 'Regional Policy and Procedures' (2005).

The School Safeguarding Team

Designated Teacher for Child Protection	Mr Dermot Flynn
Deputy Designated Teacher for Child Protection	Mrs K. McGuigan
Named Nursery Child Protection teacher	Mrs Teresa Moore
Designated Governor for Child Protection	Mrs Deirdre McLoughlin
Principal	Mr Dermot Flynn
Chair of Governors	Very Rev Michael McGinnity

Designated and Deputy Designated Teachers for Child Protection

The Designated / Deputy Designated Teachers are responsible for children are fully protected. This is a highly skilled role developed and supported through specialised training requiring knowledge and professional judgement on complex and emotive issues.

The Designated Teacher for Child Protection is responsible for:

- The training of all school staff including support staff
- Attending relevant training by Child Protection Support Service for Schools (CPSSS)
- Being available to discuss the child protection concerns of any member of staff
- Responsibility for record keeping of all child protection concerns
- Making referral to Social Services or PSNI Care Units
- Liaison with the BELB Designated Officers for Child Protection
- Keeping the school principal informed
- The lead responsibility for the development of the school's child protection policy
- Promotion of a child protection ethos in the school
- Written reports to the Board of Governors regarding child protection
- Notifying the following of child protection referrals:
 - i. the Child Protection Support Service for Schools
 - ii. the Chair of the Board of Governors

Raising Awareness:

The Designated Teacher:

- provides a report on all aspects of child protection activity to the Board of Governors at each meeting and in a written annual report to the governors;
- ensures the school's child protection policy is updated and reviewed annually and works with the Safeguarding Team regarding this;

- ensures parents receive a copy of the child protection policy every 2 years which alerts them to the fact that referrals may be made and the role of the establishment in this to avoid conflict later
- promotes a child protection ethos in the school in collaboration with the Safeguarding Team.

The Deputy Designated Teacher for Child Protection is Responsible for:

Supporting and undertaking the duties of the Designated Teacher for Child Protection as required.

Guidance on Dealing with Suspected or Disclosed child Abuse

Where a teacher receives a disclosure or sees signs which cause them concern, they should, as a first step, talk with the child with tact and understanding. Where a classroom assistant or another member of the school’s ancillary or auxiliary staff or a volunteer receives a disclosure or sees such signs, they should immediately bring them to the attention of the Designated Teacher.

Care must be taken in asking, and interpreting children’s responses to, questions about indications of abuse. The same considerations apply when a child discloses abuse or volunteers information which amounts to a disclosure. Staff should be aware that the way in which they talk to a child can have an effect on the evidence which is put forward if there are subsequent criminal proceedings, and the extent of questioning should, therefore, be kept to a minimum:

- the chief task at this stage is to listen to the child, and not to interrupt or try to interpret if he/she is freely recalling significant events, and as soon as possible afterwards to make a note of the discussion to pass on to the Designated Teacher. The note should record the time, date, place and people who were present, as well as what was said. Signs of physical injury observed should be described in detail, but under no circumstances should a child’s clothing be removed. Physical injury could be represented on a drawing to indicate the location and shape of the injury.
- questions should be open, not closed. The child should never be asked leading questions as this can later be interpreted as putting ideas into the child’s mind or questions which encourage him/her to change his/her version of events in any way or which impose the adult’s own assumptions. For example, staff should say, “Can you tell me what happened?”, rather than, “Did they do _____ to you?” or “Did _____ do this to you?” DO NOT INVESTIGATE – that is the role for the statutory services (Social Services, Police).
- any comment by the child, or subsequently by a parent or carer or other adult, about how an injury occurred should be written down as soon as possible afterwards, preferably quoting words actually used.
- staff should not give the child assurances of confidentiality, although they can and should be reassured that information will be only be shared with those professionals who need to know.

The Reporting Process for Child Protection Concerns:

1. Where there is cause for concern about a child, the member of staff or volunteer will notify the Designated Teacher on the same day if possible. They will record the concern (signing and dating it) and pass it to the Designated Teacher.
2. The Designated Teacher will notify the Principal and together they will decide if the information is such that the matter should be referred immediately to Social Services. The designated teacher may consult with the BELB Designated Officers for Child Protection as part of the decision-making process. If there are concerns that the child may be at risk, the school is obliged to make a referral. Unless there are concerns that a parent or carer may be the possible abuser, the parents or carers will be informed immediately.
3. If the decision to refer is made, the Designated Teacher will ensure that the following are immediately notified:
 - the Social Services or the police;
 - the BELB Designated Officers for Child Protection; and
 - the parents or carers (except where the parent or carer is the alleged abuser).

The referral will be followed up in writing as soon as possible using the standard UNOCINI (Understanding the Needs of Children in Northern Ireland) referral form. A copy will also be sent to the CPSSS (Child Protection Support Service for Schools) at BELB.

(This will be done in an envelope marked 'CONFIDENTIAL – CHILD PROTECTION')

If a complaint about possible child abuse is made against a member of staff, the Principal (or the Designated Teacher if he/she is not available) must be informed immediately. She will then:

- inform the Chairman of the Board of Governors;
- consult with the Designated BELB Officer for Child Protection to form an initial assessment as to whether or not there is sufficient substance in the allegation to warrant further action; and
- maintain records of all steps.

Where the matter is referred to Social Services or the police, the member of staff will be immediately removed from direct contact with children, and may be suspended from duty as a precautionary measure pending investigation by Social Services. The Chairman of the Board of Governors will be informed immediately.

If a complaint is made against the Principal, the Designated Teacher (or his/her Deputy, if he/she is not available) must be informed immediately. All aspects of the above procedures for complaints against a member of staff will be followed, save that the role set out above for the Principal will be exercised by the Chairman of the Board of Governors. The BELB Designated Officers for Child Protection will be informed immediately.

6. If a complaint is made against a member of the Board of Governors, it will be treated in the same manner as complaints against a person who is not on the school's staff, and the same procedures followed. The Principal should immediately inform the Chairman, unless he is the subject of the complaint, in which case the Chairman's role should be exercised by the Vice-Chairman. The BELB Designated Officers for Child Protection will be informed immediately.

7. If a complaint is made against a volunteer working in the school, it will be treated in the same manner as complaints against a person who is not on the school's staff, and the same procedures followed. If the Principal has any concern that a child may be at risk, the services of the volunteer will be terminated immediately.

Whistleblowing

If any adult working in the school has a child protection concern in relation to any other adult who works there, it must be reported to the Principal immediately. This course of action is supported by the relevant group Whistleblowing Policies.

Parental Complaints About possible Child Abuse

The school is committed to helping parents understand its responsibility for the safeguarding of all the children in its charge. Parents will be made aware of the school's child protection policy every two years and the fact that this may require cases to be referred to the investigative agencies in the interests of the child. A copy of the policy will also be available on the school's website.

Appendix 1 outlines the procedures parents should follow to make a complaint and the recourse that they have if they are not satisfied with the outcome.

Bullying

Bullying also constitutes a form of abuse. The school defines bullying as behaviour by an individual or group, usually repeated over time, that intentionally hurts another individual or group either physically or emotionally. The school's policy on bullying is set out in our Anti-Bullying policy.

Domestic Violence

Domestic violence is threatening behaviour, violence or abuse (psychological, physical, verbal, sexual, financial or emotional) inflicted on one person by another where they are or have been intimate partners or family members, irrespective of gender or sexual orientation. Domestic violence can include violence inflicted on, or witnessed by children. The wide adverse effects of living with domestic violence are therefore recognised as a child protection issue by the school and the procedures for reporting suspicions or disclosures of domestic violence are the same as those for reporting other forms of abuse.

Vetting Procedures and guidelines for Volunteers

Volunteers

Guidance on volunteering staff contained in DENI Circular Number: 2012/19 will be followed. Unsupervised volunteers will be vetted by AccessNI. Volunteers working under supervision will not require an Enhanced Disclosure Certificate (EDC) but the school reserves the right to require such a document where circumstances deem necessary. A check of the barred list, in these circumstances, will not be required. The school will ensure that when volunteers are used:

- there must be supervision by a person who is in Regulated Activity;
- the supervision must be regular and day to day; and
- the supervision must be “reasonable in all the circumstances to ensure the protection of children”.

A record of volunteers will be kept containing information containing:

- (1) Name: Address: Date of Birth : Any connection with the school.
- (2) Any qualifications / previous working experience with children
- (3) Declaration as to whether or not they have ever been investigated for issues around child protection.
- (5) Agree to a criminal record check where it is considered necessary by the school.
- (6) Give names of 2 referees. (Not family or school staff).
- (7) Nature of Duties
- (8) Date when they were provided with a Volunteer Guideline Information Sheet.

Volunteers:

- ✚ Should be placed only with teacher's consent and all staff are aware of the limitations placed on volunteers contact with children.
- ✚ Should not have access to records or information relating to staff or pupils.
- ✚ Should be aware of school's discipline/ child protection policies and code of conduct.
- ✚ Must adhere to school policies and codes of conduct recognising and that they should draw attention to the principal or senior member of staff where they find themselves in a position of unsupervised regulated activity.

Paid Staff

Guidance on paid staff contained DENI Circular Number: 2013/01 will be adhered to. Paid staff working in or, for schools, are subject to pre-employment vetting checks conducted by AccessNI.

Staff Code of Conduct

The principal and staff of St. Malachy's Primary School believe that the safety and well being of the children in our care is of paramount importance. We recognize that everyone who works in our school - in whatever capacity - holds a position of trust and that our behaviour towards the children must always be above reproach. This Code of Conduct details how we expect all adults working within the school to behave towards our pupils.

- In so far as possible, staff will refrain from being on their own with the children. Certain teaching situations and /or important confidential interviews make this difficult at times. When this is so the interview and /or the teaching will take place in a room with visual access or in a room with the door open. If this is not possible another adult will be told the meeting is taking place and if possible he/ she or another pupil will be asked to be either present or nearby. All adults working in the school, in whatever capacity – paid or voluntary – will be subject to standard vetting procedures and police checks.
- Staff are aware that all conversations with children will be at a level appropriate to their age and ability and will not include any form of unsuitable language.
- The staff will make every effort to ensure that teaching materials are appropriate and suitable.
- The staff will treat all children with respect at all times and this will be reflected in their attitudes, demeanour and language.

The staff have been advised not to make any unnecessary physical contact with the children or to engage in over familiar play that will result in them coming into physical contact.

However it is recognized that there are occasions when physical contact may be necessary to meet the physical (e.g. a child who has been sick or has had a toilet accident), the emotional (e.g. a child who is upset or distressed) or the educational needs (e.g. a child who may need help to know how to hold a pencil) of the children.

Touch, when necessary, will only be in response to the children's needs and will be carried out in an atmosphere of openness. We recognize that we have a duty of care to the children and that they may at times need a change of clothing for their own comfort.

Intimate care guidelines should be followed. Should this be so the children will always be asked if he/ she agree to be changed and they will be asked to do as much as possible for themselves.

In September each year the parents of pupils in the nursery and in Primary 1 will be asked to sign a consent form giving staff permission to assist a child in having his /her clothes changed. When children are assisted in this way by a member of staff this will be recorded in the appropriate record book (Intimate Care Record)

- Medication will only be administered to children if there is signed consent from a parent/guardian and a letter of authorisation from the GP. Should it be necessary to administer first aid to a child, this will be done, in as much as possible, in the presence of other children and/or adults. However we will not hesitate to provide first aid in an emergency if another person is not present.
- Physical contact may at times be necessary to demonstrate exercises or techniques during a PE lesson.
- Children with special educational needs or those with disabilities may require physical assistance. This will be provided in consultation with parents/ guardians and with their consent.
- Staff recognize that in certain circumstances it may be necessary to use reasonable force. This will be used only if (a) there is a need to prevent injury to the child, to other children or to a member of staff. (b) if there is danger to property or (3) if there is a likelihood of a criminal offence. Should any of these circumstances necessitate the use of reasonable force the parent(s)/ guardian will be informed and all such incidents will be recorded.
- Other than in exceptional circumstances staff will not travel alone in a vehicle with a pupil. In such circumstances the child must travel in the back seat and the event reported.
- Parents will be informed of procedures for registering a complaint against a member of staff should they be concerned about the behaviour shown to a child which is seen to contravene their safety or well-being. If you decide to make a complaint the procedures should be followed properly.
- If you require any more information about the Code of Conduct, the Complaints Procedure or the Child Protection policies please contact either Mr. Flynn (principal/ designated teacher), Mrs. McGuigan or Mrs Moore in the Nursery.

Child Protection and the Preventative Curriculum:

In St. Malachy's Primary School we will aim to teach the children in a warm, welcoming and safe environment. The curriculum will be child centred and each child will be valued, praised for effort, encouraged and reassured. The school will make every effort to meet the special educational needs of the children. The school recognises the need to tackle issues such as bullying and will not tolerate it in any form. There is a school policy for dealing with complaints of bullying and the children have been consulted about this.

There will be opportunities for the children to discuss abuse in all its forms and it is the duty of each class teacher to approach this in a way that is appropriate to the age and understanding of their pupils. The best way to protect children is to teach them to protect themselves. Through the use of activities such as "Circle Time" the children will be taught to develop skills such as turn taking, self-respect, peer respect, confidence and discipline. Circle Time will be seen as a safe platform to discuss sensitive issues in a non-threatening and non-personal way. It will enable us to have opportunities for developing the children's emotional literacy, to make them more aware of good/bad secrets, good/bad feelings/ good/bad touch and to develop the need for trust and co-operation.

Each class teacher will make the children aware of the name and nature of the designated teacher. Parents will also be made aware of this at the yearly curricular meetings, and in the parental copy of the Child Protection policy.

There is a set of worksheets – "**Helping Hands for Children**" aimed at Key Stage 2 classes (produced by Woman's Aid). They aim to develop strategies for the prevention of abuse, to raise awareness and to teach protective behaviours such as being safe, ensuring others are safe with us and being able to talk to someone about our concerns. The pack includes a teacher's manual.

There is a pack available from the NSPCC "Take Care."

The school will actively encourage external services to enhance child protection in our school. In the next policy update it is planned that such arrangements will become part of the set curriculum.

Intimate Care Guidelines

- The school has an Intimate Care Policy.

Educational Visits.

The school has adopted the Educational Visits Policy, Practice and Procedures approved by BELB from 1 September 2005.

Review and Monitoring of Policy.

The review of this policy is timetabled annually within the school's school development programme.

Appendices and advice.

Information for school adults.

What might alert you?

- ✚ Concerns about safety
- ✚ Suspicions of abuse
- ✚ Information collated through “clarification” chat
- ✚ Disclosure
- ✚ Suspicions or concerns about the inappropriate or abusive behaviour of a member of staff, a volunteer or any other service users on site.
- ✚ A direct allegation
- ✚ Information passed on by a 2nd party must in turn be passed on to the designated teacher. Second party disclosure must be treated as seriously as first party.

How you should react in the event of a child or an adult making a disclosure.

- ✚ Stay calm
- ✚ Tactfully try to clarify what has been said.
- ✚ Listen carefully
- ✚ Accept the information
- ✚ Reassure- let the child know that they are not to blame/ reaffirm their feelings.
- ✚ Take brief notes at the time (explain this to the child) Later write up report giving time, date, place, if possible the exact words of the child explanation how disclosure came about, any evidence of abuse (in detail) anyone else present
- ✚ Give time – don’t rush

- ❖ Do not promise confidentiality (explain the boundaries)
- ❖ Do not interrogate – it is not the duty of school staff to investigate.
- ❖ Do not ask leading questions
- ❖ Do not criticise the perpetrator
- ❖ Do not ask child to repeat the disclosure to anyone else

Useful things to say:

- I’m glad you told me this
- I’m sorry this has happened to you
- It is not and it never was your fault
- We are going to do something about it
- I will need to speak to - - - - - but I will only tell the people who need to know.

Staff should:

- # Be aware of vulnerable areas – toilets (avoid being alone in the toilet areas as much as possible) / mobiles/ secluded corridors
- # Avoid spending too much time with any particular child – if there is a need to tell others why.
- # Be aware of discussing details over the phone
- # Avoid faxing any sensitive information
- # Avoid having children from school in your house
- # Unless in an emergency or with the prior permission of parents don't have child in your car alone.
- # Record any inappropriate sexual comment or touch made by a child.
- # Always tell children such comments / behaviours are unacceptable
- # Keep records of any allegations/ threats made by parent / children
- # Be aware that if a child is to be consulted to clarify any complaint the parent must be consulted for permission and can if they wish be present when clarification is taking place.

**Procedures for dealing with disclosure or Concerns about any issue of
Child Protection**

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| <ol style="list-style-type: none">(1) A child makes a disclosure.(2) You have a concern – about a particular incident or observations over a number of incidents(3) Act promptly(4) Listen, reassure, but do not investigate. |
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| <ol style="list-style-type: none">(5) Refer the matter to the designated teacher.(6) Discuss the matter with the designated teacher.(7) Make full notes. |
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| <ol style="list-style-type: none">(8) Designated teacher meets with principal (or VP)(9) Discreet Preliminary Clarification –do not investigate(10) Action Plan ----- Full written notes. <p>If in doubt consult – make a hypothetical enquiry from board designated officer or CCMS senior management officer</p> |
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| <ul style="list-style-type: none">• Principal / designated decide if referral necessary.• If not recorded state reason why not.• If referral necessary it is duty of principal to inform• Social Services / Police Care Team/ Board designated officer and CCMS.• Mark envelope CONFIDENTIAL / Child Protection Issue.• Inform the parent unless the parent is the abuser. |
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Procedures for dealing with a complaint against a member of staff if the complaint is of a Child Protection Nature:

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- ✚ Principal gets a complaint. He/she makes a Discreet Preliminary Clarification:
- ✚ The designated teacher is informed as a matter of urgency and released from other duties to help deal with complaint.
- ✚ CCMS and Board Officer consulted.
- ✚ Chairman of Board of Governors consulted.
- ✚ Plan of action is agreed – if the principal and designated teacher does not agree the decision of the designated teacher supersedes the principal.
- ✚ Record kept , to include
 - Date / time/ who made complaint /who it was made to/
 - Any supplementary evidence/ If so who offered it/ nature of supplementary evidence
 - Any advice sought / decision taken- how it was taken/by whom/ reason for decision
 - Who decision was conveyed to
 - Record must be signed and dated by principal and designated teacher.

Principal deals with the staff member.

Designated Teacher deals with the parent and child

Should the complaint be against the principal, the designated teacher informs the chairman and follows all procedure as above, keeping CCMS informed immediately. **Advice should always be sought.**

Outcome of the Complaint:

There are 3 possible outcomes:

- ✚ Allegation without substance – no further act
- ✚ Inappropriate behaviour and to be dealt with under school’s disciplinary procedures – either a written or verbal warning from chairman and principal.
- ✚ Decision that there has been some form of sexual interference so the principal must consult CCMS to agree on a way to proceed with precautionary suspension. Police/ Social services informed.

(1) No Further Action:

Nothing goes in teacher’s file but a brief clarification record of the complaint (nature of complaint, when/ by whom / to whom / and an explanation why it was considered that no further action was necessary) goes in child’s file until his/her 21st birthday.

(2) To be pursued under School's Disciplinary Procedures:

Principal must ensure that all records are maintained in both the teacher's and child's file (a photocopy) for 5 years.

A school must have **A Record of Child Abuse Complaints Book.**

The chairman / vice-chairman must examine this once a year even if nothing in it and record in the minutes of the annual general meeting that they have done this.

If action 2 is taken the teacher's name must go in this book.

(3) Formal Referral :

Precautionary suspension. Record goes into both files and can only be removed from the teacher's if teacher is found innocent – it then would still stay in child's file.

Procedures for dealing with a complaint or a concern about possible abuse **by**
someone other than a member of staff:

- ✚ Record of complaint / concern kept at all steps
- ✚ Designated teacher told
- ✚ Designated teacher tells principal
- ✚ Decide if referral necessary
 - Don't Know – seek advice
 - No - tell complainant and the parent (i.e. if parent is not the abuser)
 - Yes - refer to social services/ police care team /CCMS . Seek advice from police about informing parent.

Use of Reasonable Force / Safe Handling:

Rationale

It is our responsibility to provide a safe and secure environment for the entire school community (pupils and staff) and to promote and sustain appropriate behaviour. The policy and our procedures for use of reasonable force/safe handling have been prepared for the support of all teaching and support staff. This policy and our procedures have been developed in line with guidance from:

- Pastoral Care in schools: Promoting Positive Behaviour (2001)
- Pastoral Care in schools – Child Protection: Code of Conduct for Staff (1999/10)
- Department of Education document “Towards a Model Policy in Schools on the Use of Reasonable Force” August 2002
- The Department of Education NI circular 1999/9
- Department of Education Circular 2003/13 Welfare and Protection of Pupils

Legislative Framework

This policy has been formulated with due consideration to the following legislation:

- Children (Northern Ireland) Order 1995 – duty to protect and child protection responsibilities/fulfilling responsibility
- Education (Northern Ireland) Order 1998 (Part II Article 4 (1))
- Human Rights Act 1998 – Articles 3 and 5 of the European Convention on Human Rights
- Health and Safety at Work Act (Northern Ireland) Order 1978
- Education (Northern Ireland) Order 2003

Purposes

The following purposes underpin the school’s policy and practices:

- To create a learning environment in which young people and adults feel safe
- To protect every person in the school community from harm
- To protect all pupils against any form of physical intervention, which is unnecessary, inappropriate, excessive or harmful: and
- To develop and implement guidance for staff (teaching and non-teaching) so that they are clear about the circumstances in which they might use reasonable force to restrain pupils and how such force might be applied

Definition of Reasonable Force

The Education (Northern Ireland) Order 1998 (part II Article 4(1)) states:

A member of the staff of a grant-aided school may use, in relation to any pupil at the school, such force as is reasonable in the circumstances for the purpose of preventing the pupil from doing (or continuing to do) any of the following, namely

- Committing any offence
- Causing personal injury to, or damage to the property of, any person (including the pupil himself); or
- Engaging in any behaviour prejudicial to the maintenance of good order and discipline at the school or among any of its pupils, whether that behaviour occurs during a teaching session or otherwise.

Based on this legal framework, the working definition of “reasonable force” is:

The minimum force necessary to prevent a pupil from physically harming herself or others or seriously damaging property but used in a manner to preserve the dignity of all concerned.

Practices

Preventative Strategies

This school actively promotes positive behaviour management strategies thus reducing the need for the use of any form of physical intervention, except in an emergency situation. Preventative strategies for inappropriate behaviour(s) are detailed in our school's Discipline Policy on defusing conflict/confrontation or aggression.

Risk Assessment

Risk assessment is a strategy to prevent the risk of an incident escalating unnecessarily. It is normal practice where a pupil or a small number of pupils are known to exhibit disturbing or distressing behaviour.

In order for staff to plan accordingly, risk assessment will be considered only for those pupils who constitute a risk.

Risk assessment will be considered from two perspectives (a) environmental risk assessment and (b) individual risk assessment.

Roles and Responsibilities

Reasonable force/safe handling can be used by any member of staff who is authorised by the principal to have lawful control or charge of pupils, e.g. teachers, classroom assistants, supervisory assistants.

Procedures

A member of staff may have to decide between making an intervention using reasonable force by placing him/herself in a dangerous situation or standing back and thereby allowing colleagues or pupils to face potential danger. There will always be an element of personal judgement in these decisions. However, it is reasonable to expect a member of staff to engage in some risk where there is evidence of danger and intervention has a good chance of being effective. Staff should not, however, put themselves in personal danger merely to safeguard property.

Reasonable force/safe handling can be used by a teacher or other authorised person(s) on the school premises, or when authorised elsewhere, e.g. supervision of pupils in bus queues, or other authorised out of school activities such as a sporting event or educational trip. Reasonable force should be limited to emergency situations and used only as a last resort when all other behaviour management strategies have been exhausted and where:

- Action is necessary in self defence or because there is imminent risk of injury to another pupil or person.
- There is a developing risk of injury to another pupil or person, or significant damage to property.
- A pupil is behaving in a way that compromises order and discipline.

Forms of Reasonable Force

When other behaviour management strategies have failed, staff should send a reliable pupil for assistance and use the minimum intervention depending on the age, sex, physical strength, size, medical condition and any special needs of the pupil. It should be used in a way that preserves the dignity and respect of all concerned. A calm and measured approach should be taken at all times. It should be appropriate to the particular pupil and be in accordance with the school's agreed strategies and the following procedure which must be adhered to at all times:

- Tell the pupil to stop the inappropriate behaviour
- Ask the pupil to behave appropriately, clearly stating the desired behaviour
- Tell the pupil that physical intervention will take place if inappropriate behaviour continues
- Intervene in a measured way
- If the teacher, classroom assistant or supervisory assistant feels at risk he/she should seek support from the nearest staff member.
- Possible forms of reasonable force used by the school will depend on individual circumstances and may include:
 - Separating pupils who are fighting, or who are about to fight
 - Blocking a pupil's path
 - Holding a blazer or bag
 - Breakaway techniques (e.g. when a member of staff is grabbed by a pupil)
 - Leading a pupil by the arm
 - Shepherding a pupil away by placing hands on the backs of elbows

Health and Safety

When using reasonable force/physical intervention/restraint/safe handling, the pupil's health and safety must always be considered.

Physical interventions should involve the minimum amount of force necessary to resolve the situation and calm the pupil.

Limits on the Use of Force

The law strictly prohibits the use of force which constitutes corporal punishment.

The use of force as a punishment or to intentionally cause pain, injury or humiliation contravenes our Child Protection Policy. Staff should never act in a way that might reasonably be expected to cause injury, for example by:

- Holding around the neck
- Adopting any hold that might restrict breathing
- Kicking, slapping or punching or using any implement
- Forcing limbs against joints

- Tripping
- Holding or pulling by the hair
- Holding the pupil face down on the ground

Staff should also avoid touching or holding a pupil in any way that might be considered indecent

Record Keeping

All incidents involving the use of reasonable force must be recorded. The School (Principal) will keep an accurate up-to-date record of all such incidents.

Immediately following any incident the member of staff concerned must inform the Principal or a senior member of staff and provide a written record/report.

The chairperson of the Board of Governors and the Principal will review annually the entries in the incident book. Records of incidents will be kept until the date of the child's twenty-first birthday. In the event of the young person being over 18 when they leave school, records should be kept for 3 years after their date of leaving. Confidentiality and the young person's right to privacy will need to be ensured. The pupil's view should also be recorded as soon as possible, preferably on the same day.

Contacting parents

Parents/carers should be contacted as soon as possible and the incident explained to them (with an interpreter if necessary). This must also be recorded.

Any complaint from a parent will be dealt with according to the school's complaint policy/procedure as detailed below.

Complaints

If an incident occurs in school involving the use of reasonable force/restraint by a teacher, the procedures governing such incidents should be followed. This will include informing the parent(s)/guardian(s) of the child as outlined above. Any subsequent complaints made against a member of staff will be dealt with in accordance with the school's Complaints Policy/Procedure and in accordance with the Circular 1999/10, Pastoral Care in Schools – Child Protection.

Staff who themselves are subject to physical violence or assault will be supported, as appropriate, in taking any necessary action against an assailant. The use of reasonable force is only to be employed in exceptional circumstances or in an emergency where a pupil appears to be unable to exercise self-control and whose behaviour is presenting a threat to himself/herself or others. A member of staff should not intervene in an incident without help if there is a risk that he/she may be injured or may endanger his/her life.

The information above is based upon the reasonable force / safe handling policy contained in 'Education Support for Northern Ireland.'

<http://www.education-support.org.uk/teachers/ids/translated-policies-for-schools/?asset=2388>

Additional information: from previous policy remains

- ✚ To prevent pupils from committing an offence
- ✚ To prevent pupils from causing personal injury to or damage to property or any person(s) including him/herself.
- ✚ To prevent pupils from engaging in any behaviour prejudicial to the maintenance of good order or discipline in school or among the pupils.
 - ❖ Should be rarely used
 - ❖ Should be a last resort when other behaviour management strategies have failed.
 - ❖ When used designated teacher must inform parents.
 - ❖ Must be in proportion to the circumstances and the minimum needed.
 - ❖ Should depend on age , understanding, and sex of pupil and should take account of any disabilities.
 - ❖ Must calculate if the use of such force could exacerbate the situation.
 - ❖ Should communicate with the pupil throughout the incident and make it clear that the restraint will stop as soon as it ceases to be necessary.
 - ❖ Should be calm. Don't appear as if you have lost your temper or acting out of anger to punish.

What might be considered reasonable force:

- ✚ Physically interposing between the pupils
- ✚ Blocking a pupil's path
- ✚ Holding
- ✚ Pushing/pulling
- ✚ Leading by the arm
- ✚ Shepherding away by placing your hand in the centre of the pupil's back.

Confidentiality:

- Personal information about a child's family should be regarded as confidential.
- Information about possible abuse should be restricted to principal and designated teacher. Other members of staff need only know enough to prepare them to act sensitively with the child, but not the details
- Pupil should be kept informed of who knows at all stages according to age and understanding
- "Looked After" children – all staff dealing with them should know their circumstances as it may affect transport arrangements, who attends meetings etc. But such situations should be treated with sensitivity and discretion.
- Those attending case conference may hear detailed information about the family. Particular care should be taken to maintain the confidentiality of this information although there may be a need to discuss information and your feelings about it with the principal.
- The principal will deal firmly with anyone who infringes this by gossip or speculation.
- Information picked up by staff from other children , parents etc. should be passed on to the designated teacher.

- If there is any threat to a child's safety normal principles of confidentiality will be set aside so all staff dealing with the child can be alerted to watch out for signs of abuse.

Legislative Background:

✚ Children's (N.I.) Order 1995:

This order placed a range of legal responsibilities and duties upon statutory agencies, public authorities, schools, families and the community as a whole. Most importantly it stresses the fundamental principle of the **Paramourcy** of the child – that is that the welfare of children must be our main consideration. It places the onus on schools to safeguard and protect the pupils. It stresses the need for **Partnership** between schools, parents, those with shared responsibility and any external agencies involved with any of the children as well as the need for **Protection** and **Prevention**. It places responsibility on schools to be aware of the concept of **Parental Responsibility** and to have a system for clarifying who holds this.

Implication for Schools:

- Schools must keep information regarding parental responsibility so that those who hold it are informed about their child's progress.
- Schools must be vigilant in recognising, reporting and recording abuse in any form.
- Schools are much more accountable before the law.
- Schools must have a designated teacher who will work in partnership with social services and other external agencies, who will raise staff awareness about the subject of child protection, who will co-ordinate procedures for reporting and recording, and who will ensure that the principal and the educational welfare officer are kept aware of "Looked After" children or children on the Child Protection Register. The designated teacher in St. Malachy's is Mr. Dermot Flynn and the deputy designated teacher is Mrs. Teresa Moore. It is the duty of each class teacher to inform the children who this teacher is and the role he/she plays.
- Schools must have a system for managing attendance.
- Children must be heard, must be listened to and must be consulted about any proposed action according to their age and understanding.

Human Rights Act 1998:

- Prohibits torture, any inhuman or degrading punishment and verbal degradation This is an absolute right – i.e. there are no conditions attached to it.

- Gives children the right to a fair hearing e.g. in cases of suspension or expulsion. This is a qualified right – i.e. in order to avail of this right the children must accept some responsibilities. If behaviour contravenes health and safety, is likely to cause unrest or affects morals a qualified right can be denied.
- Gives the right to privacy – this is why you need to be careful about the use of photographs and the storage and availability of data.
- Gives the right of freedom of expression.
- This right applies to staff too. While children have the right to education this may not be possible to provide in a particular school if a member of staff has been assaulted in any way.

Anyone challenging these rights can take their case to court and if deemed appropriate be entitled to compensation.

New Education Bill due in May / June 2003 will give children the right to be consulted in a schools policy on discipline/ bullying.

United Nations Convention on the Rights of the Child 1991:

This gave children 54 rights including the right to protection from all forms of physical or mental violence, injury, abuse, or neglect. It gives the right to protection from sexual abuse or exploitation and the right to protection from any form of exploitation.

Sexual Offences Bill 2001:

This bill makes it a criminal offence for any person in a position of trust in a school to engage in any sexual activity with any person aged under 18 even if the basis of the relationship is consensual.

Data Protection Act 1984 / Human Right's Act (article 8 Education and Pupil's Records N.I.1998)

- ✚ This extends to both computer held and manual data.
- ✚ Mainly concerned with rights of privacy and respect.
- ✚ Should bear in mind that individuals, persons appointed by individuals and parents have rights of access.
- ✚ Should be careful and respectful about who information is disclosed to.
- ✚ There are exceptions – records that could assist in the prevention of crime, or records on child abuse must be shared with the police/ social services.
- ✚ In schools records about children need not be disclosed if in the eyes of the principal they could cause serious emotional or physical harm to the child or any other person.

- ✦ Records should be factual, adequate not excessive, should not include opinions that can not be substantiated. In the case of child protection records, they should be in a locked and secure cabinet with access limited to the designated teacher and principal. Such records should not be passed on if a child moves school – give the name of the social worker only.
- ✦ Be careful when discussing children over the phone.

Criminal Law Act 1967 / Public Interest Disclosure (N.I.) Order 1998 (referred to as the Whistle Blower's Act)

- ✦ This protects employees should they disclose information in the reasonable belief that the information is substantially true – (1) information that a criminal offence has been, is being, or is likely to be committed (2) where health and safety is endangered (3) if they believe that information is being deliberately concealed.
- ✦ If you have information that could lead to prosecution. Apprehension or conviction you are **duty bound** to pass it on to the police in reasonable time – in practice in schools this means you must adhere rigidly to the procedures for making referrals. Failure to pass on information could lead to a conviction. This covers information concerning (a) sex offences, (2) drug offences, (3) fraud (4) health and safety issues.
- ✦ Can be charged under this law even years after the offence for aiding and abetting.
- ✦ Makes it imperative that all staff know and follow complaints procedures properly.