

# Newpark Academy of Music

## Child Safeguarding Statement

Policy Name: Child Safeguarding Statement

Revision approved by NAM board of directors:  
On: \_\_\_\_ [08/03/2023] \_\_\_\_

### Child Safeguarding Statement

In accordance with the requirements of the Child First Act 2015, Children First: National Guidance for the Protection and Welfare of Children 2017, the Child Protection Procedures for Primary, Post Primary Schools and Tusla Guidance on the preparation of Child Safeguarding Statements, the Board of Directors of Newpark Music Centre trading as Newpark Academy of Music has agreed the Child Safeguarding Statement set out below.

1. NAM is a registered charity providing music education to students from Junior level through to third-level and adults.
  - a. Junior NAM caters for approximately 300-400 music students under the age of 18 who take a mixture of classes in one-to-one lessons and in groups. These students are in NAM for approximately an hour each week.
  - b. NAM has 42 faculty and administrative staff on site at Newtownpark Ave, Blackrock, Co. Dublin, A94KT44.
  - c. Music lessons are conducted at Newpark Academy of Music in Newpark Ave, Blackrock.
  - d. In addition, NAM students participate in organised concerts off site in Ireland.
  
2. The Board of Directors recognises that child protection and welfare consideration permeate all aspects of NAM life and must be reflected in all of NAM's policies, procedures, practices and activities. Within these, NAM will adhere to the following principles of best practice in child protection and welfare:
  - a. Recognise that the protection and welfare of children is of paramount importance, regardless of all other considerations;
  - b. Fully comply with its statutory obligations under the Children First Act 2015 and other relevant legislation relating to the protection and welfare of children;
  - c. Fully co-operate with the relevant statutory authorities in relation to child protection and welfare matters;
  - d. Adopt safe practices to minimise the possibility of harm or accidents happening to children and protect workers from the necessity to take unnecessary risks that may leave themselves open to accusations of abuse or neglect;
  - e. Develop a practice of openness with parents and encourage parental involvement in the education of their children; and
  - f. Fully respect confidentiality requirements in dealing with child protection matters.
  - g. NAM will also adhere to the above principles in relation to any adult pupil with a special vulnerability.
  
3. In accordance with the Children First Act 2015, the board of management initiated a risk assessment of any potential for harm to a child while attending NAM or participating in NAM activities. A written assessment setting out the areas of risk identified and NAM's procedures for managing those risks has also been completed and is included in Appendix 1.

4. The Board of Director has adopted and will implement fully and without modification the Department's Child Protection Procedures for Primary and Post Primary Schools 2017 as part of this overall Child Safeguarding Statement. The following procedures/measures are in place:
  - a. In relation to any member of staff who is the subject of any investigation (howsoever described) in respect of any act, omission or circumstance in respect of a child attending NAM, NAM adheres to the relevant procedures set out in Chapter 7 of the Child Protection Procedures for Primary and Post-Primary Schools 2017 and to the relevant agreed disciplinary procedures for staff which are published on the DES website.
  - b. In relation to the selection or recruitment of staff and their suitability to work with children, NAM adheres to the statutory vetting requirements of the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016 and to the wider duty of care guidance set out in relevant Garda vetting and recruitment circulars published by the DES and available on the DES website. The policy adopted by NAM in relation to its compliance with these requirements is set out at Appendix 2.
  - c. In relation to the provision of information and, where necessary, instruction and training, to staff in respect of the identification of the occurrence of harm (as defined in the 2015 Act) NAM:
    - i. - Has provided each staff member with a copy of NAM's Child Safeguarding Statement;
    - Ensures all new staff are provided with a copy of NAM's Child Safeguarding Statement;
    - Ensures all staff to avail all relevant trainings;
    - Encourages members of the Senior Management Team and ;
  - d. The Secretariat office maintains records of all staff and committee member training.
  - e. In relation to reporting of child protection concerns to Tusla, all NAM personnel are required to adhere to the procedures set out in the Child Protection Procedures for Primary and Post Primary Schools 2017, including in the case of registered teachers, those in relation to mandated reporting under the Children First Act 2015. Please see Appendix 3, which, for information, contains definitions of abuse and reporting procedures.
5. In NAM:
  - a. The Designated Liaison Person (DLP) is Hilda Chan (Executive director)
  - b. The Deputy Designated Liaison person (Deputy DLP) is Sharon Burrell McCrossan (Office Manager)
  - c. The Board of Directors had appointed the above named DLP as the "relevant person" (as defined in the Children First Act 2015) to be the first point of contact in respect of the Child Safeguarding Statement.
  - d. All registered teachers employed by NAM are mandated persons under the Children First Act 2015.

- 6. This Statement and the associated risk assessment has been published on NAM’s website and has been provided to all members of NAM staff. It is readily accessible to parents and guardians on request. A copy of this Statement will be made available to Tusla and the Department if requested. All relevant documents, this statement and details of procedures in place to mitigate risks are readily available upon request from the Secretariat office. This statement is also on prominent display in the reception area of the NAM.
  
- 7. This Child Safeguarding Statement will be reviewed annually by the Board of Directors, or as soon as practicable after there has been a material change in any matter to which this statement refers. The executive director will report to the Board of Directors annually, who must be satisfied that NAM is compliant with all its obligations in respect of these policies and procedures.
  
- 8. This Child Safeguarding Statement was adopted by the Board of Directors on

Signed: \_\_\_\_\_  
Chairperson of the Board of Directors

Signed: \_\_\_\_\_  
Secretary of the Board of Directors

### **Appendix 1: Child Safeguarding Risk Assessment**

In accordance with section 11 of the Children First Act 2015, the following is the Written Risk Assessment of the Newpark Academy of Music.

<b>NAM Activity</b>	<b>Risk Identified</b>	<b>Procedures in place to manage Risk</b>
Daily arrival and dismissal of pupils	Risk of child begin harmed by another child, risk of child being harmed by another adult, risk of harm not being recognised by school staff Risk of Bullying of a child by an adult of another child	Child Safeguarding Statement circulated to staff, made available, adherence to Garda Vetting Legislation, First Aid procedures, Health & Safety Statement, Code of Conduct Staff/Students; Dignity and Respect Policy incorporating Anti-Bullying procedure
Recreation breaks for students	Risk of child begin harmed by another child, risk of child being harmed by another adult, risk of harm not being recognised by school staff Risk of Bullying of a child by an adult or another child	Child Safeguarding Statement circulated to staff, made available, adherence to Garda Vetting Legislation, First Aid procedures, Health & Safety Statement, Code of Conduct Staff/Students; Dignity and Respect Policy incorporating Anti-Bullying procedure
Teaching including one to one, classroom and coaching	Risk of child begin harmed by school staff or another student Risk of Bullying of a child by an adult or another child	Child Safeguarding Statement circulated, Glass viewing panels in all doors/rooms, Teachers regulations, Disciplinary procedures adhered to, Dignity and Respect Policy incorporating Anti-Bullying Procedure.
Use of toilet areas	Inappropriate behaviour, risk of child being harmed by another child or adult Risk of Bullying of a child by an adult or another child	Supervision throughout the building by admin/reception staff on duty, Dignity and Respect Policy (incorporating anti-bullying & harassment procedure), Health and Safety Statement in place.
Administration of First Aid	Risk of child being harmed by another adult or child	Health and Safety Statement and appropriate Emergency Procedures in place. First Aid Personnel trained. Accident log book available at reception.

ICT and Data Protection	Risk of harm due to member of staff accessing or circulating by text/social media inappropriate material, communicating with a student in an inappropriate manner, personal information being accessed Risk of Bullying of a child by an adult or another child	Code of Conduct Staff/Students Policy in place, Dignity and Respect Policy incorporating anti-bullying and harassment procedure
Prevention of and dealing with bullying among pupils or staff	Risk of harm to child by adult or another child Risk of Bullying of a child by an adult or another child	Dignity and Respect Policy (incorporating anti-bullying & harassment procedure), in place, Complaints Procedure, Teachers Regulations and Student Regulations
Training of NAM staff in child protection matters	Risk of child begin harmed by another child, risk of child being harmed by another adult, risk of harm not being recognised by school staff	Child Safeguarding Statement circulated to staff, Codes of Conduct for teaching and nonteaching staff, NAM encourages relevant training in these areas
Care of pupils with vulnerabilities and/or special needs	Risk of harm to child by an adult or another child Risk of Bullying of a child by an adult or another child	Dignity and Respect Policy (incorporating anti-bullying & harassment procedure)
Recruitment of NAM Personnel	Risk of harm to a child by an adult	Child Safeguarding Statement given to all new staff along with NAM Handbook containing all relevant policies Garda Vetting guidelines adhered to, appropriate training offered where necessary
Use of video or photography on NAM premises	Harm to child or risk of bullying by adult or inappropriate circulation on line	Dignity and Respect Policy (incorporating antibullying & harassment procedure),
NAM Activities taking place off-site (e.g. concerts)	Risk of a child being harmed by another adult or child, risk of harm not being recognised Risk of Bullying of a child by an adult or another child	Health and Safety Policy in place. Dignity and Respect Policy (incorporating anti-bullying & harassment procedure),

*Note: Risk in the context of this risk assessment is the risk of “harm” as defined in the Children First Act 2015 and not general health and safety risk. The definition of harm is set out in Chapter 4 of the Child Protection Procedures.*

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

This risk assessment has been completed by the Board of Directors and executive director on \_\_\_\_\_ [date]. It is reviewed as part of NAM's annual review of Child Safeguarding Statement.

Signed: \_\_\_\_\_  
Chairperson of the Board of Directors

Signed: \_\_\_\_\_  
Executive Director

## **Appendix 2: Garda Vetting Policy**

### **1. Purpose**

This policy exists in order to ensure that NAM complies with the National Vetting Bureau (Children and Vulnerable Persons) Act 2012-2016, which makes it mandatory for people working with children or vulnerable adults to be vetted by the Garda Síochána National Vetting Bureau.

### **2. Scope**

The policy applies to anyone who is employed and/or engaged by or acts on behalf of NAM who will have access to children or vulnerable adults in the course of their employment. A child is defined as a person under 18 years of age. A vulnerable adult is defined as a person, other than a child, who is suffering from an intellectual disability or physical impairment or disability that restricts the person in their ability to guard themselves against harm by another person. Any vetting disclosure received by NAM will be available to the person concerned as soon as practicable and the information contained in the documentation will not be used for any other purpose other than assessing suitability of the person for the relevant work/activities for which they are being considered. All vetting disclosure documentation will be held in a secure file in the Secretariat Office.

### **3. Procedure**

Where a person is required to complete a vetting document they must contact the relevant office or the executive director and request a copy of the invitation form. Vetting documents can be obtained for completion by contacting Hilda Chan, in the main reception/office, [hchan@newparkmusic.ie](mailto:hchan@newparkmusic.ie). Once the form has been completed it must be returned to the main reception/office for the attention of Hilda Chan. Original forms only can be accepted, no photocopies. If they are unable to attend the office in person for a particular reason, they must contact Hilda Chan.

### **4. Vetting of Existing Staff**

NAM is required to ask all staff members who are already engaged/employed to undergo vetting. Retrospective vetting will be carried out in accordance with this policy.

NAM reserves the right to request any member of staff who has access during the course of their employment to children and/or vulnerable persons to undergo vetting at any time but no less than every five years or shorter periods as may be prescribed under the act. NAM shall take such action and invoke such internal policies as deemed necessary in respect of any person's failure or refusal to engage in the vetting process or in respect of any vetting disclosures made.

### **5. Disclosure of Criminal Convictions**

NAM will consider any disclosures of previous convictions of criminal offences on a case-by-case basis.

### **Appendix 3: Definitions of Abuse**

The definition of abuse for the purpose of this policy (which is taken from Tusla guidelines) includes:

#### **Neglect**

Child neglect is the most frequently reported category of abuse, both in Ireland and internationally. Ongoing chronic neglect is recognised as being extremely harmful to the development and well-being of the child and may have serious long-term negative consequences.

Neglect occurs when a child does not receive adequate care or supervision to the extent that the child is harmed physically or developmentally. It is generally defined in terms of an omission of care, where a child's health, development or welfare is impaired by being deprived of food, clothing, warmth, hygiene, medical care, intellectual stimulation or supervision and safety. Emotional neglect may also lead to the child having attachment difficulties. The extent of the damage to the child's health, development or welfare is influenced by a range of factors. These factors include the extent, if any, of positive influence in the child's life as well as the age of the child and the frequency and consistency of neglect.

Neglect is associated with poverty but not necessarily caused by it. It is strongly linked to parental substance misuse, domestic violence, and parental mental illness and disability. A reasonable concern for the child's welfare would exist when neglect becomes typical of the relationship between the child and the parent or carer. This may become apparent where you see the child over a period of time, or the effects of neglect may be obvious based on having seen the child once.

The following are features of child neglect:

- children being left alone without adequate care and supervision;
- malnourishment, lacking food, unsuitable food or erratic feeding;
- non-organic failure to thrive, i.e. a child not gaining weight due not only to malnutrition but also emotional deprivation;
- failure to provide adequate care for the child's medical and developmental needs, including intellectual stimulation;
- inadequate living conditions – unhygienic conditions, environmental issues, including lack of adequate heating and furniture;
- lack of adequate clothing;
- lack of attention to basic hygiene;
- lack of protection and exposure to danger, including moral danger, or lack of supervision appropriate to the child's age;
- persistent failure to attend school;
- abandonment or desertion. Emotional abuse is the systematic emotional or psychological ill-treatment of a child as part of the overall relationship between a caregiver and a child. Once-off and occasional difficulties between a parent/carer and child are not considered emotional abuse.

#### **Abuse**

Abuse occurs when a child's basic need for attention, affection, approval, consistency and security are not met, due to incapacity or indifference from their parent or caregiver. Emotional abuse can also occur when adults responsible for taking care of children are unaware of and unable (for a range of reasons) to meet their children's emotional and developmental needs. Emotional abuse is not easy to recognise because the effects are not easily seen.

A reasonable concern for the child's welfare would exist when the behaviour becomes typical of the relationship between the child and the parent or carer. Emotional abuse may be seen in some of the following ways:

- rejection;
- lack of comfort and love;
- lack of attachment;
- lack of proper stimulation (e.g. fun and play);
- lack of continuity of care (e.g. frequent moves, particularly unplanned);
- continuous lack of praise and encouragement;
- persistent criticism, sarcasm, hostility or blaming of the child;
- bullying;



- conditional parenting in which care or affection of a child depends on his or her behaviours or actions;
- extreme overprotectiveness;
- inappropriate non-physical punishment (e.g. locking child in bedroom);
- ongoing family conflicts and family violence;
- seriously inappropriate expectations of a child relative to his/her age and stage of development. There may be no physical signs of emotional abuse unless it occurs with another type of abuse. A child may show signs of emotional abuse through their actions or emotions in several ways. These include insecure attachment, unhappiness, low self-esteem, educational and developmental underachievement, risk taking and aggressive behaviour. It should be noted that no one indicator is conclusive evidence of emotional abuse. Emotional abuse is more likely to impact negatively on a child where it is persistent over time and where there is a lack of other protective factors.

### **Physical abuse**

Physical abuse is when someone deliberately hurts a child physically or puts them at risk of being physically hurt. It may occur as a single incident or as a pattern of incidents. A reasonable concern exists where the child's health and/ or development is, may be, or has been damaged as a result of suspected physical abuse.

Physical abuse can include the following:

- physical punishment;
- beating, slapping, hitting or kicking;
- pushing, shaking or throwing;
- pinching, biting, choking or hair-pulling;
- use of excessive force in handling;
- deliberate poisoning;
- suffocation;
- fabricated/induced illness;
- female genital mutilation.

The Children First Act 2015 includes a provision that abolishes the common law defence of reasonable chastisement in court proceedings. This defence could previously be invoked by a parent or other person in authority who physically disciplined a child.

The change in the legislation now means that in prosecutions relating to assault or physical cruelty, a person who administers such punishment to a child cannot rely on the defence of reasonable chastisement in the legal proceedings. The result of this is that the protections in law relating to assault now apply to a child in the same way as they do to an adult.

### **Sexual abuse**

Sexual abuse occurs when a child is used by another person for his or her gratification or arousal, or for that of others. It includes the child being involved in sexual acts (masturbation, fondling, oral or penetrative sex) or exposing the child to sexual activity directly or through pornography.

Child sexual abuse may cover a wide spectrum of abusive activities. It rarely involves just a single incident and in some instances occurs over a number of years. Child sexual abuse most commonly happens within the family, including older siblings and extended family members.

Cases of sexual abuse mainly come to light through disclosure by the child or his or her siblings/friends, from the suspicions of an adult, and/or by physical symptoms.

Examples of child sexual abuse include the following:

- any sexual act intentionally performed in the presence of a child;
- an invitation to sexual touching or intentional touching or molesting of a child's body whether by a person or object for the purpose of sexual arousal or gratification;
- masturbation in the presence of a child or the involvement of a child in an act of masturbation;
- sexual intercourse with a child, whether oral, vaginal or anal;
- sexual exploitation of a child, which includes: Inviting, inducing or coercing a child to engage in prostitution or the production of child pornography [for example, exhibition, modelling or posing for the purpose of sexual arousal, gratification or sexual act, including

- its recording (on film, videotape or other media) or the manipulation, for those purposes, of an image by computer or other means];
- inviting, coercing or inducing a child to participate in, or to observe, any sexual, indecent or obscene act;
- showing sexually explicit material to children, which is often a feature of the 'grooming' process by perpetrators of abuse;
- exposing a child to inappropriate or abusive material through information and communication technology;
- consensual sexual activity involving an adult and an underage person.

An Garda Síochána will deal with any criminal aspects of a sexual abuse case under the relevant criminal justice legislation. The prosecution of a sexual offence against a child will be considered within the wider objective of child welfare and protection. The safety of the child is paramount and at no stage should a child's safety be compromised because of concern for the integrity of a criminal investigation.

In relation to child sexual abuse, it should be noted that in criminal law the age of consent to sexual intercourse is 17 years for both boys and girls. Any sexual relationship where one or both parties are under the age of 17 is illegal. However, it may not necessarily be regarded as child sexual abuse. Details on exemptions for mandated reporting of certain cases of underage consensual sexual activity can be found in Chapter 3 of Children First: National Guidance for the Protection and Welfare of Children.

**Procedure to follow:**

If a member of staff has suspicions or is concerned that a child has been abused or is at risk of abuse they must immediately inform a DESIGNATED LIAISON PERSON (if there is a suspicion that a member of staff may be abusing a child this must be reported immediately to the Director). The member of staff will be asked to submit a written record of the suspicions or concerns and pass this to the DESIGNATED LIAISON PERSON as soon as possible. Members of staff should report any such suspicions or concerns regardless of the potential cause(s) or source(s) of such abuse and must not carry out their own investigations. The DESIGNATED LIAISON PERSON who is informed of the suspicions or concerns will assess the information disclosed and take appropriate action. The DESIGNATED LIAISON PERSON will, together with other appropriate senior staff (where appropriate), assess whether the suspicions or concerns should be referred to social services and/or an Garda Síochána and/or the Board of Directors for consideration. Any decisions taken, including the reason(s) for the decisions, will be clearly recorded.

If a child discloses issues to a member of staff which indicate potential abuse, the member of staff should:

- not interview the child or challenge any information disclosed, but question normally and without pressure, in order to be sure that they understand what the child is telling them;
- not examine a child for signs of abuse or invite them to show signs of abuse;
- not put words into the child's mouth;
- reassure the child that by telling them, they have done the right thing;
- inform the child that they must pass the information on, but that only those that need to know about it will be told;
- not promise to keep the information disclosed confidential (as it may be necessary for this to be disclosed internally and/or to the relevant authorities and appropriate external agencies on a need-to-know basis);
- inform them of to whom they will report the matter;
- note the main points carefully;
- listen carefully and stay calm.

Make a detailed note as soon as possible of the date, time, place, what the child said, did and their questions and immediately inform a DESIGNATED LIAISON PERSON of the matters disclosed.