



An Roinn Breisoideachais agus Ardoideachais,
Taighde, Nuálaíochta agus Eolaíochta
Department of Further and Higher Education,
Research, Innovation and Science

Child Safeguarding Statement

May 2021

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Background

The [Children First Act 2015](#) requires organisations that are providers of ‘relevant services’ under the Act to publish a Child Safeguarding Statement. This Statement details the relevant services provided by staff of the Department of Further and Higher Education, Research, Innovation and Science to children as well as the principles and procedures in place to safeguard children from harm while availing of those services. This statement has been prepared in line with Tusla’s [Guidance on Developing a Child Safeguarding Statement](#), [Children First National Guidance for the Protection and Welfare of Children](#) as well as the [Addendum to Children First: National Guidance for the Protection and Welfare of Children](#) which deals with online safety.

Department of Further and Higher Education, Research, Innovation and Science

The Department of Further and Higher Education, Research, Innovation and Science was established in 2020 and is responsible for policy, funding and governance of the higher and further education and research sectors and for the oversight of the work of the State agencies and public institutions operating in those areas. The Department’s role is to ensure that these sectors underpin and stimulate Ireland’s social and economic development and that the opportunities provided by public investment and policy in the sectors are made more widely available to everyone including the most vulnerable in society.

The Department employs approximately 160 officers, primarily comprising of administrative grades. These staff are based in the Department’s offices in Dublin, Athlone and Tullamore.

The Department’s senior management team is headed by a secretary general and comprises 3 assistant secretaries general (ASG), who each have responsibility for a Division as follows:

Division
Corporate Division
Tertiary Education & Skills Policy Division
Research, Access, Capital, EU and International Division

Commitment to safeguard children from harm

The Department is fully committed to maintaining the highest standards of child safeguarding, in line with all relevant legislation including the Children First Act 2015 and informed by best practice including *Children First: National Guidance for the Protection and Welfare of Children* (2017 edition) as published by the then-named Department of Children and Youth Affairs (now the Department of Children, Equality, Disability, Integration and Youth) as well as Tusla's *Child Safeguarding: A guide for Policy Procedure and Practice*.

The safety, welfare and development of children and young people is a core objective and key priority for the Department. While the bulk of services overseen by the Department are availed of by adults, it remains the case that every staff member of the Department has a responsibility and a duty of care to ensure that every child/young person availing of our services is safe and protected from harm (physical/emotional/sexual abuse or neglect). The policies and procedures outlined in this Child Safeguarding Statement apply to all Department staff.

Key child safeguarding principles

- The safety and protection of children who come into contact with Department officials is of paramount importance.
- The Department has introduced, and shall continue to implement, measures to raise awareness among all staff regarding child safeguarding principles and best practice.
- Staff who make disclosures about suspected child abuse or neglect are protected by relevant legislation, including the *Protection for Persons Reporting Child Abuse Act, 1998* which provides for the protection from civil liability of persons who have communicated child abuse or neglect 'reasonably and in good faith' to Tusla and/or An Garda Síochána. Staff should know that they are always correct to raise reasonable concerns, even if these are not validated in a subsequent Tusla assessment or Garda investigation, and responsible action at all times is strongly encouraged by this Department.
- In line with best practice under the *Children First: National Guidance*, a Designated Liaison Person (DLP) and Deputy Designated Liaison Person (Deputy DLP) have been appointed (**see Section 8**).
- All staff undertake training on the procedures for responding to child protection concerns which come to their attention.
- All applicable Departmental policies and procedures shall be made available to any child or their parents/guardians, on request.

Relevant Services

The following areas have been identified as providing a ‘relevant service’ within the meaning of Schedule 1 of the Children First Act 2015.

- The Higher Education Equity of Access (HEEA) Unit of the Department has responsibility for a number of scholarship and bursary schemes in the higher education sector. The vast majority of students are over the age of 18 but some could be under the age of 18. Departmental staff liaise with these students by email. The only possible instance where staff could meet a student under the age of 18 (in person) would be at a public event once a year, when the All Ireland Scholarship recipients attend an awards ceremony.
- HEEA Unit is also responsible for the governance of the City of Dublin Education Training Board’s (CDETb) business unit Student Universal Support Ireland (SUSI), which administers the student grant scheme on behalf of the Minister. There is a statutory independent appeals board which hears appeals from students on decisions by SUSI. There is interaction by Department staff with the appellants by phone and by email. While the vast majority of these students are 18 years or over, it is possible that some could be younger.
- In addition, HEEA Unit is responsible for the Student Support Scheme which is administratively based and offers grant supports along similar lines to the statutory based SUSI grant scheme for prospective students who are in the broad international protection system. There is interaction by staff with the applicants and grant holders by phone and by email, some of whom could potentially be under 18 years. However there is no customer facing role in the office, so students don’t engage with HEEA Unit staff in person.
- Periodic provision of work experience placements to students, including transition year (TY) students, under 18 years of age. The employment of temporary clerical officers (TCO’s) under the age of 18 does not fall within the definition of the provision of a relevant service under the Children First Act 2015, however, the Department is committed to best practice and considers the risks to them as similar to those applying to students on work placements who are under the age of 18.
- Interaction with persons under the age of 18 years by Department or Ministerial staff also takes place, in higher or further education settings, for a number of purposes including attendance at launches, competitions, exhibitions; as part of consultation processes on further and higher education-related issues or for promotional/awareness-raising purposes on further and higher education matters.

Agencies/bodies under the aegis of the Department that fall within the definition of a provider of a ‘relevant service’ under the legislation, have been notified of the statutory

obligation to produce their own Child Safeguarding Statements and to ensure that appropriate reporting procedures are in place to reflect the Act's reporting requirements in respect of any mandated persons working in those organisations and also the best practice reporting obligations for all persons set out under the updated *Children First: National Guidance for the Protection and Welfare of Children 2017*.

Risk Assessment

This Child Safeguarding Statement is informed by a risk assessment which was carried out by the Department to assess any potential for harm to a child by Department officials while availing of the Department’s services, including online services. It has also been prepared in accordance with Section 11(1) (a) of the Children First Act 2015, which defines risk as ‘any potential for harm to a child while availing of the service’. Below is a list of the areas of risk identified and an outline of the procedures in place for managing/mitigating these risks.

	Risk(s) Identified	Procedures in place to manage/mitigate identified risk(s)
1.	<p>Higher Education Equity of Access (HEEA) Unit – areas of work</p> <p>(i) Potential of harm to a person under the age of 18, by a staff member, during email and phone interaction between staff and a student under the age of 18 in the administration of scholarship schemes, the Student Support Scheme and appeals of student grant decisions by SUSI.</p> <p>(ii) Potential of harm to a person under the age of 18, by a staff member, during attendance at the All Ireland Scholarship awards ceremony.</p>	<ul style="list-style-type: none"> • The vast majority of students that staff of the HEEA Unit interact with are over the age of 18, however on occasion there may be children under the age of 18 who make contact with the service. • HEEA Unit staff interact with students only by phone or by email. • Procedures in place, in respect of all Department staff, to manage/mitigate identified risks are set out at <i>Section 3</i> of this table below, and are also applicable to staff of the HEEA Unit.
2.	<p>Employment/Work placements of persons under the age of 18 in the Department</p> <p>(i) Potential of harm to a person under the age of 18, by a staff member, while employed by the Department or participating in a</p>	<ul style="list-style-type: none"> • Human Resources (HR) Unit have developed procedures on work placements for students, including transition year (TY) students, and employment of staff under the age of 18, including temporary clerical officers (TCOs) which are provided to these staff on their induction as well as to managers of the

	<p>Transition Year (TY) or other work experience placement with the Department.</p> <p>(ii) That the nature of the work that the person, under the age of 18, is exposed to, is inappropriate and potentially harmful or that the person, accesses inappropriate online resources, during their employment/placement.</p> <p>(iii) That an occurrence or allegation of harm (whether or not it occurred in the course of the placement) that is either disclosed by the young person or witnessed/suspected by a staff member, is not appropriately reported to the DLP/ Deputy DLP and/or to the relevant statutory authorities.</p>	<p>business areas that these temporary staff are assigned.</p> <ul style="list-style-type: none"> • Any staff or students under the age of 18, will be introduced personally to a staff member who will be an additional contact person for them – outside of the business unit that they’re assigned to – to raise any issues or concerns around abuse, bullying/harassment, inappropriate behaviour, or any other matter of concern to them. This contact person will be a Higher Executive Officer (HEO) from the HR Unit. • In determining work assignments, care is taken by the HR Unit to avoid placing students/TCOs, under the age of 18, in business areas where exposure to certain work may be distressing or inappropriate for a young person. • A copy of the Department’s Information and Communications Technology (ICT) policy is provided to all staff including students and TCOs under the age of 18. The policy clearly outlines appropriate/inappropriate and authorised/unauthorised use of the Department’s IT resources. In addition, software in use in the Department automatically blocks certain categories of inappropriate websites, for example, pornography, gambling and computer games.
<p>3.</p>	<p>All Department staff</p> <p>(i) Failure by any Department staff member to correctly report a child protection concern brought to their attention in the course of their work.</p> <p>(ii) Potential of harm to a child by staff during official visits, Departmental or Ministerial, to higher and further education settings or through other forms</p>	<ul style="list-style-type: none"> • Procedures for responding to child protection concerns are brought to the attention of staff. • Training webinars on procedures for responding to child protection concerns are made available for staff, who also receive certification to confirm that they have completed the training. • Visits to higher and further education settings by officials from the Department and any of their interactions with students are undertaken in the presence of a representative of the relevant institution. • All staff are expected to adhere to the relevant Departmental and Civil Service codes and

	<p>of engagement/consultation with children.</p> <p>(iii) Potential of harm to a child by the Department, by the unauthorised use of data relating to a child.</p>	<p>policies in their interactions with children and young people. Non-compliance with these policies and failure to uphold the expected standards of behaviour may result in disciplinary action, up to and including, dismissal.</p> <ul style="list-style-type: none"> • A current condition of appointment is that candidates appointed to permanent positions in the Department are subject to Garda vetting which is primarily managed by the Public Appointments Service (PAS). • Staff are required to undertake General Data Protection Regulation (GDPR) training and receive certification to confirm that they have successfully passed this GDPR course. • Signed parent/guardian consent forms are required by the Department for the use of children’s names/images/other data for promotional or awareness raising purposes that may appear in videos, social media, publications, and at public events. • The Department’s Data Protection Policy covers the use, storage and removal of data. • At national level, the Department is a member of the Children First Inter-Departmental Implementation Group (CFIDIG), chaired by the Department of Children, Equality, Disability, Integration and Youth. The Interdepartmental Group was established under Part 4 of the Children First Act 2015 to keep under review the implementation across the public sector of the Children First legislation and guidance.
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Key legislation, policies and procedures to inform Child Safeguarding

In addition to the procedures listed in the aforementioned risk assessment, the following legislation, policies, procedures and codes support and inform the Department's intention to safeguard children while they are interacting with Department officials:

- Children First Act 2015
- Children First: National Guidance for the Protection and Welfare of Children 2017
- Addendum to Children First: National Guidance for the Protection and Welfare of Children
- Tusla's Child Safeguarding: A guide for Policy Procedure and Practice
- Procedures for responding to child protection concerns brought to the attention of staff employed by the Department of Education (updated 2021)
- Internal HR procedures on placements for transition year (TY) students and employment of staff under the age of 18, including temporary clerical officers (TCOs)
- Internal Information and Communications Technology (ICT) Policy
- Internal Data Protection Policy
- Internal Safety Statements for all locations in compliance with the Safety, Health and Welfare at Work Act 2005
- Civil Service Code of Standards and Behaviour
- Civil Service Dignity at Work Policy
- Civil Service Disciplinary Code
- General Data Protection Regulation (2016/679)
- Data Protection Act 2018
- Freedom of Information Act 2014
- e-Privacy Directive (2002/58/EC as amended by 2009/136/EC)
- Data Sharing and Governance Act 2018
- Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012
- Criminal Justice Act 2006, Section 176: Reckless Endangerment of Children
- Protected Disclosures Act 2014
- Protections for Persons Reporting Child Abuse Act 1998
- Child Care Act 1991

- Education (Welfare) Act 2000
- Education Act 1998

These documents are available upon request.

Implementation and Review

The Department recognises that implementation of this statement is an ongoing process and is committed to its implementation and the accompanying child safeguarding policies and procedures that support the Department's intention to keep children safe from harm while availing of our services.

This statement will be reviewed every 2 years, with the first review to take place in 2023, or as soon as practicable after there has been a material change in any matter to which the statement refers.

This statement is provided to all new staff at induction, both permanent and temporary, has been emailed to all Department staff, posted to the Department's staff intranet and copies are displayed at reception areas of the Department's main office locations. The statement has also been published to the Department's website.

Designated Liaison Person (DLP) / Deputy Designated Liaison Person (Deputy DLP)

The Corporate Division of the Department has appointed a Designated Liaison Person (DLP) and a Deputy Designated Liaison Person (Deputy DLP) for the purposes of any child protection concerns raised in relation to Department staff and ensuring that reporting procedures within the Department are followed, so that child welfare and protection concerns are referred promptly to the relevant authorities.

When a staff member of the Department receives a child protection concern/allegation of child abuse against a current, or former member of staff of the Department, they must refer the caller or correspondence to the DLP or the Deputy DLP.

The Designated Liaison Person (DLP) is David Keating, Corporate Division Dublin, at **Phone:** 087 367 7748 **Email:** David_Keating@dfheris.gov.ie

The Deputy Designated Liaison Person (Deputy DLP) is Anne Ribault-O'Reilly, Corporate Division, Dublin, at **Phone:** 087 1972090 **Email:** Anne_Ribault@dfheris.gov.ie

For queries in relation to this Child Safeguarding Statement, please contact Eileen Guiney, Relevant Person under the Children First Act, 2015, at Phone: 01 - 8892130 or Email: Eileen_Guiney@education.gov.ie