**Child Protection**

* [**Child Protection**](http://www.education.ie/en/Parents/Information/Child-Protection/Child-Protection.html)
* [**Reported Concerns**](http://www.education.ie/en/Parents/Information/Child-Protection/Reported-Concerns.html)
* [**Contact**](http://www.education.ie/en/Parents/Information/Child-Protection/Contact.html)

The information in this section is, in part, informed from the website of the [Department of Children and Youth Affairs](http://www.dcya.ie).

**What is the legal definition of a child in Ireland?**

Under the Child Care Act 1991 a child is defined as “a person under the age of 18 years, excluding a person who is or has been married”

**What is child abuse?**

There are four recognised forms of child abuse:-

* Neglect
* Physical abuse
* Emotional Abuse
* Sexual abuse

Definitions and signs and symptoms of child abuse can be found on pages 8 to 10 in the [Children First: National Guidance for the Protection and Welfare of Children 2011](http://www.dcya.gov.ie/documents/child_welfare_protection/ChildrenFirst.pdf).

**Who deals with child protection concerns?**

The Health Service Executive (HSE) and An Garda Síochána are the two key authorities. The [HSE Children and Family Services](http://www.hse.ie/eng/services/Find_a_Service/Children_and_Family_Services/) have a duty to assess reports regarding a child’s welfare or safety.

The specific focus of An Garda Síochána is on the investigation of alleged offences and whether a crime has been committed.

**How do I contact the HSEChildren and Family Services?**

The contact details for the HSE Children and Family Services can be found on their [website](http://www.hse.ie/eng/services/Find_a_Service/Children_and_Family_Services/).

**Who deals with child protection concerns in a school?**

Each school must have a Designated Liaison Person (DLP) in place for dealing with child protection concerns. The name of the DLP should be displayed in a prominent position near the main entrance to the school.

The school DLP has responsibility for ensuring that the standard reporting procedure is followed, so that suspected child protection concerns are referred promptly to the designated person in the HSE Children and Family Services or in the event of an emergency and the unavailability of the HSE, to An Garda Síochána.

If you wish to report a child protection concern you should speak to the DLP in your school and that person will be responsible for making the report.

Where the allegation or concern relates to the DLP, you should without delay, report the matter to the Chairperson of the Board of Management or in schools where the VEC is the employer to the CEO of the VEC concerned. In such cases, the Chairperson or CEO as appropriate shall assume the role normally undertaken by the DLP and shall follow the procedures set out in section 4.2 of the Child Protection Procedures for Primary and Post Primary Schools.

**Can I report a child protection concern about a school directly to the HSEChildren and Family Services?**

**Yes,** you can report a child protection concern about a school directly to the [HSE Children and Family Services](http://www.hse.ie/eng/services/Find_a_Service/Children_and_Family_Services/) by contacting your local social work office. The HSE will tell you how best to proceed. It may then contact the school or ask you to contact the school or others.

**What is in place to assist schools and the department in dealing with child protection concerns?**

[Children First: National Guidance for the Protection and Welfare of Children 2011](http://www.dcya.gov.ie/documents/child_welfare_protection/ChildrenFirst.pdf) promotes the protection of children from abuse. It sets out what organisations need to do to keep children safe, and what different bodies and the general public should do if they are concerned about a child’s safety and welfare.

The Department of Education and Skills is responsible for developing and implementing child protection procedures for schools based on the [Children First: National Guidance for the Protection and Welfare of Children 2011](http://www.dcya.gov.ie/documents/child_welfare_protection/ChildrenFirst.pdf). The [Child Protection Procedures for Primary and Post-Primary Schools](http://www.education.ie/en/Schools-Colleges/Information/Child-Protection/cp_procedures_primary_post_primary_2011.pdf) published by the Department aims to give direction to school management and staff regarding the identification of and response to child protection concerns and the process for continued support of the child.

The Department inspects and evaluates the implementation by schools of these procedures.The Department monitors schools’ compliance with child protection obligations and procedures.

When conducting a [Whole School Evaluation](http://www.education.ie/en/Publications/Inspection-Reports-Publications/Whole-School-Evaluation-Reports-List/Whole-School-Evaluation-WSE-.html), Department inspectors seek evidence to confirm that a school is complying with the requirements of the [Child Protection Procedures for Primary and Post-Primary Schools](http://www.education.ie/en/Schools-Colleges/Information/Child-Protection/cp_procedures_primary_post_primary_2011.pdf). Where, during any evaluation/inspection work in a school, an inspector identifies deficiencies in relation to the [Child Protection Procedures for Primary and Post-Primary Schools](http://www.education.ie/en/Schools-Colleges/Information/Child-Protection/cp_procedures_primary_post_primary_2011.pdf) he/she will immediately bring this to the attention of school management.

Any deficiency is considered by the Department as serious and school management will be advised that the issues identified should be addressed without delay. Where a subsequent recommendation is made in a publishable report, the inspector will inform school management that the Department expects the board to use the school response form to confirm that the issues have been addressed.

The Department has procedures for its own staff to provide them with direction on what to do, if a child protection concern is brought to their attention.

**Do Schools have to report all child protection concerns to the HSE?**

**No**, the School’s DLP will determine whether reasonable grounds for the concern exist and therefore if the matter should be reported to the HSE Children and Family Services.

The safety and well-being of the child must take priority as the guiding principle for the school DLP/Deputy DLP in deciding whether to report child protection concerns to the HSE Children and Family Services. In cases where there are concerns about a child, but the DLP is not sure whether to report the matter to the HSE, the DLP shall seek advice from the HSE Children and Family Services. In cases where there are concerns about a child and the DLP is satisfied that there are reasonable grounds for the suspicion or concern he/she shall report the matter to the HSE Children and Family Services immediately.

A concern about *a potential risk* to children posed by a specific person where reasonable grounds for the concern exist, even if the children are unidentifiable, should also be communicated to the HSE Children and Family Services.

If the school’s DLP decides not to make a report, you may still make a report directly to the HSE Children and Family Services.

**Should I ask the Department of Education and Skills for advice on what to do?**

**No**, if you are looking for advice on what to do you should talk to the [HSE Children and Family Services](http://www.hse.ie/eng/services/Find_a_Service/Children_and_Family_Services/) as the statutory body with responsibility for investigating Child Protection Concerns.

The Department cannot advise you on any child protection concern and the Department cannot assure you of confidentiality if you bring a child protection concern to the attention of its staff.

The Department has no role in assessing or investigating child protection concerns and cannot establish if there are any reasonable grounds to formally refer them to the HSE.

**Can I report a child protection concern to the Department?**

**Yes,** however, if you contact the Department, the Department **must** pass on your concern to the HSE and/or the school authorities (and/or An Garda Síochána). We must pass them on even if you ask to speak with us in confidence. The Department will pass on your concern **without judgment**. All information regarding child protection concerns will be shared by the Department on ‘a need to know’ basis in the interests of the child with the relevant statutory authorities.

You can contact the Department by **Email:**childprotection@education.gov.ie. or **Phone:** (090) 648 4099

**Can I report a concern to a school or the Department and not give my name?**

Neither the school nor the Department can assure confidentiality to people who report a child protection concern to them. Not giving your name does not change what the Department or schools do with your concern. However by not giving your name, or not wanting your name associated with the concern, an examination and investigation of the concern may be restricted or inhibited.

**What if I feel a child is in immediate danger?**

If you think a child is in immediate danger and you cannot contact the HSE Children and Family Services you should contact An Garda Síochána at any Garda Station or your General Medical Practitioner.

**I was abused when I was a child, who do I contact?**

The HSE National Counselling Service is in place to listen to, value and understand those who have been abused in childhood. The service is a professional, confidential counselling and psychotherapy service and is available free of charge in all regions of the country. The service can be accessed either through healthcare professionals or by way of self-referral (Freephone 1800 477477).

**What should I do if I am concerned about a child and I am not sure if I should make a report?**

If you have concerns about the safety or welfare of a child you can consult the [HSE Children and Family Services](http://www.hse.ie/eng/services/Find_a_Service/Children_and_Family_Services/) to seek advice. This process is called ‘informal consultation’. This consultation is an opportunity to discuss the query in general and to decide together whether a formal referral is warranted.

The consulting party should state that they are not at this point making a referral and therefore they do not need to give identifying information until the point that they are advised by the social worker that a referral is warranted.

Teachers and other school staff who have concerns about a child should discuss these with the school’s designated liaison person (DLP), or contact the [HSE Children and Family Services](http://www.hse.ie/eng/services/Find_a_Service/Children_and_Family_Services/) for advice.

**Can I get into trouble for reporting a child protection concern, if it is subsequently found to be false?**

**No**, so long as you report reasonably and in good faith. The Oireachtas has passed legislation called the [Protections for Persons Reporting Child Abuse Act 1998](http://www.irishstatutebook.ie/1998/en/act/pub/0049/index.html). In summary this means that even if a reported child protection concern proves unfounded the person who reported the concern cannot beprosecuted if the accusation was made in good faith. However, a person who makes a false report of child abuse, knowing that statement to be false, is guilty of an offence and may be prosecuted.