



**An Roinn Leanaí
agus Gnóthaí Óige**
Department of Children
and Youth Affairs

Department of Children and Youth Affairs
Child Safeguarding Statement
11th March 2018

Review Date 11th March 2020

Background

Under the Children First Act 2015, the Department of Children and Youth Affairs 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, in accordance with subsection (3) of section 1, 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 relevant provision of the Act (section 11) commenced on 11th December 2017.

Introduction

The Department of Children and Youth Affairs 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 four Divisions. Many activities are carried out on a co-operative basis by two or more Divisions.

Early Years Care and Education Division, is responsible for ensuring access to high quality and affordable early years and school age childcare. This includes the development of policy and legislation; the administration of a range of childcare schemes and the associated budgetary, governance and compliance functions; regulation of the childcare sector; and a number of initiatives to develop the childcare workforce and improve the quality of services.

The Division is responsible for preparing a major 10-year cross-Government Strategy on Early Years, covering the wide-ranging needs of babies and children up to 5, and their families.

Corporate and Business Support Division is responsible for 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, through the mechanism of a business partner model.

In addition, this Division contributes to the policy objectives of the Department by assisting policy units in the programme of legislative reform. The Division further contributes to the research, evaluation and information functions of the Department, including through the Growing Up in Ireland Study.

The Division also assists in the co-ordination of reporting and governance responsibilities, as well as through the provision of legal advices. The Division is commencing the process of putting in place a dedicated modern ICT support infrastructure to further the objective of a more focused IT solution for business needs.

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 DCYA 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.

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.

Youth Justice, Adoption, Youth and Participation Division is responsible for leading and driving reform in the youth justice service; developing policy and legislation in the area of adoption and the effective administration of youth service funding and the reform of youth funding programmes. The Division is also responsible for supporting the work of the Commission of Investigation into Mother and Baby Homes and for ensuring that the voice of children and young people is heard in decision making.

Each Division consists of a number of units, headed by a Principal Officer (PO) 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 and Youth Affairs, 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, one unit, the Participation Unit, has 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 Participation Unit are set out below.

Participation Unit

<p>Written assessment of the risk of harm to a child while availing of those services</p>	<p>In July 2017, a workshop was hosted with all relevant DCYA and contracted staff with reference to the services provided directly by DCYA to identify and assess risk and plan for improvement where necessary to best mitigate risks. It should be noted that over the past 17 years of service delivery, no risk to a child or young person has materialised.</p> <p>In discussing risk, two types of risk were identified:</p> <p>(1) Risk of something happening to the child or young person during their engagement with DCYA or its contracted provider and</p> <p>(2) Risk of staff becoming aware of harm to the child or young person in their life outside of the specific service delivery context.</p> <p>Risks were identified at each stage of the process of participation service delivery which was broken down as following:</p> <ol style="list-style-type: none"> 1. Recruitment process 2. Logistics and travel to and from events 3. At the event itself and de-briefing at the end of the event. 4. Post event engagement and follow up.
<p>Procedures that are in place in your unit to manage those risks</p>	<p>In relation to each of the stages above a risk assessment was undertaken and documented. Safeguards regarding practice and operating procedures were identified. To date some changes (for example improvement to the consent form) have been implemented.</p> <p>A workshop to complete the review process and finally agree operating procedures to ensure they are in line with the requirement of Children First will take place in March 2018.</p>

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 whatsoever described in respect of any act, omission or circumstance in respect of a child availing of the relevant service

The Department of Children and Youth Affairs 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 DCYA Child Safeguarding Statement and will, as a safeguard, be required to sign a declaration that they have read and understood the content of both documents.

(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 publications, information resources, staff communications and protocols and policies on child protection, and access to the Tusla Children First elearning module.

(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

The Department of Children and Youth Affairs 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 and Youth Affairs for the purposes of this part of the Act is the Personnel Officer.

Monitoring and review of the Child Safeguarding Statement:

This is the first iteration of the Department of Children and Youth Affairs' 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 not later than 2 years from the date of publication.

This plan will be reviewed no later than March 2020.

Note

The DCYA's 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) DCYA supports developing the potential of children and young people.
- b) In this context, the DCYA 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 DCYA may also employ Temporary Clerical Officers [TCOs] who may be under the age of 18.
- f) The DCYA 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 DCYA 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 DCYA, 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 DCYA's child welfare and protection work is considered particularly relevant];
- c) That the student will disclose to DCYA staff that they are being harmed [by persons either within or outside the DCYA] 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 DCYA, all TY students will:

- (1) Be given a copy of the DCYA 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 DCYA 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 DCYA 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 DCYA 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 DCYA's 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 DCYA 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) DCYA 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 DCYA Child Protection Officer of any incidents/reports that arise.