

## Achoimre: Ábhair Imní a Thuairisciú



Seo a leanas achoimre ar an beart atá le déanamh ag an Duine Idirchaidrimh Ainmnithe (DIA) má tuairiscítear abhar imní maidir le Cosaint Leanaí dó/di. Níl anseo ach achoimre agus tá sé tábhachtach dá bhrí sin Caibidéal a 5 - *Ábhair Imní a Thuairisciú*, de Nósanna Imeachta um Chosaint Leanaí do Bhunscoileanna agus Iarscoileanna 2017 a léamh go cúramach agus go mion roimh leanúint ar aghaidh.

Sa chás go gcuirtear líomain drochúsáide in aghaidh baill de lucht foirne na scoile d'fhéadfaí go mbeadh ar an scoil gníomhú láithreach agus an múinteoir, CRS nó ball d'fhoireann tacaíochta na scoile a chur ar fionraí. Bheadh sé fíor-thábhachtach go bhfaigheadh an Bord Bainistíochta comhairle dlí sula ndéanfaí a leithéid.

### Má tá Ábhar Imní ag Múinteoir Cláraithe

(Nósanna Imeachta 5.2.2 / 5.2.5)

- Tuairisceoidh an Múinteoir aon ábhar imní atá aige/aici gan mhoill chuig an DIA. Oibreoidh an múinteoir i gcomhar leis an DIA agus leanfaidh siad na nósanna tuairiscithe.
- Is duine faoi shainordú gach múinteoir cláraithe agus tá dualgas reachtúil air/uirthi tuairisciú do Tusla.
- Más amhlaidh go n-aontaíonn an DIA agus an múinteoir araon go bhfuil an imní i gceist ag an tairseach shainmhínithe díobhála nó os cionn na tairsí díobhála ag a gcaithfear tuairisc shainordaithe a dhéanamh, cuirfidh an DIA agus an múinteoir cláraithe i gceist i gcomhar le chéile an t-ábhar imní, faoi bhráid Tusla mar thuairisc shainordaithe agus foirm thuairiscithe Tusla á húsáid acu.

**Nóta Tábhachtach do Mhúinteoir Cláraithe:** Is ceart do gach múinteoir cláraithe a thabhairt faoi deara go bhfuil an oibleagáid reachtúil tuairisc shainordaithe a dhéanamh chuig Tusla leagtha ar an múinteoir ar leith mar dhuine sainordaithe faoin Acht um Thús Áite do Leanaí 2015 agus go bhfuil feidhm aige seo is cuma an dtuairiscíonn an DIA an imní i gceist nó nach dtuairiscíonn. Sásaíonn, áfach, múinteoir cláraithe a dhéanann tuairisc shainordaithe chuig Tusla i gcomhar leis an DIA an oibleagáid reachtúil atá air nó uirthi chun tuairisciú chuig Tusla faoin Acht um Thús Áite do Leanaí 2015.

### Má tá Ábhar Imní Cosaint Leanaí ag Baill Foirne eile

(Nósanna Imeachta 5.1.1)

- **Baill Fóirne : CRS/Foireann Tacaíochta** – Ábhar Imní le tuairisciú don DIA. Má fhaigheann ball ar bith den lucht foirne scoile, líomhain go bhfuiltear tar éis mí-úsáid nó faillí a dhéanamh ar leanbh, go bhfuil mí-úsáid nó faillí déanta ar leanbh, nó go bhfuil an baol ann go ndéanfaí mí-úsáid nó faillí ar leanbh nó má tá amhras air nó uirthi gurb amhlaidh atá, tuairisceoidh sé nó sí an cheist chuig an DIA sa scoil sin gan mhoill, is é sin an té atá freagrach as a chinntiú go gcloífead leis na nósanna imeachta do thuairisciú

**An Beart atá le déanamh ag an DIA áit a bhfuil Ábhar Imní ann.**

(Nósanna Imeachta 3.4/5.3)

- Oscail cáschomhad slán nua – úsáid cód uaithiúil nó sraithuimhir do gach cáschomhad
- Déan taifead ghrinn ar na sonraí ar fad a bhaineann leis an ábhar imní.
- Téigh i gcomhairle le
  - Nósanna Imeachta Cosaint Leanaí do Bhunscoileanna & Iar-Bhunscoileanna 2017
  - TreorlínteTúsáite do Leanaí 2017
  - Tosaigh ar na nósanna imeachta

**Nósanna Imeachta Tuairisciú**

(Nósanna Imeachta 5.3 / 5.4)

**An bhfuil Forais Réasúnta ann le hImní? An bhfuil an Tairseach Díobhála sroichte?**

- Má tá – déan tuairisc shainordaithe a chuir faoi bhráid TUSLA
- Má tá éagcinnteacht ann – lorg comhairle ar TUSLA agus lean an treoir a tugtar. Bí soiléir gur ag iarraidh comhairle atá tú agus nach tuairisc oifigiúil atá á dhéanamh – ag an gcéim neamhfhoirmeálta seo ní gá don DIA sonraí sainaitheanta a thabhairt.
- I gcás ina bhfuil amhras ar bith ar an DIA maidir leis an imní i gceist - cuir an imní faoi bhráid Thusla mar thuairisc shainordaithe.
- I gcás ar bith ina bhfuil an DIA deimhin de nach bhfuil an imní ag an tairseach shainmhínithe díobhála nó os cionn na tairsí díobhála ag a gcaithfear tuairisc shainordaithe a dhéanamh ach go measann sé nó sí gur imní réasúnta atá ann - déan tuairisc chuig TUSLA

**Muna bhfuil teagmháil a dhéanamh le TUSLA agus má meastar go bhfuil riosca láithreach ann do leanbh, is ceart teagmháil a dhéanamh leis an nGarda Síochána gan mhoill.**

**Coimeád Taifead**

Nósanna Imeachta 3.4

- Déan taifead de na sonraí a bhaineann leis an ábhar imní.
- Coinnigh taifead de gach tuairisc a déantar le TUSLA nó leis an nGarda Síochána.
- Coinnigh taifead d'aon chomhairle a lorgáítear:
  - Ainm an té lena labhraítear
  - An comhairle a tugtar

**Nuair a chinneann an DIA gan tuairisciú ag TUSLA**

(Nósanna Imeachta 5.3.8)

- tabharfaidh an DIA ráiteas soiléir i scríbhinn maidir leis na cúiseanna nach bhfuil aon bheart á dhéanamh don duine den lucht foirne scoile a thuairiscigh an ábhar imní.
- a chur in iúl don duine den lucht foirne scoile go bhfuil cead aige nó aici dul i gcomhairle le Tusla nó tuairisc a chur chuig Tusla iad féin ach cóip den tuairisc a thabhairt don scoil
- cóip de na taifid thuas le coinneáil sa chomhad
- cóip d'aon tuairisc a dhéanann duine de lucht foirne sa chomhad
- Sonraí le tuairisciú i dTuarascáil Mhaoirseachta um Chosaint Leanaí an Phríomhoide don Bhord Bainistíochta.

**Tuismitheoirí a chur ar an Eolas**

(Tús Áite do Leanaí Caibidéal 3 Nósanna Imeachta 5.3.6)

Cé nach bhfuil sé d'oibleagóid ar scoil a chur in iúl do thuismitheoirí go bhfuil tuairisciú déanta le TUSLA Leagtar amach in Tús Áite do Leanaí gur den dea-chleachtas é cur in iúl don thuismitheoir/cúramóir go bhfuiltear ag déanamh tuairisce maidir lena leanbh agus na cúiseanna leis an gcinneadh leis an tuairisc a dhéanamh.

Foráltar nach gá cur in iúl don thuismitheoir/cúramóir go bhfuiltear ag déanamh tuairisce:

- má bheidh riosca eile ann do leanbh má dhéantar amhlaidh
- i gcásanna ina bhféadfadh eolas an teaghlach ar an tuairisc baint de chumas Thusla measúnacht riosca a chur i gcrích nó
- má tá an tuairisceoir den tuairim réasúnta go mbeidh an tuairisceoir i mbaol díobhála ón teaghlach má dhéantar amhlaidh.

Áit a bhfuil aon amhras ar an DIA maidir le thuismitheoir/cúramóir a chur ar an eolas faoi thuairisc a bheith á déanamh chuig Tusla, iarrfaidh an DIA comhairle ar Thusla agus coinneoidh taifead den chomhairle/comhfhreagras sin sa chomhad.

**Tuarascáil Maoirseacht ar Chosaint Leanaí an Phríomhoide**

(Nósanna Imeachta 5.5)

Ag gach cruinniú den bhord bainistíochta, beidh Tuairisc faoin Mhaoirseacht ar Chosaint Leanaí san áireamh i dtuairisc an Phríomhoide chuig an mBord agus áireofar inti :

- Líomhaintí drochúsáide a rinneadh in aghaidh baill de lucht foirne na scoile
- Ábhair imní eile maidir le cosaint leanaí i leith daltaí sa scoil (i.e. ábhair imní nach mbaineann le líomhain ar bith drochúsáide in aghaidh baill de lucht foirne na scoile)
- Ábhair imní eile maidir le cosaint leanaí a éiríonn as iompraíocht bulaíochta líomhnaithe i measc na ndaltaí agus
- Achoimre ar na sonraí maidir le tuairisciú.

**Foirmeacha Thuairisce TUSLA**

Tá dhá fhoirm tuairisce ag

- Foirm Thuairisce ar Chosaint agus Leas Leanaí
- Foirm Thuairisce an Mhí-Úsáid Iarghabhálach

## Summary of Reporting Procedures



Below is a summary of the actions to be taken by the Designated Liaison Person (DLP) in relation to Child Protection Concerns brought to him/her. These give an outline and it is important to take time to consult the [Child Protection Procedures for Primary and Post-Primary Schools 2017](#) for details before proceeding. Chapter 5 contains the details of Reporting Concerns.

Allegations of abuse made against school staff may require immediate action involving suspension of the teacher, SNA or member of ancillary staff. The Board of Management (BoM) should always seek comprehensive legal advice before embarking on such action.

### When a Registered Teacher has a Child Protection Concern (Procedures 5.1.1 / 5.1.2)

- A Teacher will immediately report a child protection concern to the DLP. The Teacher will work with the DLP on the reporting procedures
- A registered teacher is a mandated person and has a statutory obligation to make a mandated report to Tusla.
- 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.

**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.

### When someone else in the School Community has a Child Protection Concern (Procedures 5.1.1 / 5.1.2)

- **SNA/Ancillary Staff** – Report Concern to DLP. If any member of school 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 school, who is responsible for ensuring that the reporting procedures are followed.

**Actions of DLP on becoming aware of a Concern**  
(Procedures 5.3)

- Open a Secure File – use child’s Clár Uimhir
- Record all details of the Concern
- Consult
  - Resource Bundle and PAMs
  - Child Protection Procedures for Primary and Post-Primary Schools 2017
  - Children First National Guidelines 2017

**Reporting Procedures**  
(Procedures 5.3 / 5.4)

**Are there Reasonable Grounds for Concern? Have the Thresholds for Harm been reached?**

- If yes – Make a mandated report to TUSLA
- If unsure – Consult with TUSLA and follow advice given. Be clear that you are consulting only and do not give details of persons involved
- If in any doubt – make a mandated report
- 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 – make a report to Tusla

**If TUSLA are not available and the case warrants immediate response, report to Gardaí**

**Records of Reporting**

- Record the details of the concern in the file
- Keep records of all reports made to TUSLA or Gardaí
- Record details of advice sought:
  - The person you spoke to
  - The advice given

**When the DLP decides not to make a Report to TUSLA**  
(Procedures 5.3.8)

- Inform the reporting person in writing of the decision not to make a report
- Inform the reporting person that they may make a report to TUSLA and give the school a copy
- Keep copies of the above in the file
- Keep a copy of any report by the reporting person in the file
- Include all details in your next oversight report to the BoM

**Informing Parents**  
(Children First Chapter 3 P.25)

A school is not required to inform the family that a report is being made to Tusla. It is good practice however to tell the family that a report is being made and the reasons for the decision.

It is not necessary to inform the family if by doing so:

- the child will be placed at further risk
- might impair Tusla's ability to carry out a risk assessment
- you believe that you are putting yourself at risk of harm from the family

The DLP may seek advice from TUSLA regarding informing the family and record all communication

**Child Protection Oversight Report (CPOR)**  
(Procedures 5.5)

The Principal (normally DLP) will make a CPOR at every BoM meeting. It will detail:

- Any allegations of abuse raised in relation to school staff since the last BoM meeting
- Other child protection concerns raised in relation to any child since the last BoM meeting
- Child protection concerns regarding alleged bullying behaviour since the last BoM meeting
- Summary data in respect of Reporting

**TUSLA Reporting Forms**

TUSLA has 2 Reporting Forms

- Child Protection and Welfare Report Form
  - Click [here](#) for Form and Guidance Notes
- Retrospective Abuse Report Form
  - Click [here](#) for Form and Guidance Notes