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HSE Guidance for Developing and Reviewing a Child Safeguarding Statement

Part A

This Guidance aims to support services developing Child Safeguarding Statements using the [HSE Child Safeguarding Statement Template](https://www.hse.ie/eng/services/list/2/primarycare/childrenfirst/child-safeguarding-statement/).

The HSE Child Safeguarding Statement Template should always be downloaded from [www.hse.ie/childrenfirst](http://www.hse.ie/childrenfirst) to ensure access to the most up to date version.

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# Glossary

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| Child | A child is defined in the Child Care Act 1991 as a person under the age of 18 years, other than a person who is, or has been, married. |
| Child Safeguarding | Child Safeguarding “…is the action that is taken to promote the welfare of children and protect them from harm. While protecting children from abuse is one part of safeguarding, children and young people also need safeguarding in order for them to grow, develop and achieve their full potential.” (Tusla Child Safeguarding: A Guide for Policy, Procedure and Practice p6).  Safeguarding is about protecting children.  • This means being alert to their safety and care  • Recognising concerns about a child’s welfare  • And taking action when we are worried about a child  Safeguarding is also about promoting children’s welfare.  • This means seeking support for children  • And hearing children’s voices and thoughts about their  lives  Safeguarding is also about providing children with appropriate care.  • That is ensuring their basic needs are met  • And making sure that they have access to the services  that they require  Source: “An Introduction to Children First” eLearning programme <https://www.hseland.ie> |
| Controls | Controls are measures that maintain and/or modify risk. In the HSE, a control is a measure that is in place, working effectively and operating to reduce either the likelihood or impact of a risk. Controls include but are not limited to, any process, policy, device, practice, or other conditions and/or actions that are in place and maintain and/or modify risk. (HSE Enterprise Risk Management Policy and Procedures 2023, p9) |
| Harm | “harm means in relation to a child –  assault, ill-treatment or neglect of the child in a manner that seriously affects or is likely to seriously affect the child’s health, development or welfare,  or sexual abuse of the child,  whether caused by a single act, omission or circumstance or a series or combination of acts, omissions or circumstances or otherwise.”  (Children First Act 2015) |
| Mandated Person | Schedule 2 of the Children First Act 2015 details the full list of people who are classified as mandated persons under the Children First Act 2015. Mandated persons have two main legal obligations under the Act. These are to report the harm of children at or above a defined threshold to Tusla – the Child and Family Agency, and to assist Tusla, if requested, in assessing a concern which has been the subject of a mandated report. |
| Relevant Person | A person who is appointed by a provider of a relevant service, as part of the requirements of the Children First Act 2015, to be the first point of contact in respect of the provider’s Child Safeguarding Statement.  The relevant person can provide information about how the child safeguarding statement, and any associated risk assessment, was developed and will be able to provide a copy, on request. |
| Risk | Risk is the effect of uncertainty on objectives. In the context of the HSE and its services, it is any condition, circumstance, event or threat which may impact the achievement of objectives and/or have a significant impact on the day-to-day operations. This includes failing to maximise any opportunity that would help the HSE or service meet its objectives. (HSE Enterprise Risk Management Policy and Procedures 2023, p9)  In the context of this Guidance Document the objective relates to safeguarding children and young people from the potential risk of harm. |
| Secondary Risk Assessment | A document that is referred to in a Child Safeguarding Statement that provides a more detailed description of the child safeguarding risks specific to a service and the policies and procedures in place to mitigate those risks. |

# Introduction

## What is a Child Safeguarding Statement?

A Child Safeguarding Statement is...

“… a written statement specifying the service being provided and the principles and procedures to be observed to ensure as far as practicable, that a child, while availing of the service, is safe from harm.

* Children First Act, 2015, (11)(1)(b)

## Who needs a Child Safeguarding Statement?

The Children First Act 2015 places a number of statutory obligations on organisations providing ‘relevant services’ to children and young people. Relevant Services are specified in Schedule 1 of the Act.

**ALL** relevant services operating or proposing to operate on behalf of the HSE[[1]](#footnote-1) must, within three months of commencing operations -

* undertake a **Risk Assessment** of any potential for harm (as defined in the Act) to a child or young person, and
* prepare a **Child Safeguarding Statement** specifying the service being provided and the policies and procedures that are in place to manage the risks identified
* Appoint a **Relevant Person** for the purposes of the risk assessment and child safeguarding statement

**Note:**

“harm means in relation to a child –

1. assault, ill-treatment or neglect of the child in a manner that seriously affects or is likely to seriously affect the child’s health, development or welfare, or
2. sexual abuse of the child,

whether caused by a single act, omission or circumstance or a series or combination of acts, omissions or circumstances or otherwise.”

* Children First Act 2015

## What is the purpose of this Guidance?

This Guidance aims to support services developing Child Safeguarding Statements to meet their legal obligations under the Children First Act 2015. It has been developed with due regard to, and in accordance with the following:

* Children First Act 2015
* Children First National Guidance for the Protection and Welfare of the Children 2017, Chapter 4 (DCYA)
* Guidance on Developing a Child Safeguarding Statement (Tusla 2017)
* Child Safeguarding: A Guide for Policy, Procedure and Practice, 2nd Edition (Tusla 2019)
* HSE Enterprise Risk Management Policy and Procedures 2023

The Child Safeguarding Risk Assessment process set out in this guidance is not intended to be part of, or replace, the HSE Enterprise Risk Management Policy and Procedures 2023. The HSE Enterprise Risk Management Procedures should be followed where an identified child safeguarding risk requires a formal risk assessment.

## How do you use this Guidance?

There are two parts to this Guidance, Part A and Part B.

Part A provides a step by step guide to developing your Child Safeguarding Statement in accordance with the requirements of the Children First Act 2015.

Part B (separate document) provides you with a tool for assessing any potential for harm to a child while availing of your service. This tool is set out in the form of a prepopulated Risk Assessment Template that can be added to/amended or edited as required. This template is referred to as a ‘Secondary Risk Assessment’.

The HSE has identified overarching risk categories and controls which are embedded in the [HSE Child Safeguarding Statement Template](https://www.hse.ie/eng/services/list/2/primarycare/childrenfirst/child-safeguarding-statement/). Your Secondary Risk Assessment should show a more detailed, service specific consideration of child safeguarding risk.

**Important to know:**

The [Tusla Child Safeguarding Statement Compliance Unit (CSSCU)](https://www.tusla.ie/children-first/child-safeguarding-statement-compliance-unit-csscu/) is a unit established within Tusla – Child and Family Agency with powers under sections 12 and 13 of the Children First Act 2015 to assess compliance with the requirements set out for Child Safeguarding Statements.

**Completed Secondary Risk Assessments must be submitted to the CSSCU in the event that a HSE Child Safeguarding Statement is formally requested for review.**

The CSSCU use a checklist ‘Review Outcome Form’ when reviewing Child Safeguarding Statements. It is advisable to refer to this form when developing or reviewing Child Safeguarding Statements. The form can be found on the Tusla website [www.tusla.ie](http://www.tusla.ie).

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# Steps to developing your Child Safeguarding Statement

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| Step 1 | Establish ‘Units of Service’ |
| Step 2 | Delegate Responsibility |
| Step 3 | Appoint a Relevant Person |
| Step 4 | Complete your Secondary Risk Assessment – Part B (separate document available at [https://www.hse.ie/childrenfirst](https://www.hse.ie/eng/services/list/2/primarycare/childrenfirst/child-safeguarding-statement/)) |
| Step 5 | Ensure that all of the Prescribed Procedures specified in Part B are in place |
| Step 6 | Edit the HSE Child Safeguarding Statement Template |
| Step 7 | Distribute and Display your Child Safeguarding Statement |
| Step 8 | Monitor and Plan for Review |

**Please note that if all steps are not completed in full, your service may not be compliant with Children First legislation.**

## Establish **‘Units of Service’**

“Large or complex organisations will need to consider whether one Child Safeguarding Statement can capture the range of activities provided. Having individual **units of service** complete separate Child Safeguarding Statements may provide a more manageable approach for some organisations”.

– Guidance on Developing a Child Safeguarding Statement (Tusla, 2017)

A Child Safeguarding Statement can be developed to apply to one individual service, or to multiple services. All services to which the Child Safeguarding Statement relates must complete their own ‘Secondary Risk Assessment’.

A Unit of Service can include one or multiple services, whose ‘Secondary Risk Assessments inform one Child Safeguarding Statement. This usually happens when services are similar in nature. While Units of Service can be decided based on location, size, governance, etc. they are best determined based on nature of service and activities provided.

Each Area will need to determine the most appropriate approach for developing Child Safeguarding Statements based on service configuration and delivery.

**Notes:**

* Potential Child Safeguarding risks will differ from service to service. A child attending a clinic with a parent could be at less risk than a child staying overnight in a service unaccompanied; the safeguards necessary in one setting may not apply in another.
* The broader the range of activities provided by a service the more difficult it is to assess and manage child safeguarding risk.
* You may find it useful to consult with your local HSE Children First Operational Steering Committee when establishing Units of Service.

## **Delegate** Responsibility

It is important to clarify, and communicate, who is responsible for determining Units of Service across the Area; who is responsible for undertaking Secondary Risk Assessments for each Unit of Service, and who is responsible for developing the Child Safeguarding Statement(s).

**Note:**

The best quality child safeguarding risk assessments are undertaken with the input of staff working directly with service users.

## Appoint a **Relevant Person**

It is a legal requirement to appoint a ‘Relevant Person’ for each Child Safeguarding Statement.

The relevant person is the first point of contact in respect of that Statement. They should be able to provide information in respect of how the child safeguarding statement, and any associated risk assessment, was developed.

Notes:

• The Relevant Person is not required or expected to have been directly involved in undertaking the Secondary Risk Assessment(s) or to hold any additional child safeguarding roles or responsibilities within the service.

• The Relevant Person is responsible for responding to queries in relation to the Child Safeguarding Statement.

• The Relevant Person should have a knowledge of the process undertaken to develop the Child Safeguarding Statement and the Secondary Risk Assessment(s) that informed it.

## Complete your‘**Secondary Risk Assessment**’ – Part B (available at [www.hse.ie/childrenfirst](https://www.hse.ie/eng/services/list/2/primarycare/childrenfirst/child-safeguarding-statement/)

All services to which a Child Safeguarding Statement relates must complete their own ‘Secondary Risk Assessment’.

Services should note that if a request to view a Child Safeguarding Statement is received from Tusla, parents/guardians, or members of the public the Secondary Risk Assessment **must be** submitted with the Child Safeguarding Statement.

As this document may be shared with the wider public it is important to ensure that no sensitive or confidential details are included in it.

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## Ensure that all the **Prescribed Procedures** specified in Part B are in place

The Children First Act 2015 Section 11(3) sets out a number of prescribed procedures that must be specified in a Child Safeguarding Statement. A list of the procedures required are included in Part B of this Guidance.

Included in the list is the requirement that a **written** procedure must be in place for:

1. Appointing a Relevant Person
2. Maintaining a List of Mandated Persons

Guidelines for writing these procedures can be downloaded from [www.hse.ie/childenfirst](https://www.hse.ie/eng/services/list/2/primarycare/childrenfirst/child-safeguarding-statement/).

Each ‘Unit of Service’ is responsible for ensuring the prescribed procedures are in place.

## **Edit** the HSE Child Safeguarding Statement Template

**All blank sections of the HSE Child Safeguarding Statement Template must be completed in full before it can be displayed.**

If Templates are displayed incomplete they may not be compliant with legislation.

**Notes:**

The HSE Child Safeguarding Statement Template should always be downloaded from [www.hse.ie/childrenfirst](https://www.hse.ie/eng/services/list/2/primarycare/childrenfirst/child-safeguarding-statement/) to ensure access to the most up to date version.

## **Distribute** and **Display** the Child Safeguarding Statement

It is a legislative requirement that a copy of the Child Safeguarding Statement be **furnished to all members of staff**. A copy must also be made available to parents and guardians, Tusla and members of the public on request. They should also be provided with a copy of your Secondary Risk Assessment.

Child Safeguarding Statements must be **displayed in a prominent place** where the ‘Unit of Service’ concerned “relates or is provided or both as may be appropriate” (Children First Act, 2015).

Only one version of the HSE Child Safeguarding Statement should be displayed per ‘Unit of Service’ at any given time. All previous versions should be removed from display. You are not required to display your Secondary Risk Assessment.

**Notes:**

* The Child Safeguarding Statement for your service must be displayed in **A3 size**. Templates printed in A4 may not be accessible to people who are visually impaired.
* Child Safeguarding Statements should be displayed in areas where people are likely to see and be able to read them.
* Two child-friendly posters explaining HSE Child Safeguarding Statements are also available and can be downloaded from [www.hse.ie/childrenfirst](https://www.hse.ie/eng/services/list/2/primarycare/childrenfirst/child-safeguarding-statement/).

## Monitor and plan for **Review**

Child Safeguarding Risk Assessments are **‘live’ documents.**

Service Managers are responsible for ensuring that child safeguarding risks are monitored and reviewed on an ongoing basis, and that any additional risks are identified, in a timely manner. Service Managers must ensure that actions have been put in place to address any identified child safeguarding risks.

**Notes:**

To monitor child safeguarding risks, consider including the subject:

* on meeting agendas as a rolling item
* in team development plans
* in relevant in-service audits or reviews

Child Safeguarding Statements must be reviewed **at intervals of not more than 24 months**, or, sooner following a material change in any matter to which the statement refers.

* Children First Act 2015, Sections 11(7) & 11(8)

**Important:**

The review date on a Child Safeguarding Statement should only be changed when the Secondary Risk Assessment has been reviewed in full.

If you are altering your Child Safeguarding Statement to update service specific details, for example, any changes to a Relevant Person or Service Manager, or to their contact details, the review date should remain unchanged.

1. HSE Funded and Contracted Services are welcome to use this guidance and amend any associated templates as appropriate. [↑](#footnote-ref-1)