



# Child Safeguarding Statement

Review By:	Board of Directors
Approved:	June 2015
Approved/ Last Review:	March 2018
Policy review:	March 2021

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## Introduction

Educate Together is a patron body for national and second-level schools which are run according to the Educate Together Charter. We are an independent NGO that is the patron/management body of schools committed to equality of access and esteem to children irrespective of their social, cultural or religious background. Educate Together has paramount concern for the welfare of children and the protection of their rights. This concern stems from the commitment to child-centred education contained in the Educate Together Charter, the organisation's obligations under law, and a profound moral and ethical commitment to children's rights as set out in the UN Convention on the Rights of the Child.

Following the enactment of the Children First Act 2015, Educate Together acknowledges and supports the standards detailed in the revised [Children First: National Guidance for the Protection and Welfare of Children](#) and [Child Safeguarding: A Guide for Policy, Procedure and Practice 2nd Edition](#).

The aim and purpose of this policy is to provide guidance to Educate Together National Office Staff and volunteers in identifying and responding to allegations and suspicions of child abuse or neglect and ultimately safeguarding children, families, staff members and volunteers in the process.

For the purposes of this policy the term 'child' will include any person up to the age of 18 years.

This safeguarding statement is displayed on the Educate Together website and in the national Office and applies to;

- all staff of the national office
- national office interns
- national office volunteers
- members of the board of directors or sub-committees of the board of directors and
- agents of the Educate Together national office

For the purposes of this document these shall be referred to as "Educate Together staff member/associates".

All the above have a responsibility to protect children and therefore have a duty to report child abuse as set out in the Children First Act 2015 and Children First National Guidance for the Protection and Welfare of Children – Department of Children and Youth Affairs 2017.

Educate Together have appointed and trained a Designated Liaison Person (DLP) and Deputy DLP.

DLP                      Fionnuala Ward                      [fionnuala.ward@educatetogether.ie](mailto:fionnuala.ward@educatetogether.ie)

Deputy DLP          Adrienne Flynn                      [adrienne.flynn@educatetogether.ie](mailto:adrienne.flynn@educatetogether.ie)

This Child Safeguarding Statement sets out our obligations as patron of schools and our obligations as a membership organisation which provides services for children through our schools.

- Educate Together as patron of schools

- National office

## Educate Together as Patron

Educate Together has a number of different roles. It is:

- a patron and joint patron of schools
- a representative organisation for school boards of management and patron bodies who have signed up to the Educate Together Charter and are members of the company and
- a recognised school management body, for
  - Boards of management of primary schools which operate with the patronage of Educate Together
  - Boards of management of primary schools whose patron bodies have signed up to the Educate Together Charter and who are a member of the company and
  - Boards of management of primary schools who have signed up to the Educate Together Charter and who are members of the company.

For the purposes of this document a board of management of a school which has Educate Together as its patron shall be referred to as “an Educate Together board of management”.

Patrons of schools are responsible for the establishment and oversight of schools under their patronage in accordance with the Education Act 1998 (as amended). They also have a specific oversight role under the Child Protection Procedures for Primary and Post-Primary Schools 2017 (the 2017 Child Protection Procedures).

## Compliance by schools

Boards of management have specific roles and responsibilities under the 2017 Child Protection Procedures and other related legal obligations.

### Statutory obligations

The main statutory obligations on a board of management under the Children First Act, 2015 are to:

- ensure, as far as practicable that children are safe from harm while availing of the school’s services (i.e. while attending the school or while participating in school activities)
- carry out an assessment of any potential for harm to children while they are attending the school or while they are participating in school activities (this is known as a risk assessment)
- prepare and display a written Child Safeguarding Statement in accordance with the requirements of the Act

- appoint a “relevant person” (DLP), as the first point of contact in respect of the school’s Child Safeguarding Statement
- provide a copy of its Child Safeguarding Statement to members of school personnel and, where requested to parents, members of the public and to Tusla.

In the case of a newly established school this requirement must be met within three months from the date on which the school opens to receive pupils.

Educate Together requires formal assurances from each Educate Together board of management that it has implemented the 2017 Child Protection Procedures issued by the Department of Education including, but not limited to:

- it has formally adopted a Child Safeguarding Statement prepared in accordance with section 11 of the Children First Act, 2015 and the ‘Child Protection Procedures for Primary and Post Primary schools 2017’
- a written assessment of risk as required under the Children First Act 2015
- that the Designated Liaison Person (“DLP”) and a deputy DLP are appointed and have attended child protection training
- if members of the board of management have attended child protection training
- that the Child Safeguarding Statement is communicated to all existing and new staff and that all staff have been instructed and trained regarding their responsibilities under the Procedures
- that the Parents’ Association (if any) and parents on request, have been provided with the statement
- that the principal has provided a Child Protection Oversight Report at each Board meeting
- that it is fully implementing the SPHE curriculum and the Stay Safe programme (applies to primary schools) or the wellbeing programme for Junior Cycle students (applies to post-primary schools)
- that all staff and volunteer appointments have been carried out in accordance with good recruitment practices including compliance with vetting requirements and taking up of references, etc
- any training needs have been assessed and addressed
- that the board has considered any complaints or suggestions for improvements

- that feedback has been sought from parents and pupils as part of the child safeguarding requirements
- and that the board is satisfied that the ‘Child Protection Procedures for Primary and Post Primary Schools 2017’ are being fully and adequately implemented by the school.

## CP001 - Confirming compliance by Educate Together boards of management

Assurances are sought from each Educate Together board of management that the Annual Review for the Child Safeguarding Statement is complete, and a copy submitted to the national office before the 1 December each year.

The national office will follow up with all outstanding schools and maintain a register of such assurances.

A report will be presented in January of each year to the Patronage sub-committee of the Board of Directors and the CEO listing the Educate Together boards of management who have complied with this requirement.

In the event of an Educate Together board of management which has Educate Together as its patron failing to provide such evidence of compliance, the patronage sub-committee will write formally to the board of management of the school concerned seeking compliance within a specified period. If they fail to comply within that period, the sub-committee will consider the appropriate action, which could include advising the board of directors that Sections 16 and/or Section 19 of the Education Act should be invoked.

If either a patron body that is a member of the company and who has signed up to the Educate Together Charter, and/or an Educate Together board of management which does not have Educate Together as its patron, have not ensured that they and/or their school(s) are compliant with the DES 2017 Child Protection Procedures, they are not operating in a manner that is compatible with Educate Together's Charter or membership of the company and the Board of Directors will take appropriate action to deal with this.

## National office operations

The Educate Together national office does not directly provide services to/for children, nor is it in regular direct contact with children and ordinarily children are not present in the national office. Staff in Educate Together work predominantly from the national office or home. The Child Safeguarding Statement applies when working in the national office and while representing Educate Together at other venues, such as visits to schools, conferences, members meetings or other events where children are present, such as the Young Scientist Exhibition for example.

## Risk assessment

Educate Together has carried out a risk assessment of any potential for harm to a child while availing of our services.

Educate Together does not usually work directly with children in its day-to-day activities but does engage with children from time to time. Educate Together is a recognised patron of schools who work directly with children.

This Child Safeguarding Statement identifies the following areas of risk and a list of procedures for managing these risks:

Risk Identified	Procedure number
Disclosure of a child protection concern to the national office	CP002
Children and young people under the age of 18 participating in events and attending the national office	CP003
Educate Together Staff members/associates participating in relevant work which requires Garda Vetting	CP004
Management of images of children in Educate Together media	CP005

### Definition of harm as outlined on Tusla’s website:

The threshold of harm for each category of abuse at which mandated persons have a legal obligation to report concerns is outlined below.

“Harm” means, in relation to a child:

- a) assault, ill-treatment or neglect of the child in a manner that seriously affects or is likely to seriously affect the child’s health, development or welfare, or
- b) sexual abuse of the child

### Neglect:

Neglect is defined as ‘to deprive a child of adequate food, warmth, clothing, hygiene, supervision, safety or medical care’. The threshold of harm, at which you must report to Tusla under the Children First Act 2015, is reached when you know, believe or have reasonable grounds to suspect that a child’s needs have

been neglected, are being neglected, or are at risk of being neglected to the point where the child's health, development or welfare have been or are being seriously affected, or are likely to be seriously affected.

### **Emotional abuse/ill-treatment:**

Ill-treatment is defined as 'to abandon or cruelly treat the child, or to cause or procure or allow the child to be abandoned or cruelly treated'. Emotional abuse is covered in the definition of ill-treatment used in the Children First Act 2015. The threshold of harm, at which you must report to Tusla under the Children First Act 2015, is reached when you know, believe or have reasonable grounds to suspect that a child has been, is being, or is at risk of being ill-treated to the point where the child's health, development or welfare have been or are being seriously affected, or are likely to be seriously affected.

### **Physical abuse:**

Physical abuse is covered in the references to assault in the Children First Act 2015. The threshold of harm, at which you must report to Tusla under the Children First Act 2015, is reached when you know, believe or have reasonable grounds to suspect that a child has been, is being, or is at risk of being assaulted and that as a result the child's health, development or welfare have been or are being seriously affected, or are likely to be seriously affected.

### **Sexual abuse:**

If, as a mandated person, you know, believe or have reasonable grounds to suspect that a child has been, is being, or is at risk of being sexually abused, then you must report this to Tusla under the Children First Act 2015.

<https://www.tusla.ie/children-first/mandated-persons/what-are-the-thresholds-for-making-a-mandated-report>



## CP002 - Disclosure of a child protection concern to the national office

A child protection concern could be brought to the attention of an Educate Together staff member/associate. While we have no role in investigating individual child protection concerns, we must ensure that any relevant information received is sent to the appropriate authorities in accordance with relevant legislation and guidelines.

<https://www.tusla.ie/children-first/children-first-guidance-and-legislation/>

The following procedures, which would also apply to reporting allegations of abuse made against an Educate Together staff member, volunteer, intern or director (Educate Together staff member/associate), should be adopted in these situations.

### Initial contact:

Someone in the first instance could seek general advice on a child protection matter, for example a Principal looking for advice or a parent who may be dissatisfied with how a school is dealing with an issue (without naming the school and/or individuals within the school).

At this point it will be communicated to the individual that Educate Together has no role in investigating child protection concerns and statutory responsibility for child protection rests with the Children and Family Services, Tusla. More information can be found [here](#).

If a disclosure or an allegation of a child protection concern is raised the following steps will be taken;

- If it is raised in person or by phone, the staff member with whom initial contact is made will listen to the complaint
  - make written notes with as much information as possible
  - inform the individual on the phone that this information will be passed on to the DLP, thereby clarifying that there is no guarantee of confidentiality to the person raising the concern (including child welfare complaints against Educate Together staff members)
- If the concern is in writing (by email or post) it will be passed onto the DLP.

### Role of the DLP:

- The DLP will assess the concern, referring to the definitions of harm, listed above to see if it meets the threshold and may contact the local social work duty service in the area where the child lives (without giving specific details of the complaint) for advice.
- If no other action is necessary at this stage, no formal report will be made.
- Even though a formal report is not being made to Tusla, the DLP shall always inform the employer (e.g. the principal or chairperson of a school or the CEO/chairperson of board of directors of Educate Together) that an allegation of abuse has been made or a complaint has been made as to how an alleged Child Protection issue has been dealt with in a school.

- If following advice from the Tusla and without giving specific details of the complaint, the DLP determines it is appropriate to make a report, the DLP will make a report using the [web portal](#) or the [Child Protection and Welfare Report form](#) and send it to the [Duty Social Work team](#) in the area where the child resides.

If an allegation is made about a national office staff member, and subsequently upheld following an investigation, standard disciplinary procedures will be followed as per the national office HR Policy.

If an allegation is made about a staff member, and subsequently not upheld by an investigation, and / or if an unfounded allegation is found to have been made with malicious intent, then disciplinary action may be taken (for members of staff and/or directors). For external parties Educate Together may choose to prosecute under the Defamation Act, 2009.

### Outside of office hours:

If an allegation or disclosure of abuse is made outside of office hours (e.g. at a weekend conference) to a staff member/associate the individual should contact the DLP immediately, who will follow the steps above. If the DLP is unable to contact Tusla and it seems that a child is facing an immediate risk, the DLP will contact An Garda Síochána.

If the DLP cannot be contacted and it seems that a child is facing an immediate risk, the individual should contact Tusla or An Garda Síochána (if it is outside of office hours).

Follow-up contact with Tusla should be made when their office re-opens.

### Training:

All Educate Together staff members/associates will be given a copy of the Child Safeguarding Statement and will receive appropriate training.

### Data retention:

Educate Together retains personal information relating to allegations/suspicions of abuse made to staff by telephone, email, letter or in person as well as responses from Tusla or An Garda Síochána for an indefinite period. This data is confidential and kept securely in electronic form. Only the officially designated Data Controller and DLP have access to this data.

### Role of the Patron:

If the concern is not addressed at school level or if the concern involves a member of the board of management of a school, it may be necessary for the patron to act. Existing child protection procedures make provision for the patron to be informed by the board of management where a child protection report involving a member of a board of management has been submitted to the Tusla. The patron

should determine if any action is necessary regarding the member's continued role on the board of management.

If the Tusla are not satisfied with the school's role or cooperation during the course of their work, they may contact the Department of Education or the patron. The patron, in accordance with Section 16 of the Education Act, with consent of the Minister, may dissolve a board of management or remove a member of a Board where they are not satisfied that the functions of the board are not being effectively discharged (including any functions relating to child protection) or where there are good and valid reasons (including reasons related to child protection) for removing that board member.

## CP003 - Children and young people under the age of 18 participating in events or attending the National Office

From time to time children may attend or participate in events organised by or on behalf of the national office in person or in an online meeting. Occasionally children may be present in our national office either accompanying an adult or by request to participate in a meeting/event.

*Definition:* a parent/guardian or 'in loco parentis' for instance, the child's school teacher, relative or any other adult to whom responsibility for the child has been given by the parent/guardian will be referred to in this section of the policy as parent/guardian/responsible adult.

Children are only permitted on the premises of the national office or at an Educate Together event if accompanied by a parent/guardian/responsible adult. The child always remains the responsibility of the parent/guardian/responsible adult, except for exceptional circumstances outlined below.

In the case of a national event that is hosted by a school, the national office staff member organising the event will make it clear to the school that any children of the school attending, or hosting tours or activities are the responsibility of the school, and that the national office is not taking over any of the school's responsibilities in relation to Child Protection or other safety issues during the proceedings.

If an adult attends a meeting or event accompanied by a child for whom they have responsibility, the adult has responsibility for and must supervise the child at all times.

Educate Together reserves the right at its absolute discretion to refuse entry to meeting or events.

If children are attending an event or the national office as presenters or participants, the national office staff organising the event will ensure that the school(s) concerned has/have appointed a responsible adult who will be responsible for the children during the event. The school will ensure that it adheres to the Child Protection Procedures for Primary and Post Primary Schools 2017 in the appointment of this person. This person will be clearly identified to national office staff members/associates working at the event and all matters of concern will be communicated directly to him/her.

Schools are responsible for obtaining and retaining consent for attendance of children at Educate Together events. Written confirmation of this by email, letter or consent form (depending on the event), will be sought from the school by the National Office.

Children attending our second level schools, may occasionally participate in events unaccompanied. In these circumstances the relevant national office staff member must obtain written consent from the parent/guardian concerned using the form provided in Appendix. It is the parent/guardians responsibility to ensure suitable travel arrangements are in place for children.

All such written consents will be stored in line with our data protection policy.

Educate Together has appointed a Designated Liaison Person (DLP) and Deputy DLP. These staff members will be trained in these roles and their details will be displayed in the national office.

If a staff member/associate has concerns for the child's safety, or the child makes a child protection disclosure, the staff member/associate should follow the procedure for the disclosure of a child protection concern to the national office, CP002.

## **CP004 - Educate Together Staff member/associate participating in relevant work which requires Garda Vetting**

Educate Together staff members/associates (as defined in this policy) do not usually work directly with children in its day-to-day activities. However, in the event that a staff member/associate carries out relevant work or activities in respect of children or vulnerable adults on behalf of Educate Together which is deemed relevant for vetting by the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012-2016 which came into effect on 29 April 2016. The staff member/associate will be required to be vetted by the National Vetting Bureau (NVB) of the Garda Síochána.

<http://www.irishstatutebook.ie/eli/2012/act/47/enacted/en/pdf>

An example of this could be teaching or mentoring a group of children on behalf of Educate Together as a necessary part of this work. The Compliance section of the National Vetting Bureau (NVB) of the Garda Síochána will only permit vetting applications for relevant work or activities as defined in the Act to be submitted for Garda vetting.

If the work of activity is being carried out on behalf of a school, it will be the school's responsibility to carry out vetting on its own behalf.

Vetting disclosures received will be processed by the Educate Together Garda Vetting Liaison Person. Disclosures will be shared with the CEO who may share the disclosure with the Chair of the HR sub-committee. If the disclosure relates to the CEO it will be shared directly with the Chair of the HR sub-committee, if the disclosure relates to the chair of the HR sub-committee it may be shared by the CEO with the chair of the board of directors. The CEO will authorise whether the relevant work or activity will go ahead.

A dispute of a disclosure or an appeal of Specified Information will be carried out as per process specified by the National Vetting Bureau (NVB) of the Garda Síochána, <https://vetting.garda.ie/>.

## CP005 - Management of images of children in Educate Together media

Educate Together makes extensive use of images of children in its communications and promotional material. This document details the standards and conditions of use Educate Together will adhere to in capturing, storing and publishing images of children.

The overarching purpose of this procedure is to ensure children are not inappropriately depicted in any image captured or published by Educate Together.

All staff members/associates or photographers commissioned by Educate Together involved in capturing, processing, publishing or storing images of children are expected to always act responsibly and with this objective in mind.

*Definition:* As referred to in this policy, a child's image means both still and movie images of a child held on any media. For the purposes of this document, the term "image" includes audio and video content. In this definition, it is also assumed that a child's image is an image of sufficient size and quality that it could be reasonably assumed that the child could be identified.

### Capturing and use of images of children

Educate Together staff attending school or national office events with the intention of taking photographs or capturing video must alert the school principal (if attending on behalf of a school) or parent/guardian as appropriate, in advance of images being taken and will only proceed to film or photograph with written consent. If a spontaneous or unplanned opportunity arises verbal consent can be obtained once it is followed by written consent before any image is stored or used. Staff members/associates will also follow any restrictions or limits required by the school.

Educate Together staff will provide an assurance that any images captured will only be used with the express permission of the school or parent/guardian. Staff are recommended to carry identification and be prepared to offer an explanation for the work, if working in public or private places particularly where spontaneous or unplanned images are recorded.

Educate Together staff will only capture images of children at national events when instructed to do so by the staff member in charge of this at the event. At such events, efforts must be made to ensure that attendees are aware that filming may take place.

All images captured by Educate Together staff at school or national events are the property of Educate Together and cannot be used by individual staff members/associates for personal use.

Images of children will only be used by Educate Together to illustrate the nature of its work. Educate Together images of children will not be lent or issued to third parties without the express written consent of the parent/guardian.

Educate Together will only use images of children in print or online (on websites or social media pages) where express written consent of the parent/guardian and the child if aged over 13 years has been obtained. This includes Educate Together's websites and social media and online platforms.

Educate Together will not identify or name individual children in captions accompanying an image or recording without securing the express written consent of the parent/guardian and the child if aged over 13 years. Consent will be sought in accordance with our Educate Together Audio Visual Usage Policy.

Images of children posted to Educate Together's social media platforms by followers should conform to the standards Educate Together maintain for their own images. Images posted by followers or contributors in breach of Educate Together image policies will be removed.

General guidelines to be followed in all cases:

- Where possible images should capture groups rather than individual activities
- Image capture should generally be of children at events, in class or at play
- No images should be taken of children that would breach their privacy or impinge upon their personal dignity (changing rooms, bathrooms, use of physical aids) etc.
- When taking images, staff should not in any circumstances capture any images of children in distress or embarrassment
- The children should be appropriately dressed.

## Storage of images of children

Educate Together will take reasonable and practical steps to protect images of children.

Physical images and physical storage media (tapes, disks etc.) involving images of children will be stored in secure filing spaces in the national office.

Digital files involving images of children will be stored in line with our data protection policy and audio-visual policy.

## Copyright

Educate Together owns the copyright of all images taken by its staff members/associates on its behalf.

Educate Together recognises the copyright of the originators of an image and will use said images only under the terms of its usage agreement.

Consent may be withdrawn at any time by parent/guardian or child in writing for future use of an image.

## **Third party usage**

Educate Together will provide rights to reproduce children's images that it owns to approved third parties in accordance with the organisation's audio/visual policy.

The overarching purpose is to ensure that children are not inappropriately depicted in any image provided by Educate Together to third parties and that as far as possible those third parties will handle such images responsibly. All staff members/associates involved in capturing, processing, publishing or storing images of children are expected to act at all times responsibly and with these objectives in mind.

## **Related documentation**

Educate Together Audio Visual Usage Policy.



## Appendix

### Sample consent form for attendance at Educate Together events:

Event for which consent is being given:	
Location of event:	
Date of event:	
Name for whom consent is being given:	
Address/school:	
Contact number:	
Email:	

I confirm that I consent to the above-named attending this event.

I confirm that photographs of the above named may be used by Educate Together with their consent.

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Signed Parent/Guardian/School

Signed attendee if aged 13-18 years (second level)

Date:	Date:
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