

CHILD PROTECTION COMPLIANCE & OVERSIGHT REQUIREMENTS

In December 2017, the DES issued Circular 81/2017 (see www.into.ie and www.education.ie) which contained a link to the new Child Protection Procedures for primary and post-primary schools. The new procedures became effective from the 11th December, 2017 and the provisions in relation to publication of the Child Safeguarding Statement (CSS) incorporating the school's Risk Assessment, became effective from the 11th March, 2018. Schools are required to fully comply with the 2017 procedures and in this regard, paragraph 1.1.14 of the procedures stipulates that *"All boards of management are required to formally adopt and implement these revised procedures as part of the school's Child Safeguarding Statement"*.

There is significant emphasis on additional oversight arrangements in the new 2017 Procedures. The objective is to ensure compliance with reporting and child safeguarding obligations. In this regard, the following applies:

- **Boards of Management**

Chapters 8 and 9 of the 2017 procedures detail the oversight responsibilities of the Board of Management including with regard to its obligation to ensure that the 2017 procedures *"are implemented in full"* and that children are safe from "harm" while attending the school or participating in school activities. The Board of Management also has an oversight responsibility with regard to the preparation and publication of the CSS, the Child Safeguarding Risk Assessment, appointment of DLP and deputy DLP, the annual review, the Board's duty of care to pupils, and with regard to curricular provision including Stay Safe and SPHE, Garda Vetting and the application of correct recruitment procedures. The Board should maintain appropriate records in this regard including in the minutes of Board meetings – eg the name of the DLP and deputy DLP.

- **Patron**

The Patron of the school must be provided with copy of the CSS and notified that the annual review has been conducted. The Board of Management is also obliged to keep the Patron informed of relevant matters.

- **Inspectorate**

All schools are required to comply with any request from the DES for relevant information regarding their compliance with the 2017 procedures. In this regard, the 2017 procedures state that ***"The Inspectorate will monitor compliance of schools with the requirements of the child protection procedures..."*** including with regard to the CSS and the school's oversight arrangements. The Inspectorate has now clarified that its role ***is solely*** to check for compliance and that its aim is *"To ensure the education sector can be satisfied and can demonstrate that our schools are in full compliance with Children First 2015 and with the Child Protection Procedures for Primary and Post-Primary Schools 2017"*. The Inspectorate has made it clear that compliance with child protection is checked on **all** school inspections models apart (at present) from probationary and SSE visits.

The Inspectorate will undertake the following checks:

Level 1 Monitoring – 3 checks

- Applies during Curriculum Evaluation Inspections, SEN Inspections and Incidental Inspections and requires that the:
 - **1** - Name of DLP and the CSS are prominently displayed near the main entrance to the school
 - **2** – That the CSS has been ratified by the Board of Management and includes an annual review and a risk assessment
 - **3** – That all teachers visited have read the CSS and are aware of their responsibilities as a mandated person

- During the **Level 1** Inspection, the Inspector provides an oral report to the Principal on compliance with the checks undertaken. Schools will be encouraged to address deficiencies as soon as possible and schools should use the School Response stage to report on progress. After the Inspection, where still necessary, schools will continue to engage with the Inspectorate until they become compliant with the checks undertaken.

Level 2 Monitoring – 8 checks

- Applies during WSE, WSE-MLL, DEIS, Youth Reach and inspections in High Support Units and requires that the:
 - **1** - Name of DLP and the CSS are prominently displayed near the main entrance to the school
 - **2** – That the CSS has been ratified by the Board of Management and includes an annual review and a risk assessment
 - **3** – That all teachers visited have read the CSS and are aware of their responsibilities as a mandated person
 - **4** – That the CSS meets the requirements of the Child Protection Procedures 2017 (The template contained in the procedures is recommended)
 - **5** – That the minutes of the three most recent Board meetings contain a CPOR (it is recommended that copy of the CPOR be attached to the minutes of every Board meeting)
 - **6** – That the Board has provided information to all school personnel on the child protection procedures
 - **7** – That the school is making full provision for the relevant aspects of the curriculum (SPHE, Stay Safe, RSE, Well-being)
 - **8** – That the Child Protection records are maintained in secure location

- Before the **Level 2** Inspection visit, the school may forward copy of its CSS to the Inspector. During the Inspection, the Inspector provides an oral report to the Principal and the Board, where on compliance with the checks undertaken. Schools will be encouraged to address deficiencies as soon as possible and schools should use the School Response stage to report on progress. After the Inspection, where still necessary, schools will continue to engage with the Inspectorate until they become compliant with the checks undertaken.

In the case of published reports for **Levels 1 and 2**, the report will state that *“The school met the requirements in relation to each of the checks above”*. If the school did not meet the requirements at the time of the Inspection visit

but was subsequently compliant by the time of the post-evaluation stage, the text of the published report will read *“The school did not meet the requirements in relation to XX and therefore was not fully compliant with the checks undertaken at the time of the inspection visit. However, the school has subsequently furnished evidence of compliance with these requirements”*. Where a school is still not compliant after the post-evaluation meeting, the text will read *“The school did not meet the requirements in relation to XX and therefore was not fully compliant with the checks undertaken at the time of the inspection visit”*.

Level 3 Monitoring – A new Child Protection and Safeguarding Inspection Model

The 2017 procedures advise that the Inspectorate propose to conduct focussed inspections in a sample of schools annually regarding the implementation of the 2017 procedures – ie a dedicated model of inspection titled “Child Protection and Safeguarding Inspection (CPSI). The Inspectorate will commence development of this new Child Protection and Safeguarding Inspection Model (CPSI) straight away and it is their intention that it will be rolled out from 2019.

The Child Protection Oversight Report (CPOR):

The CPOR is one of the new oversight requirements. This is a report provided by the Principal at every Board of Management meeting and the written report/template should be appended to the minutes. The details of the matters which should be included in the CPOR are set out at paragraphs 9.4 – 9.8 of the 2017 procedures and a template to facilitate this (which has been approved by the DES) is available on INTO's website at www.into.ie. In addition, copies of relevant documentation in relation to reporting activity shall also be provided to the Board of Management for the purpose of the Board's oversight of the reporting procedures - anonymised and redacted in accordance with the provisions of the 2017 procedures. Boards of Management are obliged to observe strict confidentiality with regard to these matters and accordingly, all documents shall be collected afterwards and not retained by any Board members. Further, whilst the minutes of the Board meetings shall specify the documents provided to the Board, the minutes shall not name the employee or any children referred to in the documentation or any party whose identity if disclosed, might lead to the identification of a child or a person against whom an allegation has been made. Instead a code or serial number should be utilised to record the matter/case in the minutes.