



An Roinn Oideachais
Department of Education

Child Safeguarding Statement

Department of Education

Reviewed April 2021

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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 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.

2. Department of Education

The Department has responsibility for the development of education policy to facilitate individuals through learning, to achieve their full potential, and to contribute to Ireland's social, cultural and economic development. The Department employs approximately 1,400 officers (1,350 FTE¹) comprising administrative grades, professional and technical staff (such as inspectors, psychologists, architectural and engineering staff in the Planning and Building Unit (PBU), and other non-administrative grades. These staff are based primarily in the Department’s main offices in Dublin, Athlone and Tullamore, and in a number of regional locations throughout the country.

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

Division
Curriculum and Assessment, Central Policy/Legal Services, Public Service Reform Programme Office, Statistics
Schools Division – Education and Training Boards (ETBs) Financial/Administrative Personnel, Parents and Learners (incl. Child Protection), Schools Financial and Database, Teacher Allocation and School Governance Policies, Teacher Education Policy (ITE & Professional Development), Teacher Education Policy (Teacher Supply & Digital)
Head of Major Operations (Schools Employee Payroll, Pensions, Information Technology (IT), Shared Services
Corporate Services, Finance, Human Resources (HR), Communications, Data Compliance and Support, Gaeltacht Education and International Cooperation (shared with the Department of Further and Higher Education, Research, Innovation and Science)
Planning and Building Division - Property Management and Site Acquisitions, Forward Planning, School’s Capital Appraisal, PBU Finance, Coordination and Programme Management, Devolved Projects, Major Projects (Design and Construction), PBU Professional Staff, School Remediation

¹ Full Time Equivalent

National Educational Psychological Service (NEPS), Special Education, Social Inclusion and Special Education Litigation, Early Years Education
External HR, Teachers/Special Needs Assistants (SNA's) Terms and Conditions, School Transport and Residential Institutions Redress Unit
Inspectorate

3. 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. 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 *Children First: National Guidance*, a Designated Liaison Person (DLP) and Deputy Designated Liaison Person (Deputy DLP) have been appointed (**See Section 8**).
- All staff must undertake training on the *Procedures for responding to child protection concerns which come to the attention of staff employed by the Department of Education*.
- All applicable Departmental policies and procedures shall be made available to any child, their parents/guardians or Tusla, on request.

4. Relevant Services including mandated persons

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

- The **National Educational Psychological Service (NEPS)** provides a psychological service to schools and in doing so, the educational psychologist works with children and young people, and their families, in settings including schools, and sometimes as part of multi-agency teams. Each NEPS psychologist offers a range of services aimed at supporting the wellbeing and social, emotional and academic development of all students, through the provision of an individual casework service for students, and a support and development service to build systemic capacity. Approximately 80% of NEPS psychologists' work in schools is casework with individual students.

NEPS psychologists are also mandated persons² under the provisions of the Children First Act 2015 which places statutory obligations on them to report child protection concerns, at or above a defined threshold, to Tusla – Child and Family Agency. As members of staff of the Department of Education, they are also required to comply in full with the *Procedures for responding to child protection concerns which come to the attention of staff employed by the Department of Education*.

- The **Inspectorate** is responsible for the evaluation of early learning and care (ELC) settings, primary, and post-primary schools and centres for education. Inspectors also provide advice on a range of educational issues to school communities, policy makers in the Department and to the wider educational system.
- Periodic provision of **work experience placements** to students, including Transition Year (TY) students, under 18 years of age. The employment of temporary clerical officers (TCOs) 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, under the age of 18, on work placements.
- Interaction with persons under the age of 18 years by Department or Ministerial staff also takes place, in schools and other settings, for a number of purposes including site visits to schools by Planning and Building Unit staff; attendance at launches, competitions, exhibitions; as part of consultation processes on education-related issues or for promotional/awareness-raising purposes on education matters.

² The Children First Act 2015, Schedule 2, provides a full list of people who are classified as mandated persons

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 to meet best practice reporting obligations for all persons set out under the updated *Children First: National Guidance for the Protection and Welfare of Children 2017*.

5. Risk Assessment

This statement is informed by a risk assessment which was carried out by HR Unit 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.

	Risks identified	Procedures in place to manage/mitigate risks
1	<p>National Educational Psychological Service (NEPS)</p> <p>(i) Potential of harm to a child by a staff member while availing of the services, including any online services, of NEPS. Areas of risk may include, for example, working with an individual child alone in a room; escorting a child from classroom to test room; sitting at the back of class while observing a child; being in a school playground during break time in order to observe a child; and undertaking tele-assessments (remote assessments using a videoconferencing platform) of children.</p> <p>(ii) Failure by a staff member of NEPS to correctly report a child protection concern brought to their attention in the course of their work.</p>	<ul style="list-style-type: none"> - Psychologists in NEPS recognise and adhere to the legal and professional ethical standards required to provide a responsive, ethical and effective psychological service. - Psychologists in NEPS must follow the <i>Procedures for responding to child protection concerns which come to the attention of staff employed by the Department of Education</i>. A copy of these procedures is provided to new psychologists on induction. These procedures include a specific chapter on NEPS and clearly set out their child protection responsibilities, particularly as mandated persons, under the Children First legislation. Training on these procedures has been provided by the Parents and Learners Unit (PLU) of this Department and Tusla to NEPS psychologists. - Psychologists in NEPS complete Tusla's e-Learning module in relation to the Children First Act 2015. - NEPS psychologists are apprised of the Department's Child Safeguarding Statement of the Department of Education. - The elements of the Department's Child Safeguarding Statement relevant to NEPS will be reviewed annually. - All NEPS psychologists have been issued with <i>Safety at Work Guidelines for NEPS Psychologists</i> to ensure the safety of children when they are working on a one-to-one basis. - NEPS have developed a guidance document on tele-assessments.

		<ul style="list-style-type: none"> - NEPS have organised training on tele-assessments for psychologists. - NEPS require parents/guardians to sign consent forms to agree to psychological tele-assessment of their children. - All NEPS field staff are provided with bespoke/secure identification cards to provide ID assurance to clients, parents and schools. - Educational psychologists are recruited through competitions conducted by the Public Appointments Service (PAS) on behalf of the Department and, as part of that process, candidates are subject to Garda vetting and, as employees of NEPS, to periodic re-vetting.
	Risks identified	Procedures in place to manage/mitigate risks
2	<p>Inspectorate</p> <p>(i) Potential of harm to a child by a member of the Inspectorate while they are conducting inspection/ advisory work in primary and post-primary schools, centres for education and other settings, including early learning and care (ELC) settings and Coláistí Gaeilge.</p> <p>(ii) Failure by a member of the Inspectorate to correctly report a child protection concern brought to their attention in the course of their work.</p>	<ul style="list-style-type: none"> - All inspectors must follow the <i>Procedures for responding to child protection concerns which come to the attention of staff employed by the Department of Education</i>. A copy of these procedures, along with a quick reference guide, is provided to new inspectors at induction. Training on these procedures has been provided by Parents and Learners Unit to inspectors. - Training on Child Protection and Safeguarding is also provided as part of the induction programme for newly-appointed inspectors and is addressed, annually, through the Continuous Professional Development Programme for the Inspectorate. Participation in these programmes is mandatory for all inspectors. - A discrete section 'Adhering to the Department's Child Safeguarding Statement during Inspections' is included in internal guides for all inspection models. - Inspectors do not engage in one-to-one interaction with a child unless another adult is present. This does not preclude incidental communications that may occur between an inspector and a child – for example, a child spontaneously saying something or an inspector responding to a greeting from a child on a corridor or in the yard. Furthermore, it does not preclude a child requesting to meet with an inspector in order to report a concern that the child may have. - All inspections/evaluations/advisory visits 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 - All inspectors are subject to Garda vetting prior to their appointment and are subject to periodic re-vetting. - All inspectors are provided with a time-bound (three year) photographic ID card and are required to have it

		<p>with them when visiting early learning and care (ELC) settings, schools, centres for education, or other education settings in the course of their work.</p> <ul style="list-style-type: none"> - Where online interactions with children and young people take place, inspectors ensure that all interactions are authorised by the relevant school before they commence.
	Risks identified	Procedures in place to manage/mitigate these risks
3	<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 Transition Year (TY) or other work experience placement with the Department.</p> <p>(ii) Potential 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, under the age of 18, accesses inappropriate online resources, during their employment/work 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>	<ul style="list-style-type: none"> - All staff, including students on work placements and temporary clerical officers (TCOs) under the age of 18, must follow the <i>Procedures for responding to child protection concerns which come to the attention of staff employed by the Department of Education</i>. A copy of these procedures, along with a quick reference guide, is provided to these staff on induction. - 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 them on their induction as well as to managers of the business areas that these staff are assigned to. - Any employees under the age of 18, or TY students, 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 is a Higher Executive Officer (HEO) from the HR Unit (unless the placement is in the HR Unit, in which case a staff member from another Division is nominated). - 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) Usage policy is provided to all staff including students on work placements 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.

	Risks identified	Procedures in place to manage/mitigate these risks
4	<p>All Department staff</p> <p>(i) Failure by any staff member of the Department 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 schools or through other forms of engagement/consultation with children.</p> <p>(iii) Potential of harm to a child by the Department, through the unauthorised use of data relating to a child.</p>	<ul style="list-style-type: none"> - All staff must follow the <i>Procedures for responding to child protection concerns which come to the attention of staff employed by the Department of Education</i>. A copy of these procedures, along with a quick reference guide, is provided to new staff on induction and also posted to the Department's staff intranet. - Staff are required to complete training on the <i>Procedures for responding to child protection concerns which come to the attention of staff employed by the Department of Education</i> and receive certification to confirm that they have completed the training. Each Principal Officer (PO)/PO equivalent has responsibility for ensuring that their staff have completed the training. - Visits to schools by officials from the Department³ and any of their interactions with pupils are undertaken in the presence of a school principal/deputy principal/teacher. - 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 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. - The Department's Child Protection and Parental Complaints section, within Parents and Learners Unit, has a dedicated child protection phone line and email and has responsibility for referring any child protection concerns received by staff to Tusla. - A Child Protection Oversight Group (CPOG) has been established within the Department comprising senior members of the Inspectorate, Parents and Learners Unit, NEPS, Terms and Conditions Section and School

³ This does not include inspectors or NEPS psychologists

		<p>Governance Section. One of the key functions of the CPOG is to monitor the implementation of the <i>Procedures for responding to child protection concerns brought to the attention of staff employed by the Department of Education</i>, including in relation to the numbers and types of child protection concerns/allegations of child abuse recorded across the Department, and report to the Management Board and to the Minister of the Department on a quarterly basis on these.</p> <ul style="list-style-type: none"> - 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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6. 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)
- Child Protection Procedures for Primary and Post Primary Schools
- Internal HR procedures on work placements for students, including transition year (TY) students, and the 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
- Code of Ethics of the Psychological Society of Ireland (PSI)
- Safety at Work – Guidelines for NEPS Psychologists (currently under review)
- Guidance on Tele-Assessment in NEPS, 2021

- 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.

7. Implementation and review

The Department recognises that the 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 two years, with the next review to take place in April 2023, or as soon as practicable if 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.

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

The HR Unit of the Department of Education 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 Demi Kehoe, HR Unit, Dublin, at
Phone: 087 399 2325 **Email:** Demi_Kehoe@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

**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**