

**Department of Social Protection
Children First Guidelines
Sectoral Implementation Plan**



January 2016 - 2019

1. SECTORAL GUIDANCE

<p>Department of Social Protection</p> <p>Context</p>	<p>Background</p> <p>Children First Act 2015</p> <p>The Children First Act 2015, recently enacted, gives a statutory footing to elements of the Children First: National Guidance for the Protection and Welfare of Children.</p> <p>The Act provides for a number of key protection measures as follows:</p> <ul style="list-style-type: none">• A requirement on organisations providing services to children to keep children safe and produce a Child Safeguarding Statement• A requirement on defined categories of persons (mandated persons) to report child protection concerns to TUSLA• A requirement on mandated persons to assist TUSLA in the assessment of a child protection risk, if requested to do so by the Agency• Places the Children First Inter-Departmental Implementation Group on a statutory footing. This Group will promote cross sectoral implementation and compliance with Children First legislation and report on an annual basis to the Minister for Children and Youth Affairs. <p>The <i>Children First: National Guidance for the Protection and Welfare of Children</i> clearly sets out how child protection must be placed at the core of any organisation working with children. Every Government Department or publicly funded body that delivers or funds services to children, whether directly or indirectly through bodies or agencies under its aegis has the responsibility to ensure that there is an awareness within the organisation of the <i>Children First</i></p>
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National Guidance and that the standards in relation to child protection and welfare set out are adhered to in the delivery of these services.

These guidelines are intended to assist people in identifying and reporting child abuse and to improve professional practice in both statutory and voluntary agencies and organisations that provide services for children and families.

Department of Social Protection

The main functions of the Department of Social Protection are to:

- advise Government and formulate appropriate social protection and social inclusion policies;
- design, develop and deliver effective and cost efficient income supports, activation and employment services and to provide comprehensive and accurate information to customers;
- work towards providing seamless delivery of services in conjunction with other departments, agencies and bodies; and
- control fraud and abuse.

The Scale of the Department's Business

The Department of Social Protection serves a wide and diverse group of clients including families, people in employment, unemployed people, people with disabilities, carers, and older people. In more recent times, the Department also provides a range of services to employers. The Department administers over 70 separate schemes and services which impact on the lives of almost every person in the State. The Department has gone through an intensive reorganisation in recent years with the integration of the Community Welfare Service (CWS) from the HSE, Redundancy and Insolvency payments and the Community (CS) and Employment Services (ES) from FÁS. There are also four agencies under the auspices of the Department – the Citizens Information Board, the Pensions Board, Office of the Pensions Ombudsman and the Social Welfare Tribunal.

The Department works in partnership with a number of third party organisations in the delivery of services to those seeking work or in receipt of long-term social protection payments. These organisations are separate legal entities registered as companies, co-operatives or incorporated charities. The programmes and initiatives require that these organisations provide defined services for which the Department provides funding for implementation and fees for delivery. The organisations operate independently of the Department in the delivery of these programmes and initiatives and within

parameters set out in programme or initiative rules or guidelines. The programmes and initiatives include:

- Community Employment Programme & Job Initiative (community based sponsor organisations, public bodies)
- Tús – the community work placement initiative (local development companies and Údarás na Gaeltachta)
- Rural social scheme (local development companies and Údarás na Gaeltachta)
- Gateway – work placement initiative for local authorities (county and city councils)
- Local Employment Service – supports to jobseekers to enter or return to employment (local development companies and one community organisation)
- JobsClubs - training to assist jobseekers who are ready for work, to develop skills which they can use to find a job (local development companies and one community organisation)
- Community Services Programme – subsidies to community business and/or social enterprises to delivery services of a social inclusion nature (community organisations and co-operatives, public bodies)
- European Fund for Aid to the Most Deprived – provision of supplies of food and non-food material goods to organisations working to alleviate poverty (community organisations and charities).

It should be noted that the Department or its Agencies are not responsible for direct service delivery to children and would not in the course of its work have unsupervised contact with children. The Department does however have contact with the public through the work of its employees and agents with the possibility of information being disclosed or observed that may give rise to concern regarding child protection. In this context, the Department in May 2008 introduced *Children First Guidance* and procedures to facilitate the reporting by Departmental staff of instances which they may have observed or were disclosed that gave rise to child protection concerns.

- training was provided to the Department's Inspectorate staff,
- a *Children First* webpage was set up on the Departmental intranet - 'STÓR'. The webpage links to the *Children First National Guidance*, the Departmental reporting *Guidelines*, the referral form in electronic format and the list of Designated Liaison Persons (see below) with their contact details.
- In addition, all new staff of the Department are informed of the Children First Guidelines and Procedures at Induction Stage.

These procedures will continue in line with the recently enacted Children First Act 2015.

Children First Guidelines - Departmental Structures

The Department delivers schemes and services locally through a network of 122 Intreo centres and Social Welfare Branch Offices. Local services are managed through a regional divisional management structure comprising 13 divisional areas.

- Across the Divisions, 14 people have been nominated as Children First Designated Liaison Persons (DLP's).
- Training has been provided to these Designated Liaison Persons
- A networking group for DLPs is in place. The group hold quarterly meetings to discuss issues arising relating to Child Protection concerns. This will continue during the duration of this Sectoral Implementation Plan.

Reporting Procedures

Staff members who have child welfare concerns make a report to their local Designated Liaison Persons (DLP). Staff in the centralised scheme areas also make reports through these DLPs. The DLPs refer reported child welfare concerns to the local social work duty service in TUSLA and request confirmation that the report is received.

The Designated Liaison Persons collate reported cases referred to them and forward them to the Department's Regional Support Unit, where they form the basis of an Annual Review by the Designated Liaison Persons on the operation of *Children First Guidance* within the Department. This Annual Review has been facilitated by Barnardos since 2008 and also presents an opportunity to update and renew training for the Designated Persons.

Where requests for information are made by someone other than a member of An Garda Síochána (e.g. Public Health Nurses and Social Workers), staff of the Department must ensure the following:

- The identity of the person is established and that the person requesting the information works for an authorised body as listed in Schedule 5 of the *(running) Social Welfare Consolidation Act*
- The person requesting the information provides confirmation that there is a legislative basis for

requesting the information.

- A written record of the request and the information given is kept centrally by Management. Information requested by email from a trusted source (e.g. a HSE email address) will suffice, although a copy of the email and information given must be retained.

The Department is in contact with TUSLA in relation to reviewing the sharing of information/data and to put in place a Protocol on such data sharing.

2. OVERSIGHT / ASSURANCE MECHANISM

Department of Social Protection

Department of Social Protection Children First Guidelines Implementation Plan The Department reviewed the existing guidelines and procedures and having regard to the newly enacted Children First Act the following revised Implementation Plan has been devised as follows:

Children First Guidelines - Guidance and Procedures

The *Children First* guidelines and procedures will be further reviewed upon the commencement of the Children First Act 2015 and will be circulated to all staff.

Children First Guidelines Training:

- An overview of the Children First Guidelines and Procedures is provided to all new staff assigned to the Department as part of induction training.
- Child Protection Awareness training is currently provided by Barnardos to staff that are responsible for carrying out home visits to clients.
- All Designated Liaison Persons attend an annual training review each year. They also have an option of attending a refresher course in Child Protection Awareness training if required.
- An Information Session on Child Protection Guidelines and Procedures to be provided to frontline staff when the revised *National Guidance for the Protection and Welfare of Children* are issued by the Department of Children & Youth Affairs
- Access to the eLearning training module being developed by Tusla will be made available to staff when finalised.
- An awareness notice will be displayed on the Department's Stór site when the Children First Act 2015 Act is commenced and the revised *National Guidance for the Protection and Welfare of*

Children are issued by the Department of Children & Youth Affairs.

Support/Oversight

A Children First Oversight Committee, involving the Human Resources Division, the Regional Support Unit and Staff Development Unit, has been established within the Department to:

- * Provide general oversight responsibility for the implementation of the Children First Guidelines
- * Support and co-ordinate the Departments Children First structures
- * A monthly Children First report is provided to members of the Management Board with operational responsibility by the Regional Support Unit.
- * An official of the Department will be nominated by the Minister to participate on the Children First Inter-Departmental Implementation Group.

Programmes/Initiatives delivered by third party organisations

The rules and conditions for funding for the delivery of programmes and initiatives by independent third party organisations provide that such organisations comply with all law relevant to their operation. Any failure in this regard would result in withdrawal of funding.

3. COMPLIANCE
Department of
Social Protection

Compliance with the *Children First Guidelines*

- An official of the Department will be nominated by the Minister to sit on the Children First Inter-Departmental Implementation Group.
- The Annual review process will continue to be undertaken by the DLP group and facilitated by Barnardos.
- If requested the Department will furnish such information that may be sought by the Children First Inter-Departmental Implementation Group in preparation of its Annual Performance Report.
- The Department will review and revise its Sectoral Implementation Plan as required.

4. INTERACTION WITH STATUTORY AUTHORITY

Department of
Social Protection

- The Departmental structures in place to interface with TUSLA are well-established.
- The procedures facilitate all staff to report concerns in relation to a child witnessed by them in the course of their duties to their Designated Liaison Persons.
- The procedures specify that Designated Liaison Persons are responsible for reporting these cases to the appropriate local social work duty service in TUSLA or to An Garda Síochana.