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**Guidelines for developing a**

**Procedure for Maintaining a List of Mandated Persons**

**Legal requirement**

The Children First Act 2015 places specific legal responsibilities on ‘relevant services’ i.e. organisations providing services to children and young people. These organisations are required to undertake an assessment of any potential risk of harm to a child while availing of the service and develop a Child Safeguarding Statement. The Act states that a Child Safeguarding Statement should specify that a number of procedures are in place. This includes a procedure for maintaining a list of the persons in the service who are ‘Mandated Persons’ (Children First Act 2015, Section 11(3)(f)).

**Procedure for maintaining list of Mandated Persons in**

**Name of Service**

* + - Include who is responsible for maintaining the list, how the list will be collated and how often it will be updated.
		- There may be staff who are Mandated Persons but this is not easily recognisable from their job title or grade code – ex. a registered nurse or health care professional in a project lead role/administrative role. The Procedure should specify how these Mandated Persons are identified.
		- Include reference to checking Schedule 2 of the Children First Act 2015 to ensure that all mandated persons are accurately identified.
		- Reference the process for informing Mandated Persons of their legal responsibilities –e.g. induction for new staff, the provision of information e.g. [HSE Information Sheet](https://www.hse.ie/eng/services/list/2/primarycare/childrenfirst/resources/).

**Date of procedure: Date of review:**

Appendix 1

**Schedule of Mandated Persons under the Children First Act**

**(Schedule 2, Children First Act 2015)**

1. Registered medical practitioner within the meaning of section 2 of the Medical Practitioners Act 2007.

2. Registered nurse or registered midwife within the meaning of section 2(1) of the Nurses and Midwives Act 2011.

3. Physiotherapist registered in the register of members of that profession.

4. Speech and language therapist registered in the register of members of that profession.

5. Occupational therapist registered in the register of members of that profession.

6. Registered dentist within the meaning of section 2 of the Dentists Act 1985.

7. Psychologist who practises as such and who is eligible for registration in the register (if any) of members of that profession.

8. Social care worker who practises as such and who is eligible for registration in accordance with Part 4 of the Health and Social Care Professionals Act 2005 in the register of that profession.

9. Social worker who practises as such and who is eligible for registration in accordance with Part 4 of the Health and Social Care Professionals Act 2005 in the register (if any) of that profession.

10. Emergency medical technician, paramedic and advanced paramedic registered with the Pre-Hospital Emergency Care Council under the Pre-Hospital Emergency Care Council (Establishment) Order 2000 (S.I. No. 109 of 2000).

11. Probation officer within the meaning of section 1 of the Criminal Justice (Community Service) Act 1983.

12. Teacher registered with the Teaching Council.

13. Member of An Garda Síochána.

14. Guardian ad litem appointed in accordance with section 26 of the Child Care Act 1991.

15. Person employed in any of the following capacities:

(a) manager of domestic violence shelter;

(b) manager of homeless provision or emergency accommodation facility;

(c) manager of asylum seeker accommodation (direct provision) centre;

(d) addiction counsellor employed by a body funded, wholly or partly, out of moneys provided

 by the Oireachtas;

(e) psychotherapist or a person providing counselling who is registered with one of the

 voluntary professional bodies;

(f) manager of a language school or other recreational school where children reside away

 from home;

(g) member of the clergy (howsoever described) or pastoral care worker (howsoever

 described) of a church or other religious community;

(h) director of any institution where a child is detained by an order of a court;

(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;

(j) child care staff member employed in a pre-school service within the meaning of Part VIIA of

 the Child Care Act 1991;

(k) person responsible for the care or management of a youth work service within the meaning

 of section 2 of the Youth Work Act 2001.

16. Youth worker who—

1. holds a professional qualification that is recognised by the National Qualifications Authority in youth work within the meaning of section 3 of the Youth Work Act 2001 or a related discipline, and

(b) is employed in a youth work service within the meaning of section 2 of the Youth Work Act

 2001.

17. Foster carer registered with the Agency.

18. A person carrying on a pre-school service within the meaning of Part VIIA of the Child Care Act 1991.