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Contingency Planning for families living in accommodation provided by the Department of Justice and Equality during the COVID-19 pandemic crisis

Introduction

In response to the outbreak of the COVID-19 virus, Tusla has introduced specific measures in relation to the provision of essential services for the duration of the period of the public health crisis, www.tusla.ie/about/covid-19-update/

As a critical service provider of essential frontline services for children and families, Tusla is focused on ensuring that essential services for children and families are maintained. The three main areas of focus during COVID-19 are: child protection and children in care, emergency out-of-hours services, and domestic, sexual and gender based violence services.

Tusla is working closely with our HSE colleagues to help stop the spread of the COVID-19 virus. The HSE provides regular updates on its website that provides up-to-date information on the evolving situation

<http://www2.hse.ie/coronavirus/> and for parents <https://www2.hse.ie/wellbeing/child-health/advice-children-parents-covid-19.html#moves>

The HSE guidance for vulnerable groups will be relevant, see link below:

<https://www.hpsc.ie/az/respiratory/coronavirus/novelcoronavirus/guidance/vulnerablegroupsguidance>

The Department of Justice and Equality statement in relation to contingency planning for accommodation centres can be referenced here:

[www.justice.ie/en/JELR/Pages/Statement in relation to Contingency Planning for Accommodation Centres](http://www.justice.ie/en/JELR/Pages/Statement%20in%20relation%20to%20Contingency%20Planning%20for%20Accommodation%20Centres)

Legislation and National Policy

Children First Act 2015 and Children First National Guidance for the Protection and Welfare of Children 2017

Child Care Act 1991

Signs of Safety national approach to practice – Safety Planning and Safety Networks

http://hsenet.hse.ie/childfamilyagency/covid_19_Additional_Guidance_CP_W_contacts_compressed.pdf

Meitheal Early Intervention Practice Model and Child and Family Support Networks

<https://www.tusla.ie/services/family-community-support/parenting-information/how-do-children-and-families-get-extra-help-when-they-need-it/>

Purpose of this Guidance

The purpose of this guidance is to inform Tusla staff for various scenarios should they arise in the context of the current COVID-19 crisis for parents living in accommodation provided by the Department of Justice and Equality.

Contingency plan guidelines for Parents or Guardians

The parent or guardian of a child is the primary care giver and decision maker for the children in their care. This means that they make the decisions regarding who they want to care for their children in a situation where they are absent or incapacitated through illness or injury. This care can be short term or long term. This is the most natural response when a situation arises where a parent is unable to provide care to their children. It also means that the children are most likely being cared for by someone they are familiar with, and have a relationship and be safe with. Services should request parents and guardians to identify and provide details of same to enable contact during the crisis period.

The COVID-19 pandemic presents specific situations where the interests of public health and the right of a child to be with their parent or guardian -and/or the right of a parent to make decisions regarding the care of their children -, may come into conflict.

In the overwhelming majority of circumstances, however, a parent will be able to make a determination as to who is a suitable and responsible adult who they believe should be able to safely care for their children if they are unavailable to do so themselves.

All parents living in accommodation provided by the Department of Justice and Equality should be asked to consider if they can nominate another adult who they would want to take care of their children if they found themselves in a situation where they were either too ill within their own accommodation to care for their children or they required to be hospitalised. The parents should be asked to ensure that their nominated person is agreeable to doing so, and they should make the manager of the accommodation centre aware in advance of whom they are nominating. A parent can nominate a number of different individuals. These potential designated carers can either be other residents or members of the community.

There are several key concerns which have been identified as specific issues that need particular attention as congregated residential settings.

Self-Quarantine/Restricted Movement

1. If a parent or guardian is required to self-quarantine based on the public health advice, their child or children should self-quarantine with them, unless they wish and have nominated another person who can care for their child or children during this 14-day period.

2. If a child has been exposed to COVID- 19, or is required to self-quarantine by public health but is not symptomatic, they should be quarantined together with their parent or guardian unless public health direct otherwise. A child cannot be requested to self-quarantine on their own. This should take place within their accommodation.

Self-Isolation

3. If a parent or guardian presents with symptoms of COVID- 19 and is asked to self-isolate, their children will remain in their care during this time.
4. If a child presents with symptoms of COVID- 19 and is asked to self-isolate, their parent or guardian will self-isolate with them.
5. If a parent, guardian or child is diagnosed as positive for COVID- 19, the family unit will self-isolate as a unit.
6. If a parent or guardian becomes so unwell that they are no longer able to care for their child or children within the centre, or the parent or guardian requires hospitalisation, the parent or guardian can opt for one of their nominees to care for their children at that time. As the children would have been close contacts of a confirmed COVID-19 case, their designated carer would have to self-isolate together with the children. The children cannot be requested to self-isolate alone. If the carer has their own children to care for, their family and the children requiring self-isolation would all have to self-isolate as a unit, unless the designated carer was able to designate someone else to care for their own children - in which case, the designated carer would self-isolate with the children required to self-isolate.

It may not always be possible for the self-isolation of the enlarged group to take place within the accommodation centre, and in such cases alternative venues may be advised by the Department of Justice and Equality or public health.

Non-residents of the accommodation centres may not move into an accommodation centre to care for the children. However, they may be able to be accommodated in alternative accommodation for the duration of the self-isolation or self-quarantine period.

Referrals to Tusla - Child and Family Agency

In some instances, parents may lack the social support system to enable this process and may necessitate a referral to Tusla where there is a concern about the wellbeing or safety of a child during this time. For contact with the local duty social work office where the child lives or Please see relevant links here:

<https://www.tusla.ie/get-in-touch/duty-social-work-teams/>

<https://www.tusla.ie/children-first/publications-and-forms/>

http://hsenet.hse.ie/childfamilyagency/Child_Protection_.html

Children First legislation and associated Tusla guidance documents (supplemented by any relevant sectoral guidance for organisational policies) have a set of principles that guide work

in relation to protecting and supporting children. The overall aim in all dealings with children and their families is to intervene proportionately to support families to keep children safe from harm.

Contact with Tusla is dependent on the individual child and family circumstances i.e. Contact their local Tusla Duty Social Work Dedicated Contact Point (DCP) <https://www.tusla.ie/get-in-touch/duty-social-work-teams/> and for professional referrals submit a Child Protection and Welfare Report Form (CPWRF) to seek support via the Tusla online portal at www.portal.tusla.ie in establishing a Safety Plan and a Safety Network to be established with the family. Or contact their local CFSN Coordinator and engage in a Meitheal approach with the family. <https://www.tusla.ie/services/family-community-support/prevention-partnership-and-family-support/>

In exceptional circumstances if all supports have been exhausted, Tusla may have to consider alternative care options, if required and available. If Safety Planning or Meitheal planning has not resulted in the required supports, Tusla may request the parent to sign the children into voluntary care.

In exceptional cases Tusla may have to make an application to the Courts for orders under the Child Care Act 1991 to affect such care. Tusla may determine that there is not sufficient safety for the child and there is no suitable adult being nominated by a parent, and they may take proceedings to ensure the safety of a child.

If the crisis of a parent being unable to care for their children arises between 9am-5pm, local Tusla duty social work teams should be contacted to ensure adequate arrangements are put in place. In a case where the crisis is outside these times, An Garda Síochána and Tusla Out-of-Hours social work should be contacted. Tusla Social Work will assess whether the safety of the child is at risk and if it is appropriate for a voluntary care agreement. In cases where a parent is unable or unwilling to sign their children into voluntary care it is only An Garda Síochána that has the legal authority to remove the children under Section 12 of the Child Care Act 1991. An Garda Síochána is aware of the procedure to follow in those circumstances.

Children First Act 2015 Mandated Person(s) and Designated Liaison Person (DLP) Contingency Plan

The Children First Act 2015 places specific obligations on organisations that provide services to children to develop specific policies and procedures on how to create a safe environment. In order to continue a process for ensuring no issue of child safety goes unreported, it is important to have a list of staff that are mandated persons obliged to report under Children First, and an identified DLP to support other staff in child protection and welfare concerns.

A contingency plan needs to be in place for the role of Mandated Person and for the DLP, should existing Mandated Person and DLP be unavailable due to illness. And this contingency plan information should be made known to all relevant people including the identified replacement(s). These contingency plans will identify how child protection and welfare is managed in the advent of challenges to staffing levels and or changes to staff.

Approved by Tusla Crisis Management Team – COVID-19