

Ireland Active: Tusla Children First 2017 Guidance- November 2017

The Minister for Children and Youth Affairs recently launched the revised *Children First: National Guidance for the Protection and Welfare of Children* and announced the commencement of remaining sections of the Children First Act 2015 from 11th December 2017. The newly commenced provisions of the Children First Act, including mandated reporting, **will come into effect from 11th December 2017.**

What is going to change?

From 11th December 2017, certain groups of people (including certain roles in the sport, fitness and leisure sector where working with children) **will be legally obliged** to report concerns of child harm to Tusla. These people are known as '**mandated persons**'. Mandated persons must report child protection and welfare concerns to Tusla and help Tusla, if requested, assist them in assessing a reported concern.

Also, organisations which work with children and families and which are defined as providers of '**relevant services**' in the Children First Act 2015 will have additional obligations relating to the protection of children.

How do I know if I am a mandated person?

Mandated persons are people who have ongoing contact with children and/or families and who are in a key position to protect children from harm. They include teachers, doctors, nurses, Gardaí, foster carers, youth workers and people working in many other professions (this would include a safeguarding officer, child protection officer or other person [however described] who is employed for the purpose of performing the child welfare and protection function of organisations offering services to children [this may include sport, fitness and leisure facilities]).

What additional obligations are there for organisations?

The Children First Act 2015 requires organisations that are **providers of 'relevant services'** to **prepare a Child Safeguarding Statement**, which is circulated to all staff, displayed publicly and made available to parents, guardians, Tusla and members of the public upon request.

What is a Child Safeguarding Statement?

A Child Safeguarding Statement (**see template link below**) is a written statement that specifies the service being provided and the principles and procedures to be observed to ensure, as far as practicable, that a child availing of the service is safe from harm. It also includes an assessment of risk of harm to a child while availing of your service and specifies the procedures in place to manage any identified risks.

Who needs to write a Child Safeguarding Statement?

Organisations which are defined in the Children First Act 2015 as **providers of 'relevant services'** **must have a Child Safeguarding Statement** in place **within three months of the commencement** of relevant sections of the Children First Act 2015 (on 11th December 2017).

The key points to note for Ireland Active members are:

- Each facility/group of facilities should identify their 'Mandated Person(s)' before 11th December (this could be the current Designated Liaison Person, Safeguarding Officer, Club Children's Officer, or the CEO/Manager of the facility/group). This person is legally obliged to report concerns of child protection and welfare to Tusla [Please refer to schedule 2 of the Children First Act].
- Each employer/facility should have a Safeguarding Statement no later than 3 months after the commencement of the Act on 11th December (template provided below) and the employer should identify the 'Relevant Person' who is the point of contact in relation to the Safeguarding Statement
- The Mandated Person, Designated Liaison Person (DLP) and Relevant Person could in practice be the same person in a small owner operator facility. In a larger facility/group the role could be divided between the CEO/Owner who has been assigned the overall responsibility for Safeguarding Children (Mandated Person and Relevant Person) and the Duty Manager (who has been assigned the role of Designated Liaison Person).
- Although the Mandated Person is legally obliged to report concerns of harm to children, the DLP or any member of staff, the public, parent or child are able to contact Tusla with concerns of harm to children as outlined in as outlined in Children First National Guidance for the Protection and Welfare of Children 2017.
- Joint reporting can be undertaken by the Mandated Person and DLP (or any other worker) should a child protection or welfare concern arise

Ireland Active will be hosting **Safeguarding Training on 29th November**, where any further queries can be answered, and we intend to **host a seminar in partnership with Tusla in early 2018** to address Children First in more detail.

Tusla Resource Documents:**National Guidance for the Protection and Welfare of Children:**

http://www.tusla.ie/uploads/content/Children_First_National_Guidance_2017.pdf

A Guide for the Reporting of Child Protection and Welfare Concerns:

http://www.tusla.ie/uploads/content/4214-TUSLA_Guide_to_Reporters_Guide_A4_v3.pdf

Guidance on Developing a Child Safeguarding Statement (including template below, pages 9 & 10):

http://www.tusla.ie/uploads/content/4214-TUSLA_Guidance_on_Developing_a_CSS_v3.pdf

Appendix 1: Child Safeguarding Statement Sample Template

Child Safeguarding Statement

1. Name of service being provided: _____

2. Nature of service and principles to safeguard children from harm
(Brief outline of what our service is, what we do and our commitment to safeguard children):

3. Risk assessment
We have carried out an assessment of any potential for harm to a child while availing of our service. Below is a list of the areas of risk identified and the list of procedures for managing these risks.

Risk Identified	Procedure in place to manage risk identified
1	
2	
3	
4	
5	

4. Procedures
Our Child Safeguarding Statement has been developed in line with requirements under the Children First Act 2015, the Children First: National Guidance, and Tusla's Child Safeguarding: A Guide for Policy, Procedure and Practice. In addition to the procedures listed in our risk assessment, the following procedures support our intention to safeguard children while they are availing of our service:

- Procedure for the management of allegations of abuse or misconduct against workers/volunteers of a child availing of our service
- Procedure for the safe recruitment and selection of workers and volunteers to work with children
- Procedure for provision of and access to child safeguarding training and information, including the identification of the occurrence of harm
- Procedure for the reporting of child protection or welfare concerns to Tusla
- Procedure for maintaining a list of the persons (if any) in the relevant service who are mandated persons
- Procedure for appointing a relevant person

All procedures listed are available upon request.

5. Implementation
We recognise that implementation is an ongoing process. Our service is committed to the implementation of this Child Safeguarding Statement and the procedures that support our intention to keep children safe from harm while availing of our service. This Child Safeguarding Statement will be reviewed on _____, or as soon as practicable after there has been a material change in any matter to which the statement refers.

Signed: _____
(Provider)

[Provider's name and contact details]

For queries, please contact _____
Relevant Person under the Children First Act 2015.

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List of Mandated Persons: <http://www.tusla.ie/children-first/children-first-2017/mandated-persons>

15. Person employed in any of the following capacities: (i) safeguarding officer, child protection officer or other person (howsoever described) who is employed for the purpose of performing the child welfare and protection function of religious, sporting, recreational, cultural, educational and other bodies and organisations offering services to children;

List of Relevant Services: <http://www.tusla.ie/children-first/children-first-2017/relevant-services>

5. Any work or activity which consists of the provision of—
(a) educational, research, training, cultural, recreational, leisure, social or physical activities to children,

eLearning (recommended): <http://www.tusla.ie/children-first/children-first-e-learning-programme>

Tusla has developed a universal e-learning training programme (1.5 hours) called 'Introduction to Children First'. The programme has been written to support people of all backgrounds and experience in recognising concerns about children and reporting such concerns if they arise.

Reporting Form (will change from 11th December 2017):

<http://www.tusla.ie/children-first/publications-and-forms>

Best Practice Principles for Organisations in Developing Children First Training Programmes:

http://www.tusla.ie/uploads/content/Tusla_-

[Best Practice Principles for Organisations in Developing Children First Training Programmes.pdf](#)

More information is available here: <http://www.tusla.ie/children-first/children-first-2017>