



An Roinn Oideachais
Department of Education

Child Protection and Safeguarding Procedures for Boarding Facilities associated with Recognised Schools 2023

March 2023

Table of Contents

Background	3
Aim	3
What is a Boarding Facility?	3
Management/Governance Approaches	4
Child Protection Procedures for Primary and Post-Primary Schools (revised 2023)	5
Vetting and recruitment of personnel	5
Student Leaders	6
Policies and Procedures	6
Training	8
Mandated Persons	8
Reporting of concerns	9
Governance and vetting	10
Oversight	10
Inspections carried out by the Inspectorate of the Department of Education	11
Appendix 1: Quality assurance checklist to support child protection and safeguarding arrangements in boarding facilities associated with recognised schools	12
Appendix 2: Interim advice note issued to principals of recognised schools with associated boarding facilities	15

Background

The Department of Education has a comprehensive system in place to support the implementation, in primary and post-primary schools, of child safeguarding requirements under the *Children First Act 2015*.

The Department requires all schools to implement its *Child Protection Procedures for Primary and Post-Primary Schools (revised 2023)* and, through its Inspectorate, it ensures compliance with the key aspects of the Procedures during all school inspections.

Pursuant to the *Children First Act 2015*, the Department is putting in place new procedures to provide assurances to the Minister for Education that clear and consistent child protection¹ and safeguarding² procedures are in place in boarding facilities associated with recognised schools.

This document applies to all boarding facilities associated with recognised schools. Some boarding facilities may be separate to recognised schools but they are deemed to be associated with recognised schools as, in almost all cases, they are operating because of the existence of the recognised school.

These additional procedures should be read and implemented in conjunction with the [Child Protection Procedures for Primary and Post-Primary Schools \(revised 2023\)](#) and [Children First: National Guidelines for the Protection and Welfare of Children 2017](#).

AIM

The aim of these procedures is to inform the management of all boarding facilities of what is required of them in their implementation of the *Children First Act 2015* and to ensure that arrangements for the oversight of the requirements of the *Children First Act 2015*, including [Children First: National Guidelines for the Protection and Welfare of Children 2017](#), are in place across all boarding facilities.

What is a Boarding Facility?

For the purposes of this document, the definition of a boarding facility is one which provides accommodation to students/pupils on-site. Boarding facilities are attached or associated with a recognised school and operate because of the existence of the recognised school. Pupils/students who avail of boarding facilities are typically referred to as 'boarders'.

¹ Child protection is the activity of protecting children who are suffering or may be likely to suffer or are at risk of suffering from harm as a result of abuse, including neglect, emotional abuse, physical abuse and sexual abuse

² Child Safeguarding is broader than child protection and is about protecting the child from harm, promoting their welfare and in doing so creating an environment which enables children and young people to grow, develop and achieve their full potential.

Typically, a boarding facility provides boarders with sleeping, bathroom, dining and study facilities. In a number of boarding facilities, boarders can avail of additional sports and recreation activities but this provision is at the discretion of the management authority of the boarding facility.

MANAGEMENT/GOVERNANCE APPROACHES

A boarding facility may operate under the governance of the board of management of a recognised school. It may also operate under a separate management authority and not be subject to oversight by the board of management of the recognised school.

Table 1: Management structures in boarding facilities associated with recognised schools

Single Management	Board of management oversees the school and the boarding facility	A single DLP for both the recognised school and the boarding facility <u>or</u>
		A DLP appointed for the school and a separate DLP appointed for the boarding facility
Separate Management	Board of management for the school and separate management authority for the boarding facility	A single DLP for both the recognised school and the boarding facility <u>or</u>
		A DLP appointed for the school and a separate DLP appointed for the boarding facility

It is the responsibility of the management authority of the boarding facility to designate a senior full-time member of the staff of the boarding facility as the designated liaison person (DLP) for the boarding facility.

It is also the responsibility of the management authority of the boarding facility to designate another member of the full-time staff of the boarding facility (to be known as the deputy DLP) to assume the responsibilities of the DLP, in the absence of the DLP.

There must be arrangements in place for a DLP/Deputy DLP to be contactable at all times while the boarding facility operates.

Where there is a DLP appointed for the school and a separate DLP for the boarding facility, arrangements must be in place to ensure appropriate and efficient communication between DLPs, within the limits of data protection and GDPR by means of a written data sharing agreement.

Child Protection Procedures for Primary and Post-Primary Schools (revised 2023)

Section 8.8.9 of the *Child Protection Procedures for Primary and Post-Primary Schools (revised 2023)* states that:

Where a school provides any after-school activity or service to its pupils such as boarding facilities, it should ensure that it has in place adequate child protection measures for that activity or service and that these include clear reporting procedures for ensuring that any child protection concerns arising within such activity or service are reported promptly to Tusla in accordance with the relevant requirements of Children First National Guidance 2017 and the Children First Act, 2015. Such procedures should include clearly documented procedures for ensuring that the DLP of the school is kept appropriately informed of any child protection concerns that arise within the activity or service concerned. In accordance with the Children First Act, 2015, the school's risk assessment and Child Safeguarding Statement must also take account of any such activity or service and specify the risks of harm identified and the procedures that are in place to manage those risks.

Boarding facilities/services should explicitly reference their boarding context as part of the introductory section to their Child Safeguarding Statement and should also document risks associated with the boarding facility in the risk assessment (see Appendix 2).

It is a requirement of these procedures that boarding facilities must comply with the relevant requirements of the *Child Protection Procedures for Primary and Post-Primary Schools (revised 2023)*. The particular risk associated with boarding facilities requires that the procedures outlined in this document, *Child Protection Procedures for Boarding Facilities associated with Recognised Schools 2023*, are also followed.

VETTING AND RECRUITMENT OF PERSONNEL

It is a requirement under the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 and 2016 that individuals who work with children and vulnerable persons be vetted by the National Vetting Bureau (the Bureau).

Garda vetting undertaken by the Bureau provides a vetting disclosure outlining the particulars of a criminal record or any process pending (if any) relating to the person being vetted. It may also provide a statement of specified information (if any), which the Chief Bureau Officer of the Bureau has determined should be disclosed. The management authority of a boarding facility must not commence the employment of a person without first obtaining a vetting disclosure from the Bureau in respect of that person. Circular 0031/2016 outlines the statutory requirements in relation to Garda vetting of all school employees.

Aside from the mandatory vetting process, management authorities of boarding facilities should ensure that robust procedures are in place for checking the references and suitability of all staff prior to the commencement of their role in the boarding facility. Procedures should be put in place to:

- ensure that the employee³ understands the values, vision, aims and policies of the school, including the school's Child Protection and Safeguarding Policy
- ensure that the employee is clear about professional standards and boundaries in respect of child protection and safeguarding and promoting the wellbeing of the pupils/students
- enable the management authority to quickly identify any potential problems or difficulties in relation to child protection and safeguarding

STUDENT LEADERS

In many boarding facilities, student leaders (including prefects, boarder council members and others with student leadership roles) are assigned to fulfil a variety of leadership roles in the boarding facility. The nature of these student leadership roles can vary significantly from one boarding facility to another. In all cases where student leadership roles exist, the management authority of the boarding facility should have a code of behaviour in place that sets out the boundaries and responsibilities associated with the role of student leader. Student leaders, once assigned, should be provided with age-appropriate training prior to commencing their role. This training should:

- ensure that student leaders are clear about boundaries in respect of child protection
- include appropriate guidance on the use of their authority
- ensure that student leaders are aware of what steps to take in the event of breaches of the boarding facility's code of behavior by other students or staff
- ensure that student leaders are familiar with relevant school policies, including the school's Child Protection and Safeguarding Policy

Policies and Procedures

The management authority must ensure that it has:

- carried out a risk assessment to identify where a child or young person could be at risk of harm in the boarding facility
- developed a Child Safeguarding Statement that outlines the policies and procedures which are in place to manage the risks that have been identified in the boarding facility

³ The word 'employee' is synonymous with the phrase 'boarding facility personnel'. The phrase 'boarding facility personnel' as used in these procedures is a generic term to encompass all adults who are involved in the operation of the boarding facility, including adults who act in a liaison capacity between the boarding facility and boarders' families in relation to onsite boarding. It covers employees and voluntary workers, and includes parent association members when they are working in the boarding facility.

- appointed a relevant person⁴, specifically named in the safeguarding document to be the first point of contact in respect of the Child Safeguarding Statement
- displayed the Child Safeguarding Statement in a public place near the main entrance to the boarding facility
- arrangements in place to provide children and young people, their parents/guardians, boarding facility staff and other staff with the Child Safeguarding Statement
- arrangements in place to review the Child Safeguarding Statement annually or as soon as practicable after there is a material change in any matter to which the Child Safeguarding Statement refers
- appropriate supports such as policies on anti-bullying, child protection, critical incident, code of behaviour for boarders and for student leaders (where applicable), and these should be used to support the general wellbeing of boarders.

The management authority must have procedures in place for:

- appointing a relevant person to be the first point of contact in respect of the child safeguarding statement and should have the name of that person and their contact details listed on the statement
- reporting concerns regarding child protection, which reflect the requirements of the Children First Act 2015 and Children First National Guidance
- making the children and young people, their parents/guardians and boarding facility personnel aware of these reporting procedures
- managing allegations against staff of the boarding facility
- selecting and recruiting appropriate personnel to work with children and young people
- providing training to all personnel in respect of recognising and reporting the abuse or neglect of children and young people
- maintaining a list of mandated persons working within the boarding facility (see Appendix 2)
- ensuring mandated persons working within the school and boarding facility are aware of their responsibilities as mandated persons

Additional requirements:

- Boarders should be provided with appropriate supports, to include a mechanism for immediate referral to school support services such as those related to guidance, counselling and health.
- All boarders should be supported to foster positive relationships with staff. Boarders should be encouraged to articulate their opinions about their boarding experiences.

⁴ The relevant person is the person who can provide information in respect of how the child safeguarding statement was developed and will be able to provide the statement on request. (S)he may also be the DLP. The relevant person should be explicitly named in the child safeguarding statement.

- The boarding facility should have an accessible system for boarders to raise concerns regarding child protection and safeguarding.
- The boarding facility should have an accessible system in place for parents/guardians to raise concerns regarding child protection and safeguarding and effective procedures in place to respond to any concerns raised
- The boarding facility should have an IT acceptable use policy in place that promotes the safe use of technology within the boarding facility and includes appropriate safeguards to minimise online risks to boarders

Please note: Where the board of management of the school and the management authority of the boarding facility are independent of each other, each should be afforded the opportunity to input during the review of each other's child safeguarding statements and risk assessments and should have a written data sharing agreement for this purpose.

TRAINING

The management authority, in its leadership role of the boarding facility, should ensure that all personnel and members of the management authority have the necessary familiarity with these procedures and with the *Child Protection Procedures for Primary and Post-Primary Schools (revised 2023)* to enable them to fulfil their responsibilities therein. The management authority of the boarding facility should ensure that all staff and members of the management authority are aware of these procedures and undertake available training.

It is recommended that all personnel complete the Tusla training module on '[Introduction to Children First](#)'.

It is everyone's responsibility to protect children and young people and to do our best to keep them safe. [Children First: National Guidance for the Protection and Welfare of Children](#) sets out the steps which should be taken to ensure that every child and young person is protected from harm. You can find out more information regarding Children First on the Tusla website by clicking the link below:

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

MANDATED PERSONS

The Children First Act 2015 places a legal obligation on certain people, many of whom are professionals, including teachers registered with the Teaching Council, to report child protection concerns at or above a defined threshold to Tusla - Child and Family Agency. These 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.

<https://www.tusla.ie/children-first/mandated-persons/>

A list of mandated persons should be maintained and made available by the management of the boarding facility.

It is everyone's responsibility to protect children and young people and to do their best to keep them safe. Non-mandated staff employed in boarding facilities must undertake the training provided to all personnel in respect of recognising and reporting the abuse or neglect of children and young people. See section 4.3 for further information.

REPORTING OF CONCERNS

If the concern relates specifically to the boarding facility, it is the DLP of the boarding facility who should be informed, regardless of whether the concern came to the attention of the staff member in the school or in the boarding facility. If the concern is reported to the DLP of the school (in the case where the DLP of the school is not the DLP of the boarding facility), in addition to informing the DLP of the boarding facility, the DLP of the school should follow the *Child Protection Procedures for Primary and Post-Primary Schools (revised 2023)* in relation to the reporting of concerns. If a mandated report is required, this report may be submitted jointly by the DLP of the school and the DLP of the boarding facility. This will ensure that follow-up actions are undertaken, if required, by the appropriate DLP.

If the concern relates specifically to the school, it is the DLP of the school who should be informed, regardless of whether the concern came to the attention of the staff member in the school or in the boarding facility. If the concern is reported to the DLP of the boarding facility (in the case where the DLP of the boarding facility is not the DLP of the school), in addition to informing the DLP of the school, the DLP of the boarding facility should follow the *Child Protection Procedures for Primary and Post-Primary Schools (revised 2023)* in relation to the reporting of concerns. If a mandated report is required, this report may be submitted jointly by the DLP of the school and the DLP of the boarding facility. This will ensure that follow-up actions are undertaken, if required, by the appropriate DLP.

Management authorities are reminded that following a report to Tusla of a concern, the provisions of the *Child Protection Procedures for Primary and Post-Primary Schools (revised 2023)* must be met and complied with in full by the management authority.

Where an allegation of abuse is made against the DLP of the school or the boarding facility, the Chairperson of the relevant management authority shall assume the role normally undertaken by the DLP under section 5.6 of the *Child Protection Procedures for Primary and Post-Primary Schools (revised 2023)*.

If any member of boarding facility personnel, whether a mandated person or not, receives an allegation or has a suspicion that a child may have been abused or neglected, is being abused or neglected, or is at risk of abuse or neglect (as described in chapter 2 of the *Child Protection Procedures for Primary and Post-Primary Schools*), he or she shall, without delay, report the matter to the relevant DLP, who is responsible for ensuring that the reporting procedures in chapter 5 of the *Child Protection Procedures for Primary and Post-Primary Schools* are followed. In addition, registered teachers, as mandated persons, are required to follow the procedures at section 5.2 of the *Child Protection Procedures for Primary and Post-Primary Schools*. The relevant DLP shall make a written record of any concerns brought to his or her attention by a member of school or boarding facility personnel and shall place this record in a secure location. All school and boarding facility personnel must have due regard to the need for confidentiality at all times, as referred to in section

1.3.11 of the *Child Protection Procedures for Primary and Post-Primary Schools*. In cases where there may be an ongoing risk to the safety of boarder(s), the management authority should take appropriate actions to ensure their safety.

GOVERNANCE AND VETTING

The management authority of the boarding facility must be in a position to provide a declaration that:

- each member of the management authority of the boarding facility is aware of its vetting responsibilities in respect of all personnel in the facility
- each member of the management authority of the boarding facility has fulfilled its vetting responsibilities in respect of all personnel in the facility
- each member of the management authority of the boarding facility is aware of their responsibilities in respect of the requirement to adhere to the child protection procedures for schools.

OVERSIGHT

- The management authority of the boarding facility shall meet at least once per term. A Child Protection Oversight Report (CPOR) for the boarding facility should be presented at each meeting of the management authority.
- The following table outlines requirements around the presentation of a CPOR to the management authority, depending on the type of management structure that exists in the school/boarding facility.

Table 2: Requirements regarding presentation of Child Protection Oversight Report

	Single management ⁵		Separate management ⁶	
	One DLP	Two DLPs	One DLP	Two DLPs
CPOR requirements	Two CPORs, one for the school and one for the boarding facility*	Separate CPORs to be presented to the management authority by each DLP	The DLP presents a separate CPOR to each management authority	Each DLP presents a CPOR to their respective management authority

* In the case of a single DLP reporting to a single board of management, the board has the discretion to decide if a single Child Protection Oversight Report, covering both the school and the boarding facility will suffice.

Oversight arrangements should be in line with Chapter 9 of the *Child Protection Procedures for Primary and Post-Primary Schools (revised 2023)*. Whether the concern is overseen by the board of management of the school or the management authority of the boarding facility should be decided jointly by the DLPs in the case where a concern has been jointly submitted to Tusla (see section 4.3).

Inspections carried out by the Inspectorate of the Department of Education

The Inspectorate of the Department of Education will include boarding facilities associated with recognised schools as part of its programme of inspection in recognised schools.

It is envisaged that these inspections will include child protection checks in the boarding facility at the level appropriate to the inspection model in question in the school (for example, level one checks for an Incidental Inspection or subject inspections, level two for a WSE-MLL or level three checks for a Child Protection and Safeguarding Inspection). Further information is contained in the following document Appendix 2 of the document [Guide to Child Protection and Safeguarding Inspection in Boarding Facilities associated with Recognised Schools](#).

⁵ Single board of management oversees the school and the boarding facility

⁶ Board of management for the school and separate management authority for the boarding facility

Appendix 1: Quality assurance checklist to support child protection and safeguarding arrangements in boarding facilities associated with recognised schools

Has the school and/or the management authority of the boarding facility considered the following:

Living away from home:

Does the child safeguarding risk assessment clearly reference that accommodation is being provided where students are away from parents and family and the potential child protection risk that this entails?

Have the risks associated with younger students being in the unsupervised company of older boarders been assessed? Is it clearly stated how the school manages this? This could be part of the school's anti-bullying procedures, code of behaviour or a separate policy for boarders.

There is a risk of incidents of collective bullying of new students, which could include any activity expected of someone that humiliates, degrades or risks emotional and/or physical harm, regardless of the person's willingness to participate. These are sometimes referred to as "initiation activities". Does the boarding facility's risk assessment reflect this risk and outline how it mitigates the risks and how the board of management/boarding authority would respond to such incidents, if they were to happen?

Are there procedures in place to support students during times of emotional vulnerability? Are there processes to take account of the possibility that such students may form inappropriate attachments to adults or young people because of the vulnerabilities which living away from home may give rise to?

Does the school and/or the management authority have an induction programme for new boarders/yearly orientation for all boarders where they are provided with relevant information and where clear expectations are outlined?

Does the school and/or the management authority have a programme of training for mentors or student leaders?

Weekends and/or term breaks:

Has the school and/or management authority noted if any boarders have parents who are not resident in the jurisdiction and have they taken account of this in their procedures? For example, for children not returning home during weekends/term-breaks (i.e. being released into someone other than a parent or guardian's care), are there arrangements in place to ensure appropriate consent and responsibility; where boarding facilities permit boarders to remain over weekends/term breaks, is this considered in the Child Safeguarding Statement and Risk Assessment and in boarding facility procedures?

If any of the boarders are international students, how does the school and/or management authority ensure that the school is sensitive to cultural and language issues? Do such students have opportunities to talk about their experiences?

Student participation:

Does the school and/or the management authority have a student participation process whereby students can discuss their experience of being away from home?

Are students/boarders involved in reviewing the Child Safeguarding Statement and Risk Assessment? Do students/boarders have an opportunity to meaningfully participate in the development and implementation of procedures and processes for boarders? Are these noted in the school's/boarder facility's risk assessment?

Substances:

How does the school and/or the management authority manage the prevention of access to alcohol or illegal or harmful substances for students?

Bullying/Abusive/Inappropriate behaviour and online safety:

Has the potential for bullying/abusive/inappropriate behaviour been risk assessed, including risks associated with young people as they go through adolescence and beyond? Has the school and/or the management authority considered how incidences which may occur would be dealt with?

Has consideration been given to online safety and the specific risks associated with a boarding context?

Inter-personal relationships:

Has the school and/or the management authority provided support and guidance for pupils/students with regard to inter-personal relationships so that pupils/students have a clear understanding of appropriate boundaries?

Child Safeguarding Statement (CSS) which must include a Risk Assessment (RA):

- Does the Child Safeguarding Statement and the risk assessment **explicitly reference** the fact that the school and/or management authority operates boarding facilities?
- Has the school and/or the management authority taken account of the note on the DE mandatory template 1 which says:
“**Note:** The above is not intended as an exhaustive list. Individual Boards of Management shall also include in this section such other procedures/measures that are of relevance to the school in question.”
- Has the school and/or the management authority ensured that the procedures required by the Children First Act 2015 are specified in the CSS, namely:
 - Procedures in relation to any member of staff who is the subject of any investigation (howsoever described) in respect of any act, omission or circumstance in respect of a child attending the school
 - Procedures for safe selection or recruitment of staff and their suitability to work with children

- Procedures to provide for the child protection information and training needs of staff
- Procedure in relation to reporting of child protection concerns to Tusla
- Procedure for maintaining a list of **mandated persons** (boarding facilities, in particular, may have nursing staff, social care staff, psychologist or school counsellor who may not be teachers. This link may be useful in compiling a complete list of mandated persons <https://www.tusla.ie/children-first/mandated-persons/am-i-a-mandated-person/>)
- Procedure for appointing a **relevant person**. The relevant person is the person who can provide information in respect of how the child safeguarding statement was developed and will be able to provide the statement on request. (S)he may also be the DLP. It may help for clarity if both the relevant person and the DLP are explicitly named in the CSS.

Appendix 2: Interim advice note issued to principals of recognised schools with associated boarding facilities

Dear Principal,

As you may be aware, following a meeting hosted by the Department of Education and the school management bodies earlier this year, a Technical Working Group was established to draft additional child protection guidance for schools operating boarding facilities. The findings of this working group will later inform the work of a broader consultative group with representation from a range of education partners. It is planned that, during 2023, this consultative group will agree on additional child protection guidance that will inform how schools with boarding facilities can best meet the requirements of the *Children First Act 2015*.

During this initial development phase, the technical working group has worked closely with Tusla to ensure that the draft guidelines can support the management of boarding facilities in relation to child protection. Arising from discussions with Tusla, the working group felt that it would be a support to schools with boarding facilities to communicate some initial advice from Tusla to all schools operating boarding facilities. This advice relates to key elements of the Child Safeguarding Statement and Risk Assessment. In communicating this advice now, we can collectively ensure that all recognised schools with boarding facilities are more informed with regard to some of the more bespoke responsibilities that they have in relation to child protection.

The advice presented below refers to three elements of the Child Safeguarding Statement:

1. The need to state explicitly, at the beginning of the Child Safeguarding Statement, that the school operates a boarding facility
2. A requirement that the relevant person be named explicitly on the Child Safeguarding Statement
3. That the management of the boarding facility maintain a list of all mandated persons working in the boarding facility

1. Explicit reference to boarding as part of Child Safeguarding Statement

Tusla has advised that schools with boarding facilities should explicitly mention their boarding context as part of the introductory section to their Child Safeguarding Statement. Overleaf, you will see a screenshot of Mandatory Template 1: Child Safeguarding Statement and Risk Assessment, available on the gov.ie website.

Mandatory Template 1: Child Safeguarding Statement and Risk Assessment **Template**

Child Safeguarding Statement

[Insert school name] is a primary/special/post-primary school providing primary/post-primary education to pupils from Junior Infants to Sixth Class/First Year to Leaving Certificate Year (delete as appropriate).

2. Naming of relevant person in Child Safeguarding Statement

The *Children First Act 2015* defines the relevant person as ‘a person who is appointed by a provider of a relevant service to be the first point of contact in respect of the provider’s Child Safeguarding Statement’.

Currently, Mandatory Template 1 states that the relevant person is the DLP. While this is likely to always be the case in any given school, Tusla has advised that the relevant person be named directly, rather than the current indirect approach (see below) where it states that the DLP is the relevant person.

Mandatory Template 1 includes the following ...

- 2 The Designated Liaison Person (DLP) is _____
- In this school the Board has appointed the abovenamed DLP as the “relevant person” (as defined in the Children First Act 2015) to be the first point of contact in respect of the schools child safeguarding statement.

3. Maintaining a list of mandated persons

Currently, Mandatory Template 1 states the following:

- All registered teachers employed by the school are mandated persons under the Children First Act 2015.

Tusla’s advice is that, in a boarding facility, it is likely that there will be mandated persons working with children who are not teachers. Such mandated persons could include, for example, social care workers, registered nurses, members of the clergy or other persons listed [here](#). Tusla’s advice is that a list of mandated persons be maintained in all boarding facilities and that this list be referred to in the Child Safeguarding Statement.

The Department intends to review and update our child protection templates and guidance notes after the additional guidance for schools operating boarding facilities is finalised and published. In the interim we ask you to take account of the aforementioned advice.

We look forward to working with you as we continue to develop child protection guidance for schools operating boarding facilities.

Yours sincerely,

Judith Lyons

Principal Officer, Parents and Learners Unit

The Department of Education