

CCMC CHILD PROTECTION POLICY

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CCMC Child Protection Policy Statement:

Cork City Music College is fully committed to providing a safe and nurturing environment for children and young people, and to safeguarding the wellbeing of our young students, both within the main centre in Coláiste Éamann Rís and in the context of our Outreach Network. CCMC teachers and administrative staff should, at all times, show respect and understanding for the rights, safety and welfare of students and conduct themselves in a way that reflects the principles of the College. The welfare of the children and young people under our care is paramount.

The aim of the Child Protection Policy of CCMC is to promote best practice in protection and set out a procedural framework to ensure that members of staff are equipped to make informed responses to specific issues and minimise risk with regard to protection and welfare issues. In implementing its policy, we follow the recommendations of Children First – National Guidance for the Protection and Welfare of Children and Our Duty to Care – The Principles of Good Practice for the Protection of Children and Young People.

CCMC has implemented procedures covering:

- Code of behaviour for staff;
- Code of behaviour for children and young people;
- Reporting of suspected or disclosed abuse;
- Confidentiality;
- Recruitment and selection of staff;
- Managing and supervising staff;
- Involvement of primary carers;
- Allegations of misconduct or abuse by staff;
- Complaints and comments;
- Incidents and accidents.

The Child Protection Policy (CPP) is available to CCMC staff*, the CCMC board, and, when requested, primary carers.

This policy will be reviewed in June 2021.

The Designated Liaison Person (DLP) is **Virginia Metcalfe**;

The Deputy Designated Liaison Person (DLP) is **Nicola O' Driscoll**.

Signed

Date: April 2022

[Virginia Metcalfe, Designated Liaison Person/ Child Protection Person]

*For the purposes of the CCMC Child Protection Policy, 'staff' refers to all full- and part-time staff, contractors, volunteers, freelance workers or work placement persons.

Code of Behaviour for Staff

This code of behaviour is intended to aid and advise CCMC staff in minimising risk and encouraging best practice while working on behalf of CCMC. Staff and volunteers must always exercise an appropriate level of judgement in each case.

The code of behaviour has been divided into the following subsections:

- Child-centred approach;
- Best practice;
- Inappropriate behaviour;
- Physical contact;
- One-to-one teaching policy;
- Health and safety.

Child-centred Approach

CCMC staff should do the following when working with children and young people:

- Treat them equally but also as individuals;
- Listen to and respect them;
- Involve them in decision making when appropriate;
- Encourage, support and praise them regardless of ability and always recognising that each child/young person is an individual and therefore has different capabilities to the next.
- Use only constructive criticism when needed;
- Encourage open feedback;
- Use appropriate language, both physical and verbal;
- Have fun and encourage a positive and trusting atmosphere;
- Use age-appropriate teaching aids and materials;
- Respect their personal space;
- Respect differences of ability, culture, religion, race and sexual orientation;
- Be cognisant of a child's/young person's limitations, due to a medical condition for example;
- Ensure the code of behaviour for children is adhered to;
- Lead by example.

Best Practice

To ensure best practice, CCMC is committed to doing the following on all classes that we run:

- Enrolling each child/young person using the proper application system, which is available on our website (or from the office) and keeping a record of name, address, phone number, special requirements, attendance and emergency contact details of all children/young people in the main administrative centre in Coláiste Éamann Rís;
- Ensuring that staff, facilitators, visitors and volunteers are aware of our Child Protection Policy and procedures. Policy copies are also forwarded to primary carers where requested. It is a condition of participation in CCMC classes that primary carers sign a

document affirming that they have read and are committed to supporting CCMC in the ongoing implementation of the Child Protection Policy and procedures;

- Ensuring that all CCMC teaching centres are given a copy of our Child Protection Policy and are informed that CCMC staff work according to the CCMC policy, which reflects the ethos and standards of our organisation;
- Having emergency procedures in place, as outlined in Section 4;
- Accommodating special needs children in our classes, where it is possible to provide an adequate environment to meet their needs;
- Evaluating work practices on a regular basis;
- Training our permanent members of staff by sending them on child protection courses;
- Training relevant staff, acting in positions of Designated or Deputy Designated Person by sending them on child protection training courses;
- Training our part-time staff and volunteers by meeting to discuss and talk through this policy document at the beginning of each contract, before teaching begins. Staff will then be asked to sign a form acknowledging that they have received training, have read and understood the CCMC CPP, and will abide by it (Appendix 6);
- Recording any incidents in the confidential incident file taken on all courses;
- Ensuring that the relevant primary carers are made aware of our CPP;
- Ensuring proper supervision based on adequate ratios according to age and gender;
- Being proactive in relation to problems, so that they don't get 'out of control'.

CCMC requires its staff to do the following when working on behalf of CCMC:

- Plan and be sufficiently prepared both mentally and physically;
- Report any concerns to the Designated Person and follow reporting procedures as outlined in Section 4;
- Follow and enforce the anti-bullying policy as outlined in the Code of Behaviour for Children and Young People in Section 3;
- Observe appropriate dress and behaviour;
- Maintain awareness around language and comments made and where there is a possibility that upset may have been caused, address it in a sensitive manner;
- Staff must be sensitive to the risks involved in interacting with children in a one-to-one setting;
- Staff should discuss boundaries on behaviour and related sanctions, as appropriate, with children/young adults;
- Where possible avoid giving a lift to a child or young person and, where necessary, ensure the primary carer has been informed.

Inappropriate Behaviour

CCMC staff should not do any of the following:

- Use or allow the use of offensive or sexually suggestive physical and / or verbal language;
- Allow or engage in inappropriate touching of any form;
- Hit or physically chastise students;

- Socialise inappropriately with students outside of structured organisational activities.

Physical Contact

Where possible, CCMC teachers will avoid physical contact with children and young people and will demonstrate performing techniques themselves in class. However, CCMC acknowledges that physical contact may be essential to the process of teaching in our classes on occasions. CCMC requires, therefore, that teaching staff seek consent of children and young people before making physical contact with them (except in an emergency or dangerous situation) and check their level of comfort when teaching exercises that involve physical contact.

- While physical contact may be necessary to instruct a child how to hold/play an instrument, it should be appropriate to the lesson or class, and only take place when it is acceptable to all concerned;
- Should a child/young person initiate physical contact with a staff member, the staff member will not respond to this behaviour and the child/young person will be told in an appropriate manner that this is not permissible.

One-to-One Teaching Policy

CCMC acknowledges that some tuition will be conducted in a one-to-one setting as this is often in the best interest of the child/young person. CCMC operates clear procedures regarding this type of class. In addition to implementing best practice, inappropriate behaviour and physical contact procedures as above, CCMC will also do the following:

- Every effort will be made by CCMC teachers to ensure that this teaching takes place in an open environment, i.e., teacher and student will be visible through a glass-panelled door/window and/or the door slightly ajar and blinds/curtains to be open;
- Every effort will be made to schedule one-to-one teaching when other activities are in progress in the building or centre;
- Parents/guardians will be encouraged to remain alongside or within the teaching room for the duration of the child's/young person's class;
- Teachers will indicate the process of the class in writing, either through a hard copy or through digital means, and this is to be signed on a weekly basis by parents/guardians;
- If staff must spend unforeseen time alone with a child/young person outside of scheduled lesson times, doors will be left open and no physical contact will take place.

Health and Safety

At CCMC we will:

- Avoid leaving children unattended where reasonable;
- Be vigilant in ensuring that the environment is safe;

- Operate a strict non-smoking environment. The consumption of alcohol is expressly forbidden;
- Be aware of accident procedures and follow accordingly.

Failure by staff to adhere to the 'Code of Behaviour for Staff' is gross misconduct and will be treated as a disciplinary offence, subject to the strict procedures in the Cork City Music College handbook for employees.

3. Code of Behaviour for Children and Young People

It is the policy of Cork City Music College to safeguard the welfare of all the children and young people who attend our college and outreach centres, by protecting them from harm. CCMC is also committed to providing a positive and enlightened environment, to facilitate the best possible educational outcome for participants in our classes and courses. The welfare of the children and young people under our care is paramount. The Cork City Music College Anti-Bullying Policy is documented in full in Appendix 1.

The following are the rules that all children and young people on our courses are required to follow:

All children and young people must:

- Make sure a member of staff is informed if they are unable to attend an individual class or will be late for any reason where practicable;
- Not consume alcohol, drugs or smoke while participating in CCMC classes, in keeping with civil law;
- Not engage in rough play;
- Not use inappropriate language.

CCMC wishes to promote a positive and inclusive atmosphere in our college and asks children and young people to be aware of and follow these guidelines:

- Treat each other and all members of staff of CCMC with courtesy, respect and dignity;
- Be aware that bullying will not be accepted or tolerated. Bullying can be defined as repeated aggression, - verbal, psychological or physical - which is conducted by an individual or group against others. Examples of bullying include the following - name-calling, physical fighting of any form, making offensive comments, intimidation, threatening, ignoring or excluding others, damaging property, sending abusive text messages, voicemails or social media posts, spreading rumours, sarcasm, mocking, derogatory remarks and gestures;
- Treat each other equally but also as individuals;
- Listen to and respect each other;
- Have fun and encourage a positive, inclusive atmosphere;
- Respect each other's personal space;
- Respect differences of ability, culture, religion, race and sexual orientation;
- Be aware of any special needs people may have.

In general, we ask that all participants use 'common sense' about what is acceptable behaviour and treat others as they would wish to be treated themselves.

4. Reporting Procedures for Child Safeguarding Concerns

Designated Liaison Person

CCMC Principal, Virginia Metcalfe, acts as the Designated Liaison Person for Child Safeguarding.

Contact Virginia Metcalfe: 021 496 6885 / 087 9838992 / principal@ccmc.ie

Deputy Designated Liaison Person

CCMC Office Manager, Nicola O' Driscoll, acts as the Deputy Designated Liaison Person for Child Safeguarding.

Contact Nicola O' Driscoll: 021 496 6885

It is the responsibility of the Designated Liaison Person and the Deputy Designated Liaison Person to support and advise staff and children and young persons in CCMC classes about policy and procedures in relation to child safeguarding and to ensure procedures are followed. It is also their responsibility to liaise with Tusla and/ or Gardaí where appropriate.

Incidents

CCMC has a confidential incident file, which will be held in the CCMC office in Coláiste Éamann Rís (See Appendix 2).

Child abuse can be categorised into four types: neglect, emotional, physical and sexual. Children First – National Guidance for the Protection and Welfare of Children includes the following definitions of child abuse:

1. Neglect. This is where a 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, or medical care.
2. Emotional Abuse. This is normally found in the relationship between a caregiver and a child. It occurs when a child's need for affection, approval, consistency and security are not met.
3. Physical Abuse. Physical abuse is any form of non-accidental injury that causes significant harm to a child.
4. 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.

Dealing with a Disclosure

CCMC advises its staff to deal as follows with a disclosure from a child or young person:

- Stay calm, listen and allow them enough time to say what they need to say;
- Do not prompt or use leading questions;
- Reassure them but do not promise to keep anything secret;
- Do not make them repeat anything unnecessarily;
- Explain in an age-appropriate way what will happen next.

4.1 Action to be taken by all college personnel (teaching and non-teaching) who suspect that a child is being abused or is at risk of being abused:

4.1.1

If any member of college personnel receives an allegation or has a suspicion that a child may have been abused or neglected, is being abused or neglected, or is at risk of abuse or neglect he or she shall, without delay, report the matter to the DLP in the college, who is responsible for ensuring that the reporting procedures in this section are followed. In addition, registered teachers (i.e., teachers registered with the Teaching Council), as mandated persons, are required to follow the procedures at section 4.2 of this chapter. The DLP shall make a written record of any concern brought to his or her attention by a member of college personnel and shall place this record in a secure location. All college personnel must have due regard to the need for confidentiality at all times. The supports of the college shall continue to be made available to the child(ren) concerned.

4.1.2

Where the allegation or concern relates to the DLP, the member of college personnel shall, without delay, report the matter to the Chairperson of the board of directors. In such cases, the Chairperson shall assume the role normally undertaken by the DLP and shall follow the reporting procedures set out in section 4.3 of this chapter for dealing with the allegation or concern.

4.1.3

College personnel should also be aware of the reporting requirements of the Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act, 2012.

4.2 Action to be taken where a registered teacher (teacher registered with the Teaching Council) has a concern:

4.2.1

This section sets out the reporting procedures to be followed by both the DLP and registered teacher where a registered teacher has a concern that a child may have been, is being or is at risk of being abused or neglected.

4.2.2

Where a registered teacher receives an allegation or has a suspicion that a child may have been abused or neglected, is being abused or neglected, or is at risk of abuse or neglect he or she shall, without delay, report the matter to the DLP.

4.2.3

Firstly, the DLP and the registered teacher must consider whether there are reasonable grounds for concern about the welfare and protection of the child.

4.2.4

If the DLP and the registered teacher both agree that there are reasonable grounds for concern they shall then jointly consider whether the concern in question is at or above the defined threshold of harm at which a report must be submitted as a mandated report to Tusla.

4.2.5

If the DLP and the registered teacher both agree that the concern is at or above the defined threshold of harm at which a mandated report must be made, the concern shall, as soon as practicable, be submitted as a mandated report to Tusla jointly by the DLP and the registered teacher concerned using the Tusla report form. The Tusla report form which is available on the Tusla website www.tusla.ie shall be completed as comprehensively as possible and indicate, in the manner required that it is a mandated report under the Children First Act, 2014.

4.2.6

Where the DLP is unsure whether to report a concern to Tusla or whether a report should be submitted as a mandated report, the DLP shall seek advice from Tusla. It should be noted that Children First National Guidance 2017 sets out that Tusla can provide advice in this regard. In consulting Tusla, the DLP shall follow the procedures set out at section 4.3.3 of these procedures. The DLP shall inform the registered teacher concerned that such advice is being sought and shall, when received, inform the registered teacher of the advice provided.

4.2.7

Where Tusla advises that a mandated report should be made, the DLP and the registered teacher concerned shall act on that advice and a mandated report shall, as soon as practicable, be submitted to Tusla jointly by the DLP and the registered teacher concerned in accordance with section 4.2.5 of these procedures.

4.2.8

In any case (including where the DLP has sought and considered the advice of Tusla) where the DLP and the registered teacher are both satisfied that the concern is not at or above the defined threshold of harm for a mandated report but both consider that it constitutes reasonable grounds for concern the DLP shall as soon as practicable, report the concern to Tusla in accordance with section 4.4 of these procedures. In such cases (i.e., where the registered teacher is satisfied that the concern is not at or above the defined threshold of harm for a mandated report) the teacher is not required to submit a report to Tusla.

4.2.9

In any case (including where the DLP has sought and considered the advice of Tusla) where either the DLP or the registered teacher, has any remaining doubt as to whether the concern is at or above the defined threshold of harm for a mandated report, the DLP or the registered teacher (or both where applicable) shall submit the report to Tusla as a mandated report in accordance with the reporting procedures set out in section 4.4. Where applicable, the mandated report shall be submitted to Tusla jointly by the registered teacher and DLP in accordance with section 4.2.5 of these procedures.

4.2.10

Where the DLP has decided not to report to Tusla or has decided not to submit the report as a mandated report to Tusla, the DLP shall advise the registered teacher that it still remains open to that teacher to seek advice from Tusla and to report his or her concern, or to report that concern as a mandated report to Tusla where he or she still considers that such a report is warranted. In accordance with section 4.3.8 where the DLP has decided not to report to Tusla, the DLP shall give the registered teacher a clear statement in writing as to the reasons why action is not being taken and a copy of that statement shall be retained by the DLP. If, in such circumstances, the registered teacher decides to report the concern to Tusla or to report the concern as a mandated report to Tusla, he or she shall use the Tusla Report Form which is available on the Tusla website www.tusla.ie and shall also provide a copy of that report to the DLP. Where that report concerns a member of college personnel, the DLP shall inform the employer (the board of directors of CCMC).

4.2.11

Important note for registered teachers:

Every registered teacher should note that as a mandated person the statutory obligation under the Children First Act 2015 to make a mandated report to Tusla rests with the individual teacher and this applies regardless of whether or not the DLP reports the concern in question. However, a registered teacher who makes a mandated report to Tusla jointly with the DLP meets his or her statutory obligation to report to Tusla under the Children First Act 2015.

4.2.12

All reports shall be submitted to Tusla in accordance with section 4.4 of these procedures.

4.3 Action to be taken by the Designated Liaison Person:

4.3.1

This section sets out the procedures that the DLP must follow where concerns about a child are brought to his or her attention or where the DLP has his or her own concerns about a child. The DLP must ensure that the reporting requirements outlined in this chapter are followed correctly and promptly including, where applicable, those in relation to making a mandated report jointly with a registered teacher.

4.3.2

In cases where there are concerns about a child and the DLP is satisfied that there are reasonable grounds for concern he or she shall report the matter to Tusla immediately following the procedures for making a report set out at section 4.4 of these procedures. Where the DLP considers that the concern is at or above the defined threshold of harm for a mandated report, the report in question shall be submitted to Tusla as a mandated report by the DLP. In all cases where a registered teacher has brought a concern to the DLP, the DLP and teacher shall also follow the relevant procedures set out at section 4.2 of this chapter.

4.3.3

Where there are concerns about a child, but the DLP is not sure whether to report the matter to Tusla or whether a report should be submitted to Tusla as a mandated report, the DLP shall seek

advice from Tusla. It should be noted that Children First National Guidance 2017 sets out that Tusla can provide advice in this regard. In consulting Tusla, the DLP shall be explicit that he or she is requesting advice and consultation and that he or she is not making a report. At this informal stage the DLP need not give identifying details. In all cases where the DLP has sought the advice of Tusla the DLP shall retain a record of the consultation which will note the date, the name of the Tusla official and the advice given. It should be noted that as outlined in section 4.2.6 if the concern was brought to the attention of the DLP by a registered teacher, the DLP shall inform the registered teacher that Tusla's advice is being sought and shall inform the registered teacher of the advice when received. Where Tusla advises that a report should be submitted as a mandated report, the DLP shall act on that advice (and where applicable this report shall be submitted to Tusla jointly with the registered teacher concerned in accordance with section 4.2.5 of these procedures).

4.3.4

Where the DLP is satisfied that the concern is not at or above the defined threshold of harm for a mandated report but he or she considers that it constitutes reasonable grounds for concern he or she shall report the concern to Tusla in accordance with section 4.4 of these procedures.

4.3.5

If the DLP has any remaining doubt as to whether the concern is at or above the defined threshold of harm for a mandated report, the DLP shall submit the report to Tusla as a mandated report in accordance with the reporting requirements set out in this chapter, including, where applicable, those relating to joint reporting with a registered teacher as set out in section 4.2.5 of these procedures.

4.3.6

Children First National Guidance 2017 outlines that it is good practice to inform the parent/carer that a report concerning his or her child is being made and the reasons for the decision to make the report. However, Children First National Guidance 2017 provides that it is not necessary to inform a parent/carer that a report is being made –

- (a) if by doing so, the child will be placed at further risk or
- (b) in cases where the family's knowledge of the report could impair Tusla's ability to carry out a risk assessment or
- (c) if the reporter is of the reasonable opinion that by doing so it may place the reporter at risk of harm from the family.

Accordingly, any DLP who is submitting a report to Tusla should inform a parent/carer that a report is being made and the reasons for the decision to report except where any of the conditions at (a) to (c) above apply. In any case, where a registered teacher is submitting a report to Tusla, the DLP, rather than the teacher concerned, shall assume the responsibility for informing the parent/carer.

A record shall be made of the information communicated by the DLP to the parent/carer. A decision by the DLP not to inform a parent/carer shall be recorded together with the reasons for not doing so.

4.3.7

Important note for DLP: Where the DLP has any doubt as to whether to inform a parent/carer that a report concerning his or her child is being made to Tusla, the DLP shall seek the advice of Tusla.

4.3.8

If the DLP decides that the concern of the member of college personnel, including that of a registered teacher, should not be reported to Tusla the DLP shall give the member of college personnel a clear statement, in writing, as to the reasons why action is not being taken. A copy of this statement should be retained by the DLP.

The member of college personnel shall also be advised by the DLP that if he or she remains concerned about the situation, he or she is free to consult with or report to Tusla. If the member of college personnel decides to report the concern to Tusla he or she shall use the Tusla Report Form which can be found on Tusla's website www.tusla.ie. The member of college personnel shall provide a copy of that report to the DLP. Where that report concerns a member of college personnel, the DLP shall inform the employer (the board of directors).

4.3.9

All reports shall be submitted to Tusla in accordance with section 4.4 of these procedures.

4.4 Making a Report to Tusla:

4.4.1

A concern may be made known initially to Tusla either in person, by phone or in writing, to the local social work duty service in the area where the child lives. It is generally most helpful if persons wishing to report child abuse concerns make personal contact with Tusla. This will facilitate the duty social worker in gathering as much information as possible about the child and his or her parents/carers.

4.4.2

The national contacts for Tusla can be found on the Tusla website www.tusla.ie. The dedicated contact point for Cork is **Tusla Child and Family Agency, Block 36, St Finbarr's Campus, Douglas Road, Cork. 021 4923493. For out-of-hours, contact 0818 776315.**

4.4.3

In the case of any concern (whether the concern was made known initially in person, by phone or in writing to either Tusla or An Garda Síochána), the Tusla Report form which is available on the Tusla website www.tusla.ie shall be completed and forwarded to Tusla as soon as possible thereafter. Although all information requested might not be available to the person making a report, the Tusla Report form shall be completed as comprehensively as possible.

4.4.4

The Tusla Report form shall be used for reporting all concerns to Tusla. In order to submit a report as a mandated report, the reporter shall indicate, in the manner required, on the Tusla Report form that the report is a mandated report under the Children First Act, 2014. Tusla Report form can be posted to a Tusla authorised person using the contact details on Tusla's website www.tusla.ie. Tusla has introduced an e-Solution electronic report form which is available on the Tusla website and will allow for electronic submission of reports to Tusla.

4.4.5

Under no circumstances should a child be left in a situation that exposes him or her to harm or risk of harm pending intervention by Tusla. If it is considered that a child is in immediate danger and Tusla cannot be contacted, An Garda Síochána should be contacted without delay.

4.4.6

Mandated persons should also note –

(a) Under the Children First Act, 2015 mandated persons are required to make a written report as soon as practicable using the Tusla Report form. The mandated person should indicate, in the manner required on the form that the report is a mandated report under the Children First Act, 2014.

(b) All mandated reports received by a Tusla authorised person will receive a formal acknowledgement of receipt by Tusla.

(c) Mandated persons are not required to report the same concern more than once. However, if a mandated person becomes aware of any additional information a further report shall be made.

(d) In addition, a mandated person is not required to make a report where the sole basis for his or her knowledge, belief or suspicion of harm is as a result of information he or she has acquired, received or become aware of

(1) from another mandated person that a report has been made to Tusla in respect of the child concerned by that other person or

(2) from a person other than a mandated person, who has reported jointly with a mandated person, that a report has been made to Tusla in respect of the child concerned by that other person, or

(3) pursuant to assisting Tusla in assessing a concern.

(e) Where a mandated person acting in the course of his or her employment or profession as a mandated person knows, believes or has reasonable grounds to suspect that a child may be at risk of immediate harm and should be removed to a place of safety, he or she may make a report to Tusla other than by means of the Tusla Report form. In such cases, a Tusla Report form must be submitted as soon as possible thereafter but, in any event, not later than 3 days after the making of the first-mentioned report.

4.5 Informing the Board of Directors/Employer:

4.5.1

At each board of directors meeting, the principal's report to the board shall include a Child Protection Oversight Report containing information under 4 headings as follows –

- (1) Allegations of abuse made against members of college personnel
- (2) Other child protection concerns in respect of pupils in the college (i.e., concerns that do not involve any allegation of abuse against a member of college personnel)
- (3) Child protection concerns arising from alleged bullying behaviour amongst pupils and
- (4) Summary data in respect of reporting.

4.5.2

Where an allegation of abuse is made against a member of college personnel, the DLP shall always inform the employer (the board of directors). This applies whether or not the matter is being reported to Tusla.

4.6 Child protection concern about a member of college personnel raised by a parent:

4.6.1

Where a parent of a pupil in the college makes an allegation of abuse against a member of college personnel the following additional procedures shall be followed by the DLP and the board of directors as applicable.

4.6.2

The DLP shall, within 10 college days of the parent making the allegation (whether to the DLP, the board of directors or another member of college personnel) issue a written notification to the parent concerned which sets out –

- (a) that in accordance with the requirements of the Child Protection Procedures for Cork City Music College –
 1. the matter has been reported by the DLP to Tusla or
 2. Tusla advice has been sought in respect of the matter by the DLP and on foot of that advice the matter was not reported to Tusla or
 3. the DLP determined that the matter did not constitute reasonable grounds for concern as set out under these procedures and therefore did not require reporting to Tusla and the reasons for that determination,
- (b) that it is open to the parent concerned to contact Tusla directly in relation to the matter, should the parent wish to do so and,

(c) that any allegation of abuse against a college employee reported to Tusla falls to be dealt with under the relevant procedures set out in chapter 7 “Allegations of Suspicions of Child Abuse regarding College Employees” of the Child Protection Procedures for Primary and Post-Primary Colleges 2017 and, as applicable, under relevant employee disciplinary procedures and therefore shall not be dealt with under the college’s parental complaints procedures.

4.6.3

In any case where a parent has not received the written notification from the DLP referred to at section 4.6.2 above within the required timeframe, the parent may raise the matter directly with the DLP. If the written notification is not received by the parent within 5 college days of raising the matter with the DLP, the parent may notify the board of directors in writing of this fact. In such circumstances, the board of directors shall direct the DLP to ensure that a notification containing the information specified in section 4.6.2 of these procedures is issued to the parent within 10 college days of the board of directors receiving the parent’s written notification.

4.6.4

Where a parent of a pupil in the college makes an allegation of abuse against the DLP, the Chairperson of the board of directors shall assume the role normally undertaken by the DLP under section 4.6 and shall follow the procedures as set out above.

5. Confidentiality Statement

CCMC is committed to ensuring peoples' rights to confidentiality. However, in relation to child protection and welfare we undertake that:

- Information will only be forwarded on a 'need to know' basis in order to safeguard the child / young person;
- Giving such information to others for the protection of a child or young person is not a breach of confidentiality, if we deem it in the vital interest of a child to do so;
- We cannot guarantee confidentiality where the best interests of the child or young person conflict with their rights to confidentiality under data protection legislation and their right to protection from any risk we identify or suspect;
- Primary carers, children and young people have a right to know if personal information is being shared and / or a report is being made to the Health Service Executive, unless doing so could put the child or young person at further risk;
- Images of a child or young person containing identifying information will not be used for any reason without the consent of a parent or carer (however, we cannot guarantee that cameras / videos will not be used in public performances; we do not have any control whatsoever in this regard and images or video recorded and shared of public performances are exempt from data protection legislation under the artistic exemption Article 85 of GDPR);
- With the exception of public performances, CCMC will request the consent of primary carers to use images of students for publicity purposes by CCMC and will not use identifying images without this consent;
- All new staff and fixed-term contracted teachers will be required to sign a staff confidentiality agreement (see appendix 4);
- The incident report file will be kept in a locked cabinet in the CCMC office.

6. Recruitment and Selection of Staff

- CCMC will ensure that staff are carefully selected, trained and supervised to provide a safe environment for all children and young people;
- Roles and responsibilities for every job (paid and voluntary) will be clearly defined;
- Permanent staff positions will be advertised widely;
- A panel of at least two representatives will select permanent staff through an interview process;
- Appointments for fixed-term contracted teaching positions will be made from a panel of teachers put together by the Principal/Vice Principal and Board. A panel consisting of at least two representatives will then select teachers through an interview and audition process. Anyone interested in applying to work as a fixed-term contracted teacher will be asked to send a CV and cover letter;
- CCMC will endeavour to select the most suitably qualified personnel;
- At least two references, which are recent, relevant, independent and verbally confirmed, will be necessary for all staff and will be sought using a confidential reference form (see Appendix 5). Should there be reason to exclude an applicant, this will be discussed and agreed on a case-by-case basis at board level. References cannot be supplied by family members;
- All staff (paid and voluntary) shall be Garda Vetted by CCMC prior to commencement of work. This procedure is qualified in the following respects:
 - We will attempt to vet non-Irish staff through the Garda Vetting process. However, An Garda Síochána will not vet those without an Irish address. In order to provide the highest quality of facilitation to young people, we will rely, in these cases, on the referencing procedure outlined above;
 - Occasionally, voluntary staff on a once-off or occasional basis will need to be brought in at a late stage to assist with the running of our events. The time-scale for vetting means it may not be possible to complete the process and we shall, therefore, rely on the referencing procedure outlined above. This procedure is in line with the provisions of the Garda Vetting Act.
- No person who would be deemed to constitute a 'risk' will be permitted to work (paid or voluntary) for CCMC. The following would be considered risk factors:
 - Any child-related convictions;
 - A refusal to sign declaration form or provide details of two referees;
 - A refusal to submit to the Garda Vetting process;
 - Insufficient documentary evidence of identification;
 - Concealment of information relating to one's suitability for working with children.
- There will be a probationary period of six months for each permanent member of staff recruited and a probationary period of 10 weeks for each fixed-term contracted teacher recruited;
- All staff (permanent, fixed-term contract, and voluntary) will be required to complete a declaration form (See Appendix 6);
- All new staff and fixed-term contracted teachers will be required to sign a contract.

7. Managing and Supervising Staff

New permanent staff will:

- Be made aware of CCMC's code of conduct, be made a Designated or Deputy Designated Liaison Person, as appropriate, undergo child protection training and prior to this will be familiar with CCMC's Safeguarding and Child Protection Policies;
- Undergo a probationary period of six months and be subject to the recruitment procedures outlined in Section 6;
- Will be trained in Child Safeguarding and Protection Procedures and required to read and sign CCMC's Child Safeguarding and Child Protection Policy documents.

All permanent staff will:

- Be trained in Child Safeguarding and Protection Procedures and required to read and sign CCMC's Child Safeguarding and Child Protection Policy documents;
- Receive an adequate level of supervision and review of their work practices.

All fixed-term contracted staff and voluntary staff will:

- Be sent a copy of CCMC's Child Safeguarding and Child Protection Policy documents to read and sign prior to their employment with CCMC;
- Be familiar with CCMC's Child Safeguarding and Child Protection Policy documents and be given training as outlined in Section 2 under Best Practice;
- Be subject to the recruitment procedures as outlined in Section 6.

8. Involvement of Primary Carers

CCMC is committed to being open with all primary carers.

CCMC undertakes to:

- Advise primary carers of CCMC's Child Safeguarding and Child Protection Policy documents;
- Make copies of our policies available via our website;
- Make copies of the policies available when requested;
- Inform primary carers of all activities and potential activities;
- Comply with health and safety practices;
- Operate child centred policies in accordance with best practice as outlined in Section 2;
- Adhere to our staff recruitment and management guidelines as outlined in Section 6;
- Ensure as far as possible that activities are age appropriate;
- Encourage and facilitate the involvement of parents, carers and responsible adults where appropriate.

If CCMC has concerns about the welfare of a child or young person we will follow our reporting procedures outlined in Section 4 and in the event of a complaint against a member of staff we will follow procedures outlined in Sections 9 and 10 as appropriate to the nature of the complaint.

9. Dealing with Allegations against Staff

In the instance of an allegation, CCMC's first priority is the safety of the child. CCMC also has a responsibility to the employee.

Two separate procedures must be followed:

- In respect of the child or young person, either the Designated Liaison Person or the Deputy Designated Liaison Person will deal with issues related to the child or young person. In the event that either of these two Designated Liaison Persons has had allegations made against them, the other Designated Liaison Person, who has not had allegations made against them, will deal with the issues related to the child or young person;
- In respect of the person against whom the allegation is made, the CCMC Chairperson, will deal with issues related to the staff member;
- The reporting procedures in Section 4 should be followed, and the parents/ carers and the child or young person should be kept informed of actions planned and taken;
- The staff member will be informed as soon as possible of the nature of the allegation and will be given the opportunity to respond;
- Any action following an allegation of abuse against an employee should be taken in consultation with Tusla and Gardaí;
- After consultation, the CCMC Chairperson will advise the person accused and take measures appropriate to the level of risk while not unreasonably penalizing the worker – unless necessary to protect the child or young person. Measures could include increased supervision, assignment to different duties, or suspension.

10. Complaints and Comments Procedures

- Complaints or comments in writing will be acknowledged within 7 working days;
- CCMC Principal has responsibility for directing complaints / comments to the appropriate person and ensuring they are responded to on time;
- Verbal complaints will be logged and responded to in the same way as written complaints;
- CCMC will seek the advice of a Tusla social worker for an informal discussion in the event of a complaint that may cause 'reasonable grounds for concern'.

11. Accidents Procedure

- CCMC staff will record any accidents that take place during tuition in the confidential incidents file using the CCMC Confidential Incident Form (see Appendix 2);
- CCMC maintains an up-to-date register of the contact details of all children and young people enrolled with the college and will ensure that these details are cross-referenced with Confidential Incident Report Forms;
- CCMC always has its own public liability insurance in place for all tuition and courses that it runs;
- A First Aid box is always available and fully stocked in CCMC Centres and staff are made aware of its location;
- Emergency contact details are required from students upon registering with CCMC;
- CCMC is committed to ensuring that at least one member of staff has a First Aid certificate;
- CCMC is committed to making staff, children and young people aware of the risks of handling heavy equipment.

Appendix 1. CCMC Anti-Bullying Policy

Cork City Music College Anti-Bullying Policy

Music Outreach CLG, trading as Cork City Music College (“the College”) takes allegations of bullying very seriously. Strict policies are in place regarding the discipline of individuals involved in incidents of bullying, and bullying will not be tolerated under any circumstances. The Board of Directors of Cork City Music College has adopted the following anti-bullying policy within the framework of the college’s overall code of behaviour.

1. The Board of Directors recognises the very serious nature of bullying and the negative impact that it can have on the lives of pupils and is therefore fully committed to the following key principles of best practice in preventing and tackling bullying behaviour:

- A positive college culture and climate which
 - is welcoming of difference and diversity and is based on inclusivity;
 - encourages pupils to disclose and discuss incidents of bullying behaviour in a non-threatening environment;
 - promotes respectful relationships across the College community;
- Effective leadership;
- A College-wide approach;
- A shared understanding of what bullying is and its impact;
- Effective supervision and monitoring of pupils;
- Supports for staff;
- Consistent recording, investigation and follow up of bullying behaviour (including use of established intervention strategies);
- On-going evaluation of the effectiveness of the anti-bullying policy.

2. Bullying is defined as follows:

Bullying is unwanted negative behaviour, verbal, psychological or physical conducted, by an individual or group against another person (or persons) and which is repeated over time.

The following types of bullying behaviour are included in the definition of bullying:

- deliberate exclusion, malicious gossip and other forms of relational bullying,
- cyber-bullying
- identity-based bullying such as homophobic bullying, racist bullying, bullying based on a person’s membership of the Traveller community and bullying of those with disabilities or special educational needs.

Isolated or once-off incidents of intentional negative behaviour, including a once-off offensive or hurtful text message or other private messaging, do not fall within the definition of bullying and should be dealt with, as appropriate, in accordance with the College’s code of behaviour.

However, in the context of this policy, placing a once-off offensive or hurtful public message, image or statement on a social network site or other public forum where that message, image or statement can be viewed and/or repeated by other people will be regarded as bullying behaviour. Negative behaviour that does not meet this definition of bullying will be dealt with in accordance with the College’s code of behaviour.

3. Additional forms of bullying within the College environment are as follows:

- subjecting an individual to unreasonable scrutiny;

- excessive or unfair criticism about minor matters;
- taking credit for another individual's achievements;
- undermining an individual's value in a lesson/ performance/ other activity;
- setting impossible targets or objectives;
- changing requirements or rules without informing the individual;
- dealing with an individual through a third party so as to isolate them;
- ignoring an individual's point of view on a persistent basis;
- publicly insulting or humiliating an individual.

4. Cork City Music College staff will not tolerate any discourteous, disrespectful or abusive behaviour. Lack of respect can be shown by direct comments, sarcasm, snide remarks, inappropriate jokes or banter. It can also arise when an individual is ignored, overlooked, avoided or shunned intentionally and in a manner likely to be deemed hurtful or disrespectful. Jokes or comments directed at or referring to another individual while deemed amusing by others could be unfair, uncomfortable or hurtful to that individual. Respect must be shown to all Cork City Music College staff, students, and primary carers.

5. The College's procedures for investigation, follow-up and recording of bullying behaviour and the established intervention strategies used by the College for dealing with cases of bullying behaviour are as follows:

- If possible, it is preferable to deal with bullying or disrespectful behaviour informally. Therefore, in the first instance, the individual who believes that they are the subject of bullying should report the issue to their own or an appropriate teacher. This teacher then will bring this matter to the 'bullying' party to explain that their behaviour has been deemed to be unacceptable/ hurtful and that appropriate sanctions will be taken if this behaviour persists.
- At this stage, if the matter persists the teacher is obliged to bring it to the attention of the Principal or Vice-Principal, i.e., the management of Cork City Music College. The teacher and college management will then coordinate a 'meeting' between both parties, including parents/caregivers of children under the age of eighteen, where grievances will be outlined and discussed and whether such action would be deemed appropriate under the circumstances of the type of behaviour being undertaken. The alleged bully will be made aware that his/her behaviour has been noted and that such behaviour is unacceptable.
- Should the alleged bullying continue, the teacher and college management will use their best judgement to decide whether the 'bully' should be permitted to remain in the specific class or centre in general. If a decision is made to remove a student from a class due to persistent or ongoing bullying behaviour, then a zero-tolerance policy will apply and that student will be asked, in writing, not to attend any further classes and a refund for the payment of remaining classes will not be made.

6. The Board of Directors confirms that appropriate supervision and monitoring policies and practices are in place to both prevent and deal with bullying behaviour and to facilitate early intervention where possible.

7. The Board of Directors confirms that the College will, in accordance with its obligations under equality legislation, take all such steps that are reasonably practicable to prevent the sexual

harassment of pupils or staff or the harassment of pupils or staff on any of the grounds specified i.e. gender including transgender, civil status, family status, sexual orientation, religion, age, disability, race and membership of the Traveller community.

8. This policy was adopted by the Board of Directors on _____ [date].

9. This policy has been made available to College personnel, and all students of Cork City Music College.

Signed: _____ Date: _____
Chairperson of Board of Directors

Signed: _____ Date: _____
Principal

Appendix 2. CCMC Confidential Incident Report Form

Date and time of incident: _____

Exact location where incident took place: _____

Names of people involved in the incident: _____

Phone no and address of people involved and parents / guardians:

Description of incident (include the following: Suspicions, Concerns, Worrying Observations, Behavioural Changes, Actions and Outcomes. Try to make it as factual as possible and supporting opinions with fact where possible):

How was the incident reported?

Signature:

Occupation:

Date:

Appendix 3. Reasonable Grounds for Concern

The following excerpt from the 'Children First: National Guidelines for the Protection and Welfare of Children' (4.3.2 – p. 38) shows what would constitute reasonable grounds for concern:

- Specific indication from the child or young person that he or she has been abused;
- An account by a person who saw the child / young person being abused;
- Evidence, such as an injury or behaviour, which is consistent with abuse and unlikely to be caused another way;
- An injury or behaviour which is consistent both with abuse and with an innocent explanation but where there are corroborative indicators supporting the concern that it may be a case of abuse [an example of this would be a pattern of injuries, an implausible explanation, other indications of abuse, dysfunctional behaviour];
- Consistent indication over a period of time that a child is suffering from emotional or physical neglect.

Appendix 4. CCMC Staff Confidentiality Agreement

I understand and accept that I have a duty of privacy and confidentiality to the students and fellow staff both during and after my period of employment. I undertake:

- To treat all personal information, accessed as part of my role in the College, as private and confidential.
- To only use my own username and password when accessing or editing student records.
- Not to remove documents or digital records from the College without the express instruction of the Principal or Vice - Principal
- To bring to the attention the Principal or Vice - Principal if I have any conflict of interest in accessing particular student records.
- Not to discuss confidential student information with anyone except where it would be in the Vital Interest of the student to do so, or I'm compelled by law to.
- Not to discuss or disclose confidential College information that would provide a competitive business advantage to third parties.
- To maintain the privacy of student records by ensuring that records are stored securely, and that documents, are not open to public view or access.
- To never sell, trade or swap any student information for any purposes.
- To never use student information for personal or professional gain or use.
- To hand back or destroy student information, as directed by the Principal or Vice – Principal, at the end of my period of employment.

I understand that a breach of student confidentiality is grounds for censure or dismissal.

Staff signature _____

Date _____

Appendix 5. CCMC Reference Form

Confidential

_____ has been selected to work for Cork City Music College and has given your name as referee.

This post involves substantial access to children and as an organisation committed to the welfare and protection of children, we would like to know if you have any reason at all to be concerned about this applicant being in contact with children and young people?

Yes **No** (circle as appropriate)

If you are happy to complete this reference, all information contained on the form will remain confidential and will only be shared with the Principal / Vice Principal should they be offered a position. We would appreciate you being extremely candid in your evaluation of this person.

How long have you known this person? _____

In what capacity? _____

What attributes does this person have which you would consider makes them suitable to work with young people?

Please rate this person from 1 to 5 (1 being poor and 5 being excellent) on the following:

Responsibility	1	2	3	4	5
Maturity	1	2	3	4	5
Self-motivation	1	2	3	4	5
Motivation of others	1	2	3	4	5
Energy	1	2	3	4	5
Trustworthiness	1	2	3	4	5
Reliability & Punctuality	1	2	3	4	5

Signed _____ Date _____

Occupation _____

Appendix 6. CCMC Declaration Form

Declaration Form

Confidential

Declaration form for all CCMC staff and volunteers who work with children and young people:

Surname: _____ First Name: _____

Date of Birth: _____ Place of Birth: _____

Address: _____

Mobile No: _____ Email: _____

Is there any reason that you would be considered unsuitable to work with children and young people?

Yes No (Please circle)

If yes, please outline reason below:

I _____ have read and understand the CCMC Child Protection Policy.

Signed: _____ Date: _____

Appendix 7. Cork Dedicated Contact Points

Contact details if you need to report a concern about a child or need to discuss a concern:

Tusla Child and Family Agency

Block 36

St Finbarr's Campus

Douglas Road

Cork

021 4923493

Tusla employs Children First Information and Advice Officers who are available to liaise with voluntary and community organisations and provide advice and guidance on Children First. If you would like to enquire about Children First training you should contact the local Children First Information and Advice Officer:

Margaret Fitzgerald (087) 9141027 / Maureen Crowley (087) 7871537

Children First and Information and Advice Officer

Child and Family Agency

Block 36

St Finbarr's Hospital

Douglas Road

Cork.

021 4923220

Email: margareta.fitzgerald1@tusla.ie / maureen.crowley@tusla.ie