REQUIREMENT FOR EARLY YEARS SERVICES TO DEVELOP OR UPDATE A CHILD SAFEGUARDING STATEMENT UNDER THE CHILDREN FIRST ACT, 2015

What is required in a Child Safeguarding Statement?

The Child Safeguarding Statement specifies the service being provided and the principles and procedures to be observed in order to ensure, as far as practicable, that a child availing of the service is safe from harm.

Why do Early Years Services need to have a Child Safeguarding Statement?

Under the Children First Act, 2015 all providers of "relevant services" are required to have a Child Safeguarding Statement. Services that meet both criteria below are legally required to have a Child Safeguarding Statement:

- An establishment which provides early years services within the meaning of Part VIIA of the Child Care Act 1991
- Employs one, or more than one other person whether through contract or otherwise. This means that if your service fits the definition of either a pre-school service or a school age service under the Child Care Act 1991, you are required to have a Child Safeguarding Statement

The legal obligation to develop a Child Safeguarding Statement rests with the provider of the relevant service (e.g. the owner or the Board of Management).

When do services need to have a Child Safeguarding Statement?

This has been a legal requirement for existing services since 11th March 2018. New services established after this date have 3 months from opening to put a Child Safeguarding Statement in place.

Do I need to make the Child Safeguarding Statement available?

Yes, the Child Safeguarding Statement must be circulated to all staff members. It must be displayed publicly and made available to parents and guardians, young people, Tusla and members of the public upon request.

I previously had a Child Protection and Welfare Policy. Do I need to develop a Child Safeguarding Statement?

Yes. All Early Years Services are legally required to have a Child Safeguarding Statement and accompanying Child Safeguarding Policies and Procedures. Your existing Child Protection and Welfare Policy will now be called your Child Safeguarding Policies and Procedures and will already contain many of the Policies and Procedures required.

What happens if I don't have a Child Safeguarding Statement?

In line with the Children First Act 2015, Tusla has established and maintains a register of non-compliance for service providers who fail to provide a copy of the Child Safeguarding Statement to Tusla when requested to do so. Any provider or member of the public can report information (unsolicited information or concerns about a service) to Tusla's Child Safeguarding Statement Compliance Unit, (CSSCU) regarding a relevant service which does not have a Child Safeguarding Statement in place or has a Child Safeguarding Statement which is not in line with the requirements of the Act.

Tusla's CSSCU may contact any service which it has information about and may request a copy of the Child Safeguarding Statement at any time. If you fail to provide a copy of the Child Safeguarding Statement to Tusla when requested to do so, steps will be taken in line with the Children First Act, which may result in your service being added to a Register of Non-Compliance which is a publicly held register.

YOUR CHILD SAFEGUARDING STATEMENT SHOULD INCLUDE THE FOLLOWING INFORMATION:

Name of services being provided to children and young people should be outlined

1. **Nature of service and principles to safeguard children from harm:** Your Child Safeguarding Statement should outline your principles to safeguard children and the various activities and services you provide to children and young people. It should state your commitment to keep children safe. *(There are examples of these principles in the template below)*

2. **Risk assessment** Your Child Safeguarding Statement must include a written assessment of the risk of 'harm' to a child **while availing of your service.**

   Harm in the Children First Act is defined as;

- 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,

- Sexual abuse of the child

All risks identified and stated in the risk assessment must be accompanied by a list of procedures in place to manage those risks.

The risk assessment contained in the Child Safeguarding Statement is solely for the purposes of meeting the requirements of the Children First Act, 2015 and will not include risks to children that may occur in relation to general issues of health and safety.

3. Child Safeguarding Policies and Procedures: The Children First Act lists a number of procedures which must be specified in your Child Safeguarding Statement:

- Procedure to manage any risks identified

- Procedure for the management of allegations of abuse or misconduct against workers/volunteers

- Procedure for the safe recruitment and selection of workers and volunteers to work with children

- Procedure for provision of and access to child safeguarding training and information, including the identification of the occurrence of harm

- Procedure for the reporting of child protection or welfare concerns to Tusla

- Procedure for maintaining a list of persons (if any) in the relevant service who are mandated persons

- Procedure for appointing a relevant person

Many of the policies and procedures required in a Child Safeguarding Statement will already be in operation in your service. For further information on how to develop or update these policies and procedures see - Tusla Child Safeguarding; A Guide of Policy, Procedure and Practice

4. Implementation and Review Implementation of all Child Safeguarding Policies, Procedures and Practices within your service should involve induction, training and supervision of all staff. Services should have an Implementation Plan which outlines; who will be responsible for ensuring the plan is effective. At a minimum, reviews must be carried out every 24 months, or sooner if there has been a material change in relation to any matter to which the statement refers.

NATIONAL CHILD SAFEGUARDING PROGRAMME
for Early Learning & Childcare Services