



Feidhmeannacht na Seirbhíse Sláinte  
Health Service Executive

**Children First Implementation and Compliance Checklist for HSE Funded Agencies 2016**

## **Children First National Guidance 2011:**

It is the policy of the HSE that all HSE services funded under Section 38 and 39 of the Health Act 2004 must make themselves aware of, and comply with their obligations under [Children First: National Guidance for the Protection and Welfare of Children 2011](#). The key messages in this national policy document are that the safety and welfare of children is everyone's responsibility and that children will have safer lives where everyone is attentive to their wellbeing. Each HSE Funded Service must implement policies, procedures and practices which are consistent with Children First. The level of implementation will vary depending on the amount of contact the services provided have with children.

[The Children First Act 2015](#) places elements of the *Children First: National Guidance for the Protection and Welfare of Children (2011)* on a statutory footing. The Act which is being commenced on a phased basis provides for a number of key child protection measures:

- A requirement on organisations providing services to children to keep children safe and to produce a Child Safeguarding Statement;
- A requirement on defined categories of persons (mandated persons) to report child protection concerns over a defined threshold to the Child and Family Agency (the Agency);
- A requirement on mandated persons to assist the Agency in the assessment of a child protection risk, if so requested to do so by the Agency;
- The abolition of the defence of "Reasonable Chastisement". This section of the Act has been commenced and from 11<sup>th</sup> December 2015 a person who administers corporal punishment to a child will no longer be able to rely on the defence of reasonable chastisement in the courts.
- Putting the Children First Interdepartmental Group on a statutory footing.

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## **Responsibilities for HSE Funded Organisations who provide services directly to children and families and /or where children are involved in volunteering activities or in visiting clients in the service:**

- All staff and volunteers should be aware of their responsibilities under Children First.
- Ensure best practice in the recruitment of staff or volunteers, which includes Garda vetting, taking up of references, good HR practices in interviewing, induction training, probation and ongoing supervision and management;
- Ensure that staff members or volunteers are aware of how to recognise signs of child abuse or neglect;
- Develop a Child Protection and Welfare Policy and Procedures for staff and/or volunteers who may have reasonable grounds for concern about the safety and welfare of children involved with the organisation. These procedures should not deviate from the current Children First: National Guidance, but may offer further elaboration to ensure local relevance and applicability (see Appendix 8 of the Children First: National Guidance for the Protection and Welfare of Children 2011). It is the responsibility of each organisation to ensure that such guidance and procedures are in place.

- Identify a designated person to act as a liaison with outside agencies and a resource person to any staff member or volunteer who has child protection concerns. The designated person is responsible for reporting allegations or suspicions of child abuse to the Child and Family Agency or to An Garda Síochána.
  - The organisation should complete the relevant Children First checklist which is included in Schedule 4 and 5 of the service arrangement documentation and in the Guidelines for completing a Grant Agreement.
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**Responsibilities for HSE Funded Agencies where staff and volunteers do not have direct or regular contact with children and families, and organisations that provide a service to adults who care for children:**

- All staff and volunteers should be aware of their responsibilities under Children First.
  - The organisation should have a Child Protection and Welfare Policy/ Statement for staff and volunteers on how to report child protection or welfare concerns to the Child and Family Agency including retrospective disclosures of historic cases of alleged abuse. The Policy/ Statement should include a declaration that child protection is everyone's responsibility and that it is the policy of the organisation to promote and protect the welfare of children. Information that staff and volunteers in adult services should be aware of any risks posed by any adult service user to a child, or where service users may have difficulties meeting the needs of children in their care should be included.
  - The organisation must demonstrate safe recruitment practices.
  - Staff and volunteers in the organisation should have access to a Children First e-Learning programme module such as "An Introduction to Children First"- the HSE's e-Learning Module.
  - The organisation should complete the relevant Children First checklist which is included in Schedule 4 and 5 of the service arrangement documentation and in the Guidelines for completing a Grant Agreement.
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**Responsibilities for HSE Funded Services run by volunteers and where volunteers have no direct or regular contact with children and families:**

- All volunteers should be aware of their responsibilities under Children First.
- Volunteers in the organisation should have access to a Children First E-learning programme module such as "An Introduction to Children First"- the HSE's E-learning Module.
- The organisation should complete the relevant Children First checklist which is included in Schedule 4 and 5 of the service arrangement documentation and in the Guidelines for completing a Grant Agreement.

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## **Checklists:**

Checklists (depending on the level of contact with children) have been developed to assist HSE funded agencies to assess their implementation of Children First. The checklist is also consistent with the following documents:

- Children First: National Guidance for the Protection and Welfare of Children 2011
- Our Duty to Care, Department of Health 2002
- Child and Family Agency Interim Guide for the Development of Child Protection and Welfare Policy, Procedures and Practices.

The checklist is a self assessment document and should be completed by the Senior Manager in the organisation who is responsible for the implementation of and compliance with Children First. The checklist requires a response to each question. If there is a negative response to any question, information should be provided on the organisation's plan to correct the non compliance within a specified time period. The HSE may ask for evidence to support the assessment of the implementation of Children First in the organisation. This may include a copy of the organisation's Child Protection and Welfare Policy, a copy of the Children First Training Strategy and a copy of other relevant recruitment and/or HR policies or guidance documents.

The HSE will conduct random Children First Compliance Audits of a number of funded agencies with Children First on an annual basis.

The HSE Children First National Office will conduct a series of workshops to support funded agencies in the development of a Child Protection and Welfare Policy in 2016.

## **Role of Senior Manager in a HSE Funded Agency who is responsible for the implementation of and compliance with Children First:**

- To complete a self assessed audit of the organisation's implementation of Children First
- Where a negative response is recorded to provide details of the actions to be taken to correct the non compliance within a specified time period
- To provide documentation as requested by the HSE Funding Manager or the HSE National Children First Office.

**Children First Implementation and Compliance Checklist 1: To be completed by HSE Funded Agencies who provide services directly to children and families, and services where children partake in volunteering activities or in visiting clients in the service.**

<b>1</b>	<b>Child Protection and Welfare Policy (CP&amp;WP)</b>	<b>Yes</b>	<b>No</b>	<b>If not applicable-state why</b>	<b>Comment if any action is required to ensure implementation/compliance</b>	<b>Timeframe for Completion</b>
1.1	Is there a Child Protection and Welfare Policy (CP&WP) which is consistent with Children First National Guidance 2011 and Our Duty to Care 2002.					
1.2	Does the policy include guidance on responding to retrospective disclosures?					
1.3	Has the organisation appointed a Designated Liaison Person (DLP) in line with Children First 2011?					
1.4	Are there arrangements in place to deputise in the absence of the Designated Liaison Person ?					
1.5	Is the Child Protection and Welfare Policy made available to parents and young people?					
<b>2</b>	<b>Record Keeping and Related Policies</b>					
2.1	Is there a policy on confidentiality?					
2.2	Does the policy include guidance on the sharing of information where a child protection or welfare					

	concern arises?					
2.3	Is there a policy on record keeping?					
2.4	Is there a policy on record retention?					
2.5	Are records kept in a safe and confidential manner?					
<b>3</b>	<b>Recruitment</b>					
3.1	Is there a policy on recruitment which is consistent with the guidance in Children First and Our Duty to Care?					
3.2	Are staff and volunteers Garda vetted and re-vetted in compliance with the National Vetting Bureau Act 2012?					
3.3	Does the vetting policy outline specific factors which would exclude applicants from working in the organisation?					
3.4	Is there a policy on the recruitment and management of volunteers?					
<b>4</b>	<b>Training and supervision</b>					
4.1	Is there a policy on supervision of staff and volunteers ?					
4.2	Do staff and volunteers receive induction on the organisation's Child Protection and Welfare Policy?					

4.3	Is training provided to relevant staff and volunteers on Child Protection and Welfare?					
4.4	Is there access for all staff and volunteers to undertake the HSE An Introduction to Children First- e-Learning Module or similar e – Learning programme?					
<b>5</b>	<b>Policies specific for services delivered to children and young people</b>					
5.1	Is guidance provided on the management of challenging behaviour?					
5.2	Is there a policy on day trips/outings for children?					
5.3	Is there specific guidance for staff and volunteers for especially vulnerable children? Please specify.					

**Children First Implementation and Compliance Checklist 2: To be completed by HSE Funded Agencies where staff and volunteers do not have direct or regular contact with children and families, and organisations that provide a service to adults who care for children:**

<b>1</b>	<b>Child Protection and Welfare Policy Statement</b>	<b>Yes</b>	<b>No</b>	<b>If not applicable state why</b>	<b>Comment if any action is required to ensure implementation /compliance</b>	<b>Timeframe for Completion</b>
1.1	Is there a Child Protection and Welfare Policy/ Statement which outlines the priority of the organisation to protect and promote the welfare of children?					
1.2	Does the Child Protection and Welfare Policy/ Statement include guidance on how to report all child protection and welfare concerns to the Child and Family Agency?					
1.3	Does the Child Protection and Welfare Policy/ Statement include guidance on responding to retrospective disclosures?					
<b>2</b>	<b>Recruitment</b>					
2.1	Is there a policy on recruitment?					
2.2	Are staff and volunteers Garda vetted and re-vetted in compliance with the National Vetting Bureau Act 2012?					
2.3	Does the vetting policy outline specific factors					



	which would exclude applicants from working in the organisation?					
2.4	Is there a policy on the recruitment and management of volunteers?					
<b>3</b>	<b>Induction</b>					
3.1	Do staff and volunteers receive induction on the organisation's Child Protection and Welfare Policy/ Statement?					
<b>4</b>	<b>Training</b>					
4.1	Is there access for all staff and volunteers to undertake the HSE An Introduction to Children First e-L learning Module or similar programme?					

**Children First Implementation and Compliance Checklist 3: To be completed by HSE Funded Services run by volunteers and where volunteers have no direct or regular contact with children and families:**

1	Responsibilities under Children First	Yes	No	If not applicable state why	Comment if any action is required to ensure implementation /compliance	Timeframe for Completion
1.1	Are all volunteers aware of their responsibility to report child protection and welfare concerns to the Child and Family Agency without delay?					
1.2	Are volunteers aware of the procedure to report a child protection or welfare concern to the Child and Family Agency?					
1.3	Is there access for all volunteers to undertake an e-Learning programme such as the HSE An Introduction to Children First e-Learning Module or similar programme?					

**Contact us:**

If you have any queries in relation to Children First you may make contact the HSE Children First National Office [childrenfirst@hse.ie](mailto:childrenfirst@hse.ie).

Keep up to date by checking the HSE Children First Website for information: <http://www.hse.ie/childrenfirst>

**Other links**

Child and Family Agency (Tusla): [www.tusla.ie](http://www.tusla.ie)

Department of Children and Youth Affairs: [www.dcy.gov.ie](http://www.dcy.gov.ie)

**Children First Legislation**

These checklists will be kept under review and will be further updated in accordance with the [Children First legislation](#) as it is commenced.