Child Safeguarding Statement

REVISED MARCH 2019
1. **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 Education and Skills to children as well as the principles and procedures in place to safeguard children from harm while availing of those services.

2. **Name of Service being provided**

The Department of Education and Skills (DES) is a Department of the Irish state with responsibility for the development of education and training policy to facilitate individuals through learning, to achieve their full potential and contribute to Ireland’s social, cultural and economic development. The Department employs approximately 1400 officers (1320WTE\(^1\)) comprising administrative (general service) grades, professional and technical staff (such as Inspectors, psychologists, architectural and engineering staff in the Planning and Building Unit) and other grades (such as service officers, cleaners and telephonists). In addition, the Department employs a number of temporary staff to meet staffing needs at times of particularly high activity across the Department.

Within the Department itself, interaction with children by general DES staff is limited but there are a number of discrete functional areas that provide a relevant service within the meaning of Schedule 1 to the Act. These are as follows:

- **The National Educational Psychological Service (NEPS)***provides an educational psychological service to all schools, through the application of psychological theory and practice, to support the wellbeing, academic, social and emotional development of all learners. NEPS prioritises support for learners at risk of educational disadvantage and those with special educational needs. NEPS psychologists work in both primary and post-primary schools in partnership with teachers, parents and children. Each NEPS psychologist offers a range of services aimed at meeting learners’ needs through direct casework with individual students (e.g. consultation and assessment work carried out on a 1:1 basis) and indirect work with teachers and parents to build systemic capacity. It should be noted that NEPS psychologists are mandated persons under the provisions of the Children First Act 2015.

- **The Inspectorate** is responsible for the evaluation of primary and post-primary schools and centres for education in addition to undertaking Early Years Education Inspections. Inspectors also provide advice on a range of educational issues to school communities, policy makers in the Department and to the wider educational system.

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\(^1\) Whole Time Equivalent
Employment of staff under the age of 18 years, including temporary clerical officers (TCO’s), and the periodic provision of work experience placements to Transition Year (TY) students who are usually under 18 years of age.

Visits to schools by DES staff to examine school building works and occasional consultation with teachers/pupils in relation to the works undertaken.

Agencies/bodies under the aegis of this Department who 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.

3. Commitment to safeguard children from harm

The Department of Education and Skills is 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 Department of Children and Youth Affairs 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. Every staff member of the Department has a responsibility and a duty of care to ensure that every child/young person availing of our service 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 DES staff (employees, temporary staff, students, interns, contractors and any person performing any role or function in, or on behalf of, the DES).

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 with responsible action at all times 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.

- Staff shall be provided with Children First training in accordance with their needs, responsibilities and interactions (if any) with children.
- All applicable Departmental policies and procedures shall be available to any child or their parents/guardians.

### 4. Risk Assessment

This Child Safeguarding Statement is informed by a risk assessment which was carried out by HR Unit to assess any potential for harm to a child by DES officials while availing of our 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 these risks.

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<tr>
<th>Risk(s) Identified</th>
<th>Procedure in place to manage identified risk(s)</th>
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<td>1 Potential of harm to a child by a staff member while availing of the services</td>
<td>- Educational Psychologists are recruited through competitions conducted by the Public Appointments Service (PAS) on behalf of the</td>
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<td>of the National Educational Psychological Service (NEPS).</td>
<td>Department and as part of that process candidates are subject to Garda vetting.</td>
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<td>- The management of NEPS have provided staff members with comprehensive guidelines to follow in carrying out their official duties.</td>
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<td>The document covers the different work situations a psychologist is likely to encounter and provides advice to ensure that children availing of psychological services are in a safe and comfortable environment be it in a school, office or other setting.</td>
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<td>- All psychologists have completed Tusla’s e-Learning module in relation to the Children First Act 2015.</td>
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<td>2 Potential of harm to a child by a member of the Inspectorate while s/he is</td>
<td>- In conducting inspections and other work in early years’ settings, primary and post-primary schools, centres for education and other settings, inspectors interact with learners in classrooms and other settings. During these interactions, inspectors ensure that another adult is present.</td>
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<td>conducting inspection/advisory work in primary and post-primary schools, centres</td>
<td>- Inspectors do not engage in one-to-one interaction with a pupil/student unless another adult is present.</td>
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<td>for education and other settings, including early years settings and Coláistí Gaeilge.</td>
<td>- In the case of an early years’ setting, the other adult must be an Early Years’ practitioner.</td>
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In the case of a school, centre for education or other setting, the other adult may be an inspector or a member of the school/centre/setting staff.

- All inspections are carried out in accordance with procedures set out in published guides to inspection, as approved by the Minister, which can be accessed on the website of the Department at [www.education.ie](http://www.education.ie).

- All Inspectors are subject to Garda vetting prior to their appointment.

- Training on Child Protection and Safeguarding is provided as part of the induction programme for newly-appointed inspectors. Child Protection and Safeguarding is also addressed, on a regular basis, through the Continuous Professional Development Programme for the Inspectorate. Participation in these programmes is mandatory for all inspectors.

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| 3 | i. Potential of harm to a person, under the age of 18, while employed by DES or participating in a Transition Year or other work experience placement with the Department.  
   ii. 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, may not be appropriately reported to the DLP/Deputy DLP and/or to the relevant statutory authorities. |

- Staff shall be made aware of the Department’s Policy on the employment of staff under the age of 18, including temporary clerical officers (TCO’s) or provision of Transition Year work placements as well as the associated procedures for reporting and recording incidents or concerns. This explains, *inter alia*, how to identify and report relevant concerns or allegations to the DLP or Deputy DLP who will, in consultation with the reporter and (as necessary) with Tusla, determine whether the matter needs to be referred to Tusla and (as applicable) to An Garda Síochána. The DLP/Deputy DLP will also inform the Head of Human Resources (HR), who will determine any immediate measures that may be needed from a HR perspective.

- All staff are expected to adhere to the relevant Departmental and Civil Service codes and 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.

- 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 Appointment Service.

- Be introduced personally to a staff member who will be an additional contact person for them, to raise any issues or concerns around abuse, bullying/harassment, inappropriate behaviour, or any other matter of concern to the student. This
contact person will be a Higher Executive Officer (HEO) from HR Unit in each of the Department’s 3 main locations (unless the placement is in HR, in which case a staff member from another Division will be nominated).

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<th>Potential of harm to a child by a DES staff member during official visits to schools to examine school building works.</th>
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<td>- While on occasion, DES staff do engage with pupils to ascertain their views on building works undertaken (particularly new schools), this is mitigated by the fact that visits are in the company of the School Principal or Deputy Principal and any interactions with pupils are conducted in the presence of a teacher.</td>
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<td>- The management of the School Planning &amp; Building Unit are in the process of drafting guidelines for the professional and technical staff in relation to visits to school facilities.</td>
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4. **Child safeguarding policies and procedures**

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

- Garda vetting: The Department intends to have officials in line sections that have access to school children to be re-vetted at five year intervals. This will, in the first instance, concern staff of NEPS and the Inspectorate;
- Children First Act 2015;
- *Children First – National Guidance for the Protection and Welfare of Children 2017*;
- Tusla’s *Child Safeguarding: A guide for Policy Procedure and Practice*;
- Department of Education & Skill’s *Child Protection Procedures for Primary and Post Primary Schools*;
- Departmental policy on employment of staff under the age of 18 including temporary clerical officers (TCO’s) and provision of unpaid work placements to Transition Year students;
- Procedures for responding to child protection concerns brought to the attention of staff employed by the Department of Education and Skills;
- Department of Education & Skill’s *Information and Communications Technology (ICT) Policy 2016*;
- Department of Education & Skill’s *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 2016; and the

These documents are available upon request.
5. **Implementation and Review**

- This 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 before 11th March, 2020, or as soon as practicable after there has been a material change in any matter to which the statement refers.

- This Statement has been published on the Department’s website and will be provided to all DES staff, both permanent and temporary, and any other persons involved with the service. It is readily accessible to parents and guardians on request. A copy of this Statement will be made available to Tusla if requested.

6. **Designated Liaison Person (DLP)/ Deputy Designated Liaison Person (Deputy DLP)**

The Department has assigned as relevant persons, for the purposes of the Children First Act 2015, a Designated Liaison Person (DLP) and a Deputy Designated Liaison Person (Deputy DLP). They are the contact persons for any child protection concerns in relation to Department staff and are also responsible for ensuring that reporting procedures within the Department are followed, so that child welfare and protection concerns are referred promptly to Tusla.

The Designated Liaison Person (DLP) is Arthur Kelly, HR Unit, Dublin, at **Phone: 01- 8896473 Email: Arthur_Kelly@education.gov.ie**

The Deputy Designated Liaison Person (Deputy DLP) is Annmarie Quinn, HR Unit, Dublin, at **Phone: 01- 8892266 Email: Annmarie_Quinn@education.gov.ie**

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