

Tipperary Education and Training Board (ETB)

TCFE AND CÉIM ÉILE

CHILD PROTECTION POLICY

**Version** 2

**Last updated**: 10/10/2024

**Child Protection Policy and Child Protection Procedures**

Contents

[1. Child Protection Policy Statement 3](#_Toc190093716)

[2 Recognising Abuse 6](#_Toc190093717)

[3. Responding to a Concern about a Learner’s Welfare or Possible Abuse 8](#_Toc190093718)

[4. Procedure for Reporting Concerns to HSE Social Work Departments 8](#_Toc190093719)

[5. Procedure for Dealing with Allegations of Abuse Against Employees and Volunteers 9](#_Toc190093720)

[6. The Role of the Designated Person 10](#_Toc190093721)

[7. Records 11](#_Toc190093722)

[Review 11](#_Toc190093723)

[Appendices 12](#_Toc190093724)

[APPENDIX 1: Definitions and Indicators of Child Abuse 13](#_Toc190093725)

[Appendix 2: Reporting a concern about a child 18](#_Toc190093726)

[APPENDIX 3: Relevant legislation 20](#_Toc190093727)

[APPENDIX 4: Teaching Council Regulations 2023 22](#_Toc190093728)

[APPENDIX 5: Mandated Persons 23](#_Toc190093729)

[APPENDIX 6: Report forms 26](#_Toc190093730)

[APPENDIX 7: Child Safeguarding Statement and Risk Assessment Template 29](#_Toc190093731)

[Child Safeguarding Statement 29](#_Toc190093732)

[Child Safeguarding Risk Assessment 33](#_Toc190093733)

[Mandatory Template 2: Checklist for Review of the Child Safeguarding Statement 45](#_Toc190093734)



**Céim Eile, Templemore College of Further Education (TCFE)**

**Child Protection Policy**

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| --- | --- |
| Policy Area | Colleges |
| Document Reference number | See Attached |
| Version | To be inserted by HO |
| Document Drafted by | **Céim Eile, TCFE** |
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National Development Plan

Príomh Oifigeach Feidhmiúcháin: Bernadette Cullen

# 1. Child Protection Policy Statement

The college recognises that child protection and welfare considerations permeate all aspects of college life and must be reflected in all of the college’s policies, practices and activities. Accordingly, in accordance with the requirements of the Department of Education and Skills’ Child Protection Procedures for Primary and Post Primary Colleges, the Coordinator and staff of Templemore College of Further Education has agreed the following child protection policy:

1. The college has adopted and will implement fully and without modification the Department’s Child Protection Procedures for Primary and Post Primary Colleges as part of this overall child protection policy.
2. The Designated Liaison Person (DLP) is: Mr. Micheál Linehan.
3. The Deputy Designated Liaison Person (Deputy DLP) is: Mr. David Young
4. The Relevant Person is: Mr Micheál Linehan

*(The relevant person is one who can provide information in respect of how the child safeguarding statement was developed and will be able to provide the statement on request. This person can also be the DLP)*

1. In its policies, practices and activities, TCFE and Céim Eile will adhere to the following principles of best practice in child protection and welfare: The college will

* recognise that the protection and welfare of children is of paramount importance, regardless of all other considerations;
* fully co-operate with the relevant statutory authorities in relation to child protection and welfare matters
* adopt safe practices to minimise the possibility of harm or accidents happening to children and protect workers from the necessity to take unnecessary risks that may leave themselves open to accusations of abuse or neglect;
* develop a practice of openness with parents and encourage parental involvement in the education of their children
* update its Information and Communication Technology (ICT) Acceptable Usage Policy.
* fully respect confidentiality requirements in dealing with child protection matters

The college will also adhere to the above principles in relation to any adult learner with vulnerability.

1. The following college policies are particularly relevant to and underpin our child protection policy; Code of Behaviour, Anti-bullying, Alcohol and Substance Misuse, Guidance and Advocacy, Work Experience, SPHE, Educational Trips. Our SPHE programme also contributes to child protection.
2. This policy has been made available to college personnel and is readily accessible to parents on request. Parents have been made aware of the DES information leaflet “A Parent’s Guide to the Child Protection Procedures for Primary and Post-Primary Colleges”. A copy of this policy will be made available to the Department and the patron if requested.
3. This policy will be reviewed once every year

This Child Protection Policy applies to all learners attending the college. It has been developed in accordance with the Department of Education and Skills Child Protection Procedures for Primary and Post-Primary Schools (revised 2023). As part of the policy this service will endeavour to following the Children First Guidance 2017 and Children’s First Act 2015 and DES procedures for Primary and Post-Primary colleges.

All rights of children are to be protected

**Relevant legislation**

1988 & 2003 & 2018 Data Protection Acts

1991 Child Care Act, 1991

2001 Children’s Act

UN Convention on the Rights of the Child (ratified by Ireland and effective from 21st October, 1992)

2018 Domestic Violence Act

2014 Freedom of Information Acts

1998 Protection for Persons Reporting Child Abuse Act

2017 Children First National Guidelines for the protection and Welfare of Children

2000 Education (Welfare) Act

Ombudsman for Children act 2002

2003 Code of Good Practice: Child Protection for the Youth Work sectors 2nd Edition

2004 Education for persons with Special Educational Needs Act

2005 Disability Act

2011 Criminal Justice Act

2015Childcare Act (amendment)

2008 Passport Act

2012 Criminal Justice (withholding of information on Offences against Children and Vulnerable Persons Act

2015 The Children Act

2017Criminal Law (Sexual Offences) Act

2017 Children First National Guidance

Data Protection Acts 1998 to 2018 and General Data Protection Regulation (GDPR)

2019 Addendum to Children First

2023 Commencement of Teaching Council (Information to be Furnished by Employer in Case of Dismissal or Resignation of Registered Teacher) Regulations 2023

Teaching Council (information to be furnished by employer in case of Dismissal or Resignation of Registered Teacher) Regulations 2023

2023 Department of Education and Skills Child Protection Procedures for Primary and Post-Primary Schools (revised 2023)

**Mandated person**

Under the Children First Guidance 2017 a mandated person means a person who is specified in schedule 2 of the Children’s First Act 2015 and includes all teachers. A mandated person is a person who, by virtue of their training, responsibilities and experience, should have an awareness of issues relating to child protection. They have a statutory obligation to report concerns which reach or exceed the legally defined threshold of harm (see the Children First Act 2015) and to cooperate with Tusla in the assessment of mandated reports, where requested to do so.

**Link to other Policies**

This policy is linked the following policies;

1. Code of Behaviour
2. SPHE
3. Anti-Bullying
4. Tipperary ETB Dignity Charter
5. Equality
6. ICT Acceptable Usage
7. Procedures for Changing for Games
8. Administration of Medicines
9. Guidelines for students on Teaching Practice
10. Educational Tours and Out of School Activities
11. One to One Policy Counselling and Teaching
12. Visiting speakers/facilitators/coachers
13. Special Education Needs
14. Work Experience
15. Health and Safety

# 2 Recognising Abuse

**Definition and Indicators of Child Abuse**

**Four Types of Child Abuse**

Child abuse can be categorised into four different types of abuse: neglect, emotional abuse, physical and sexual abuse.

**(i) Definition of 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, attachment to and affection from adults and medical care. Neglect generally becomes apparent in different ways over a period of time rather than at one specific point. The *threshold of significant harm* is reached when the child’s needs are neglected to the extent that his or her well-being and/or development are severely affected.

**(ii) Definition of Emotional Abuse**

Emotional abuse is normally to be found in the relationship between a caregiver and a child, rather than in a specific event or pattern of events. It occurs when a child’s need for affection, approval, consistency and security are not met. It is rarely manifested in terms of physical signs or symptoms. The *threshold of significant harm* is reached when abusive interactions dominate and become the norm in the relationship between the child and the parent/carer.

Examples of emotional abuse include:

Persistent criticism, sarcasm, hostility or blaming

Where the level of care shown to a child is made contingent on his/her behaviour

Unresponsiveness, inconsistent or inappropriate expectation of a child

Premature imposition of responsibility on a child

Over or under protection of the child

Failure to provide opportunities for the child’s education and development

Use of unrealistic or over-harsh disciplinary measures

Exposure to domestic violence

**(iii) Definition of Physical Abuse**

Physical abuse is any form of non-accidental injury or injury which results from wilful or neglectful failure to protect a child (e.g. shaking, use of excessive force in handling, deliberate poisoning, suffocation, Munchausen’s syndrome by proxy[[1]](#footnote-2)2 and allowing or creating a substantial risk of significant harm to a child).

**(iv) Definition of Sexual Abuse**

Sexual abuse occurs when a child is used by another person for his or her gratification or sexual arousal or for that of others. For further details on child sexual abuse, please see section 3.5.1 (Page 14) of the National Guidelines for Protection and Welfare of Children 1999.

**Other Forms of Abusive Behaviour**

Apart from the above very serious forms of abuse, staff and volunteers should also be on the alert for other forms of abusive behaviour:

**Peer Abuse**

In some cases of abuse the alleged perpetrator will also be a child. In these situations, the Child Protection Procedures outlined later in this document should be adhered to for both the victim and the alleged abuser. If there is any conflict of interest between the welfare of the alleged abuser and the victim, the victim’s welfare is of paramount importance *(see Chapter 11 of 1999 Children First: National Guidelines for further details on Peer Abuse).*

**Bullying**

Bullying behaviour can be defined as repeated aggression be it verbal, psychological or physical which is conducted by an individual or group against others. It is behaviour, which occurs, mainly in social environments working with children. Examples of bullying include; teasing, taunting, threatening, hitting, extortion. While the more extreme forms of bullying would be regarded as physical or emotional abuse and should be reported to the Health Service Executive or An Garda Síochána), dealing with bullying behaviour is normally the responsibility of the College where it is taking place. Each College must have an Anti-Bullying Policy.

**Recognising Signs of abuse:**

**Recognising Signs of Child Abuse / Neglect:**

As each Learner’s well being and safety is of primary concern, it is important that all staff are aware of and are vigilant in spotting the signs and symptoms of child abuse and neglect.

In order for this to happen, all staff will be informed of and receive training on the differing types of child abuse, those being neglect, emotional abuse, physical abuse and sexual abuse.

All staff will also be trained on and be aware of the procedures in place within their work environment to deal with suspicions or disclosures of abuse.

# 3. Responding to a Concern about a Learner’s Welfare or Possible Abuse

1, Dealing with concerns

2. Dealing with disclosure

3. Dealing with information from a third party

4. Dealing with retrospective disclosure by an adult.

*Forms for recording welfare concerns and suspected or disclosed abuse are kept in a sign and sealed envelope in a lock draw in the manager’s office and the designated office is the only person that has access.*

# 4. Procedure for Reporting Concerns to HSE Social Work Departments

If a staff member/volunteer/learner has a concern about the welfare or possible abuse of a Learner in the college, the following procedures will be followed:

**The teaching staff/volunteer/learner:**

Will record the concern and discuss/inform the **Designated Person.** They will record the concern on the Child Protection Concerns Recording Sheet. See APPENDIX 5: Report forms

**The Designated Person:**

Will consider the concern and ring the duty social worker for advice, i.e., discussing the concern without identifying the child or family. They will record the details of the phone call on the record of advice/query phone call to TUSLA form. See APPENDIX 5: Report forms

**The Designated Person:**

* Will follow the advice of the duty social worker and make a report on the standard reporting form if advised to do so.
* Records the report and procedures followed for internal records in a confidential manner.
* Informs the parent(s) that a report is being made to the HSE/An Garda Siochána, unless doing so would put the child at further risk. Seek advice from the duty social worker if unsure.

The reports are made within 24 hours, or at the start of business of the next working day (in the case of a weekend/bank holiday).

**Designated Liaison Person (DLP); Micheál Linehan.**

**Second or Deputy Designated Liaison Person (DDLP); David Young**

**The duty social worker is available at:**

|  |  |  |
| --- | --- | --- |
| North Tipperary | Child and Family Agency, Unit 3, St. Camillus Hospital, Shelbourne Road, Limerick | 061 588688 |

In an emergency situation, during or outside of office hours, the Designated Persons and/or staff should contact An Garda Síochána. The local number for the Gardaí is (0504) 32630

**Reporting a Suspected or Actual Child Abuse**

Report the allegation to the Tusla

When a report is being made to the Tusla, the BOM should be informed (but the anonymity of the Learner should be protected). Also the parent/carer should be informed **unless doing so could endanger the child**

In the event of an emergency, or the non-availability of Tusla staff, the report should be made to An Garda Síochána. This may be done at any Garda Station.

# 5. Procedure for Dealing with Allegations of Abuse Against Employees and Volunteers

Children First National Guidance 2015 for the Protection and Welfare of Children advise that two procedures need to be followed:

1. Reporting procedure in respect of the Learner
2. The procedure for dealing with the employee

The Designated Person does not have responsibility for dealing with both the reporting issues and the employment issues, therefore in cases the Designated Person deals with the child protection concern and the Chief Executive deals with the employee responsibilities.

Reporting procedure in respect of the child should be done in line with Children First 2017 guidance including requirements of the Mandated Person.

The procedure for dealing with the employee will be dealt with by the Chief Executive.

# 6. The Role of the Designated Person

**The DP Roles and responsibilities:**

* Be fully familiar with your organisation’s responsibilities 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.
* Receive child protection and welfare concerns from workers and volunteers and consider if reasonable grounds for reporting to Tusla exist.
* Consult informally with a Tusla Duty Social Worker through the Dedicated Contact Point, if necessary. Operate within the National Child Protection Guidance 2017
* Where appropriate, make a formal report of a child protection or welfare concern to Tusla on behalf of their organisation, using the Tusla Web Portal or the Tusla Child Protection and Welfare Report Form.
* Record all child protection or welfare concerns, or allegations of child abuse, brought to your attention as well as any action taken in response to these concerns.
* Provide feedback to the referrer, as appropriate.
* Ensure that a secure system is in place to manage and store confidential records.
* Act as a liaison with Tusla and The Garda Síochána, as appropriate.
* Where appropriate, jointly report with a Mandated Person
* Report suspicions and allegations of child abuse to the statutory authorities i.e. Tusla / An Garda Síochána.
* Liaise between the organisation, learner, staff and the statutory authorities where necessary;
  + Facilitate the provision of support to any victim, volunteer or employee making a referral, especially in regards to a mandated person.
  + Keep the BOM informed of any reports that have been made to the Tusla. The anonymity of the Learner should be maintained.
  + Advise on good practice and organise/facilitate training and workshops on Child Protection
  + Maintain detailed written records on all cases referred to him/her in a secure and confidential manner using numerical case code not name.
  + Keep up-to-date on current developments regarding provision, practice, support services, legal obligations/requirements and policies on child protection issues.
  + Inform the child’s parents/guardians that a report is to be submitted to Tusla or The Garda Síochána, unless:
    - Informing the parents/guardians is likely to endanger the child or young person;
    - Informing the parents/guardians may place you as the reporter at risk of harm from the family;
    - The family’s knowledge of the report could impair Tusla’s ability to carry out an assessment.

# 7. Records

**Data Protection Acts 1998 to 2018 and General Data Protection Regulation (GDPR)**

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 is collected fairly, is accurate and up-to-date, is kept for lawful purposes, and is 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:

(i) data relating to state security;

(ii) Information that is required by law to be made available to the public;

(iii) Personal data kept only for personal or recreational purposes.

**Storage of records in regards to concerns allegations or disclosures**

All records will be stored in a locked cabinet in the office under case code with limited access to DP only or DDP only when DP is not available .

**Access to records in regards to concerns allegations or disclosures**

**The designated person only** will have access to the record records pertaining to a child protection concerns, allegations or disclosures of child abuse that he or she is dealing with unless required by relevant authorities.

# Review

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

|  |  |
| --- | --- |
| Submitted to Staff: |  |
| Submitted to Board of Management: |  |
| Submitted to ETB Board: |  |

# Appendices

**APPENDIX 1: Definitions and Indicators of Child Abuse**

**APPENDIX 2: Reporting a concern about a child**

**APPENDIX 3: Relevant legislation**

**APPENDIX 4: Mandated Persons**

**APPENDIX 5: Report form**

**APPENDIX 6: Child Safeguarding Statement and Risk Assessment Template**

## APPENDIX 1: Definitions and Indicators of Child Abuse[[2]](#endnote-2)

Chapter 2: Child Abuse – What is It? How do I recognise it? How do I report it?

(Department Of Children And Youth Affairs 2017).

Types of child abuse and how they may be recognised

Child abuse can be categorised into four different types:

1. neglect,
2. emotional abuse,
3. physical abuse and
4. sexual abuse.

A child may be subjected to one or more forms of abuse at any given time. Abuse and neglect can occur within the family, in the community or in an institutional setting. The abuser may be someone known to the child or a stranger and can be an adult or another child. In a situation where abuse is alleged to have been carried out by another child, you should consider it a child welfare and protection issue for both children and you should follow child protection procedures for both the victim and the alleged abuser. The important factor in deciding whether the behavior is abuse or neglect is the impact of that behavior on the child rather than the intention of the parent/carer.

The definitions of neglect and abuse presented in this section are not legal definitions. They are intended to describe ways in which a child might experience abuse and how this abuse may be recognised.

Neglect Child neglect is the most frequently reported category of abuse, both in Ireland and internationally. Ongoing chronic neglect is recognised as being extremely harmful to the development and well-being of the child and may have serious long-term negative consequences. Neglect occurs when a child does not receive adequate care or supervision to the extent that the child is harmed physically or developmentally. It is generally defined in terms of an omission of care, where a child’s health, If you think a child is in immediate danger and you cannot contact Tusla, you should contact the Gardaí without delay. In this Guidance, ‘a child’ means a person under the age of 18 years, who is not or has not been married.

Children First National Guidance for the Protection and Welfare of Children development or welfare is impaired by being deprived of food, clothing, warmth, hygiene, medical care, intellectual stimulation or supervision and safety. Emotional neglect may also lead to the child having attachment difficulties. The extent of the damage to the child’s health, development or welfare is influenced by a range of factors. These factors include the extent, if any, of positive influence in the child’s life as well as the age of the child and the frequency and consistency of neglect. Neglect is associated with poverty but not necessarily caused by it. It is strongly linked to parental substance misuse, domestic violence, and parental mental illness and disability. A reasonable concern for the child’s welfare would exist when neglect becomes typical of the relationship between the child and the parent or carer. This may become apparent where you see the child over a period of time, or the effects of neglect may be obvious based on having seen the child once. The following are features of child neglect: Children being left alone without adequate care and supervision Malnourishment, lacking food, unsuitable food or erratic feeding Non-organic failure to thrive, i.e. a child not gaining weight due not only to malnutrition but also emotional deprivation Failure to provide adequate care for the child’s medical and developmental needs, including intellectual stimulation Inadequate living conditions – unhygienic conditions, environmental issues, including lack of adequate heating and furniture Lack of adequate clothing Inattention to basic hygiene Lack of protection and exposure to danger, including moral danger, or lack of supervision appropriate to the child’s age Persistent failure to attend college Abandonment or desertion Emotional abuse Emotional abuse is the systematic emotional or psychological ill-treatment of a child as part of the overall relationship between a caregiver and a child. Once-off and occasional difficulties between a parent/carer and child are not considered emotional abuse. Abuse occurs when a child’s basic need for attention, affection, approval, consistency and security are not met, due to incapacity or indifference from their parent or caregiver. Emotional abuse can also occur when adults responsible for taking care of children are unaware of and unable (for a range of reasons) to meet their children’s emotional and developmental needs. Emotional abuse is not easy to recognise because the effects are not easily seen. A reasonable concern for the child’s welfare would exist when the behaviour becomes typical of the relationship between the child and the parent or carer.

Emotional abuse may be seen in some of the following ways: Rejection Lack of comfort and love Lack of attachment Lack of proper stimulation (e.g. fun and play) Lack of continuity of care (e.g. frequent moves, particularly unplanned) Continuous lack of praise and encouragement Persistent criticism, sarcasm, hostility or blaming of the child Bullying Conditional parenting in which care or affection of a child depends on his or her behaviours or actions Extreme overprotectiveness Inappropriate non-physical punishment (e.g. locking child in bedroom) Ongoing family conflicts and family violence Seriously inappropriate expectations of a child relative to his/her age and stage of development There may be no physical signs of emotional abuse unless it occurs with another type of abuse. A child may show signs of emotional abuse through their actions or emotions in several ways. These include insecure attachment, unhappiness, low self-esteem, educational and developmental underachievement, risk taking and aggressive behaviour. It should be noted that no one indicator is conclusive evidence of emotional abuse. Emotional abuse is more likely to impact negatively on a child where it is persistent over time and where there is a lack of other protective factors. Physical abuse Physical abuse is when someone deliberately hurts a child physically or puts them at risk of being physically hurt. It may occur as a single incident or as a pattern of incidents. A reasonable concern exists where the child’s health and/ or development is, may be, or has been damaged as a result of suspected physical abuse. Physical abuse can include the following: Physical punishment Beating, slapping, hitting or kicking Pushing, shaking or throwing Pinching, biting, choking or hair-pulling Use of excessive force in handling Deliberate poisoning Suffocation Fabricated/induced illness Female genital mutilation The Children First Act 2015 includes a provision that abolishes the common law defence of reasonable chastisement in court proceedings. This defence could previously be invoked by a parent or other person in authority who physically

Children First National Guidance for the Protection and Welfare of Children disciplined a child. The change in the legislation now means that in prosecutions relating to assault or physical cruelty, a person who administers such punishment to a child cannot rely on the defence of reasonable chastisement in the legal proceedings. The result of this is that the protections in law relating to assault now apply to a child in the same way as they do to an adult. Sexual abuse Sexual abuse occurs when a child is used by another person for his or her gratification or arousal, or for that of others. It includes the child being involved in sexual acts (masturbation, fondling, oral or penetrative sex) or exposing the child to sexual activity directly or through pornography. Child sexual abuse may cover a wide spectrum of abusive activities. It rarely involves just a single incident and in some instances occurs over a number of years. Child sexual abuse most commonly happens within the family, including older siblings and extended family members. Cases of sexual abuse mainly come to light through disclosure by the child or his or her siblings/friends, from the suspicions of an adult, and/or by physical symptoms. Examples of child sexual abuse include the following: Any sexual act intentionally performed in the presence of a child An invitation to sexual touching or intentional touching or molesting of a child’s body whether by a person or object for the purpose of sexual arousal or gratification Masturbation in the presence of a child or the involvement of a child in an act of masturbation Sexual intercourse with a child, whether oral, vaginal or anal Sexual exploitation of a child, which includes: » Inviting, inducing or coercing a child to engage in prostitution or the production of child pornography [for example, exhibition, modelling or posing for the purpose of sexual arousal, gratification or sexual act, including its recording (on film, videotape or other media) or the manipulation, for those purposes, of an image by computer or other means] » Inviting, coercing or inducing a child to participate in, or to observe, any sexual, indecent or obscene act » Showing sexually explicit material to children, which is often a feature of the ‘grooming’ process by perpetrators of abuse Exposing a child to inappropriate or abusive material through information and communication technology Consensual sexual activity involving an adult and an underage person It should be remembered that sexual activity involving a young person may be sexual abuse even if the young person concerned does not themselves recognise it as abusive.

An Garda Síochána will deal with any criminal aspects of a sexual abuse case under the relevant criminal justice legislation. The prosecution of a sexual offence against a child will be considered within the wider objective of child welfare and protection. The safety of the child is paramount and at no stage should a child’s safety be compromised because of concern for the integrity of a criminal investigation. In relation to child sexual abuse, it should be noted that in criminal law the age of consent to sexual intercourse is 17 years for both boys and girls. Any sexual relationship where one or both parties are under the age of 17 is illegal. However, it may not necessarily be regarded as child sexual abuse. Details on exemptions for mandated reporting of certain cases of underage consensual sexual activity can be found in Chapter 3 of this Guidance. Circumstances which may make children more vulnerable to harm If you are dealing with children, you need to be alert to the possibility that a welfare or protection concern may arise in relation to children you come in contact with. A child needs to have someone they can trust in order to feel able to disclose abuse they may be experiencing. They need to know that they will be believed and will get the help they need. Without these things, they may be vulnerable to continuing abuse. Some children may be more vulnerable to abuse than others. Also, there may be particular times or circumstances when a child may be more vulnerable to abuse in their lives. In particular, children with disabilities, children with communication difficulties, children in care or living away from home, or children with a parent or parents with problems in their own lives may be more susceptible to harm. The following list is intended to help you identify the range of issues in a child’s life that may place them at greater risk of abuse or neglect. It is important for you to remember that the presence of any of these factors does not necessarily mean that a child in those circumstances or settings is being abused. Parent or carer factors: » Drug and alcohol misuse » Addiction, including gambling » Mental health issues » Parental disability issues, including learning or intellectual disability » Age » Gender » Sexuality » Disability » Mental health issues, including self-harm and suicide » Conflictual relationships » Domestic violence » Adolescent parents » Communication difficulties » Trafficked/Exploited » Previous abuse » Young carer Child factors:

Children First National Guidance for the Protection and Welfare of Children Community factors: » Cultural, ethnic, religious or faith-based norms in the family or community which may not meet the standards of child welfare or protection required in this jurisdiction » Culture-specific practices, including: – Female genital mutilation – Forced marriage – Honour-based violence – Radicalisation Environmental factors: » Housing issues » Children who are out of home and not living with their parents, whether temporarily or permanently » Poverty/Begging » Bullying » Internet and social media-related concerns Poor motivation or willingness of parents/guardians to engage: » Non-attendance at appointments » Lack of insight or understanding of how the child is being affected » Lack of understanding about what needs to happen to bring about change » Avoidance of contact and reluctance to work with services » Inability or unwillingness to comply with agreed plans You should consider these factors as part of being alert to the possibility that a child may be at risk of suffering abuse and in bringing reasonable concerns to the attention of Tusla.

Bullying

It is recognised that bullying affects the lives of an increasing number of children and can be the cause of genuine concerns about a child’s welfare. Bullying can be defined as repeated aggression – whether it is verbal, psychological or physical – that is conducted by an individual or group against others. It is behaviour that is intentionally aggravating and intimidating, and occurs mainly among children in social environments such as colleges. It includes behaviours such as physical aggression, cyberbullying, damage to property, intimidation, isolation/exclusion, name calling, malicious gossip and extortion. Bullying can also take the form of abuse based on gender identity, sexual preference, race, ethnicity and religious factors. With developments in modern technology, children can also be the victims of non-contact bullying, via mobile phones, the internet and other personal devices. While bullying can happen to any child, some may be more vulnerable. These include: children with disabilities or special educational needs; those from ethnic minority and migrant groups; from the Traveller community; lesbian, gay, bisexual or transgender (LGBT) children and those perceived to be LGBT; and children of minority religious faiths.

There can be an increased vulnerability to bullying among children with special educational needs. This is particularly so among those who do not understand social cues and/or have difficulty communicating. Some children with complex needs may lack understanding of social situations and therefore trust everyone implicitly. Such children may be more vulnerable because they do not have the same social skills or capacity as others to recognise and defend themselves against bullying behaviour. Bullying in colleges is a particular problem due to the fact that children spend a significant portion of their time there and are in large social groups. In the first instance, the college authorities are responsible for dealing with such bullying. College management boards must have a code of behaviour and an antibullying policy in place. If you are a staff member of a college, you should also be aware of your college’s anti-bullying policy and of the relevant guidelines on how it is handled. In cases of serious instances of bullying where the behaviour is regarded as possibly abusive, you may need to make a referral to Tusla and/or An Garda Síochána

Failure to provide adequate care for child’s medical problems

Psychosomatic complaints, pains, headaches, stomachaches.

## Appendix 2: Reporting a concern about a child

Reporting A Concern About A Child

Who to contact - You should always inform Tusla

if you have reasonable grounds for concern that a child may have been, is being, or is at risk of being abused or neglected. You can report your concern in person, by telephone or in writing — including by email — to the local social work duty service in the area where the child lives.

You can find contact details for the Tusla social work teams on the Tusla website (www.tusla.ie). If you are concerned about a child but unsure whether you should report it to Tusla, you may find it useful to contact Tusla to informally discuss your concern. This provides an opportunity to discuss the query in general and to decide whether a formal report of the concern to Tusla is appropriate at this stage. If the concern is below the threshold for reporting, Tusla may be able to provide advice in terms of keeping an eye on the child and other services that may be more suitable to meeting the needs of the child and/or family. What information to include To help Tusla staff assess your reasonable concern, they need as much information as possible. You should provide as much relevant information as you can about the child, his/her home circumstances and the grounds for concern. These could include: The child’s name, address and age Names and addresses of parents or guardians Names, if known, of who is allegedly harming the child or not caring for them appropriately

A detailed account of your grounds for concern (e.g. details of the allegation, dates of incidents, and description of injuries) Names of other children in the household Name of college the child attends Your name, contact details and relationship to the child You should give as much information as possible to social workers at an early stage so that they can do a full check of their records. For instance, they can see if the child and/or a sibling have been the subject of a previous referral, or if an adult in the household had previous contact with the child protection services. It also helps social workers to prioritise cases for attention, as they are not in a position to respond immediately to all cases. However, they will always respond where a child is in immediate danger or at high risk of harm. It will also help Tusla to decide if another service would be more appropriate to help meet the needs of the child, i.e. a community or family support service rather than a social work service.

If you are a mandated person, you should read Chapter 3 of this Guidance for details about your responsibilities under the Children First Act 2015 for reporting mandated concerns and how to make the report. If you have a concern about a child, you should make a decision as to whether the concern meets the threshold for a mandated report under the Act or not. If you are satisfied that this threshold has been reached, you should clearly identify on the report that it is a mandated report made under the Children First Act 2015. Concerns that do not reach the threshold for mandated reporting should still be reported under this Guidance, if a reasonable concern about the welfare or protection of a child exists. Can a report be made anonymously? While it is possible to report a concern without giving your name, it may make it difficult for Tusla to assess your concern. All information that you provide will be dealt with in a professional manner. While Tusla cannot guarantee confidentiality, in general it will not reveal the names of members of the public who report suspected child abuse without their permission. Remember, if you are a mandated person, you cannot submit a report of a mandated concern anonymously, as to do so will mean you are not complying with your obligations under the Act. Child Abuse:

What happens after a report is received by Tusla?

Tusla has the statutory responsibility to assess all reports of child welfare and protection concerns. Assessments are carried out by Tusla social workers. If concerns are found after the initial checks, further evaluation involving a detailed examination of the child and family’s circumstances will follow. If concerns about a child’s welfare are found, but do not involve a child protection issue, then the family may be referred to community or family support services. If no concerns are found, then the information gathered is recorded and kept on a confidential file where it will be examined if further concerns or more information comes to light. Further details on the role of Tusla and how reports of concerns are dealt with are set out in Chapter 5. If you make a report about a child, Tusla will normally acknowledge it, and may contact you for further information, if necessary. It is understandable that you would like to be assured that the matter is being followed up. However, to protect the privacy of the child and family, it may not be possible for Tusla to inform you of the progress or outcome of Tusla’s contact with the child or family, unless you are involved in discussions around family support or child protection plans. If you continue to have concerns about the child, or if additional information comes to light, you should contact Tusla. Concerns about an adult who may pose a risk to children While in most cases concerns for the welfare or safety of a child develop from your own observation or knowledge of the child or their family, sometimes concerns arise about whether an adult may pose a risk to children, even if there is no specific child named in relation to the concern. For example, based on known or suspected past behaviour, a concern could exist about the risk an individual may pose to children with whom they may have contact. You should report any such reasonable concerns to Tusla, who will try to establish whether or not any child is currently at risk from the individual in question. While Tusla will make every effort to examine such cases, it is a very complex area involving the accused’s constitutional rights to their good name, privacy and the right to earn a living, as well as the requirements of natural justice. Tusla must work within the Constitution, the law, the legal system and the demands of natural justice to balance the conflicting rights of those involved. This may limit how much feedback Tusla can provide to you on the progress or outcome of the case. Tusla’s examination can be greatly improved if the alleged victim feels able to cooperate with Tusla in its assessment or investigation.

## APPENDIX 3: Relevant legislation

There are a number of key pieces of legislation that relate to child welfare and protection. The information here gives a brief overview of relevant legislation. It is not intended as legal opinion or advice and, if in doubt, you should consult the original legislation.

**Child Care Act 1991**

This is the key piece of legislation which regulates child care policy in Ireland. Under this Act, Tulsa has a statutory responsibility to promote the welfare of children who are not receiving adequate care and protection. If it is found that a child is not receiving adequate care and protection, Tusla has a duty to take appropriate action to promote the welfare of the child. This may include supporting families in need of assistance in providing care and protection to their children. The Child Care Act also sets out the statutory framework for taking children into care, if necessary.

**Protections For Persons Reporting Child Abuse Act 1998**

This Act protects you if you make a report of suspected child abuse to designated officers of Tusla, the Health Service Executive (HSE) or to members of the Gardaí as long as the report is made in good faith and is not malicious. Designated officers also include persons authorised by the Chief Executive Officer of Tusla to receive and acknowledge reports of mandated concerns about a child from mandated persons under the Children First Act 2015. This legal protection means that even if you report a case of suspected child abuse and it proves unfounded, a plaintiff who took an action would have to prove that you had not acted reasonably and in good faith in making the report. If you make a report in good faith and in the child’s best interests, you may also be protected under common law by the defence of qualified privilege. You can find the full list of persons in Tusla and the HSE who are designated officers under the 1998 Act, on the website of each agency (www.tusla.ie and [www.hse.ie](http://www.hse.ie)).

**Criminal Justice Act 2006 & 2011**

Section 176 of this Act created an offence of reckless endangerment of children. This offence may be committed by a person who has authority or control over a child or abuser who intentionally or recklessly endangers a child by: 1. Causing or permitting the child to be placed or left in a situation that creates a substantial risk to the child of being a victim of serious harm or sexual abuse; or 2. Failing to take reasonable steps to protect a child from such a risk while knowing that the child is in such a situation.

**Criminal Justice (Withholding Of Information On Offences Against Children And Vulnerable Persons) Act 2012**

Under this Act, it is a criminal offence to withhold information about a serious offence, including a sexual offence, against a person under 18 years or a vulnerable person. The offence arises where a person knows or believes that a specified offence has been committed against a child or vulnerable person and he or she has information which would help arrest, prosecute or convict another person for that offence, but fails without reasonable excuse to disclose that information, as soon as it is practicable to do so, to a member of An Garda Síochána. The provisions of the Withholding legislation are in addition to any reporting requirements under the Children First Act 2015.

National Vetting Bureau (Children And Vulnerable Persons) Acts 2012–2016

Under these Acts, it is compulsory for employers to obtain vetting disclosures in relation to anyone who is carrying out relevant work with children or vulnerable adults. The Acts create offences and penalties for persons who fail to comply with their provisions. Statutory obligations on employers in relation to Garda vetting requirements for persons working with children and vulnerable adults are set out in the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012–2016.

**Children First Act 2015**

The Children First Act 2015 is an important addition to the child welfare and protection system as it will help to ensure that child protection concerns are brought to the attention of Tusla without delay. The Act provides for mandatory reporting of child welfare and protection concerns by key professionals; comprehensive risk assessment and planning for a strong organisational culture of safeguarding in all services provided to children; a provision for a register of non-compliance; and the statutory underpinning of the existing Children First Interdepartmental Implementation Group which promotes and oversees cross-sectoral implementation and compliance with Children First.

**Criminal Law (Sexual Offences) Act 2017**

This Act addresses the sexual exploitation of children and targets those who engage in this criminal activity. It creates offences relating to the obtaining or providing of children for the purposes of sexual exploitation. It also creates offences of the types of activity which may occur during the early stages of the predatory process prior to the actual exploitation of a child, for example, using modern technology to prey on children and making arrangements to meet with a child where the intention is to sexually exploit the child. The Act also recognises the existence of underage, consensual peer relationships where any sexual activity falls within strictly defined age limits and the relationship is not intimidatory or exploitative.

**Data Protection Acts 1998 to 2018 and General Data Protection Regulation (GDPR)**

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:

(i) data relating to state security;

(ii) Information that is required by law to be made available to the public;

(iii) Personal data kept only for personal or recreational purposes.

## APPENDIX 4: Teaching Council Regulations 2023

**Teaching Council (information to be furnished by employer in case of Dismissal or Resignation of Registered Teacher) Regulations 2023**

<https://www.teachingcouncil.ie/en/publications/fitness-to-teach/s-i-no-230-of-2023-the-teaching-council-information-to-be-furnished-by-employer-in-case-of-dismissal-or-resignation-of-registered-teacher-regulations-2023.pdf>

## APPENDIX 5: Mandated Persons

Who Are Mandated Persons?

Mandated persons are people who have contact with children and/or families and who, because of their qualifications, training and/or employment role, are in a key position to help protect children from harm. Mandated persons include professionals working with children in the education, health, justice, youth and childcare sectors. Certain professionals who may not work directly with children, such as those in adult counselling or psychiatry, are also mandated persons. The list also includes registered foster carers and members of the clergy or pastoral care workers of a church or other religious community. You should consult the full list of people who are classified as mandated persons under the Act to include:

Schedule Of Mandated Persons Under The Children First Act 2015

Schedule 2 specifies the following classes of persons as Mandated Persons for the purposes of the Act:

1. Registered medical practitioner within the meaning of section 2 of the Medical Practitioners Act 2007.

2. Registered nurse or registered midwife within the meaning of section 2(1) of the Nurses and Midwives Act 2011.

3. Physiotherapist registered in the register of members of that profession.

4. Speech and language therapist registered in the register of members of that profession.

5. Occupational therapist registered in the register of members of that profession.

6. Registered dentist within the meaning of section 2 of the Dentists Act 1985.

7. Psychologist who practises as such and who is eligible for registration in the register (if any) of members of that profession.

8. Social care worker who practises as such and who is eligible for registration in accordance with Part 4 of the Health and Social Care Professionals Act 2005 in the register of that profession.

9. Social worker who practises as such and who is eligible for registration in accordance with Part 4 of the Health and Social Care Professionals Act 2005 in the register (if any) of that profession.

10. Emergency medical technician, paramedic and advanced paramedic registered with the Pre-Hospital Emergency Care Council under the Pre-Hospital Emergency Care Council (Establishment) Order 2000 (S.I. No. 109 of 2000).

11. Probation officer within the meaning of section 1 of the Criminal Justice (Community Service) Act 1983.

12. Teacher registered with the Teaching Council.

13. Member of An Garda Síochána.

14. Guardian ad litem appointed in accordance with section 26 of the Child Care Act 1991. 15. Person employed in any of the following capacities:

(a) manager of domestic violence shelter;

(b) manager of homeless provision or emergency accommodation facility;

(c) manager of asylum seeker accommodation (direct provision) college;

(d) addiction counsellor employed by a body funded, wholly or partly, out of moneys provided by the Oireachtas;

(e) psychotherapist or a person providing counselling who is registered with one of the voluntary professional bodies;

(f) manager of a language college or other recreational college where children reside away from home;

(g) member of the clergy (howsoever described) or pastoral care worker (howsoever described) of a church or other religious community;

(h) director of any institution where a child is detained by an order of a court;

(i) safeguarding officer, child protection officer or other person (howsoever described) who is employed for the purpose of performing the child welfare and protection function of religious, sporting, recreational, cultural, educational and other bodies and organisations offering services to children;

(j) child care staff member employed in a pre-college service within the meaning of Part VIIA of the Child Care Act 1991;

(k) person responsible for the care or management of a youth work service within the meaning of section 2 of the Youth Work Act 2001.

16. Youth worker who—

(a) holds a professional qualification that is recognised by the National Qualifications Authority in youth work within the meaning of section 3 of the Youth Work Act 2001 or a related discipline, and

(b) is employed in a youth work service within the meaning of section 2 of the Youth Work Act 2001.

17. Foster carer registered with the Agency.

18. A person carrying on a pre-college service within the meaning of Part VIIA of the Child Care Act 1991.

What Are The Legal Obligations Of A Mandated Person?

Mandated persons have two main legal obligations under the Children First Act 2015.

These are:

1. To report the harm of children above a defined threshold to Tusla;

2. To assist Tusla, if requested, in assessing a concern which has been the subject of a mandated report.

Reporting Mandated Concerns

Criteria for reporting:

definitions and thresholds

As a mandated person, under the legislation you 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. The Act defines harm as assault, ill-treatment, neglect or sexual abuse, and covers single and multiple instances.

If you are in doubt about whether your concern reaches the legal definition of harm for making a mandated report, Tusla can provide advice in this regard.

You can find details of who to contact to discuss your concern on the Tusla website ([www.tusla.ie](http://www.tusla.ie)).

If your concern does not reach the threshold for mandated reporting, but you feel it is a reasonable concern about the welfare or protection of a child, you should report it to Tusla under this Guidance.

Exemptions from requirements to report

Underage Consensual Sexual Activity

Under the Criminal Law (Sexual Offences) Act 2006 the legal age of consent is 17 years. While a sexual relationship where one or both parties is under 17 years of age is illegal, when making a mandated report to Tusla, it might not be regarded as child sexual abuse. There are certain exemptions from reporting underage consensual sexual activity under section 14(3) of the Children First Act 2015. If you are satisfied that all of the following criteria are met, you are not required to make a report to Tusla: The young person(s) concerned are between 15 and 17 years old The age difference between them is not more than 24 months There is no material difference in their maturity or capacity to consent The relationship between the people engaged in the sexual activity does not involve intimidation or exploitation of either person The young persons concerned state clearly that they do not want any information about the activity to be disclosed to Tusla

Mandated Assisting

When Tusla receives a report of harm to a child, the information in the report is used to assess the risk of harm to that child, or any other child. Written reports from mandated persons should improve the quality of information available to Tusla and therefore improve the assessment process, although in some instances Tusla will need further information from the person making the report. The better the quality of the initial report, and the more comprehensive and relevant the information given at that stage, the more likely Tusla can make an early and effective decision about how to deal with the reported concern.

Protection from civil liability If you are required to share information with Tusla when assisting in the assessment of risk to a child, you are protected from civil liability. Section 16(3) of the Children First Act 2015 states:

‘If a mandated person furnishes any information (including a report), document or thing to the Agency pursuant to a request made under subsection (1), the furnishing of that information, document or thing shall not give rise to any civil liability in contract, tort or otherwise and nor shall the information, document or thing be admissible as evidence against that person in any civil or criminal proceedings.’

## 

## APPENDIX 6: Report forms

**College Report Forms**

1. Child Protection Concerns Recording Sheet

2. Record of advice/query phone call to Tusla

1. Child Protection Concerns Recording Sheet

A picture containing logo

Description automatically generated

**Child Protection Concerns Recording Sheet**

**Templemore College and Céim Eile**

**Child’s No: \_\_\_\_\_\_\_\_\_\_\_**

|  |  |  |
| --- | --- | --- |
| Date & Time: | Report (incl. direct quotation) | Signature: |
|  |  |  |

2. Record of advice/query phone call to Tusla

A picture containing logo

Description automatically generated

**Tusla Duty Social Worker – Record of advice/query phone call to Tusla**

**Templemore College and Céim Eile**

**Name and Role of person seeking advice: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Date and Time of phone call: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Details of Duty Social Worker: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

|  |
| --- |
| **Reason for seeking advice:** |
|  |

|  |
| --- |
| **Advice given by duty social worker:** |
|  |

|  |
| --- |
| **Details of follow-up:** |
|  |

**Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_**

**Other Report Forms**

Other Report Forms are available from the TUSLA website or through the links below.

[**https://www.tusla.ie/uploads/content/Child\_Protection\_and\_Welfare\_Report\_Form\_FINAL.pdf**](https://www.tusla.ie/uploads/content/Child_Protection_and_Welfare_Report_Form_FINAL.pdf)

[**https://www.tusla.ie/children-first/publications-and-forms/**](https://www.tusla.ie/children-first/publications-and-forms/)

[**https://www.pdst.ie/child-protection-e-learning**](https://www.pdst.ie/child-protection-e-learning)

## APPENDIX 7: Child Safeguarding Statement and Risk Assessment Template

**Mandatory Template 1: Child Safeguarding Statement and Risk Assessment Template**

### Child Safeguarding Statement

**Templemore College and Céim Eile** provides Leaving Cert. Applied, PLC, and Back to Education Initiative. Some of the students participating on these programmes are under 18 years of age. As a result and in accordance with the requirements of the [Children First Act 2015](http://www.irishstatutebook.ie/eli/2015/act/36/enacted/en/pdf), [Children First: National Guidance for the Protection and Welfare of Children 2017](https://assets.gov.ie/25844/b90aafa55804462f84d05f87f0ca2bf6.pdf), [the Addendum to Children First (2019)](https://assets.gov.ie/25819/c9744b64dfd6447985eeffa5c0d71bbb.pdf), the [Child Protection Procedures for Primary and Post-Primary Schools (revised 2023)](https://www.gov.ie/en/collection/12bee3-child-protection-procedures-in-schools/) and [Tusla Guidance on the preparation of Child Safeguarding Statements](https://www.tusla.ie/uploads/content/4214-TUSLA_Guidance_on_Developing_a_CSS_LR.PDF), the Board of Management of Templemore College of Further Education and Céim Eile has agreed the Child Safeguarding Statement set out in this document.

1. The Board of Management has adopted and will implement fully and without modification the Department’s *Child Protection Procedures for Primary and* Post-Primary Schools *(revised 2023)* as part of this overall Child Safeguarding Statement
2. The Designated Liaison Person (DLP) is: Mr. Micheál Linehan.
3. The Deputy Designated Liaison Person (Deputy DLP) is: Mr. David Young
4. The Relevant Person is: Mr. Micheál Linehan.

*(The relevant person is one who can provide information in respect of how the child safeguarding statement was developed and will be able to provide the statement on request. This person can also be the DLP)*

1. The Board of Management recognises that child protection and welfare considerations permeate all aspects of school life and must be reflected in all of the school’s policies, procedures, practices and activities. In its policies, procedures, practices and activities, the school will adhere to the following principles of best practice in child protection and welfare:

The school will:

* recognise that the protection and welfare of children is of paramount importance, regardless of all other considerations;
* fully comply with its statutory obligations under the Children First Act 2015 and other relevant legislation relating to the protection and welfare of children;
* fully co-operate with the relevant statutory authorities in relation to child protection and welfare matters;
* adopt safe practices to minimise the possibility of harm or accidents happening to children and protect workers from the necessity to take unnecessary risks that may leave themselves open to accusations of abuse or neglect;
* develop a practice of openness with parents and encourage parental involvement in the education of their children; and
* fully respect confidentiality requirements in dealing with child protection matters.

The school will also adhere to the above principles in relation to any adult pupil with a special vulnerability.

1. The following procedures/measures are in place:

* In relation to any member of staff who is the subject of any investigation (howsoever described) in respect of any act, omission or circumstance in respect of a child attending the school, the school adheres to the relevant procedures set out in Chapter 7 of the *Child Protection Procedures for Primary and Post Primary Schools (revised 2023)* and to the relevant agreed disciplinary procedures for school staff which are published on the gov.ie website.
* In relation to the selection or recruitment of staff and their suitability to work with children, the school adheres to the statutory vetting requirements of the [National Vetting Bureau (Children and Vulnerable Persons)](https://revisedacts.lawreform.ie/eli/2012/act/47/revised/en/pdf) Acts 2012 to 2016 and to the wider duty of care guidance set out in relevant Garda vetting and recruitment circulars published by the Department of Education and available on the gov.ie website.
* In relation to the provision of information and, where necessary, instruction and training, to staff in respect of the identification of the occurrence of harm (as defined in the 2015 Act) the school-
* Has provided each member of staff with a copy of the school’s Child Safeguarding Statement
* Ensures all new staff are provided with a copy of the school’s Child Safeguarding Statement
* Encourages staff to avail of relevant training
* Encourages Board of Management members to avail of relevant training
* The Board of Management maintains records of all staff and Board member training
* In relation to reporting of child protection concerns to Tusla, all school personnel are required to adhere to the procedures set out in the *Child Protection Procedures for Primary and Post Primary Schools (revised 2023)*, including in the case of registered teachers, those in relation to mandated reporting under the Children First Act 2015.
* All registered teachers employed by the school are mandated persons under the Children First Act 2015.
* In accordance with the Children First Act 2015 and the Addendum to Children First (2019), the Board has carried out an assessment of any potential for harm to a child while attending the school or participating in school activities. A written assessment setting out the areas of risk identified and the school’s procedures for managing those risks is included with the Child Safeguarding Statement.
* The various procedures referred to in this Statement can be accessed via the school’s website, the gov.ie website or will be made available on request by the school.

**Note:** The above is not intended as an exhaustive list. Individual Boards of Management shall also include in this section such other procedures/measures that are of relevance to the school in question.

1. This statement has been published on the school’s website and has been provided to all members of school personnel, the Parents’ Association (if any) and the patron. It is readily accessible to parents and guardians on request. A copy of this Statement will be made available to Tusla and the Department if requested.
2. This Child Safeguarding Statement will be reviewed annually or as soon as practicable after there has been a material change in any matter to which this statement refers.

This Child Safeguarding Statement was adopted by the Board of Management on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [date].

This Child Safeguarding Statement was reviewed by the Board of Management on\_\_\_[most recent review date].

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Chairperson of Board of Management Principal/Secretary to the Board of Management

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_­­­­­­­\_

### Child Safeguarding Risk Assessment

**Written Assessment of Risk of TCFE and Céim Eile**

In accordance with section 11 of the Children First Act 2015 and with the requirements of Chapter 8 of the *Child Protection Procedures for Primary and Post-Primary Schools 2017*, the following is the Written Risk Assessment of TCFE and Céim Eile

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **TCFE and Céim Eile Safeguarding Risk Assessment** | | | | |
|  | **Activity** | **Risk Identified** | **Level of Risk**  **L/M/H** | **Procedure in Place to**  **manage the risk** |
| **1** | Daily arrival and dismissal of learners | * Risk of harm due to inadequate supervision of learners entering and leaving college. | L | * The college communicates annually with parents/guardians re arrival and dismissal of learners. * The college ensures appropriate supervision of learners for daily arrival and dismissal of learners within available resources   The colleges code of behaviour and Céim E`iles attendance policy |
| **2** | Recreation breaks for learners | Risk of harm due to inadequate supervision of learners in college | M | * The college ensures appropriate supervision of learners during breaks. * Learners have permission to leave the centre unsupervised. Parental consent is required for those under 18 years of age.   The colleges code of behaviour |
| **3** | Classroom teaching | Risk of learner being harmed in the college by a member of college personnel | L | College personnel are expected to adhere to the Teaching Council’s Code of Conduct and Tipperary ETB Code of Conduct for Staff Members. |
| **4** | Outdoor teaching activities | * Risk of learner being harmed by a member of college personnel   Risk of harm due to inadequate supervision of learners in college | L | College personnel are expected to adhere to the Teaching Council’s Code of Conduct and Tipperary ETB Code of Conduct for Staff Members |
| **5** | One-to-one teaching | Risk of harm in one-to-one teaching situation | L | The college has in place a policy and procedures for one-to-one teaching with learners. Céim Eile to adopt TCFEs policy |
| **6** | One-to-one counselling | Risk of harm in one-to-one counselling situation | L | The college has in place a policy and procedures for one-to-one meetings/support/counselling sessions with learners. Céim Eile to adopt TCFEs policy |
| **7** | Sporting Activities | * Risk of learner being harmed by a member of college personnel   Risk of harm due to inadequate supervision of learners while attending out of college activities | L | College personnel are expected to adhere to the Teaching Council’s Code of Conduct and Tipperary ETB Code of Conduct for Staff Members |
| **8** | College outings | * Risk of learner being harmed by a member of college personnel, a member of staff of another organisation or other person while learner participating in out of college activities * Risk of harm due to inadequate supervision of learners while attending out of college activities | L | * The college has in place a policy and clear procedures in respect of college outings. See Céim Eile Centre Trip Policy May 2019   Further Risk Assessments are carried out for these trips away |
| **9** | College trips involving overnight stay | * Risk of learner being harmed by a member of college personnel, a member of staff of another organisation or other person while learner participating in out of college activities * Risk of harm due to inadequate supervision of learners while attending out of college activities | L | * The college has in place a policy and clear procedures in respect of college overnight stays. See Céim Eile Centre Trip Policy May 2019. * The College have an Educational Tours and Out of School Activities Policy   Further Risk Assessments are carried out for these trips away |
| **10** | College trips involving foreign travel | * Risk of learner being harmed by a member of college personnel, a member of staff of another organisation or other person while learner participating in out of college activities * Risk of harm due to inadequate supervision of learners while attending out of college activities | L | * The college has in place a policy and clear procedures in respect of college outings. See Educational Tours and Out of School Activities Policy * Céim Eile do not go on foreign travels yet but will create a policy and adopt TCFEs policy in advance of any foreign trip.   Further Risk Assessments are carried out for these trips away |
| **11** | Use of toilet/changing areas in colleges | * Risk of learner being harmed in the college by another learner | L | The college has a Policy in respect of changing rooms. |
| **12** | Use of off-site facilities for college activities | * Risk of learner being harmed by a member of college personnel, a member of staff of another organisation or other person while learner participating in out of college activities * Risk of harm due to inadequate supervision of learners while attending an off-site facility | L | * College personnel are expected to adhere to the Teaching Council’s Code of Conduct.   Every facility/organisation the college engage with have their own safety statements and risk assessments in place |
| **13** | College transport arrangements | Risk of learner being harmed by a member of college personnel, a member of staff of another organisation or other person while learner is travelling to/from a college activity. | L | * TCFE and Céim Eile request safety statements (including risk assessments) from all transport services they hire. Garda Vetting of drivers are checked.   H & S statements are review annually by transport services as part of a requirement by Transport Infrastructure Ireland as well as mandatory Garda Vetting for drivers. |
| **14** | Prevention and dealing with bullying amongst learners | * Risk of harm due to bullying of learner | L | * The college has an Anti-Bullying Policy which fully adheres to the requirements of the Department’s *Anti-Bullying Procedures for Primary and Post-Primary Colleges* * College and Céim Eile review this annually.   The college have a Care and Wellbeing Policy in place. |
| **15** | Management of challenging behaviour amongst learners, including appropriate use of restraint where required | * Risk of learner being harmed in the college by a member of college personnel   Risk of learner being harmed in the college by another learner | L | * The college has in place a code of behaviour for learners.   There is no restraint policy, ETBI are to advise. |
| **16** | Application of sanctions under the college’s Code of Behaviour including detention of learners, confiscation of phones etc. | * Risk of harm due to inadequate code of behaviour | L | * The college has in place a code of behaviour for learners. * The college has in place a mobile phone policy in respect of usage of mobile phones by learners   The college has in place an ICT Acceptable use policy. |
| **17** | Care of learners with special educational needs, including intimate care where needed. | * Risk of harm to learners with SEN who have particular vulnerabilities   Risk of harm to learner while a learner is receiving intimate care | L | * The college has a Special Educational Needs policy. This will be reviewed and updated   The college has an intimate care policy/plan in respect of learners who require such care |
| **18** | Care of learners with specific vulnerabilities/ needs including:   * Learners from ethnic minorities/migrants * Members of the Traveller community * Lesbian, gay, bisexual or transgender (LGBT) learners and learners perceived to be LGBT * Learners of minority religious faiths * Children in care   Children on CPNS | * Risk of learner being harmed in the college by a member of college personnel * Risk of learner being harmed in the college by another learner or other college personnel. | L | * The college has an Anti-Bullying Policy which fully adheres to the requirements of the Department’s *Anti-Bullying Procedures for Primary and Post-Primary Colleges* * Tipperary ETB has a Dignity Charter   The college have a Care and Wellbeing Policy in place. Céim Eile to adopt TCFEs policy |
| **19** | Training of College Personnel in child protection matters |  |  | * All staff are Garda Vetted * All staff are asked if they have carried out the mandatory child protection training before commencing employment |
| **20** | Administration of Medicine | * Risk of learner being harmed in the college by the medicine administrator | L | * The college has in place a policy and procedures for the administration of medication to learners   The college will review the policy. |
| **21** | Administration of First Aid | * Risk of learner being harmed in the college by First Aider | L | * The college has in place a policy and procedures for the administration of First Aid   The college will review the policy and offer training to staff. |
| **22** | Curricular provision in respect of SPHE, RSE |  | L | * The college implements in full the SPHE curriculum * A review is currently taken place November 2021.   The college has an SPHE/RSE Policy |
| **23** | Participation by learners in religious ceremonies/religious instruction external to the college | * Risk of learner being harmed in the college by another learner or other college personnel. | L | The college will review the need for a Religious Education Policy. |
| **24** | Use of Information and Communication Technology by learners in college | Risk of harm due to learners inappropriately accessing/using computers, social media, phones and other devices while at college | L | * The college has in place an ICT Acceptable use policy. This will be reviewed and updated   The college has in place a mobile phone policy in respect of usage of mobile phones by learners |
| **25** | Learners participating in work experience in the college | Risk of learner being harmed while on Work Experience placement | L | * The college has in place a policy and procedures in respect of learners undertaking work experience in the college   This policy will be reviewed and updated |
| **26** | Learners from the college participating in work experience elsewhere | Risk of learner being harmed by a member of staff of another organisation or other person while learner participating in work experience | L | * The college has in place a policy and procedures in respect of learners of the college undertaking work experience in external organisations * This policy will be reviewed and updated |
| **27** | Recruitment of college personnel including -   * Teachers * SNAs * Admin staff * Caretaker   Cleaners | Risk of learner being harmed in the college by a member of college personnel who has not been Garda Vetted | L | * TETB adheres to the requirements of the Garda vetting legislation and relevant DES circulars in relation to recruitment and Garda vetting * The *Child Protection Procedures for Primary and Post-Primary Colleges 2017* are made available to all college personnel. * All new staff are provided with a copy of the college’s Learner Safeguarding Statement   The college encourages staff to avail of relevant training |
| **28** | Use of external personnel to supplement curriculum and / or support sports and other extra-curricular activities   * Sports coaches * External Tutors/Guest Speakers   Volunteers/Parents in college activities | * Risk of learner being harmed in the college by volunteer or visitor to the college | L | * The college has in place a Visiting Speakers Policy for the use of external persons to supplement delivery of the curriculum * This policy will be reviewed and updated * The college has in place a policy and procedures for the use of external sports coaches. * This policy will be reviewed and updated   Parents/Guardians who volunteer are required to undergo Garda Vetting through TETB. |
| **29** | Fundraising events involving learners | * Risk of learner being harmed in the college by volunteer or visitor to the college or college personnel | L | * This will be reviewed and decided if a policy and or procedures need to be put in place. |
| **30** | Use of video/photography/other media to record / at college events | Risk of harm due to learners or college personnel inappropriately accessing/using images / videos while at college | L | * Opt-in / out forms provided to all learners to indicate preferences re learner images / videos / etc |
| **31** | Use of learner images for PR purposes | Risk of harm due to learners or college personnel inappropriately accessing/using images / videos while at college | L | Opt-in / out forms provided to all learners to indicate preferences re learner images. |
| **32** | Student teachers undertaking training placement in college | Risk of learner being harmed in the college by a student teacher undertaking training placement in college | L | * The college has in place a policy and procedures in respect of student teacher placements * This policy will be reviewed and updated * Student teachers are expected to adhere to the Teaching Council’s Code of Conduct and Tipperary ETB Code of Conduct for Staff Members while on placement |
| **33** | After college use of college premises by other organisations | Risk of learner being harmed in the college by a visitor to the college | L | * The college has a health and safety policy in place * The college has a document regarding terms and conditions of the use of the college and requires insurance and child protection details to be in place by the visiting organisation.   This document will be reviewed and updated |
| **34** | Use of college premises by other organisations during college day | Risk of learner being harmed in the college by a visitor to the college | L | * The college has a health and safety policy in place * The college has a document regarding terms and conditions of the use of the college and requires insurance and child protection details to be in place by the visiting organisation.   This document will be reviewed and updated |
| **35** | Non-curricular related visitors / contractors present in college during college hours | Risk of learner being harmed in the college by a visitor/contractor to the college | L | * The college has a Health and Safety policy. * This policy will be reviewed and updated |
| **36** | Non-curricular related visitors / contractors present during after college activities | Risk of learner being harmed in the college by a visitor/contractor to the college | L | * The college has a Health and Safety policy. * This policy will be reviewed and updated |
| **37** | Other | * Risk of harm not being recognised by college personnel | L | * College Personnel are required to adhere to the *Child Protection Procedures for Primary and Post-Primary Colleges 2017* and all registered teaching staff are required to adhere to the *Children First Act 2015.* * The college has provided each member of college staff with a copy of the college’s Learner Safeguarding Statement   The college encourages staff to avail of relevant training |
| **38** | Other | * Risk of harm not being reported properly and promptly by college personnel | L | * College Personnel are required to adhere to the *Child Protection Procedures for Primary and Post-Primary Colleges 2017* and all registered teaching staff are required to adhere to the *Children First Act 2015.* * New report forms and procedures have been created in the updated child protection policy. * The college has provided each member of college staff with a copy of the college’s Learner Safeguarding Statement   The college encourages staff to avail of relevant training |
| **39** | Other | * Risk of harm caused by member of college personnel communicating with learners in appropriate manner via social media, texting, digital device or other manner * Risk of harm caused by member of college personnel accessing/circulating inappropriate material via social media, texting, digital device or other manner | L | * College Personnel are required to adhere to the *Child Protection Procedures for Primary and Post-Primary Colleges 2017* and all registered teaching staff are required to adhere to the *Children First Act 2015.* * The college has provided each member of college staff with a copy of the college’s Learner Safeguarding Statement * College personnel are expected to adhere to the Teaching Council’s Code of Conduct. * The college complies with the agreed disciplinary procedures for teaching staff. |

In undertaking this risk assessment, the board of management has endeavoured to identify as far as possible the risks of harm that are relevant to this school and to ensure that adequate procedures are in place to manage all risks identified. While it is not possible to foresee and remove all risk of harm, the school has in place the procedures listed in this risk assessment to manage and reduce risk to the greatest possible extent.

This risk assessment has been completed by the Board of Management on \_\_\_\_\_\_\_\_\_\_\_. It shall be reviewed as part of the school’s annual review of its Child Safeguarding Statement.

Signed \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Chairperson, Board of Management **Templemore College and Céim Eile.**

Signed \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Principal/Secretary to the Board of Management **Templemore College and Céim Eile.**

### Mandatory Template 2: Checklist for Review of the Child Safeguarding Statement

The [Child Protection Procedures for Primary and Post-Primary Schools (revised 2023)](https://www.gov.ie/en/collection/12bee3-child-protection-procedures-in-schools/) require that the Board of Management must undertake a review of its Child Safeguarding Statement and that the following checklist shall be used for this purpose. **The review must be completed every year or as soon as practicable after there has been a material change in any matter to which the Child Safeguarding Statement refers.** Undertaking an annual review will also ensure that a school also meets its statutory obligation under section 11(8) of the Children First Act 2015, to review its Child Safeguarding Statement every two years.

The checklist is designed as an aid to conducting this review and is not intended as an exhaustive list of the issues to be considered. Individual Boards of Management shall include other items in the checklist that are of relevance to the school in question.

As part of the overall review process, Boards of Management should also assess relevant school policies, procedures, practices and activities vis a vis their adherence to the principles of best practice in child protection and welfare as set out in the school’s Child Safeguarding Statement, the Children First Act 2015, the Addendum to Children First (2019) and the  *Child Protection Procedures for Primary and Post-Primary Schools (revised 2023).*

|  |  |
| --- | --- |
|  | **Yes/No** |
| 1. Has the Board formally adopted a Child Safeguarding Statement in accordance with the *Child Protection Procedures for Primary and Post-Primary Schools (revised 2023)*? |  |
| 1. Is the Board satisfied that the Child Safeguarding Statement is displayed in a prominent place near the main entrance to the school? |  |
| 1. As part of the school’s Child Safeguarding Statement, has the Board formally adopted, without modification, the *Child Protection Procedures for Primary and Post-Primary Schools (revised 2023)*? |  |
| 1. Does the school’s Child Safeguarding Statement include a written assessment of risk as required under the Children First Act 2015? (This includes considering the specific issue of online safety as required by the Addendum to Children First) |  |
| 1. Has the Board reviewed and updated where necessary the written assessment of risk as part of this overall review? |  |
| 1. Has the Risk Assessment taken account of the risk of harm relevant to online teaching and learning remotely? |  |
| 1. Has the DLP attended available child protection training? |  |
| 1. Has the Deputy DLP attended available child protection training? |  |
| 1. Have any members of the Board attended child protection training? |  |
| 1. Has the school appointed a DLP and a Deputy DLP? |  |
| 1. Are the relevant contact details (Tusla and An Garda Síochána) to hand? |  |
| 1. Has the Board arrangements in place to communicate the school’s Child Safeguarding Statement to new school personnel? |  |
| 1. Is the Board satisfied that all school personnel have been made aware of their responsibilities under the *Child Protection Procedures for Primary and Post-Primary Schools (revised 2023)* and the Children First Act 2015? |  |
| 1. Has the Board received a Principal’s Child Protection Oversight Report (CPOR) at each Board meeting held since the last review was undertaken? |  |
| 1. Since the Board’s last review, did each CPOR contain all of the information required under each of the 4 headings set out in sections 9.5 to 9.8 inclusive of the procedures? |  |
| 1. Since the Board’s last review, has the Board been provided with and reviewed all records relevant to the CPOR? |  |
| 1. Is the Board satisfied that the records provided are anonymised and redacted as necessary to ensure that the identities of children and any other parties, including school personnel, to whom the concern or report relates are not disclosed? |  |
| 1. Since the Board’s last review, have the minutes of each Board meeting appropriately recorded the records provided to the Board as part of CPOR? |  |
| 1. Have the minutes of each Board meeting appropriately recorded the CPOR? |  |
| 1. Is the Board satisfied that the child protection procedures in relation to the making of reports to Tusla/An Garda Síochána were appropriately followed in each case reviewed? |  |
| 1. Is the Board satisfied that, since the last review, all appropriate actions are being or have been taken in respect of any member of school personnel against whom an allegation of abuse or neglect has been made?\* |  |
| 1. Where applicable, were unique identifiers used to record child protection matters in the Board minutes? |  |
| 1. Is the Board satisfied that all records relating to child protection are appropriately filed and stored securely? |  |
| 1. Has the Board been notified by any parent in relation to that parent not receiving the standard notification required under section 5.6 of the *Child Protection Procedures for Primary and Post-Primary Schools (revised 2023)*? |  |
| 1. In relation to any cases identified at question 20 above, has the Board ensured that any notifications required under section 5.6 of the *Child Protection Procedures for Primary and Post-Primary Schools (revised 2023)* were subsequently issued by the DLP? |  |
| 1. Has the Board ensured that the Parents’ Association (if any), has been provided with the school’s Child Safeguarding Statement? |  |
| 1. Has the Board ensured that the patron has been provided with the school’s Child Safeguarding Statement? |  |
| 1. Has the Board ensured that the school’s Child Safeguarding Statement is available to parents on request? |  |
| 1. Has the Board ensured that the Stay Safe programme is implemented in full in the school? (applies to primary schools) |  |
| 1. Has the Board ensured that the Wellbeing Programme for Junior Cycle students is implemented in full in the school? (applies to post-primary schools) |  |
| 1. Has the Board ensured that the SPHE curriculum is implemented in full in the school? |  |
| 1. Is the Board satisfied that the statutory requirements for Garda Vetting have been met in respect of all school personnel (employees and volunteers)? \* |  |
| 1. Is the Board satisfied that the Department’s requirements in relation to the provision of a child protection related statutory declaration and associated form of undertaking have been met in respect of persons appointed to teaching and non-teaching positions?\* |  |
| 1. Is the Board satisfied that, from a child protection perspective, thorough recruitment and selection procedures are applied by the school in relation to all school personnel (employees and volunteers)?\* |  |
| 1. Has the Board considered and addressed any complaints or suggestions for improvements regarding the school’s Child Safeguarding Statement? |  |
| 1. Has the Board sought the feedback of parents in relation to the school’s compliance with the requirements of the child safeguarding requirements of the *Child Protection Procedures for Primary and Post-Primary Schools (revised 2023)*? |  |
| 1. Has the Board sought the feedback of pupils in relation to the school’s child safeguarding arrangements? |  |
| 1. Is the Board satisfied that the ‘*Child Protection Procedures for Primary and Post Primary Schools Post-Primary Schools (revised 2023)* are being fully and adequately implemented by the school? |  |
| 1. Has the Board identified any aspects of the school’s Child Safeguarding Statement and/or its implementation that require further improvement? |  |
| 1. Has the Board put in place an action plan containing appropriate timelines to address those aspects of the school’s Child Safeguarding Statement and/or its implementation that have been identified as requiring further improvement? |  |
| 1. Has the Board ensured that any areas for improvement that were identified in any previous review of the school’s Child Safeguarding Statement have been adequately addressed? |  |

\*In schools where the ETB is the employer, the responsibility for meeting the employer’s requirements rests with the ETB concerned. In such cases, this question should be completed following consultation with the ETB.

Signed \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Chairperson, Board of Management

Signed \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Principal/Secretary to the Board of Management

**Note**: Where a school is undertaking its first review, references in this checklist to the “last review” shall be taken to refer to the date on which the Child Safeguarding Statement was first put in place.

**Mandatory Template 3:** Notification regarding the Board of Management’s review of the Child Safeguarding Statement

To:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The Board of Management of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ wishes to inform you that:

• The Board of Management’s annual review of the school’s Child Safeguarding Statement was completed at the Board meeting of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [date].

• This review was conducted in accordance with the “Checklist for Review of the Child Safeguarding Statement” published on the [gov.ie](https://www.gov.ie/) website

Signed \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Chairperson, Board of Management

Signed \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Principal/Secretary to the Board of Management

1. 2 Where parents fabricate stories of illness about their child or cause physical signs of illness. [↑](#footnote-ref-2)
2. [↑](#endnote-ref-2)