

AVOIDING ALLEGATIONS OF CHILD ABUSE

There has been much concern about false and malicious allegations of child abuse against teachers by children and/or adults. Such allegations are traumatic experiences which can involve investigations by school, employing authority and outside agencies including social services and police and in cases lead to the suspension of the teacher.

Guidelines in relation to the handling of allegations of physical assaults or sex abuse on a child are being prepared by the recognised teachers' unions in Northern Ireland. Employing Authorities and other agencies will be requested to agree and apply these guidelines to grant added schools in Northern Ireland. For detailed information on the guidelines contact your school representative or Northern Office.

Children's Order (Northern Ireland)

The Children's Order (Northern Ireland) became law in October 1996. It addresses several areas of concern relating to children and their families including:

- Promoting children's welfare – by keeping them informed about the decisions that are made about their lives;
- Promoting a new model of parenthood based on children's needs for the care their parents can provide even after family breakdown;
- Protecting children from harm, by ensuring that concerns about their safety are properly investigated and that intervention (where necessary) is conducted decisively;
- Improvement in the standards and efficiency of services provided to children and their families primarily through the establishment of a multi-disciplinary and inter-agency approach based on Area Child Protection Committees.

The Department of Health and Social Services in Northern Ireland is preparing Guidance for consultation with relevant bodies including INTO on the role of Area Child Protection Committees.

Child Abuse Definition

The DENI Circular 'Dealing with Child Abuse' defines child abuse as including:

Neglect: the persistent or severe neglect of a child (for example, by exposure to any kind of danger, including cold and starvation) which results in serious impairment of the child's health or development, including non-organic failure to thrive.

Physical Abuse: physical injury to a child, including poisoning, where there is definite knowledge, or a reasonable suspicion, that the injury was deliberately inflicted or knowingly not prevented.

Sexual Abuse: the involvement of dependent, developmentally immature children and adolescent in sexual activities they do not truly comprehend, to which they are unable to give informed consent, or that violate the social taboos of family roles. In other words, it is the use of children by adults for sexual gratification.

Emotional Abuse: the severe adverse effect on the behaviour and emotional development of a child caused by persistent or severe adverse effect on the behaviour and emotional development of a child caused by persistent or severe emotional ill-treatment or rejection. All abuse involves some emotional ill-treatment.

The Children's Order relies upon teachers to report suspicions of abuse, as they are the only professionals who have daily contact with children and are in a position to notice changes in behaviour or other outward signs.

Avoiding Allegations

Teachers may unknowingly place themselves at risk of being accused of child abuse under the headings covered by the definition of child abuse. The following guidelines are offered for advice to members:

Code of Conduct

Private Meetings with Pupils

- (a) Teachers should be aware of the dangers, which may arise from private interviews with individual pupils. It is recognised that there will be occasions when confidential interview must take place, but, where possible, such interviews should be conducted in a room with visual access, or with the door open, or in a room or area which is likely to be frequented by other people.
- (b) Where such conditions cannot apply teachers are advised to ensure that another adult knows that the interview is taking place. The use of 'engaged' signs or lights is not advisable.
- (c) Where possible another pupil or another adult should be present or nearby during the interview.

Physical Contact with Pupils

- (a) as a general principle teachers are advised not to make unnecessary physical contact with their pupils. This is particularly the case with children of secondary age and maturing children of primary school age.
- (b) Physical contact which may be misconstrued by the pupil, parent or other casual observer should be avoided. Such contact can include well-

- intentioned informal gestures such as putting a hand on the shoulder or arm, which if repeated with an individual pupil, could be misconstrued, as well as more obvious and more intimate contact, which should never occur.
- (c) There may be occasions when a distressed child needs comfort and reassurance which may include physical comforting such as a caring parent would give. Teachers should use their discretion in such cases to ensure that what is, and what is seen by others present to be, normal and natural does not become unnecessary and unjustified contact, particularly with the same child over a period of time.
 - (d) Some teachers are likely to come into physical contact with their pupils from time to time in the course of their teaching, for example when showing a pupil how to use a piece of apparatus or equipment or while demonstrating a move or exercise during games or P.E. Teachers should be aware of the limits within which such contact should properly take place and of the possibility of such contact being misinterpreted by the pupil.
 - (e) Heads of Departments in schools may well think it sensible to draw up their own guidelines for the use of areas such as photographic darkrooms, which cover the particular circumstances of their schools.
 - (f) Teachers who have to administer first-aid should ensure wherever possible that other children or another adult are present if they are in any doubt as to whether necessary physical contact in the circumstances could be misconstrued.
 - (g) Following any incident where a teacher feels that his/her actions have been, or maybe, misconstrued a written report of the incident should be submitted immediately to the Principal of the school. This would apply especially in a case where a teacher had been obliged to restrain a child physically to prevent him/her from inflicting injury or self-injury.
 - (h) Teachers should be particularly careful when supervising pupils in a residential setting such as a ski-trip, outdoor education camp or extended visit away from home, where more informal relationships tend to be usual and where teachers may be in proximity to pupils in circumstances very different from the normal school environment.

Choice and Use of Teaching Materials

- (a) Teachers should avoid teaching material, the choice of which might be misinterpreted and reflect upon the motives of the choice.
- (b) When using teaching materials of a sensitive nature a teacher should be aware of the danger that their application, either by pupils or by the teacher, might after the event be criticised. Schools have already received advice on the value of consulting parents and governors when using

materials such as the Aids education for schools and in connection with sex education programmes.

Relationships and Attitudes

Teachers should ensure that their relationships with pupils are appropriate to the age and gender of the pupils, taking care that their conduct does not require care and thought, particularly when teachers of either sex are dealing with adolescent boys and girls.

Conclusion

It would be impossible and inappropriate to lay down hard and fast rules to cover all the circumstances in which teachers inter-relate with pupils and where opportunities for their conduct to be misconstrued might occur. In all circumstances teachers' professional judgement will be exercised and form the vast majority of teachers this Code of Conduct confirms what has always been their practice.

From time to time, however, it is wise for all teachers to review their teaching styles, relationships with pupils and their manner and approach to individual pupils, to ensure that they given no grounds for doubt about their intentions, in the minds of colleagues, pupils or parents.