



An Roinn Sláinte
Department of Health

CHILDREN FIRST SECTORAL IMPLEMENTATION PLAN

**Published by Minister for Health in accordance with section 27 of the
Children First Act, 2015**

July 2018



Children First Sectoral Implementation Plan

Introduction by the Minister for Health

It is my pleasure to publish this Sectoral Implementation Plan in accordance with section 27 of the Children First Act, 2015. This Plan sets out how my Department and the bodies under its aegis will ensure their compliance with the Act and with best practice as set out in the *Children First: National Guidance for the Protection and Welfare of Children*.

The Health Sector represents the largest component of the civil and public service. It encompasses the provision of statutory obligations of relevant services and mandated persons (as defined in the Act) to children in a broad range of areas.

I am committed to the highest standards of child safeguarding in respect of the relevant services provided by my Department and aegis bodies and all other interactions, with or relating to children. My officials and their colleagues in aegis bodies share that same commitment. Individually and collectively they are determined to ensure, to the greatest extent practicable, that every child who avails of their organisations' services is safe from harm while dealing with the Health Sector.

While regrettably it is impossible to eliminate all risk to children, through close monitoring and vigilance, and constant review of sectoral policy, we can help minimise the risk of harm to children availing of our health and social services.

To that end, I am pleased to know that arrangements have been put in place to ensure that the Health Sector meets its obligations under the Children First Act. This Sectoral Plan outlines such arrangements.

Simon Harris, TD

Minister for Health



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1. Introduction

1.1 This Sectoral Implementation Plan is prepared in accordance with Section 27 of the Children First Act 2015. It relates to the Health Sector, which covers the Department, and the bodies under its aegis. The Plan outlines a programme of measures to ensure that the Department and any services which come within the definition of relevant services provided by the Department and its aegis bodies, comply with the provisions of the Children First Act 2015, and the guidance issued under Section 6 of that Act.

2. Relevant Services Provided

The Health Sector

2.1 The Department of Health has overall responsibility for public policy and administration in health issues. In addition to providing policy advice to Government, implementing policy and delivering related services to a wide range of customers it also provides the following:

- Leadership and policy direction for the health sector to improve health outcomes;
- Governance and performance oversight to ensure accountable and high quality services;
- An organisational environment where, on an on-going basis, high performance is achieved, collaborative working is valued and the knowledge and skills of staff are developed;
- Collaboration to achieve health priorities and contribute to wider social and economic goals.

Our mission is to improve the health and wellbeing of people in Ireland by:

- Keeping people healthy;



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- Providing the healthcare people need;
- Delivering high quality services;
- Getting best value from health system resources.

2.2 There are 19 bodies under the aegis of the Department with roles relating to the achievement of the Department's mission and strategic objectives. Details of those which provide a relevant service under the Children First Act 2015 are at paragraph 2.5 below and at Appendix A.

Relevant services provided by the Department of Health

2.3 Within the Department itself, interaction with children is limited, but a small number of Units provide a relevant service within the meaning of Schedule 1 of the Act. They are:

- Mental Health Unit, through its work on the National Youth Mental Health Task Force;
- Drugs Policy Unit, through its funding of services aimed at young people, and
- Press and Communications Office.

This information will be updated, if another Unit's work falls within the definition of relevant service under the Act.

2.4 The Department's engagement with Transition Year Students or other temporary students on placement is deemed to come within the definition of Schedule 1, paragraph 5 of the Act and is addressed in the Department's overarching Child Safeguarding Statement and associated Policy and Procedures Guide.



Relevant services provided by Bodies under the aegis of the Department

2.5 There are 19 bodies under the aegis of the Department with roles relating to the achievement of the Department's mission and strategic goals. The Department has notified all of these bodies of the Children First compliance requirement and guidelines. They were asked to carry out a comprehensive risk assessment and, where appropriate, to prepare Child Safeguarding Statements in respect of any relevant services that they provide to children. Each has confirmed that they have undertaken these actions, where relevant. Three bodies have indicated that they provide relevant services – Health Information and Quality Authority, Health Service Executive, and VHI.

2.6 A list of those bodies providing relevant services and their position in relation to the implementation of the Children First Act is set out in Appendix A.

Specific arrangements between the Health Service Executive (HSE) and Tusla

2.7 The Health Service Executive (HSE) is one of the 19 aegis bodies under the Department of Health. The HSE participates in a National Child Safeguarding Strategic Liaison Committee with An Garda Síochána and Tusla. The aim of this Committee is to give a co-ordinated response between agencies, to identify problems within the system in relation to children, particularly issues in relation to the Children First Act, computer crime, human trafficking and unaccompanied minors. The three agencies work together to ensure the coordination of processes and procedures for the best child protection outcomes, including in relation to missing children and places of safety for children under section 12 of the Child Care Act 1991 (as amended).

The HSE also works closely and regularly with Tusla under arrangements informed by the 2017 Joint Protocol for Interagency Collaboration between the Health Service Executive and Tusla – Child and Family Agency to promote the best interests of children



and families. A protocol has been developed to specify appropriate interface, referral pathways and associated responsibilities for children and families whose needs cross between the HSE Divisions and the Child and Family Agency, to ensure that the needs of children and their families are at the centre of service delivery, in particular child protection and children with a disability and/or mental health issues.

3. Measures taken to promote, review and report on compliance with the provisions of the Act

Children First Interdepartmental Implementation Group

3.1 The Minister for Children and Youth Affairs established a statutory Children First Interdepartmental Implementation Group to bring central Government oversight to the implementation process. The Department of Health is represented on this Group by the Deputy Chief Nursing Officer. This person is responsible for ensuring the Department's overall compliance with the Children First Act 2015 and Children First National Guidance. Membership of this Group is attached at Appendix B.

Department of Health Children First Implementation Group

3.2 Following on from the establishment of the Children First Interdepartmental Implementation Group, the Department of Health set up an Implementation Group, the Terms of Reference of which are:

- Develop a Child Safeguarding Statement based on the requirements of Section 11 of the Children First Act 2015, within the Department.
- Act as an initial forum for information sharing on the Children First legislation for all staff.
- Ensure access for all relevant Department staff (including those employed on contract) to basic elearning child protection training.
- Ensure all mandated persons in DoH are aware of their statutory obligation to have undertaken training and to submit certificates to Personnel Unit prior to December 11, 2017.



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- Develop a Sectoral Implementation Plan as provided for in Section 27 of the Children First Act, 2015.

This Group will remain in place to monitor developments and to agree any changes to such arrangements that may be deemed necessary. Membership of the Group is attached at Appendix C.

Child Safeguarding Statement

3.3 The Department's Children First Safeguarding Statement sets out the services the Department provides and the principles and procedures to be observed in order to ensure, as far as practicable, that a child availing of these services is safe from harm. The Child Safeguarding Statement is displayed in the Department's lobby area. It has been circulated to all staff and it is published on the Department's website and intranet.

Department of Health policies and procedures

3.4 The Department of Health has developed a Policy and Procedures Guide for Staff for responding to and reporting child protection or welfare concerns. This Guide has been circulated to all staff and published on the intranet.

Designated Liaison Persons

3.5 The Department has appointed, in line with the National Guidance, a Designated Liaison Person (DLP) and a Deputy DLP. The DLP and Deputy DLP are the principal contacts for information and advice regarding specific child safeguarding concerns. In addition, they are responsible for ensuring reporting procedures within the Department are followed, so that child welfare and protection concerns are referred promptly to Tusla. The DLP keeps a record of all reports to Tusla. In addition, the DLP also keeps reports, where, following consideration, the issue does not initially meet reasonable grounds for concern. Concerns which do not initially meet reasonable grounds for concern may, upon review, show patterns or clusters which may heighten the level of concern.

Mandated Persons

3.6 The Act designates certain professionals and other persons in specified occupations (Schedule 2 to the Act) as 'mandated persons' who are obliged to make reports to Tusla in certain prescribed circumstances and to assist with Tusla assessments on request. This is additional to the best practice reporting arrangements via DLPs under the National Guidance.



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The Department has identified a number of mandated persons and has informed them of their obligations under the Act. Internal HR unit will also inform any new entrants who are mandated persons of their obligations under the Act. The list of mandated persons is retained by Internal HR.

Training and awareness raising

3.7 All mandated persons under the Act are required to undertake elearning child protection training which can be accessed at <http://childrenfirst.hseland.ie> In addition, the Designated Liaison Person and Deputy Designated Liaison Person have undertaken this training.

On completion of training the certificate of completion must be forwarded to Internal HR. This training must be undertaken every two years as per the Act.

All staff have been informed of the elearning training web address and all staff members are encouraged, as best practice, to undertake this in the interest of safeguarding children.

3.8 The Department's Sectoral Implementation Plan, Child Safeguarding Statement and Policy & Procedures Guide are central to raising awareness among staff of (i) who the Designated Liaison Persons are, (ii) the procedures they should follow in the event of having concerns about the well-being of children with whom they interact in the provision of the Department's services, and (iii) the obligations on them to report these concerns.

3.9 A Children First page has been established on the Department's [internal intranet](#) with links to relevant documents and

Recruitment/vetting procedures

3.10 All successful applicants to the Civil Service are vetted through a process operated by the Public Appointments Service. Existing officers are subject to the Civil Service Code of Standards and Behaviour.

Department of Health Annual Compliance Report

3.11 An annual compliance report will be prepared by the Department's Children First Implementation Group for submission to the Management Board.



Reporting on compliance by Bodies under the aegis of the Department

3.12 In accordance with section 11 of the Act, each relevant service provider in the Health Sector has been made aware of their obligations under the Act, including the requirements to:

- Develop a Child Safeguarding Statement;
- Identify mandated persons;
- Ensure each mandated person completes the eLearning module, and
- Develop policy and procedures guidelines.

Each body is accountable to the Department in relation to compliance with governance matters. Each body will report on its compliance with Children First annually to the Department as part of overall corporate governance /assurance arrangements.

Review

3.13 The Department and the 3 aegis bodies which provide relevant services and have developed a Child Safeguarding Statement must, under Section 11(7) of the Act, review that Statement not later than 2 years from date of publication.

In line with section 27(5) of the Act, this Sectoral Implementation Plan will also be reviewed and, as necessary, revised within three years of its publication.



Appendix A Bodies under the Aegis of the Department which provide relevant services under the Children First Act 2015.

Health Information Quality Authority (HIQA)

HIQA is a relevant service under Children First Act 2015 as it carries out inspections of services provided to children under the Child Care Act 1991, the Children's Act 2001 and the Health Act 2007. HIQA inspects and monitors children's homes run by Tusla, foster care services including those run by private providers, child protection and welfare services and Oberstown Detention School. As part of its regulatory functions, it carries out inspections of residential centres for older people, children and adults with disabilities and for children detained in special care units. It also carries out inspections in public hospitals including children's hospitals.

Health Service Executive (HSE)

The HSE provides a range of health and social services to children and adults in hospitals, health facilities and communities across the country. The HSE directly employs approximately 70,000 staff and a further 40,000 are employed by the Voluntary Hospitals and Bodies funded by the HSE under either section 38 or section 39 of the Health Act.

Vhi

The key services that Vhi SwiftCare provide to children are :-

They see patients from 1 year old and above in their minor injuries unit,

They provide cryo therapy for children as well as minor surgical procedures

They provide onsite plain film x-ray. Radiology service is supplied by Global Diagnostics.

They also provide an outpatients service where children can be assessed by consultants in orthopaedics, sports medicine, maxillofacial and paediatrics. The Paediatrics clinics cater for children from 6 weeks old.

On site in Balally, Co Dublin, they also provide a dental service including a dental trauma service, which children can also access.

They also provide physiotherapy services on-site and these are provided to patients by Spectrum.

Vhi Health Services

Vhi Hospital@Home provides an early discharge programme to Vhi members over 16 years old who are clinically suitable to continue their hospital treatment at home.

Vhi Corporate Solutions facilitate face to face or telephonic counselling with Vhi members over 16 years old using Optum (3rd party).

Vhi CS Occupational Health Nurses provide services to other companies and may on occasion be required to provide treatment to children present in the company on the day (TY Students, children at work day, school tours). This treatment is incidental and unplanned.



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Vhi Medical Screening provides health screening services in their clinics and on-site in a corporate to adults only.

In all of the above children may be encountering staff while availing of the service directly, accompanying/present with adults who are availing of the service or while on work experience.



Appendix B Children First Interdepartmental Implementation Group membership

Departments

Children and Youth Affairs

Education and Skills

Housing, Planning and Local Government

Justice and Equality

Social Protection

Transport, Tourism and Sport

Arts, Heritage, Regional Rural and Gaeltacht Affairs

Health

Finance

Agriculture, Food and the Marine

Communications, Climate Action
and Environment

Defence

Foreign Affairs and Trade

Jobs, Enterprise and Innovation

Public Expenditure and Reform

Taoiseach

Agencies

Tusla Child and Family Agency

An Garda Síochána

Health Service Executive



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Appendix C Department of Health Implementation Group membership

Internal Human Resources Unit

Professional Regulation Unit

Disability Unit

National Patient Safety Office

Office of the Chief Nursing Officer

Governance Unit