



An Roinn Leanaí, Comhionannais,  
Míchumais, Lánpháirtíochta agus Óige  
Department of Children, Equality,  
Disability, Integration and Youth

# Child Safeguarding Statement

March 2021

Prepared by the Department of  
Children, Equality, Disability, Integration and Youth  
[www.gov.ie](http://www.gov.ie)

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## Background

Under the Children First Act 2015, the Department of Children, Equality, Disability, Integration and Youth is required, within three months of the commencement of the relevant provisions of the Act, and in relation to any relevant services to children provided by the Department, to:

- a) Undertake an assessment of any potential risk for harm to a child while availing of the service;
- b) Prepare, a written statement referred to as a Child Safeguarding Statement specifying the service being provided and the principles and procedures to be observed to ensure as far as is practicable , that a child, while availing of the service, is safe from harm; and
- c) Appoint a relevant person for the purpose of the Child Safeguarding Statement.

The Act provides that a review of the Child Safeguarding Statement is undertaken at intervals of not greater than 24 months and soon as practicable after there has been a material change in any matter to which the statement refers.

The relevant provision of the Act (section 11) commenced on 11<sup>th</sup> December 2017.

## Introduction

The Department of Children, Equality, Disability, Integration and Youth is fully committed to safeguarding the well-being of all the children and young people with whom we work. Every member of staff has a responsibility and duty of care to ensure that every young person and child engaging with the Department as part of the work of the Department is safe and protected from harm within the meaning of the Children First Act 2015.

## Structure of the Department

The Department is comprised of the Management Board (MB), the Office of the Minister, and six Divisions. Many activities are carried out on a co-operative basis by two or more Divisions.

**Early Learning and Care and School-Age Childcare Division** is responsible for ensuring access to high quality and affordable Early Learning and Care and School-Age Childcare. This includes the development of policy and legislation; the administration of a range of schemes and the associated budgetary, governance and compliance functions; regulation of the Early Learning and Care and School-Age Childcare sector; and a number of initiatives to develop the workforce and improve the quality of services.

The Division is also responsible for overseeing and reporting on the implementation of First 5, A Whole-of-Government Strategy for Babies, Young Children and their Families (2019-2028).

**Youth, Governance, Communications and Research Division** is responsible for oversight of the children's detention service; developing policy and legislation and the effective administration of youth service funding and the reform of youth funding programmes; and for ensuring that the voice of children and young people is heard in decision making. It is also responsible for leading on internal and external communications; oversight of the research, evaluation and information functions; Corporate Governance including risk management and the provision of legal advice services to the Department. The Division also provides the Information Management function for the Department, comprising of data protection, records and content management.

The Division also has responsibility to assist the Corporate and Business Support Division which is leading on the transfer of the disability brief from the Department of Health (DoH). The Corporate and Business Support Division is liaising with DoH on financial issues, and to identify the exact governance and accountability arrangements that will apply between the Department and the HSE post transfer of responsibility for disability services. The Youth, Governance, Communications and Research division role is to begin a level of induction into the policy and service issues that this Department will have responsibility for after the transfer of functions takes place.

**Justice, International Protection and Equality Division** has responsibility for developing and promoting policy on equality across nine equality "grounds" (gender, marital status, family status, age, disability, sexual orientation, race, religion, traveller community) covered by Equality legislation. It also has responsibility for developing policy on human rights, Traveller and Roma issues, LGBTI+ rights and migrant integration. It coordinates a series of whole-of-Government strategies in these areas – the Migrant Integration Strategy, the National Strategy for Women and Girls, the Traveller and Roma Inclusion Strategy and the LGBTI+ Inclusion Strategy. The Division is also responsible for developing policy and legislation on family leave and on flexible working.

The Division coordinates national policy on disability, primarily through the implementation of two national strategies – the National Disability Inclusion Strategy (NDIS) 2017 – 2021 and the Comprehensive Employment Strategy (CES) for People with Disabilities 2015-2024. Ireland must now also progressively implement additional commitments under the United Nations Convention on the Rights of Persons with Disabilities

(UNCRPD), following its ratification in 2018. Responsibility for key legislation to make this happen will be the responsibility of the new team.

The Division is also responsible for providing accommodation to almost 8,000 asylum seekers under the 'Direct Provision/International Protection' system. It also operates a programme of resettlement of programme refugees across Ireland. It manages payments to women who were in Magdalen institutions as well as a series of EU funding programmes under the European Social Fund and the Asylum Migration Integration Fund.

**Child Policy and Tusla Governance Division** is responsible for operational standards and performance, policy and legislative developments relating to child welfare and protection, alternative care and related issues of children's rights. It also has responsibility for Departmental oversight of Tusla governance and performance, and support, including cross-government assistance, for the development of programmes within Tusla. The latter work encompasses parenting support, early intervention programmes and educational welfare.

The Division also has responsibility for the cross-government co-ordination of policy direction and activity relating to parenting support. It has responsibility for leading cross-government working in respect of children's services through oversight of the implementation of Better Outcomes Brighter Futures; the Area Based Childhood Programme (ABC) and the development of the Children and Young People's Services Committees (CYPSCs) interagency structures. It leads a number of other cross-departmental initiatives.

**Corporate and Business Support Division** is responsible through utilisation of a business partner model to support the delivery of a high quality service to its internal and external customers and for the overall expenditure and HR policy advice (Internal & External) to support units in ensuring the optimisation of resource allocation for the Department and agencies under its remit and the corporate support function of the Department, including leading on and coordinating the Department's internal response to Covid-19; the further development of a dedicated modern ICT infrastructure, learning & development and adherence to appropriate procurement practices.

**Adoption and Mother and Baby Homes Division** is responsible for developing policy and legislation in the area of adoption and for leading the Government response to the final report of the Commission of Investigation into Mother and Baby Homes, including the development of policy proposals for a Restorative Recognition Scheme, and the development of legislation in line with the Government's decision in relation to the Mother and Baby Home site at Tuam.

Each Division consists of a number of units, headed by a Principal Officer/Head of Unit or Principal Officer Equivalent.

## Child Safeguarding Statement

The required content of the Child Safeguarding Statement is set out in subsection (3) section 11 of the Children First Act 2015, (the Act). Each constituent element is addressed, in respect of the Department of Children, Equality, Disability, Integration and Youth, under each of the headings in subsection (3).

### (a) To manage the risks identified:

In accordance with the Act which requires that a Child Safeguarding Statement shall include a written assessment of the risk and, in that regard, specify the procedures that are in place to manage the risks identified, an in depth review of the range of functions across the Department has been undertaken.

On the basis of an audit of units of the Department, four units, the Participation & Strategy Unit, Detention/Oberstown Unit, International Protection Accommodation Services Unit and the Irish Refugee Protection Programme Unit have been identified as providing services within the meaning of the Act.

***Under Schedule 1 of the Act, Paragraph 5(c), any work or activity which consists of the provision of formal consultation with, or formal participation by, a child in respect of matters that affect his or her life, is a relevant service requiring inclusion in the Child Safeguarding Statement for the Department. The written risk assessment and the procedures in place to manage the risks in respect of the Units' are set out below.***

### Participation & Strategy Unit

2.1 In respect of the relevant services provided by your Unit, please provide a written assessment of the risk of harm to a child while availing of those services	<p>The Unit undertakes Risk assessment with respect to child safeguarding within the framework for risk as provided by DCEDIY corporate Risk Register.</p> <p>The detailed return for 2020 is available for review on the Risk portal.</p> <p>In line with the Business Planning process and the finalisation of Business processes in the context of the new Participation Services Contract coming into operation over Q1 of 2021, a review and renewal of CSS operational arrangements will be undertaken. It is expected that by early Q2 a revised operating protocol will be available.</p>
2.2 Please specify the procedures that are in place in your unit to manage those risks	See above.

### Detention/Oberstown Unit

2.1 In respect of the relevant services provided by your Unit, please provide a written assessment of the risk of harm to a child while availing of those services	<p><b>PO/Child Welfare Advisor:</b></p> <ul style="list-style-type: none"> <li>• Policies not in place to protect children who are placed in detention having lost their liberty</li> <li>• Exploitation of information around the circumstances of the child or disclosure of sensitive information by the post holder</li> </ul>
2.2 Please specify the procedures that are in place in your unit to manage those risks	<ul style="list-style-type: none"> <li>• Ensure national policy and international guidelines inform policy development</li> <li>• Ensure all information is secured and shared on a 'need-to-know' basis. Electronic communications are password protected.</li> </ul>

## International Protection Accommodation Services Unit and Irish Refugee Protection Programme Unit

<p>2.1 In respect of the relevant services provided by your Unit, please provide a written assessment of the risk of harm to a child while availing of those services</p>	<p>2.2 Please specify the procedures that are in place in your unit to manage those risks</p>
<p>1. A child resident may be subject to abuse or harm perpetrated by an adult resident, who is not related to the child</p>	<ul style="list-style-type: none"> <li>• Staff are advised to follow the child protection policy that explains how to report concerns about a child’s welfare or safety to the local duty Tusla social work department. The Manager of the Child and Family Unit in IPAS will assist designated liaison persons where there is uncertainty about a need for a report. The DLP may also consult directly with their local duty social work department.</li> <li>• The report of the concern is also recorded by IPAS and this record is maintained in perpetuity.</li> <li>• If the allegation is confirmed, then the adult resident will be transferred to another centre to ensure that the child is not subject to further harm or in a position of living with an adult who has caused them harm. In exceptional circumstances, the child and their family may be offered a transfer to an alternative centre. In cases where an adult IPAS resident is transferred to another centre due to child protection concerns, the person will be relocated to an adult only centre (male centre, female centre or mixed) or to alternative accommodation where they do not pose a risk to children.</li> <li>• Play and recreation areas for children and young people that are separate from adult recreation areas should be available in all accommodation centres and emergency accommodation locations, where possible and feasible.</li> </ul>
<p>2. A child resident may be subject to abuse or harm perpetrated by their parent or guardian</p>	<ul style="list-style-type: none"> <li>• Staff are advised to follow the child protection policy which explains how to report child abuse concerns to the local duty Tusla social work department</li> <li>• The report of the concern is also recorded by IPAS CFSU and this record is maintained in perpetuity</li> <li>• The Manager of the Child and Family Unit will work with the local social work team, family and centre staff to ensure access to appropriate supports</li> </ul>
<p>3. A child resident may be subject to abuse or harm perpetrated by a staff member</p>	<ul style="list-style-type: none"> <li>• Staff are advised to follow the child protection policy and practice guide which explains how to report child abuse/ welfare concerns to the local duty Tusla social work department</li> <li>• The report of the concern is also recorded by IPAS and this record is maintained in perpetuity</li> <li>• Staff are expected to adhere to the Code of conduct for behaviour towards residents, and non-compliance with this code of conduct may result in termination of employment</li> <li>• All centre staff must have a Vetting Disclosure before taking up employment in centres</li> </ul>

	<ul style="list-style-type: none"> <li>• In the case of emergency accommodation sites, it will not be possible for a Vetting Disclosure to have been sourced prior to their commencement of service for all or any staff, however IPAS will seek to have such Garda Vetting and Disclosures issued as soon as possible after the commencement of service.</li> </ul>
<p>4. A child resident may be subject to abuse or harm perpetrated by an adult visitor or volunteer</p>	<ul style="list-style-type: none"> <li>• All volunteers working in accommodation centres must have appropriate Garda Vetting</li> <li>• All volunteers and visitors are required to adhere to the Child Protection Policy while on site at any accommodation centre</li> <li>• All adult visitors and volunteers should adhere to policies in place, such as sign-in at reception, to ensure that management is aware of who is on the premises at all times</li> <li>• Any disclosure of harm experienced by a child and reported to a volunteer should be reported to the local duty social work department</li> <li>• Children to be given age appropriate information about how to tell an adult if they do not feel safe, or if they have experienced harm.</li> <li>• Staff in emergency accommodation should ensure that children resident in their accommodation are only in the care of their parents or guardians or adults that their parents or guardians have nominated to care for them.</li> </ul>
<p>5. Parents may be afraid or unsure of how to report a child protection concern</p>	<ul style="list-style-type: none"> <li>• Newly arrived persons seeking International Protection have the opportunity to attend an information session with the New Communities Partnership in child protection legislation and policy in Ireland. The information session also explains how to report concerns.</li> <li>• All parents and guardians are to be made aware of the Child Protection Policy that operates for IPAS/IRPP centres. The policy has contact details for the IPAS Child and Family Services Unit.</li> </ul>
<p>6. Children may be subject to bullying and in some cases inappropriate sexualised behaviour or other forms of harm from other children and young people in accommodation centres</p>	<ul style="list-style-type: none"> <li>• An anti-bullying policy and accompanying workshops to be developed by the Child and Family Services Unit on behalf of IRPP and IPAS</li> <li>• Parents are encouraged to provide appropriate levels of supervision, depending on their child's age and stage of development</li> <li>• If an incident of harm involving children is brought to the attention of staff, staff are to follow the reporting procedure outlined in the Child Protection Policy. This begins with consultation with the DLP, who may seek guidance from the IPAS Child and Family Service Unit or the Tusla social work department in advance of making a report.</li> <li>• In all cases, children's parents should be informed of concerns regarding their children in advance of a report being made, unless doing so places the child at serious risk of further harm.</li> </ul>



<p>7. Children may be harmed by exposure to domestic abuse while resident in an accommodation centre. This harm includes physical harm during an assault by the violent partner and emotional/psychological harm caused by witnessing violence perpetrated by a parent/guardian</p>	<ul style="list-style-type: none"> <li>• All incidences of domestic violence and intimate partner abuse should be reported to IPAS and An Garda Síochána as per the Domestic, Gender and Sexual Based Violence policy</li> <li>• Where children are part of the family unit, a report should be made to the local Tusla duty social work department of the concern regarding the presence of domestic abuse within the family.</li> <li>• IPAS will work with the centre management (including emergency accommodation management or owners), An Garda Síochána and Tusla regarding actions to be taken, including potential transfers of accommodation for either the alleged perpetrator or victim of abuse.</li> </ul>
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At a corporate level, the Department’s engagement with Transition Year Students is deemed to come within the definition of Schedule 1, paragraph 5 of the Act and Appendix I outlines specific arrangements.

**(b) In respect of 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 availing of the relevant service**

The Department of Children, Equality, Disability, Integration and Youth has in place a process for dealing with a member of staff who may be the subject of any investigation described in respect of an act, omission or circumstance in respect of any child engaging with the work of the Department. The procedure is available on request.

**(c) For the selection or recruitment of any person as a member of staff of the provider with regard to that person’s suitability to work with children**

The Public Appointment Service is the central agency for recruiting into the Civil Service. It is the practice that all staff recruited through this process are Garda Vetted prior to assignment to this Department.

At induction, staff will now be provided with a copy of the DCEDIY Child Safeguarding Statement and will as a safeguard, be required to sign a declaration that they have read and understood the content of the document.

**(d) For the provision of information and, where necessary, instruction and training to members of staff of the provider in relation to the identification of the occurrence of harm**

Units where risks are identified are required to undertake the Tusla Children First eLearning training module. The Department’s intranet includes a dedicated Children First site, where staff have access to all relevant guidance, DCEDIY publications and the child protection reporting procedure for staff to report concerns as well as helpful Tusla information resources and contact details. All staff also have access to the Tusla Children First eLearning training module via the DCEDIY eLearning system.

**(e) For reporting to the Agency by the provider or a member of staff of the provider (whether a mandated person or otherwise) in accordance with the Act or guidelines issued by the Minister under section 6 of the Act**

The Department of Children, Equality, Disability, Integration and Youth has developed a set of guidelines for staff for this purpose and they are available on request. These will be reviewed and updated as required.

**(f) For maintaining a list of the persons (if any) in the relevant service who are mandated persons and,**

The Human Resources Unit maintains a list, where relevant, of mandated persons.

**(g) For appointing a relevant person for the purposes of this Part.**

The relevant person in the Department of Children, Equality, Disability, Integration and Youth for the purposes of this part of the Act is the Personnel Officer.

## **Monitoring and review of the Child Safeguarding Statement**

This is the third iteration of the Department of Children, Equality, Disability, Integration and Youth Child Safeguarding Statement.

The Child Safeguarding Statement will be reviewed as necessary as material changes are notified to the Personnel Officer.

The Child Safeguarding Statement must, under section 11(7) of the Children First Act 2015, be reviewed at intervals of not greater than 24 months.

This plan will be reviewed no later than March 2023.

### **Note**

The Department of Children, Equality, Disability, Integration and Youth Child Safeguarding Statement is required to include reference to any functions of the Department that fall within the legal definition of relevant services to children as set out in Schedule 1 of the Children First Act 2015. There may be other occasions when the Department engages with children and young people, which do not fall within the legal definition, and accordingly do not require to be included in this Statement. The Department's Children First Oversight Group will keep this issue under review, with a view to ensuring that best practice is followed, and that policies and procedures are put in place as required.

## Appendix I

### Transition Year Students and Temporary Clerical Officers Under the Age of 18 Years

#### 1) Background:

- a) DCEDIY supports developing the potential of children and young people.
- b) In this context, the DCEDIY aims to facilitate the placement of transition year students [TY].
- c) A TY student is assigned to a unit or units, and is the responsibility of the relevant Principal Officer of that unit, for the duration of the placement.
- d) TY students are under 18 and fall within the definition of a child.
- e) The DCEDIY may also employ Temporary Clerical Officers [TCOs] who may be under the age of 18.
- f) The DCEDIY is committed to safeguarding all under 18 year olds working or training in the Department, in line with Children First legislation and guidance, and best practice.

#### 2) Obligations under the Children First Act 2015 in relation to TYs:

As the placement of TY students in the DCEDIY is considered to be a relevant service to children under the Act [specifically, paragraph 5(a) of Schedule 1 in relation to the provision of training opportunities to children], the following obligations attach:

- a) To keep the child safe from harm while receiving the service [i.e. on the placement];
- b) To assess the risks; and
- c) To address those risks, as required by the Act, in the Department's Child Safeguarding Statement.

#### 3) Risks attaching to TY students:

The risks identified in relation to TY students are as follows:

- a) That the student will be harmed by a member of staff of the DCEDIY, in the course of their placement [harm having the meaning assigned to it under the Children First Act 2015];
- b) That the nature of the work that the student is exposed to, may be inappropriate and potentially harmful [in this context, the DCEDIY child welfare and protection work is considered particularly relevant];
- c) That the student will disclose to DCEDIY staff that they are being harmed [by persons either within or outside the DCEDIY] and that this disclosure will not be appropriately reported to Tusla.

#### 4) Risk that a TY will be harmed:

- a) The procedures in place to mitigate the risk at 3) a) above are as follows:
  - i) On induction to the DCEDIY, all TY students will:
    - (1) Be given a copy of the DCEDIY Child Safeguarding Statement, which will be explained to them in detail in relation to TY placements;

- (2) Be given the name and contact details of, and be introduced personally to, a staff member who will be a contact person for them, accessible at all reasonable hours, to raise any issues/concerns around abuse, bullying, inappropriate behavior, or any issue of concern to the TY.
- ii) The DCEDIY staff member at (2) above will be in HR, unless the placement is in HR, in which case a staff member from another unit will be nominated.
- iii) The contact person will be obliged to make contact with the TY half way through their placement, and again on its conclusion.
- iv) All staff in the unit to which the TY is assigned will have received and signed for a copy of the DCEDIY Child Safeguarding Statement and a minimum of one person in the unit will have undertaken the Children First elearning training.
- b) The procedures in place to mitigate the risk at 3) b) above are as follows:
  - i) In determining placements of TYs, care will be taken to avoid placing students in units where exposure to the content of the work may be distressing or inappropriate for children.

**5) Risk that a TY's disclosure will not be passed on to Tusla:**

The procedures in place to mitigate the risk at 3) c) above are as follows:

The DCEDIY has developed a guide to staff for reporting child welfare and protection concerns which is available on request.


- a) The Principal Officer or Head of Unit of the unit to which the TY is assigned will confirm to HR in advance of the placement, that all staff in the unit have received and signed for a copy of the DCEDIY guide to staff for reporting child welfare and protection concerns within the previous 12 months;
- b) The PO of the Unit involved will check with staff on exit of the TY whether any disclosures have been made, and if so, that they have been appropriately passed on to Tusla.

**6) Temporary Clerical Officers [TCOs]:**

- a) The employment of TCOs does not fall within the definition of the provision of relevant services to children as set out in Schedule 1 of the Children First Act 2015.
- b) However, in the case of TCOs who may be under the age of 18, the DCEDIY is committed to best practice in relation to child safeguarding.
- c) The risks to underage TCOs are considered to be identical to those applying to TYs, as set out in paragraph (3) above, and in that context, the mitigating procedures set out in the preceding paragraphs (4) and (5) will be adapted as appropriate to be applied to TCOs under the age of 18:

**7) DCEDIY Child Protection Officer:**

In the case of 4), 5) and 6) above, the Principal Officer or Head of Unit to which the TY or TCO is assigned will inform the DCEDIY Child Protection Officer [Personnel Officer] of any incidents/reports that arise.



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