

**TÚSLA**

An Ghníomhaireacht um  
Leanaí agus an Teaghlach  
Child and Family Agency

**CHILD  
SAFEGUARDING  
STATEMENT  
COMPLIANCE  
UNIT**

**CHILD SAFEGUARDING STATEMENT  
SECTOR COMPLIANCE REVIEW**

**INDEPENDENT SCHOOLS**



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01/24-CSSCU-REP  
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## Contents

1.0	Introduction .....	5
2.0	Context .....	5
3.0	Purpose .....	7
4.0	Methodology .....	7
4.1.	Selection of Relevant Services .....	7
4.2.	Written Communication to Relevant Services .....	7
4.3.	Sector Briefings .....	8
4.4.	Formal requests for Child Safeguarding Statements (CSS) .....	8
4.5.	CSS Compliance Review & Support .....	8
5.0	Findings .....	9
6.0	Analysis .....	10
6.1.	Strengths of a Compliant CSS .....	10
6.2.	Challenges of a Non-Compliant CSS .....	11
6.3.	Analysis of Findings .....	12
6.3.1.	Relevant Person Details .....	12
6.3.2.	Risk Assessment .....	13
6.3.3.	Safeguarding Procedures .....	13
6.3.4.	CSS Commencement .....	14
6.3.5.	Safeguarding Principles .....	14
6.3.6.	Nature of Service & Activities .....	14
6.3.7.	Document Referencing .....	14
7.0	Recommendations .....	14
8.0	Conclusion .....	15
9.0	Appendices .....	15

## Executive Summary

The Child Safeguarding Statement Compliance Unit (CSSCU) is the dedicated Unit within Tusla set up to ensure that providers' Child Safeguarding Statements (CSS) are compliant with the requirements of Section 11 of the Children First Act 2015. The unit was established in March 2018 to provide both compliance support and enforcement in relation to Child Safeguarding Statement requirements (s.11). The CSSCU is responsible for Child Safeguarding Statement enforcement (s.12) and maintaining the Public Register of Non-Compliance (s.13).

The Child Safeguarding Statement Compliance Unit works on a supportive compliance basis. Referrals are received through voluntary submissions by providers, unsolicited information, sector compliance reviews and referrals by colleagues within Tusla. Where a service is found to be non-compliant with the requirement to have a compliant Child Safeguarding Statement, Tusla engages with the organisation, highlights areas requiring development in the statement, and affords them the opportunity to comply with requirements. Only when this avenue has been exhausted does the agency move to listing an organisation on the register of non-compliance (the final stage of enforcement).

Under Section 11 of the Children First Act 2015, Tusla's statutory role is to ensure that each organisation who is required to do so, prepares a written statement (referred to as a "child safeguarding statement") specifying the service being provided and the child safeguarding principles and procedures to be observed to ensure as far as practicable, that a child, while availing of the services, is safe from harm. The Child Safeguarding Statement is underpinned by the implementation of the required safeguarding policies, procedures, and practice that may be referenced in the statement. The CSSCU does not have oversight of the policies and procedures, but it is expected that they would be in line with the Children First Guidelines 2017 and implemented consistently by the Relevant Service.

Independent Schools are also known as non-recognised schools as they are not overseen by the Department of Education. Independent Schools are providing relevant services under section 5(a) of schedule 1 of the Children First Act, 2015 that refers to any work or activity which consists of the provision of educational, research, training, cultural, recreational, leisure, social or physical activities to children. A function of Tusla Alternative Education Assessment and Registration Service (AEARS) in relation to Independent Schools is to carry out an assessment of the educational provision for children, in order to determine if a child can be placed on the statutory register of children educated outside of a recognised school.

The CSSCU in collaboration with AEARS conducted a pilot CSS sector compliance review with a sample of anonymised Child Safeguarding Statements followed by a comprehensive sectoral review with Independent Schools during 2023. This report outlines the process of engagement with Independent Schools, the methodology utilised in a CSS sector compliance review, an overview and analysis of findings in relation to CSS compliance and recommendations to enhance Child Safeguarding Statement compliance within the sector. The information and findings contribute to an improved understanding of CSS compliance within the Independent School sector. The recommendations emerging from the sector compliance review aim to support relevant services in developing and reviewing Child Safeguarding Statements.

Overall, the sector compliance review received positive engagement from relevant services selected as within the remit of the project. Yet the standard of Child Safeguarding Statements submitted by providers of Independent Schools requires some development. A majority of Independent Schools required amendments to the Child Safeguarding Statement to include omitted information, provide more specific details or to expand on the information already provided within the CSS document. The CSSCU received a response from all services to the formal requests to review Child Safeguarding Statements.

There are 6 recommendations.

<b>For the Child Safeguarding Statement Compliance Unit</b>	
1.	Share learning from the CSS sector compliance review with Independent Schools through a sector briefing and circulation of report published to the Tusla website.
2.	Liaise with Tusla Alternative Education Assessment and Registration Service (AEARS) in relation to the development of procedures to review CSS compliance during AEARS assessment and registration processes.

<b>For Independent Schools</b>	
3.	Relevant persons in organisations to share learning from the sector compliance review within Independent Schools and consider findings and recommendations when reviewing Child Safeguarding Statements as is required.
4.	Providers to consider the strengths of statements that are service specific; provide the required information; and are presented clearly and concisely when developing or reviewing CSSs.
5.	Providers to consider commonly occurring areas of CSS noncompliance as outlined in the findings and analysis sections of this report when developing or reviewing their CSS. Particular attention advised in relation to relevant person contact details; risk assessments; safeguarding procedures; and the use of template CSSs.
6.	Providers to liaise with information, advice, and training support services to strengthen the implementation of safeguarding policies and procedures specified in the Child Safeguarding Statement if required. E.g., AEARS or Tusla's Children First Information and Advice Service.

## **Acknowledgements**

We would like to thank Tusla Alternative Education Assessment and Registration Service (AEARS) and Tusla's Children First Information and Advice Service (CFIAS) for their support in this project.

## **1.0 Introduction**

The CSSCU prioritises supporting Child Safeguarding Statement compliance by working in partnership with providers of relevant services and sectors to ensure these groups are meeting their obligations to have CSSs in place. As part of this compliance support, the CSSCU collaborated with Tusla Alternative Education Assessment and Registration Service (AEARS) and proactively engaged with 53 providers of Independent School services. The purpose of the engagement was to conduct a pilot anonymised CSS compliance review, followed by a comprehensive sectoral review during 2023 to ensure that services had compliant Child Safeguarding Statements in place.

Independent Schools are also known as non-recognised schools as they do not come under Section 10 of the Education Act 1998 and therefore, they are not overseen by the Department of Education. A function of Tusla Alternative Education Assessment and Registration Service (AEARS) in relation to Independent Schools is to carry out an assessment of the educational provision for children, in order to determine if a child can be placed on the statutory register of children educated outside of a recognised school.

This report outlines the process of engagement with Independent Schools, methodology utilised in the sector compliance review, an overview and analysis of findings in relation to CSS compliance and recommendations to enhance CSS compliance within the sector. The report is intended to contribute to an improved understanding of Child Safeguarding Statement (CSS) compliance within the Independent School sector.

## **2.0 Context**

A key strategic objective of the Child Safeguarding Statement Compliance Unit is to advance children's safety, development, and wellbeing by strengthening partnerships with providers of relevant services (as defined under schedule 1, Children First Act 2015). A provider of a relevant service is any organisation where more than one person works with children in a voluntary or paid capacity. Independent Schools are providers of relevant services under section 5(a) of schedule 1 of the Children First Act, 2015 that refers to any work or activity which consists of the provision of educational, research, training, cultural, recreational, leisure, social or physical activities to children.

A non-recognised school or an Independent School is one that is not designated as such by the Minister for Education, it is therefore not funded by the Department of Education (DE), overseen by its inspectorate, or subject to requirements such as curriculum, calendar year, and other policies specific to the Department of Education. Under Section 14 of the Education (Welfare) Act 2000, Tusla is responsible for maintaining a register of all children who are in receipt of an education in a place other than a recognised school, including children that attend a non-recognised/independent school. Independent Schools are not required to follow the national curriculum or employ teachers with specific qualifications. The requirement is that each child receives a certain minimum education suited to each child's learning needs and appropriate to their age, aptitude, and ability. A function of Tusla Alternative Education Assessment and Registration Service (AEARS) in relation to Independent Schools is to carry out an assessment of the educational provision for children, in order to determine if a child can be placed on the statutory register of children educated outside of a recognised school.

Independent School Providers are requested by the Tusla Alternative Education Assessment and Registration Service (AEARS), to submit a Child Safeguarding Statement as part of the approved provider process. In collaboration with AEARS, the CSSCU identified Independent Schools and related services such as day and boarding facilities supporting children's education outside of recognised school structures and Department of Education oversight, as relevant services requiring robust safeguarding statements, policies, and procedures to ensure that children are safe from harm while availing of these services.

This led to the initiation of a sectoral compliance review project to proactively engage with Independent Schools. The first phase of the project was a pilot CSS compliance review of a sample of thirteen anonymised Child Safeguarding Statements from Independent Schools. Tusla Alternative Education Assessment and Registration Service (AEARS) receive copies of Child Safeguarding Statements from Independent Schools as part of information required to be provided to AEARS by Independent School principals initially, annually, and periodically as required as part of the registration and assessment process. Following consultation from AEARS to the sector an anonymised sample was shared with CSSCU for review. AEARS liaised with Independent School principals/directors to advise them of the sample sector compliance review and the role and function of CSSCU. The findings from the sample review informed an online briefing to the sector informing Independent School providers of the work of the unit and CSS compliance requirements. It also informed the development of plans for a subsequent second project phase. The second phase was a comprehensive sectoral compliance review with providers of Independent Schools during 2023 that is recorded in this report.

Under Section 11 of the Children First Act 2015, Tusla's statutory role is to ensure that each organisation who is required to do so, prepares a written statement (referred to as a "child safeguarding statement") specifying the service being provided and the child safeguarding principles and procedures to be observed to ensure as far as practicable, that a child, while availing of the services, is safe from harm.

Harm as defined in the Children First Act 2015, means 'in relation to a child—

- a) 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
- b) 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'.

The Child Safeguarding Statement is underpinned by the implementation of the required safeguarding policies, procedures, and practice that may be referenced in the statement. The CSSCU does not have oversight of the policies and procedures, but it is expected that they would be in line with the Children First Guidelines 2017 and implemented consistently by the Relevant Service.



### **3.0 Purpose**

The purpose of this sectoral compliance review of Child Safeguarding Statements is to provide information, key learning, and support to the sector in relation to CSS compliance with requirements of section 11 of the Children First Act, 2015.

This report is published on the TUSLA website and provides generalised information to parents, children, young people, and service users in respect of the overall CSS compliance level within the sector. It aims to contribute to a greater level of confidence by interested parties in the safety of services children are using.

### **4.0 Methodology**

Following a pilot in January 2023, this report is based on data generated from formally requesting Child Safeguarding Statements from 53 providers of Independent Schools where the provision has been assessed by the Tusla Alternative Education Assessment and Registration Service (AEARS) and children attending are eligible for Section 14 Registration. This process of engagement with relevant services for a CSS sector compliance review began in April and concluded in December 2023. The process included the identification and selection of Independent Schools for inclusion; communication with all Independent School providers; sector briefing; formal requests for Child Safeguarding Statements (CSS); feedback on CSS compliance review and support to relevant services to achieve compliance with the requirements of the Children First act, 2015.

#### **4.1. Selection of Relevant Services**

The unit collaborated with Tusla Alternative Education Assessment and Registration Service (AEARS) to identify Independent Schools engaged as part of assessment and registration processes. There were 59 Independent Schools identified where the provision had been assessed by the AEARS and children attending day and/or boarding schools were eligible for section 14 registration. Six services were deemed exempt from the CSS sector compliance review as four had engaged with the CSSCU within the 12 months prior and were deemed compliant, and two notified the AEARS of their closure following commencement of the project. Subsequently 53 services were formally requested to submit a Child Safeguarding Statement (CSS) to the CSSCU. Five schools provide boarding facilities as well as day educational provision.

#### **4.2. Written Communication to Relevant Services**

AEARS issued communication to all relevant services selected as being within remit of the sector compliance review to inform them of the findings of the pilot review and the intention of CSSCU to engage with them in relation to Child Safeguarding Statement compliance during 2023. The communication invited services to an online briefing session to outline the work of the CSSCU; the requirements of a Child Safeguarding Statement as outlined in the Children First Act 2015; and the process involved in a formal request from CSSCU to submit a copy of a Child Safeguarding Statement for compliance review and feedback.

Independent School providers were advised that CSSCU always begin engagement from the perspective of supportive compliance and aim to support an organisation to meet the requirements of the Children First Act 2015 to ensure all children availing of the service are safe from harm. However, the CSSCU also has enforcement responsibilities in relation to CSS compliance and may initiate escalation to enforcement procedures if required. This was set out in all communications to the relevant providers.

### **4.3. Sector Briefings**

A briefing was offered to the sector and was supported by AEARS. The CSSCU briefing included the following.

- Introduction to the work of CSSCU.
- Outline of the purpose and context of the CSS sector compliance review.
- Details of the requirements of a Child Safeguarding Statement as outlined in the Children First Act 2015.
- Findings of pilot sector compliance review with anonymised sample of Independent Schools in January 2023.
- Overview of the process involved in a formal request from CSSCU to submit a copy of a Child Safeguarding Statement for compliance review and feedback.
- Links to CSS information and resources (see Appendix 1).

### **4.4. Formal requests for Child Safeguarding Statements (CSS)**

Letters formally requesting the relevant service to submit a copy of the providers Child Safeguarding Statement to the CSSCU for compliance review were issued to 53 services (see Appendix 2). The circulation of formal requests to services commenced in August 2023 and were issued to a schedule of services on a weekly basis to ensure that the unit could provide timely feedback on reviews.

### **4.5. CSS Compliance Review & Support**

On receipt of a Child Safeguarding Statement the CSSCU utilised the units review outcome form (see Appendix 3) to conduct a desktop review to record areas of compliance or noncompliance within the CSS document. Feedback was issued to all relevant services on the outcome of the review. For those where amendments were required, CSSCU staff engaged with relevant services to support them in achieving compliance with the requirements of Section 11 of the Children First Act, 2015. In some incidents subsequent review feedback was required to be issued to relevant services.

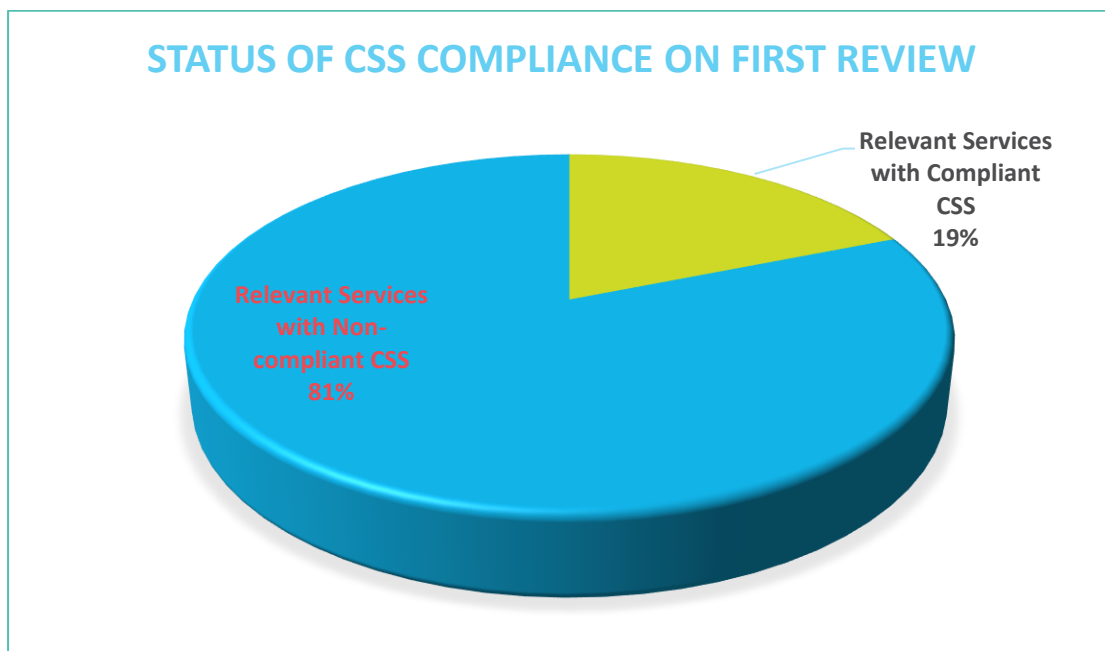


## 5.0 Findings

There were 59 Independent Schools identified where the education provision had been assessed by the AEARS and children attending were eligible for section 14 registration in 2023. Six services were deemed exempt from the CSS sector compliance review as four had engaged with the CSSCU within the 12 months prior and were deemed compliant, and two notified the AEARS of their closure following commencement of the project. Subsequently 53 services were formally requested to submit a Child Safeguarding Statement (CSS) to the CSSCU.

Therefore, the Child Safeguarding Statements of 53 services were included in this review. All documents submitted were accepted as a valid Child Safeguarding Statement. However, it was observed that approximately 30 services (55%) are using template documents rather than developing a bespoke service specific CSS. Several schools are using a version of the Department of Education's CSS template without amending adequately to the specific service. The details within the CSS and the procedures referenced must apply to the specific school so that it can be implemented effectively within the relevant school governance structures.

The initial status of Child Safeguarding Statement compliance on first review indicated that 19% of CSSs were compliant. 81% were non-compliant on first review and required support in updating the CSS to achieve compliance.



Areas of non-compliance identified with 43 relevant services during the sector compliance review are outlined in the table below.

Description of Non-Compliance	Number of services applicable <sup>1</sup>
Omitted or insufficient document referencing (i.e. not titled Child Safeguarding Statement)	1
Omitted or insufficient details on nature of services and activities provided	1
Omitted or insufficient details on safeguarding principles	6
Omitted or insufficient detail on risk assessment adequately reflecting the service being provided or the procedures in place to manage the risks identified	28
Omitted or insufficient detail on six specified safeguarding procedures	28
Omitted or insufficient details on CSS commencement	12
Omitted or insufficient details for relevant person	31

The most frequent areas of noncompliance were in relation to relevant person contact details, risk assessment and safeguarding procedures.

During the duration of the sector compliance review project, enforcement action was commenced with 16 services (30%). The reasons for enforcement action were due to no response to the formal request for CSS with 11 services and due to no response to feedback issued on CSS non-compliance requiring resubmission with 5 services. No Independent School has been added to the public register of non-compliance.

## 6.0 Analysis

Overall, the sector compliance review received positive engagement from relevant services included in the project. The CSSCU received a response from all services to the formal requests to review Child Safeguarding Statements. The statements submitted by Independent School providers were generally of a reasonable standard. However, amendments were required in the majority to provide more specific details or to expand on the information already provided within the CSS document to meet the requirements of section 11 of the Children First Act, 2015. The use of template Child Safeguarding Statement documents that were not adequately updated to reflect the specific school under review contributed significantly to the high rate of non-compliance (81%) within the Independent School sector.

### 6.1. Strengths of a Compliant CSS

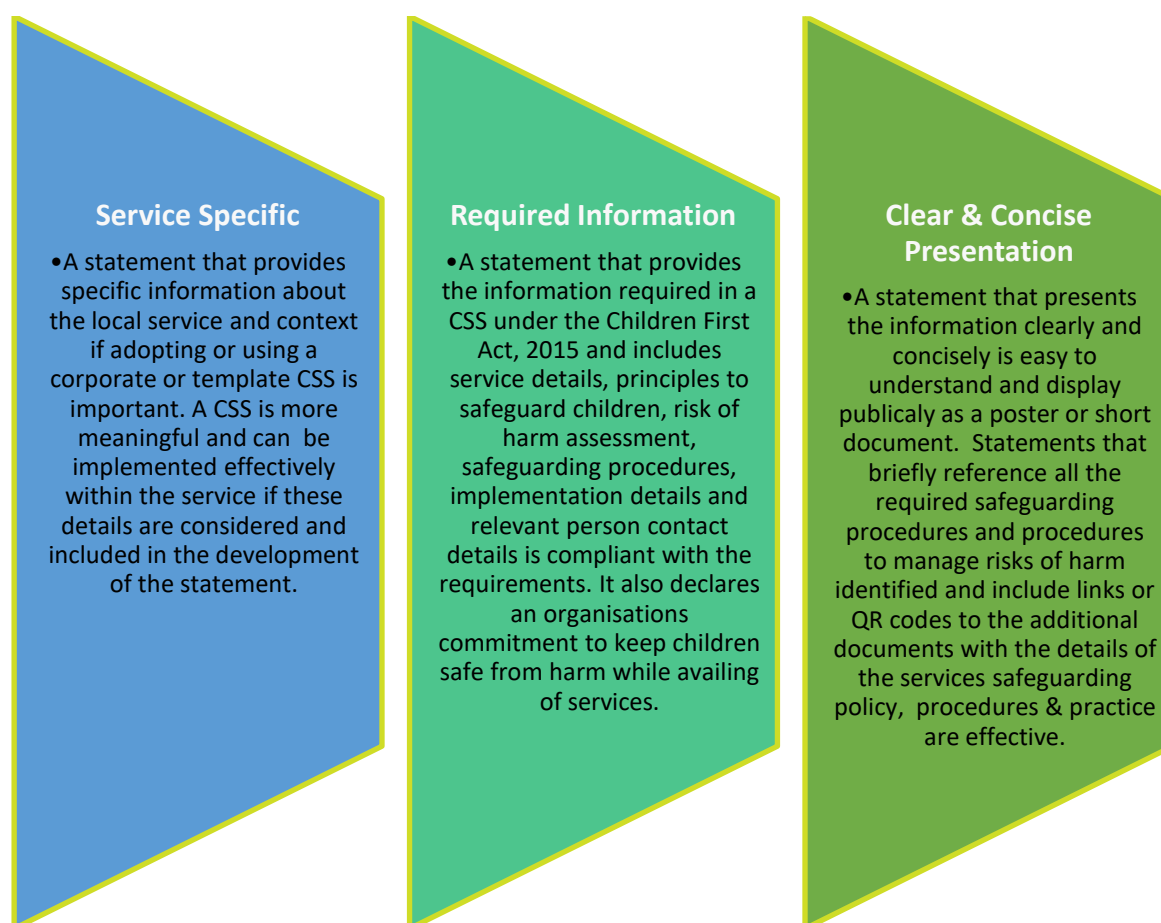
Providers of relevant services have a responsibility under section 10 of the Children First Act, 2015 to ensure, as far as practicable, that each child availing of the service from the provider is safe from harm while availing of that service. An effective Child Safeguarding Statement is underpinned by the implementation of safeguarding policies, procedures, and practice that

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<sup>1</sup> Each service may have had more than one area of non-compliance and so this table is not cumulative.

may be referenced in the CSS. A compliant Child Safeguarding Statement must reflect the specific service being provided and set out clear principles of safeguarding. It must identify possible risks of harm to a child as defined in the Children First Act, 2015 and the procedures in place to mitigate against those risks. These risks should correlate with the service being provided to assist assessment of any potential harm that a child or young person may experience in that specific service. The CSS must state that required safeguarding procedures are in place and implemented. Service contact details, plans for CSS review and details of the relevant person must be clearly provided on the CSS. All information provided within the CSS must be assessable to service users, children, parents, and members of the public.

Therefore, the strengths of compliant statements were those that are service specific; provide the required information; and are presented clearly and concisely.



## 6.2. Challenges of a Non-Compliant CSS

A Child Safeguarding Statement (CSS) that is non-compliant with the requirements of Section 11 of the Children First Act, 2015 can impact the safety of children and young people while availing of a service. Without a clear commitment to keeping children safe from harm, a risk

assessment and appropriate procedures in place, lack of clarity may arise within a service causing confusion for staff and volunteers in respect of how to prevent harm or how to respond to any child welfare or protection concerns. Omissions in a CSS document can also indicate potential gaps in training and subsequent implementation of safeguarding practice within services if a required procedures are absent or not known. Additional challenges related to different parts of the CSS are expanded on in the analysis of findings below.

### 6.3. Analysis of Findings

Child Safeguarding Statement non-compliance was identified in 43 Independent Schools involved in the sector compliance review. The list below outlines the percentage of relevant services deemed non-compliant on first review that were required to make amendments in particular areas within the CSS to achieve compliance.



#### 6.3.1. Relevant Person Details

72% of services with a noncompliant CSS required amendments to the information provided in relation to the relevant person in the CSS.

A relevant person is appointed for the purpose of being the first point of contact in relation to the Child Safeguarding Statement. Having the name and contact details clearly identified on the CSS assists the relevant service in being assessable to children, parents or members of

the public who may have a query or concern related to the Child Safeguarding Statement. When the relevant person is not clearly identified with contact details on the publicly displayed CSS it can make it difficult for an agency, parent, or member of the public to request further information about the CSS.

### **6.3.2. Risk Assessment**

65% of services with a noncompliant CSS required amendments in relation to the risk assessment.

If potential risks of harm are omitted from a CSS, there can be limited awareness or understanding amongst personnel (staff/volunteers) that a particular risk may occur. The identification of a particular risk also prompts the development and implementation of appropriate safeguarding procedures to mitigate against the risk and to ensure that children availing of the service are safe from harm.

Potential risks that apply to most relevant services are risk of harm to a child by a member of staff/volunteer; harm by a visitor to a service; bullying by an adult or peer; harm during outings or overnight activities; harm due to lack of supervision; harm through use of unauthorised photography; or online harm through social media/internet. If these risks and associated procedures to manage the risks are not considered during a risk assessment, relevant services are advised to consider if they are applicable to the service.

### **6.3.3. Safeguarding Procedures**

65% of services with a noncompliant CSS required amendments in relation to the required safeguarding procedures as specified in s.11(3), Children First Act 2015. Two procedures most omitted were the procedure for appointing a relevant person and the procedure for maintaining a list of mandated persons.

The Children First Act, 2015 specifies that the following procedures must be both referenced in a Child Safeguarding Statement as being in place and implemented in practice within the service. These documents were not requested as part of this project and services self-declared that they were in place.

1. Procedure for the management of allegations of abuse or misconduct against workers/volunteers.
2. Procedure for the safe recruitment and selection of workers and volunteers to work with children.
3. Procedure for provision of and access to child safeguarding training and information, including the identification of the occurrence of harm.
4. Procedure for the reporting of child protection or welfare concerns to Tusla.
5. Procedure for maintaining a list of the persons (if any) in the relevant service who are mandated persons.
6. Procedure for appointing a relevant person for the purpose of the statement.

Having these procedures in place supports services in reducing risks of harm to children and to respond appropriately if an incident occurs.

#### **6.3.4. CSS Commencement**

28% of services with a noncompliant CSS required amendments to include details in relation to CSS commencement such as a date for adoption or review of the CSS.

All relevant services as specified in schedule 1 of the Children First Act, 2015 are required to have an adopted CSS in place within three months of operation. It is also a requirement that a CSS is reviewed at least every two years or as soon as there is a material change to the service being provided. Therefore, all CSSs must be up to date and appropriate for the service currently being provided.

#### **6.3.5. Safeguarding Principles**

14% of services with a noncompliant CSS required amendments to provide more detail on principles to safeguard children from harm in the CSS.

A description of the services commitment to safeguarding principles supports the relevant service in communicating to children, parents, and members of the public that the responsibly to safeguard children while availing of the service is a priority and taken seriously.

#### **6.3.6. Nature of Service & Activities**

2% of services with a noncompliant CSS required amendments to provide more detail in relation to the nature of the service or activities provided in the CSS.

A comprehensive description of the nature of the services and activities being provided allows the relevant service to consider all possible risks of harm to a child or young person while availing of a service.

#### **6.3.7. Document Referencing**

2% of services with a noncompliant CSS required amendments to the title of the CSS document to include reference to Child Safeguarding Statement.

The CSS document must be clearly referenced and displayed as a Child Safeguarding Statement so that children, parents, and members of the public can access information about the relevant services commitment to safeguarding children and the procedures that the service has in place to mitigate against risks of harm while availing of the service.

All services in this review included the name of the service on the CSS. However, 49% of services did not include additional contact details such as address for the service which is recommended.

### **7.0 Recommendations**

To continue to strengthen the safeguarding of children in Independent Schools there are six core recommendations.



#### **For the Child Safeguarding Statement Compliance Unit**

1.	Share learning from the CSS sector compliance review with Independent Schools through a sector briefing and circulation of report published to the Tusla website.
2.	Liaise with Tusla Alternative Education Assessment and Registration Service (AEARS) in relation to the development of procedures to review CSS compliance during AEARS assessment and registration processes.

#### **For Independent Schools**

3.	Relevant persons in organisations to share learning from the sector compliance review within Independent Schools and consider findings and recommendations when reviewing Child Safeguarding Statements as is required.
4.	Providers to consider the strengths of statements that are service specific; provide the required information; and are presented clearly and concisely when developing or reviewing CSSs.
5.	Providers to consider commonly occurring areas of CSS noncompliance as outlined in the findings and analysis sections of this report when developing or reviewing their CSS. Particular attention advised in relation to relevant person contact details; risk assessments; safeguarding procedures; and the use of template CSSs.
6.	Providers to liaise with information, advice, and training support services to strengthen the implementation of safeguarding policies and procedures specified in the Child Safeguarding Statement if required. E.g., AEARS or Tusla's Children First Information and Advice Service.

## **8.0 Conclusion**

This report outlines the process of engagement with relevant services, the methodology utilised in a CSS sector compliance review, an overview and analysis of findings in relation to CSS compliance and recommendations to enhance Child Safeguarding Statement compliance within the sector. The information contributes to an improved understanding of CSS compliance within the Independent School sector. The recommendations emerging from the implementation review aim to support relevant services in developing and reviewing Child Safeguarding Statements.

## **9.0 Appendices**

**Appendix 1: CSS Information & Resources**

**Appendix 2: Letter formally requesting Child Safeguarding Statement (CSS)**

**Appendix 3: CSSCU Review Outcome Form**

## **Appendix 1: CSS Information & Resources**

Tusla has published advice and guidance and a sample template to assist providers in developing a Child Safeguarding Statement which are available on the [Tusla website](#) or through the links below:

- [What is a Child Safeguarding Statement](#) (Video)
- [Guidance on Developing a Child Safeguarding Statement](#)
- [Template to develop a CSS](#)
- [CSSCU Review Outcome Form](#)
- [Understanding Risk Assessments in Child Safeguarding Statements](#) (Video)
- [Child Safeguarding: A Guide for Policy, Procedure and Practice](#)
- [Child Safeguarding Resource List](#)
- [Child Safeguarding Statement Compliance Unit](#) on Tusla Website
- [Children First](#) on Tusla Website

## Appendix 2: Letter formally requesting Child Safeguarding Statement (CSS)

XXXX  
XXXX  
XXXX  
XXXX  
XXXX

Estuary House  
Henry Street  
Limerick  
V94 XT5F  
[csscu@tusla.ie](mailto:csscu@tusla.ie)

XXXXXXXXXX

XX/XX/2023

### **Re: Child Safeguarding Statement Compliance Unit (CSSCU) CSS Sector Compliance Review with Providers of Relevant Services to Children in Independent Schools.**

Your Unique CSSCU Reference: **TU-XX-XXXX-XX**

**NB: Please quote this reference when communicating with the CSSCU.**

Dear XXXX,

Further to previous correspondence and a briefing with the Child Safeguarding Statement Compliance Unit (CSSCU) in April of this year, I write in relation to our intention to engage with Independent Schools as part of a Child Safeguarding Statement (CSS) sector compliance review in collaboration with Tusla's Alternative Education Assessment and Registration Service (AEARS).

As you are aware the CSSCU is the dedicated Unit set up in Tusla to ensure that all providers' Child Safeguarding Statements are compliant with the requirements of parts 10 – 13 of the Children First Act 2015. The unit was established in March 2018 to provide both compliance support and enforcement.

Please note that we always begin engagement from the perspective of supportive compliance and aim to support your organisation to meet the requirements of the Children First Act 2015 to ensure all children availing of your service are safe from harm. The CSSCU also has enforcement responsibilities in relation to CSS compliance and may initiate escalation to enforcement procedures if required. We will inform AEARS of any enforcement actions that may be necessary.

Tusla has published advice and guidance and a sample template to assist providers in developing a Child Safeguarding Statement which are available [here](#) or through the links below:

- Video: [What is a Child Safeguarding Statement](#)
- [Guidance on Developing a Child Safeguarding Statement](#)
- [Template to develop a CSS](#)
- [CSSCU Review Outcome Form](#)
- Video: [Understanding Risk Assessments in Child Safeguarding Statements](#)
- [Child Safeguarding: A Guide for Policy, Procedure and Practice](#)

As has been advised, we are now formally requesting, pursuant to section 11(5)(b)(ii) of the Act, that you provide a copy of the Child Safeguarding Statement that you may have already developed to the Tusla Child Safeguarding Statement Compliance Unit (CSSCU).

**Please provide the requested Child Safeguarding Statement within 14 days of receipt of this letter.** You can submit the requested document via email, to [csscu@tusla.ie](mailto:csscu@tusla.ie), or post to the address above. Failure to do so may result in a further escalation of this matter and possible enforcement action as per the Children First Act 2015.

If I can be of further assistance, please do not hesitate to contact me (XXXXXXXXXX) or by email ([csscu@tusla.ie](mailto:csscu@tusla.ie)).

**Yours sincerely,**

---

**Compliance Officer  
Child Safeguarding Statement Compliance Unit**

### Appendix 3: CSSCU Review Outcome Form

<b>Date of Review by CSSCU</b>	Click or tap to enter a date.
<b>Name of CSSCU Staff Member undertaking review</b>	
<b>Reason for Review (Provided Voluntarily / Resubmission as change to CSS/ Requested by CSSCU following UI/ Implementation Review/ Referred by other Internal Dept.)</b>	Choose an item.
<b>Review Number (First / Second etc)</b>	1 <sup>st</sup>
<b>Case ID</b>	

<b>Organisation Name</b>	
<b>Setting (e.g. Sports Club; Educational Setting)</b>	
<b>Affiliated Organisation</b>	
<b>Funding Body (If available)</b>	
<b>Relevant Person Name</b>	
<b>Overall Purpose and Function</b>	

<b>PART 1: REVIEW OF CHILD SAFEGUARDING STATEMENT FOR COMPLIANCE WITH THE CHILDREN FIRST ACT 2015</b>				
<b>No.</b>	<b>Checklist Review Lines of Investigation</b>	<b>Yes (✓)</b>	<b>No (✓)</b>	<b>Rationale (If "No" only)</b>
1.	Is the CSS titled correctly? (Must be titled Child Safeguarding Statement)	<input type="checkbox"/>	<input type="checkbox"/>	
2.	Does the CSS include the name of the service to which the CSS refers?	<input type="checkbox"/>	<input type="checkbox"/>	
3.	Are there clear Principles and evidence of a commitment to safeguard children from harm (i.e., how they intend to safeguard children)?	<input type="checkbox"/>	<input type="checkbox"/>	
4.	Has the service provider specified the service being provided? (If more clarity needed, choose "No")	<input type="checkbox"/>	<input type="checkbox"/>	





	<ul style="list-style-type: none"> <li>• Procedure for the provision of information and, where necessary, instruction and training to members of staff of the provider in relation to the identification of the occurrence of harm.</li> <li>• Procedure for maintaining a list of the persons (if any) in the relevant service who are mandated persons.</li> <li>• Procedure for appointing a relevant person for the purposes of the [Statement].</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	
9.	Is there either a date for adoption or review of the CSS? (Either is acceptable)	<input type="checkbox"/>	<input type="checkbox"/>	
10.	Is the relevant person clearly identified and their name and contact details provided in the CSS?	<input type="checkbox"/>	<input type="checkbox"/>	
<b>PART 1 TOTAL SCORES (No. of Yes / No results out of a possible 15)</b>	<b>/15</b>	<b>/15</b>		

**PART 2: Suggested and recommended amendments that would improve the quality of the CSS**

No.	Checklist for improved quality	Yes (✓)	No (✓)	Rationale (If "No" only)
11.	Does the Child Safeguarding Statement include the definition of harm as set out in the Children First Act 2015?	<input type="checkbox"/>	<input type="checkbox"/>	
12.	Is the name and address of the provider included?	<input type="checkbox"/>	<input type="checkbox"/>	
13.	Does the Child Safeguarding Statement set out a commitment that all children will be equally protected from	<input type="checkbox"/>	<input type="checkbox"/>	

	harm regardless of race, ability, ethnicity, or sexual orientation?			
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**TOTAL NUMBER OF YES ANSWERS (Out of a Possible 15)**

**/15**

<b>Score (Out of 11)</b>	<b>Outcome</b>
15/15 (100%)	Compliant
< 15	Non-Compliant

<b>Date of Review</b>	<b>REVIEW OF STATEMENT: COMPLIANCE OUTCOME</b>	<b>Signature</b>

### **Guidance Notes**

This review tool is used by Tusla's Child Safeguarding Statement Compliance Unit (CSSCU) when reviewing child safeguarding statements (CSS) which have been provided to the CSSCU, either voluntarily or in response to a request from the CSSCU. Providers of relevant services, under the Children First Act 2015, are required to prepare a CSS. Tusla has published [general guidance to assist providers](#) in writing their CSS, as well as a [CSS Sample Template](#). Tusla has also worked with a number of service sectors and government departments to assist them in developing tailored templates for particular contexts.

It may be helpful to providers of relevant services, when either developing or reviewing their CSS, to refer to the CSSCU Review Outcome Form to assist them to assess their compliance with the safeguarding requirements set out in the Children First Act 2015.

### **Specific Guidance for Reviewers:**

- **Affiliate Organisation – this applies when a provider is a member of a larger umbrella body. This could include registering bodies such as HIQA, or membership organisations such as National Youth Council of Ireland, Sport Ireland, a National Governing Body of Sport, etc.**
- **Overall Purpose and Function – should be copied from the CSS section on service provided.**

### **Part 1 Guidance:**

- **CSS Title – All CSS must be titled Child Safeguarding Statement.**
- **Principles – The CSS must include principles to keep children safe from harm, such as the right to be consulted, the right to protection, and adherence to inclusion/anti-discriminatory practice.**

- **Service being provided** – the CSS must outline the service provided to children by the service provider.
- **Risk assessment** – the risks identified must be specific to the services provided, listed in the previous section. They must relate to the protection of the child/children from harm, as defined in the Children First Act 2015. Services can include an abridged list of the main risks identified and develop a more detailed secondary risk assessment document. Where a secondary risk assessment document is developed, this must be noted on the CSS and provided with the CSS whenever the CSS is requested.
- **Risks sufficient, relevant and realistic** – while a reviewing officer is not expected to know the nuances of every service whose CSS is being reviewed, there are certain general risks which it is reasonable to expect would be in place in most services. These include
  - Risk of harm (as defined in the Children First Act 2015) of a child by a member of staff/volunteer from things they have done (e.g. hurt a child) or failed to do (e.g. not report a concern);
  - Risk of harm (as defined in the Children First Act 2015) caused by lack of supervision;
  - Risk of harm (as defined in the Children First Act 2015) by a visitor to the service (workers, parents, placements, etc.);
  - Risk of harm (as defined in the Children First Act 2015) by another child in the service;
  - Risk of harm (as defined in the Children First Act 2015) of a child on outings by a member of staff/volunteer/stranger/peer;
  - Risk of harm (as defined in the Children First Act 2015) through access to ICT / unauthorised photography (e.g., social media or web access, electronic contact, etc).

This is not a comprehensive or definitive list. Reviewers are expected to use their discretion and professional judgement when assessing risk assessments for compliance with the requirements of the Act. Service providers are responsible for carrying out a comprehensive assessment of the risk of harm to children while availing of their service.
- **Specified procedures** – all six specified procedures must be included in the CSS. It is not a requirement that they are listed separately to the risk assessment. It is not a requirement that the titles are verbatim as they are presented in the Act (e.g., Recruitment and selection procedures or reporting procedure for child protection or welfare concerns would both be acceptable).
- **Date for review** – the CSS must specify either the date it was introduced/ratified or the proposed date for review. Either are acceptable.
- **Name and address of the provider** – this information must be included as the Act places numerous responsibilities associated with the CSS directly on the Provider. For services operating at multiple sites, if they are using a single corporate CSS, address of provider can be head office.
- **Name and contact details for Designated Person** – this information must be included, as well as a clear designation that the person named is the designated person.
- **It is not a requirement that the CSS is signed by the provider**

- **CSS submitted should be final versions.**

Where the CSSCU reviews a CSS, all requisite components must be present and in line with the guidance to be deemed compliant.