

TÚSLA

An Ghníomhaireacht um
Leanaí agus an Teaghlach
Child and Family Agency

Information for Mandated Persons



It is everyone's responsibility to report child protection or welfare concerns that meet reasonable grounds for concern to Tusla, as outlined in Children First: National Guidance for the Protection and Welfare of Children. The Guidance sets out definitions of abuse, and signs for its recognition.

In addition, the **Children First Act 2015** places a legal obligation on certain people, many of whom are professionals, to report child protection concerns at or above a defined threshold to Tusla Schedule 2 of the **Children First Act 2015** identifies the classes of person who are mandated persons.

Mandated persons have two main legal obligations under the Children First Act 2015:

- To report the harm of children at or above a defined threshold to Tusla; and
- To help Tusla, if requested, in assessing a concern which has been the subject of a mandated report.

Under the Children First Act 2015, mandated persons must, by law, report to Tusla any knowledge, belief, or reasonable suspicion, based on information acquired in the course of their professional work or employment, that a child has been harmed, is being harmed or is at risk of being harmed.

The Children First Act 2015 defines harm as follows:

'harm' 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.

Mandated persons who receive a disclosure of harm from a child, which is at or above a defined threshold, must make a mandated report of the concern to Tusla. As a Mandated person you also have a responsibility to make a mandated report to Tusla under section 14(1) (a) of the Children First Act 2015 where adults disclose childhood abuse and you establish that there are reasonable grounds to suspect that a person who is currently a child has been, is being, or is at risk of being harmed.



If, as a mandated person, you are in doubt about whether your concern reaches the legal threshold of harm for the purpose of making a mandated report, the Tusla social work department can advise you. You can find details of who to contact to discuss your concern with or to make a report to, on the Tusla website . You may also make a report using the Tusla Web Portal.

Mandated persons can access the Tusla out-of-hours social work service. If a mandated person has a concern about a child, they can contact the Tusla out-of-hours social work service by telephone on 0818 776 315, between 6pm and 6am every night, and between 9am and 5pm on Saturdays, Sundays and bank holidays.

If you cannot contact Tusla and have an immediate concern about the safety of a child, please contact An Garda Síochána without delay.

Mandated persons must also assist Tusla, on request, in its assessment of child protection concerns about children who have been the subject of a mandated report. Tusla has developed a Mandated Assisting Protocol, which sets out Tusla's processes for formally requesting assistance from mandated persons.

Mandated Persons who work in organisations that also have a Designated Liaison Person

Many organisations working with children will have a Designated Liaison Person, in keeping with best practice in child safeguarding. This person's role is to be a resource for any staff member, volunteer or young person who has a child protection or welfare concern. They will support any person in their organisation who is considering making a report to Tusla and will liaise with outside agencies where appropriate.

It is important to remember that a mandated person has a statutory obligation to report concerns of harm which meet or exceed the threshold set out in the [Children First Act 2015](#), directly to Tusla, without delay. **As a mandated person, you should be aware that the legal obligation under the [Children First Act 2015](#) to report mandated concerns rest with you and not with the Designated Liaison Person, Line manager or any other person.**

However, there is nothing in the [Children First Act 2015](#) to prevent a mandated person from making a mandated report jointly with a designated liaison person. As a mandated person, you may make a report jointly with any other person, whether that person is a mandated person or not. A mandated person may also report independently and provide a copy of the mandated report to the designated liaison person. Please consult your organisation's child protection and welfare reporting procedure.

[The Criminal Justice \(Withholding of Information on Offences against Children and Vulnerable Persons\) Act 2012](#) requires that any person who has information about a serious offence against a child, which may result in charges or prosecution, must report this to An Garda Síochána. Failure to report under this Act is a criminal offence. This obligation is in addition to any obligations under the [Children First Act 2015](#) or when reporting child protection or welfare concerns that meet reasonable grounds for concern under [Children First: National Guidance for the Protection and Welfare of Children](#).



Tusla has developed a Mandated Person eLearning module and a short explainer video on the role of a Mandated Person, both are available here: <https://www.tusla.ie/children-first/mandated-persons/>

