

Ryan Report Implementation Plan
Fourth Progress Report
December 2014

Prepared by the Ryan Report
Monitoring Group

Part 1 – Background and overall summary of progress

1.1 Background

The Report of the Commission to Inquire into Child Abuse (the Ryan Report) was published in May 2009. It detailed disturbing and significant levels of historic abuse of children, who were placed by the Irish State in residential institutions run by religious orders. The Report precipitated a review of the current organisation and delivery of child welfare and protection services nationally.

Following the publication of the Report a detailed Implementation Plan was prepared and published in July 2009. The Government committed to the full implementation of this Plan. The Implementation Plan sets out a series of 99 actions designed to: address the effects of past abuse; reform service provision, and, ensure that children and young people have a stronger voice. Some of the 99 actions have a specific target date for completion, while other actions are noted as ‘ongoing’.

The overall aim of the Plan is to make a difference to children’s lives by addressing past failings and putting measures in place to achieve better outcomes in the delivery of services to children and families.

1.1.1 Ryan Monitoring Group

Implementation of the Plan has been overseen by a High Level Group chaired by the Minister for Children and Youth Affairs. The Group includes representatives from the Department of Children and Youth Affairs, the HSE (now Child and Family Agency), Health Information and Quality Authority (HIQA), the Irish Youth Justice Service (IYJS), the Department of Education and Skills and An Garda Síochána. In May 2011, the Minister for Children and Youth Affairs, Frances Fitzgerald T.D., invited the Children’s Rights Alliance to join the Group in order to ensure the inclusion of the voices of children and civic society (see *Appendix 1* for a list of current and previous members of the Monitoring Group).

Three progress reports have been prepared, presented to Government and subsequently laid before both Houses of the Oireachtas. This is the fourth and final report compiled by the Monitoring Group with the approval of the Minister for Children and Youth Affairs. Previous reports can be viewed at www.dcy.gov.ie

1.1.2 New Department of Children and Youth Affairs, establishment of Child and Family Agency and other reforms

Since the publication of the Report of the Commission to Inquire into Child Abuse and the subsequent implementation plan were published, a major reform programme has been ongoing in relation to child welfare and protection services. Significant improvements in the organisation and delivery of these services have

occurred and as a result many of the actions which were set out in the 2009 Ryan Implementation plan have been achieved and in some cases surpassed.

The first major development in the reform programme was the establishment of the Department of Children and Youth Affairs (DCYA) on 2nd June 2011 following a Government decision to consolidate a range of functions that were previously the responsibilities of the Ministers for Health, for Education and Skills, for Justice and Law Reform, and for Community, Rural and Gaeltacht Affairs. The establishment of a dedicated Government Department for children and young people is in itself a manifestation of the priority attached by Government to improving the effectiveness of supports and services for this population group.

A further milestone in the reform programme was achieved with the establishment of the Child and Family Agency in January 2014. The Programme for Government commitment to establish the Agency reflected significant concern over recent years regarding the protection of children and the response of relevant services, and a determination to align key services into a single, comprehensive, integrated and accountable service delivery system.

Ms Norah Gibbons, who was a member of the Commission to Inquire into Child Abuse, has been appointed as the first Chairperson of the Board of the Agency. Ms Gibbons is also a former Director of Advocacy at Barnardos. She chaired the Roscommon Child Abuse Inquiry and co-chaired the Independent Child Death Review Group. The Board of the Agency is comprised of similarly highly qualified individuals with a range of skills, both in the areas of child protection, family support and educational welfare, and also in the areas of public sector reform, corporate governance, financial management, communications and change management, which are critical areas of expertise necessary to steer such a large organisation.

The creation of the Agency was a very significant organisational undertaking which required considerable planning to ensure the Agency had the operational and accountability arrangements in place to properly discharge its onerous responsibilities from day one of its establishment. The scale of change involved in establishing the Agency required a carefully planned approach. Particular care was required in respect of the disaggregation of functions from the HSE to ensure that there were no unintended consequences (for either the Agency or the services remaining within the HSE) in the separation of such functions, either in legal terms, or in terms of the practical operation of day-to-day services for children and their families or other HSE clients. Significant work was also undertaken to develop the appropriate financial procedures and accounting arrangements that are required of a major public body such as the Child and Family Agency in discharging its financial accountability.

While the preparations for establishment were ongoing a 'change management programme', developed by the incoming senior management team of the Agency, was commenced. This programme identified over 100 individual reform projects, which aimed to introduce operational improvements to the services for which the Agency was to assume responsibility. This programme sought to ensure greater

service delivery consistency, role clarity and performance management; stronger partnerships with communities and voluntary agencies and commitment to learning and openness, including through the review and public reporting of serious incidents. Some of the specific initiatives included in this change management programme are:

- Reorganisation of residential care centres into a national service under a single national manager;
- Ongoing measures to specify child welfare and protection referral pathways and ensure consistency in the management of referrals;
- Review of caseloads;
- Reforming the interface with the courts system;
- Ongoing support for implementation of *Children First: National Guidance for the Protection and Welfare of Children [2011]*;
- Reform of data management including additional performance information and the introduction of a National Child Care Information System; and
- New internal structures and processes to improve quality assurance.

The clear intent behind the creation of the Agency was to drive a shift from crisis management to prevention and early intervention aimed at improving outcomes for children and their families. Among the key functions of the Agency, as set out in the Child and Family Agency Act, 2013 are: -

- To support and promote the development, welfare and protection of children, including the provision of care and protection for children in circumstances where their parents have not been able to, or are unlikely to, provide the care that a child needs;
- To support and encourage the effective functioning of families, to include the provision of preventative family support services aimed at promoting the welfare of children; care and protection for victims of domestic, sexual or gender based violence, whether in the context of the family or otherwise; and services relating to the psychological welfare of children and their families;
- To ensure that every child in the State attends school or otherwise receives an education and provide educational welfare services to support and monitor children's attendance, participation and retention in education;
- To have regard to the best interests of the child in all matters and in performing its functions in respect of an individual child under the Child Care Act, 1991 or the Adoption Act, 2010, to regard the best interests of the child as the paramount consideration;
- To facilitate and promote enhanced inter agency co-operation to ensure that services for children are co-ordinated and provide an integrated response to the needs of children and their families;

A key feature of the Child and Family Agency Act, 2013 is the provisions which ensure that the Agency operates within a strong framework of public accountability. The Minister for Children and Youth Affairs has the statutory responsibility to set out a performance framework for the Agency, which provides the policy guidance and direction for formulating the Agency's operational activities for the coming three years. In response, the Agency is required to produce a Corporate Plan within three months of receiving the Performance Framework. The governance framework as set out in the Act seeks to strengthen the governance of services through greater focus on the management of performance and improved organisational accountability for outcomes and public expenditure.

The bringing together of almost 3,800 staff from three organisations, the HSE, the Family Support Agency and the National Educational Welfare Board, into the Child and Family Agency with a budget allocation of over €600m represents one of the most ambitious and far reaching public sector reforms undertaken by the Government.

1.1.3 Other relevant developments

The establishment of the Child and Family Agency complements a number of other measures which have been taken by the Government including:

Children's referendum

In accordance with a commitment given in the Programme for Government, a proposal to amend the Irish Constitution to ensure that children's rights are strengthened was put to the people in a referendum in November 2012. While the proposal was approved by a majority of voters in the referendum, it has not yet been enshrined in the Constitution due to ongoing legal challenges.

Better Outcomes, Brighter Futures

Better Outcomes: Brighter Futures, the National Policy Framework for Children and Young People 2014-2020 was accepted by Government, published and launched in April 2014. It is Ireland's first overarching children and young people's policy framework which spans the age ranges from birth to 24 years.

The National Policy Framework aligns Government commitments to children and young people with five national outcomes for children and young people. One of the five national outcomes is that children and young people will be "safe and protected from harm". It also identifies six Transformational Goals or areas that require strengthening to achieve these national outcomes for children and young people.

The Framework commits to measure progress across the outcomes, with an initial selection of indicators from which to benchmark progress on key policy areas. Under the National Policy Framework a new cross government structure has been established, called The Children and Young People's Policy

Consortium. The Consortium, supported by a range of other advisory fora, aims to support and guide the implementation and monitoring of the Framework.

It is intended that the National Policy Framework will provide a fresh impetus and a whole-of-government approach to current and emerging issues, including childhood obesity, healthy lifestyles, the impact of media and new technologies, the sexualisation of children and promoting pro-social behaviour.

Children First & related suite of child protection legislation

Revised and updated *Children First: National Guidance for the Protection and Welfare of Children* was published in 2011, and in April 2014, the Government approved the publication of a Bill, which proposes to place elements of Children First on a statutory footing. The Children First Bill will form part of a suite of legislation alongside the Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012, and the National Vetting Bureau (Children and Vulnerable Persons) legislation which is awaiting commencement. *Children First* continues to be implemented by Government Departments and sectoral implementation plans have been published on the website of each relevant Government Department.

1.2 Ryan Implementation Plan

The Report of the Commission to Inquire into Child Abuse contained a series of 20 recommendations. A comprehensive set of 99 actions was set out in the Implementation Plan to address the recommendations of the Commission. These actions can be grouped thematically into six categories as follows:

1. Addressing the effects of past abuse;
2. Developing and strengthening national child care policy and evaluating its implementation;
3. Strengthening the regulation and inspection function;
4. Improving the management of children's services;
5. Giving greater effect to the voice of the child;
6. Revising *Children First: National Guidelines for the Protection and Welfare of Children [1999]* and underpinning the guidance by way of legislation.

A detailed progress report describing the present position in respect of each action point is included in Part 2 of this report.

While overall progress in relation to the actions in the Ryan Implementation Plan is good, and the significant progress in relation to child welfare and protection generally over the lifetime of the Implementation Plan is acknowledged by the

Monitoring Group, the Group is concerned to note that 5 of the 99 actions are not yet complete. The Group is mindful of the fact that a Government decision committed to full implementation of all 99 of the actions in the Implementation Plan, and urges continued action and energy to bring these remaining actions to completion. Details of the steps which should now be taken in this respect are set out below.

Action 1: This action relates to the construction of a memorial to the survivors of institutional abuse as recommended in the Ryan Report. Following its appointment in October 2009, the Memorial Committee consulted widely during 2010 both by meeting with survivor groups and holding a public consultation process. In conjunction with the OPW, it launched a two stage international competition in 2011 resulting in the competition winner, the *Journey of Light*, being announced in July 2012. The OPW sought and received planning permission, subject to conditions, from Dublin City Council for the proposed memorial which was to be integrated with the Garden of Remembrance. However, An Bord Pleanála upheld a third party appeal and refused planning permission for the proposed memorial as it felt it would have an adverse impact on the setting, character and function of the Garden of Remembrance. Having confirmed that the proposal was not transferable to another site, the Memorial Committee recommended that any new competition should be open to conceptual and site specific proposals and that a central Dublin location be identified on a cost neutral basis with appropriate zoning. The Department of Education and Skills is consulting with the OPW and Dublin City Council in relation to the identification of a suitable central Dublin location and on how best to progress the project.

The following three actions were to be undertaken by the HSE [now Child and Family Agency]:

Action 65: a longitudinal study over ten years was to be undertaken which would follow young people who leave care, in order to map their transition into adulthood;

Action 75: a professionally managed national archive was to be developed as a central repository for the records for all children in care;

Action 76: records created in non-statutory agencies should be secured in the national archive;

The Child and Family Agency has advised the Monitoring Group that due to resource constraints it was not possible to implement these recommendations. In response, Minister Reilly, as chair of the Monitoring Group, has requested the Child and Family Agency to cost these proposals and submit a business case to the Department of Public Expenditure regarding the possibility of securing additional resources to progress these actions.

Action 96: The Courts Service was to conduct best practice research into other jurisdictions regarding the management of children and family services in the Court. The Monitoring Group has been advised that this action has not been implemented due to resource constraints. Minister Reilly, as chair of the Monitoring Group, has

requested that the Head of the Courts Service cost this proposal and submit a business case to the Department of Public Expenditure regarding the possibility of securing additional resources to progress this action.

1.3 Financial allocation and oversight

The process of implementation is being supported by the provision of additional funding of €24m from the Exchequer.

An amount of €15m was provided in 2010 with a further €9m provided in 2011, giving a total figure of annual on-going funding of €24m. This funding was allocated as follows:

| | €m |
|--------------|--------|
| • HSE | €23.27 |
| • HIQA | €0.63 |
| • OMCYA/DCYA | €0.10 |

The Department of Children and Youth Affairs will continue to monitor the delivery of actions contained in the implementation plan in the context of both the ongoing monitoring of the Child and Family Agency's Business Plan and Performance Statement, and the implementation of commitments, in Better Outcomes, Brighter Futures. Work is underway in the Department to prepare a monitoring framework for all significant child care reports which is intended to be put in place following the completion of the formal monitoring process for the Ryan Commission Implementation Plan.

1.4 Summary of progress

Key actions and improvements effected to date under the six categories of the Implementation Plan since the third progress report are set out below.

1. *Addressing the effects of past abuse:*

- In November 2013, An Bord Pleanála refused planning permission in relation to the memorial for victims of institutional abuse in its current form. Consultations are underway with the OPW regarding the identification of a suitable central Dublin location (action 1).
- Updated Child Protection procedures for primary and post primary schools, consistent with the 2011 Children First Guidance, were published by the Department of Education and Skills in September 2011. Compliance with these procedures is monitored by the Department's Inspectorate in the course of whole-school evaluations (action 4).
- The regulations for both the registration of designated centres and the care and support of children and adults with disabilities were finalised

during 2013 and commenced on 1 November 2013. Monitoring and registration inspections by HIQA took place in 2014 (action 6).

- Additional funding of €2m has been provided to the National Counselling Service (NCS) (action 7).
- The Education Finance Board (EFB) awarded over 10,000 grants from monies available until November 2011, at which stage its funds were fully allocated. The EFB was dissolved with effect from 29th March 2013 when its remaining functions were taken over by the new Residential Institutions Statutory Fund Board (which uses the service name Caranua). Education is one of the service areas which Caranua may support. (action 10).
- The Assessment, Consultation and Therapy Service (ACTS) is a national specialised clinical service which has been developed in order to provide multi-disciplinary consultation, assessment and focussed interventions to young people who have high risk behaviours associated with complex clinical needs. Currently ACTS is led by a management team consisting of the national manager and two heads of discipline. There are now 21 clinicians in post, providing teams in Dublin Cork and Limerick (action 12).
- Under 18's who present for addiction treatment are offered a range of interventions including Initial and Comprehensive Assessment, Minnesota Programme, Brief Intervention, Individual Counselling, self-help and peer-support . The delivery of these services is based on the Four Tier Model of treatment intervention and services are designed to respond to the individual's specific identified needs (action 16).
- The Department of Education and Skills continues to fund Barnardos to provide its Origins Family Tracing Service for former residents (action 17).
- The Department of Education and Skills is continuing to provide personal records to former residents of Industrial and Reformatory schools (action 19).

2. *Developing and strengthening national child care policy and evaluating its implementation:*

- The Department of Children and Youth Affairs has in place a senior specialist with experience in the area of child welfare and protection services (action 20);
- Better Outcomes: Brighter Futures, the National Policy Framework for Children and Young People 2014-2020 (the National Policy Framework) was accepted by Government, published and launched in April 2014. It is Ireland's first overarching children's policy framework which comprehends the age ranges spanning children and young people (0 – 24 years). It is based on a clear vision of what we want for children and young people in Ireland. The Department of Children and Youth Affairs has also published its Statement of Strategy as required under the Public Service Management Act 1997 (action 22);

- Research has been commissioned to assess the progress made in implementing the findings of previous reports / inquiries into child welfare and protection cases. The report *'An examination of recommendations from inquiries into events in families and their interactions with State services, and their impact on policy and practice,'* has been published. A further research paper, *'An analysis and synthesis of key messages arising from peer-reviewed literature and published national reports on children in need of protection and those in the care of the state'* is nearing completion (actions 23 & 24).
- A revised set of performance indicators was agreed by the Department of Children and Youth Affairs and the HSE and was set out in the HSE National Service Plans for 2011 and 2012. This process continues to evolve and will be the subject of further bilateral discussions in the context of performance reporting under the new governance arrangements of the Child and Family Agency Act, 2013 (action 25);
- Development and configuration of the National Child Care Information System to meet the precise needs and requirements of Child and Family Agency is continuing. The system is currently being piloted in the Mid-West (commenced June 2014). Subject to a review of the pilot site, the plan is to commence the national roll-out of the system in 2015 (action 26).

3. *Strengthening the regulation and inspection function:*

- As of July 2014, 94% of children in care had an allocated social worker and 91% had a written care plan (action 33).
- The National Review Panel established by the HSE has to date completed and published 12 reviews and has completed an overview of a further 5 local reviews. A further 8 reviews are currently close to completion, with another 40 at various stages of progress. While there have been no deaths in the children detention schools, a process is in place for reviewing serious incidents, including deaths of children. This process is also being incorporated into the Notifiable Incident Policy, which is currently in place in the children detention schools (actions 36 and 37).
- All children's residential services are currently inspected against National Standards for Children's Residential Centres. HIQA currently inspects HSE run children centres and both HSE and privately provided foster care services. The HSE inspects privately run children's residential services (action 39).
- HIQA launched National Standards for the Protection and Welfare of Children for the HSE Children and Family Services in July 2012. The inspection of the HSE Child and Family Service (now Child and Family Agency) began in late 2012 and an ongoing program of inspections is underway (action 42).

- Vetting of staff is undertaken through the Garda Central Vetting Unit and is kept under review by the HSE. The National Vetting Bureau (Children and Vulnerable Persons) Act, 2012 is awaiting commencement (action 47).
- A joint protocol between the Child and Family Agency and IYJS has been agreed and implemented. This protocol promotes coordinated, collaborative practices between Agency social workers and the children detention schools and provides guidance on joint working with children and young people who are in detention and who have been identified by Agency social work assessment as having on-going welfare needs (action 63).

4. *Improving the organisation and delivery of children's services:*

- In January 2011, a National Director was given full responsibility for all aspects of Children and Family Services. This position, now Chief Executive Officer of the Child and Family Agency, provided the critical transition to the Agency, which was established by Government in January 2014. Appointments have been made to Posts of Chief Operations Officer, Head of Corporate Services, Head of Policy and Strategy, Head of Finance, Head of Quality Assurance and Head of ICT, Estates & Procurement in the new Agency. Under the direction of the four Regional Directors, seventeen Integrated Service Area Children and Family Service managers have been appointed to line manage services at the local level. Further consolidation and standardisation of local management structures is underway (action 45).
- An ongoing process of planning for the development of services for children in care is underway through the annual Business Planning cycles over the period. Strengthened governance and business planning processes have been established under the Child and Family Agency Act, 2013. A review and subsequent rationalisation of the commissioning of community, voluntary and private sector services has been completed. A national foster care campaign was completed in 2013. The HSE (now Child and Family Agency) commissioned external consultants to undertake a review of the capacity for alternative care which is now complete (action 48).
- A new panel of professionally qualified social workers was established in June 2013 to allow for the filling of vacancies in social work teams. At end August 2014, there were 1,387.89 whole-time equivalent social workers in the Agency representing over 40% of the total workforce. A further 148 posts are currently on offer to the candidates or under active recruitment. All 270 additional social work posts, which were provided for under the Implementation Plan have now been filled. These additional staff will assist the Child and Family Agency in meeting its

statutory obligations so that every child in care has an allocated social worker and a care plan (action 58).

- The practice of placing separated children seeking asylum in hostels has ceased. These children are now placed more appropriately in residential and foster care (action 31).
- A national aftercare policy has been developed by the Agency and is being implemented. The Agency continues to be committed to compliance with Section 45 of the Child Care Act which places a duty on it to provide services to young people leaving care where such needs have been identified. Proposed amendments to the Act will copper fasten policy and practice in this area (actions 64, 67 & 68). The Leaving and Aftercare Service is an integral part of the continuum of care process (action 69).
- The Care Planning Process has been reviewed. A standardised care plan is being implemented nationally which reflects the updated plans for contact with family members (action 71).
- The Child and Family Agency standard business process ensures standardisation of children in care records. A revised Missing in Care joint Agency and An Garda Síochána protocol has been implemented nationally which includes standardised report forms and processes (action 74).

5. *Giving greater effect to the voice of the child:*

- Discussions have taken place between the Department of Children and Youth Affairs and the Department of Justice and Equality on the matter of guardian *ad litem* arrangements in child care proceedings and in private family law proceedings. Subsequent to that process, discussions are ongoing between the Department of Children and Youth Affairs and the Child and Family Agency regarding issues to be addressed in preparing proposals for the reform of guardian *ad litem* arrangements in child care proceedings. The objective of the ongoing discussions is to inform the preparation of proposals for legislative reform in that area for consideration by the Government. Separately, in the context of progressing the drafting of legislation on foot of publication by the Minister for Justice and Equality of the General Scheme of a Children and Family Relationships Bill, engagement is ongoing between the Department of Justice and Equality and the Department of Children and Youth Affairs around proposed legal provisions to promote the views of the child in private family law proceedings. The Children and Family Relationships Bill proposes the establishment of a new category of expert - a child's view expert - to ascertain the views of the child in private family law proceedings (action 80).

- A working group has devised a leaving care exit interview procedure for young people turning 18 years of age who are due to leave statutory care and have a minimum of 3 months care experience (action 81).
- Consultations with children and young people in the care of the State commenced in January 2010 and concluded in December 2010. The resulting report '*Listen to Our Voices: Hearing Children and Young People living in the Care of the State*' was published in July 2011 and is available on the DCYA website (action 83).
- The Minister for Children and Youth Affairs invited children who took part in the consultations to sit on a Voice of Children in Care Implementation Group to work on the implementation of recommendations from '*Listen to Our Voices*' relevant to ensuring that their voices are more effectively heard. This Group of children, facilitated by the DCYA, developed a suite of resources, including a storybook and guides for children going into care. These resources were published during 2014 by the Child and Family Agency (CFA) and launched by the Minister for Children and Youth Affairs and the children in the Group, as part of a suite of resources to ensure that children in care have a stronger voice in decisions made about their own care. These resources will be given by the Agency to every child and young person going into care (Action 83).
- The Department of Children and Youth Affairs is committed to consulting with children and young people on an on-going basis in relation to the work of the Department, as evidenced by the consultation exercise involving 67,000 children and young people in relation to the development of Better Outcomes: Brighter Futures, the National Policy Framework for Children and Young People 2014-2020 (actions 83 and 22).
- HIQA has continued to consult with children as part of inspections and during the development of standards. It plans to establish a forum for ongoing consultation with children.

6. *Revising Children First: National Guidelines for the Protection and Welfare of Children [1999] and underpinning the guidance by way of legislation:*

- Children First National Guidelines (1999) were revised and updated by the publication of *Children First: National Guidance for the Protection and Welfare of Children* in 2011.
- The Children First Bill, 2014, published in April 2014, will place elements of the Children First Guidance on a statutory footing.
- It is the intention of the Department of Children and Youth Affairs to revise the Guidance to coincide with the commencement of the legislation to ensure that the material within it is consistent with the

Children First legislation, and that it contains additional advice and information to assist mandated persons and organisations to fulfil their statutory obligations (actions 85 and 86).

- The Children First Bill will form part of a suite of legislation which includes the Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act, 2012 and the National Vetting Bureau (Children and Vulnerable Persons) Act, 2012.
- A Children First Implementation Inter-Departmental Group (CFIDG) has been established, chaired by the DCYA, to address implementation issues across all relevant sectors. In July 2013 the Government approved the publication of Departmental Children First Sectoral Implementation Plans which are available on the website of each relevant Government Department. The Plans set out the mechanisms in place, or to be put in place, to support the continued implementation of Children First Guidance at sectoral level. These plans were for a period of one year, and are currently being reviewed. The next phase of the Interdepartmental Group's work will focus on quality assurance mechanisms in relation to implementation and compliance, and the necessary preparations required for the forthcoming legislation putting elements of Children First on a statutory basis (action 89).
- Under the Children First Bill, 2014, it is proposed to place the Children First Interdepartmental Group on a statutory footing, and that its membership will comprise representatives from all Government Departments.

1.5 Overview of Key Reforms outside of Ryan Commitments

This is the fourth and final report of the Ryan Implementation Plan Monitoring Group. The original Plan represented an ambitious programme of service reform to be carried out over a four year period. While many of the actions have been fully implemented, the programme as a whole must be viewed in the context of the broader reform agenda. Central to this was the establishment in 2011 of a dedicated Department of Children and Youth Affairs with a mandate to put in place a unified framework of policy, legislation and provision across Government in respect of children and young people.

Work is ongoing across Government to implement commitments contained in the Programme for Government in relation to children and family services. In addition, the key initiatives have taken place in the area of children and family services across relevant sectors over the lifetime of the plan, which are outlined below.

Child and Family Agency

The Child and Family Agency was established on 1 January, 2014 which involved the bringing together of almost 3,800 staff from three organisations (HSE, Family

Support Agency and the National Educational Welfare Board). The Agency has assumed responsibility for a range of services, including:

- Child Welfare and Protection Services, including family support services currently delivered by the HSE's Children and Family Services;
- Existing Family Support Agency responsibilities;
- Existing National Educational Welfare Board responsibilities;
- Pre-school Inspection services;
- Domestic, sexual and gender-based violence services;
- Community-based services related to the psychological welfare of children and families.

The range of responsibilities under the remit of the Agency will contribute to achievement of the overall vision for the Agency which is seeking to bring about greater integration of services for children and families and a more consistent focus on early intervention and community engagement. The establishment of the new Agency with a budget of over €600m represents one of the most ambitious and far reaching public sector reforms undertaken by the Government.

The successful completion of the recommendations relating to the Agency has resulted in significant service and organisational improvements including:

- Over 200 additional social workers during the span of the Implementation Plan;
- Reformation of the management structure;
- More equitable distribution of resources;
- Consistent implementation of Children First;
- Expanded counselling services;
- Specialist clinical services for children in special care and detention;
- The mainstreaming of care placements for separated children seeking asylum;
- Improved care planning for children in care;
- A national emergency out of hours placement service;
- Improved aftercare services;
- Improved supervision and staff retention strategies.

Justice Sector

- Ended the practice of detaining of 16 year old males in St. Patrick's Institution in May 2012 where all 16 year olds remanded or sentenced by the courts now go to the Children Detention Schools on the Oberstown Campus.
- In April 2012 capital funding was secured to undertake work on the National Children Detention Facility project at Oberstown. The project will deliver sufficient new detention facilities to extend the child care model to detention of all under 18 year olds ordered to be detained by the courts and fulfil the government commitment to cease the practice of sending children to St. Patrick's Institution.
- New policies on Safeguarding, Child Protection; Staff Vetting; etc have been developed which has helped to integrate existing structures and improve the outcomes for children being detained in the Children Detention Schools.

Education sector

- Continuing professional development for teachers, training for Boards of Management and information sessions for parents is also provided in respect of the Stay Safe programme.
- In recognition of the role of Boards of Management, as set out in the Education Act 1998, the Department has developed a scheme to provide support to school management bodies. The training provided to Boards of Management includes training on the child protection procedures.
- Arising from the publication of the Ryan Report in 2009 the Department updated its *Procedures for responding to Child Protection Concerns brought to the attention of staff employed by the Department of Education and Skills (SGO 01/10)*. Training on the procedures has been provided to the Department's staff. In terms of oversight of these procedures, the Department's Management Advisory Committee is provided with a bimonthly report on issues arising from the implementation of the Department's procedures as well as an update on the number of child protection concerns reported to the Department.
- In relation to Garda vetting, vetting arrangements for recognised primary and post primary schools were introduced in September 2006 and provided for the vetting of newly appointed teachers via the registration process with the Teaching Council. The procedures introduced also apply to prospective employees for posts that involve working with children such as Special Needs Assistants (SNAs), bus drivers, bus escorts to children with special needs, caretakers and other ancillary staff in schools.

- In 2010, the Department has issued a new circular (0063/2010) which updated the Garda vetting requirements for all primary and post-primary schools. The requirements of this circular have been in place from 1 January 2011.
- The Department continues to engage with the Department of Justice and Equality in relation to the statutory arrangements for Garda vetting which will arise from the commencement of the National Vetting Bureau (Children and Vulnerable Persons) Act 2012.
- Registration of all teachers under Teaching Council Act commenced January 2014. It is anticipated fitness to practice elements of that Act will be commenced shortly.

Residential Institutions Statutory Fund

- Following the publication of the Ryan Report, all parties in Dáil Éireann supported the proposal for a Trust to be set up and managed by the State for the support of victims and for other education and welfare purposes.
- The Residential Institutions Statutory Fund (RISF) Act 2012, which was enacted in July 2012, provided for the establishment of the RISF to oversee the use of the cash contributions of up to €110 million pledged by the religious congregations to support the needs of survivors of institutional child abuse. Supports across a range of services, including mental health services, health and personal social services, education and housing services will be available.
- Some 15,000 former residents who have received awards from the Residential Institutions Redress Board of similar Court award/settlements will be eligible to apply for assistance from the Residential Institutions Statutory Fund.
- The Residential Institutions Statutory Fund was established in March 2013 and it began to receive applications from early January 2014.

HIQA

- HIQA has undertaken a programme of inspection against the Child Care Act 1991, The Child Care Act (as amended) 2011 and the Health Care Act 2007.
- Detention schools, high support units and special care units are inspected on an annual basis. The frequency of inspections of children's residential units has been increased to a bi annual basis.
- HIQA has developed and launched two new sets of standards – The National Standards for the Protection and Welfare of Children and The National Standards for Residential Services for Children and Adults with Disabilities
- HIQA continues to inspect foster care services and has launched a three year programme to inspect child protection and welfare services.
- The regulation of centres for children with disabilities has commenced and both monitoring and registration inspection have taken place.

1.6 Conclusions and next steps

The Implementation Plan set out a very necessary and challenging programme of actions for implementation by the various State bodies charged with responsibility for the provision and oversight of services to children.

While the Monitoring Group welcomes the significant positive developments that have taken place over the lifetime of the Implementation Plan, it is concerned that the impetus for continuing improvements and inter-departmental working in relation to child welfare and protection would continue. In particular, while individual actions are deemed 'completed' or were noted as 'ongoing', it is considered critical that improvements continue to be made and that standards in relation to child welfare and protection continue to develop and improve, in line with best practice and societal expectations.

The Group welcomes the publication of *Better Outcomes: Brighter Futures* [referred to in section 1.4 [2] above] and in particular welcomes the extent to which issues raised initially in the Ryan Implementation Plan are now mainstreamed into that cross Departmental and cross sectoral initiative. The monitoring mechanism for that initiative will allow for ongoing progress in relation to issues initially raised under Ryan.

In relation to the Child and Family Agency, the Monitoring Group welcomes the establishment of a dedicated Agency with a core function of child welfare and protection. It is expected that the spirit of actions set out in the Ryan Implementation Plan will continue to be reflected in the ethos of the Agency. In particular, it is expected that the engagement between the Agency and the Department of Children and Youth Affairs in relation to performance monitoring, will

provide an effective forum for on-going pursuit of best practice and good outcomes for children, in the sphere of child welfare and protection.

Following the completion of this targeted monitoring process, the Minister for Children and Youth Affairs is examining the broader issue of monitoring recommendations from the full range of relevant reports into child welfare and protection services. His Department is developing structures for meaningful on-going monitoring of progress on this Implementation Plan and other external reviews and reports in relation to child welfare and protection. In this regard the intention is to review current monitoring and reporting mechanisms, with a view to capturing all relevant recommendations, arranging them thematically, and streamlining progress reporting through existing information exchange engagements, with the dual purpose of providing effective and sustained implementation of recommendations across Departments and Agencies, and of reducing the reporting burden on Departments and the Child and Family Agency. In this context, regard will be had to research commissioned by the Department of Children and Youth Affairs and published in November 2013 entitled *An Examination of Recommendations from Inquiries into Events in Families and their Interactions with State services, and their impact on Policy and Practice* [Dr. Helen Buckley and Dr. Caroline O’Nolan].

In 2009, the people of Ireland were deeply saddened and angered by the publication of the Report of the Commission to Inquire into Child Abuse. It was clear that we had failed to listen to children and to protect them from abuse. It was not possible to undo that failure but the Ryan Report Implementation Plan aimed to ensure we learned lessons from our past. The Plan was designed to address the effects of past abuse, reform service provision and ensure that children and young people have a stronger voice. We believe that significant progress has been made over the past five years in implementing the 99 actions of the Implementation Plan. We believe the workings of the Monitoring Group has also helped to foster a culture of openness and cross departmental and agency working towards listening to children, acting to prevent abuse and supporting victims. We hope the vision and ethos of the Monitoring Group’s work will be carried on in other appropriate settings to ensure children in Ireland are safe from abuse, neglect and exploitation.

Part 2 – Progress to date on individual actions

The second part of this report contains an update on each of the ninety-nine actions contained in the Ryan Commission Implementation Plan.

Of the ninety-nine actions detailed in the Plan, a significant minority had a timeframe of 'ongoing'. These are, by their nature, not once off actions and while they may be deemed complete for the purpose of this report they will necessarily continue to be implemented on an ongoing basis. The remaining actions had a specific timescale.

An overview of the status of the actions in the Plan is as follows:

| | |
|-----------------------------------|----|
| Complete/Implementation On-going: | 94 |
| Not yet complete: | 5 |

The 5 actions not yet complete are addressed in detail in section 1.2 above.

Appendix

Membership of Ryan Monitoring Group

Current membership:

Dr James Reilly T.D., Minister for Children and Youth Affairs (Chair)

Vicky Blomfield, Head of Programme, Children's Services Regulation, HIQA

Elizabeth Canavan, Secretary General (Acting), Department of Children and Youth Affairs

Michele Clarke, Social Work and Child Care Specialist, Department of Children and Youth Affairs

Maria Corbett, Legal and Policy Director, Children's Rights Alliance

Mary Dunnion, Deputy Director of Regulation, HIQA

Paul Harrison, Head of Policy and Strategy, Child and Family Agency

Marie Kennedy, Principal Officer, Department of Children and Youth Affairs

Fred McBride, Chief Operations Officer, Child and Family Agency

Mary McGarry, Principal Officer, Department of Education & Skills

Chief Superintendent Anne Marie McMahon, Community Relations & Community Policing Division, Garda Headquarters

Tony O'Donovan, Child Welfare Advisor, Irish Youth Justice Service

Superintendent Colette Quinn, Director Diversion Programme, Garda Office for Children & Youth Affairs.

Michelle Shannon, National Director, Irish Youth Justice Service

Aidan Waterstone, National Specialist, Child and Family Agency

Secretariat:

Gill Barwise, Department of Children and Youth Affairs

Donal McCarthy, Department of Children and Youth Affairs

Previous Membership:

Barry Andrews, TD – Minister for Children and Youth Affairs
Frances Fitzgerald, T.D., Minister for Children and Youth Affairs
Charlie Flanagan, T.D. Minister for Children and Youth Affairs
Pat Bergin, Inspector Manager, HIQA
Jim Breslin, Secretary General, Department of Children and Youth Affairs (DCYA)
Niall Byrne, Deputy Director of Operations, HIQA
Liam Cullen, Special Advisor to Minister Andrews
Mary Doyle, Director General, DCYA
Phil Garland, HSE
John Harnett, Garda Siochana
Gordon Jeyes, National Director, Children and Family Services, HSE
John Kelly, Dept E&S
Sylva Langford, OMCYA
Denis O’Sullivan, Principal Officer, DCYA
Siobhan Young, Head of Mental Health, Irish Youth Justice Service

Previous Secretariat

Paul Fay, DCYA
Jim O’Brien, DCYA
Marcella Luz, DCYA
Katherine Manning, OMCYA

Report of the Commission to Inquire into Child Abuse, 2009

Implementation Plan

4th Annual Report, December 2014
Part 2 – Action updates

PART 1 – ADDRESSING THE EFFECTS OF PAST ABUSE

1.1 Memorial

| No. | Action | Department, Agency Responsible | Time frame | Status | Current Position |
|-----|--|---|--|------------|---|
| 1 | Erecting a memorial. A dedicated budget of up to €0.5 million will be set aside for this project and a committee will be established with the following terms of reference: to consider the views of the survivor groups in relation to the location and nature of the memorial to be erected; to make recommendations on the location and nature of the memorial in a manner that best takes account of the views of the groups representing the survivors of abuse, and to consider arrangements for a national day of remembrance and solidarity; to oversee the commissioning and delivery by the OPW (through competition) of the design and building of the memorial. The Department of Education and Science will provide secretariat services to this committee. The project will be managed by OPW. | Department of Education and Skills, OPW | Committee to be established by Sept 2009 | Incomplete | The selection of the <i>Journey of Light</i> entry by Studio Negri and Hennessy & Associates as the memorial competition winner was announced in July 2012. Planning permission was granted by Dublin City Council to erect a memorial adjacent to the Garden of Remembrance in Parnell Square in Dublin. An appeal was lodged with An Bord Pleanála and an oral hearing was held in September 2013. In November 2013, An Bord Pleanála refused planning permission. The Committee has advised that the <i>Journey of Light</i> is not transferrable to another site and any new competition should be open to conceptual and site specific proposal. Consultations are underway with the OPW regarding the identification of a suitable central Dublin location. |

| 1.2 Lessons of the past should be learned | | | | | |
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| No. | Action | Department, Agency Responsible | Time frame | Status | Current Position |
| 2 | The Department of Education and Science will address the recommendation on an analysis of how these failings came about, with a view to ensuring that they are not repeated, through its senior management forum, business planning and risk register processes. | Department of Education and Skills | Ongoing | Complete | <p>This recommendation is being addressed on an ongoing basis.</p> <p>In 2010 Mr Justice Sean Ryan made a presentation to the Senior Management Forum on learning the lessons of the past following the publication of the Ryan Report.</p> <p>The Department has also introduced robust business planning and risk register processes to ensure internal and system wide child protection issues are being addressed in a comprehensive manner.</p> |
| 3 | Although the Ryan Commission did not make any recommendations regarding concerns about the possibility of a criminal record arising from detention in industrial schools, concerns were expressed to individuals. To address this issue, it has been decided that if any individual survivor has any outstanding concerns about a criminal record arising from the referral of children by the District Court pursuant to Section 58 of the Children Act 1908, he or she may write to the Minister for Justice, Equality and Law Reform attaching a copy of their Court record and/or other official documentation. As appropriate, a certificate will be issued to that individual clarifying the position. The Minister will keep under review the need for any additional measures to address concerns in this area. | Department. of Justice and Law Reform | Ongoing | Complete | <p>This action is dealt with through the Courts Service which has agreed to give requests priority. Seventeen requests have been received to date and certificates have been granted in all cases.</p> |
| 4 | | Department of | by | Complete | |

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| | Arising from the recent review by the OMCYA of its national child protection guidelines, Children First, the Department of Education and Science will update its own child protection guidelines issued to all schools and its internal guidelines for departmental staff employed. | Education and Skills | December 2010 | | Updated Child Protection Procedures for Primary and Post Primary schools, consistent with the 2011 Children First Guidance, were published by the Department in September 2011. Schools' compliance with these Procedures is monitored by the Department's Inspectorate in the course of whole-school evaluations. |
| 5 | The Department of Education and Science will also update its internal guidelines for departmental staff relating to child abuse complaints following the Children First review. | Department of Education and Skills | by July 2010 | Complete | Updated Guidelines were circulated to all staff in October, 2010 and training on the implementation of the updated guidelines has been provided. |
| 6 | | Department of | by Autumn | | |

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| | <p>The Minister for Health and Children will bring detailed proposals to Government in Autumn 2009 with regard to the protection of vulnerable adults with disabilities who are currently in institutional care.</p> | <p>Health and Children</p> | <p>2009</p> | <p>Complete</p> | <p>The Government is committed to ensuring that vulnerable people with disabilities in residential services are safeguarded and protected, and their quality of life is enhanced.</p> <p>The Health Information and Quality Authority (HIQA) has prepared National Standards for Residential Services for Children and Adults with disabilities which were formally launched on 14th May 2013. They outline what is expected of a provider of services and what a person with a disability, his or her family, and the public can expect to receive from residential care services.</p> <p>These standards have been brought into law and have been developed taking into account the lessons learned from the introduction of similar regulations for nursing homes. The new regulatory system commenced with effect from 1 November 2013</p> <p>From 1 November 2013, the Health Information and Quality Authority are responsible for the regulation of residential and residential respite services for children and adults with disabilities provided by the Health Service Executive (HSE), private organisations or voluntary bodies</p> <p>HIQA has recruited additional staff to join their inspection team with responsibility for the regulation of designated centres for people with disabilities.</p> <p>Both monitoring and registration inspections took place in 2014. Reports are published in the normal way.</p> |
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| 1.3 Counselling and Educational Services | | | | | |
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| No. | Action | Department, Agency Responsible | Time frame | Status | Current Position |
| 7 | To address the anticipated increase in demand for services resulting from the publicity surrounding the Commission's Report and the forthcoming Dublin Diocesan Report, additional therapy services will be purchased by the NCS from the non-statutory and private sectors for the next 18 months. | HSE | Ongoing | Complete | <p>The provision of services is being overseen by the National Counselling Service (NCS). An additional funding of €2m has been provided. Of this amount €1.8m is allocated to the National Counselling Service and €0.2m is allocated to voluntary organisations providing counselling services.</p> <p>Financial outlay €2m (once off)</p> |
| 8 | The NCS will be exempted from the public service moratorium on recruitment and replacement of staff within its overall complement. | Department of Health and Children | Ongoing | Complete | This action is complete. The National Counselling Service (NCS) has been formally exempted from the public service moratorium on recruitment and replacement of staff. |
| 9 | The Department of Education and Science's new education strategy for the provision of education in children detention schools will be formally approved. | Department of Education and Skills | by December 2009 | Complete | <p>The Education Strategy for the Children Detention Schools is in place. This strategy constitutes the Department's overarching strategy on educational services for children placed in children detention schools mentioned in the reform programme. There is ongoing engagement between the Department and relevant stakeholders on implementation and ongoing development of the Strategy.</p> <p>The Department's inspectorate developed a specialised model for inspections of schools at High Support Units, Special Care Units and Children Detention Centres. A programme of annual inspection of these schools was implemented from 2013.</p> |
| 10 | The Education Finance Board will continue to provide funding for education | Department of Education and | Ongoing | Complete | |

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| | purposes (€7.35 million available at the end of 2008). | Skills | | | The Education Finance Board (EFB) awarded over 10,000 grants from the money available until November 2011 when it publicised that its funds would be fully allocated on applications received and that it would not be in a position to process any applications received after November 2011. The EFB was dissolved with effect from 29 th March 2013 when its remaining functions were taken over by the new Residential Institutions Statutory Fund Board (which uses the service name Caranua). Education is one of the service areas which Caranua may support. |
| 11 | The Department of Education and Science will continue to provide for education services to children in the high support, special care and children detention facilities. | Department of Education and Skills | Ongoing | Complete – engagement ongoing | The Department continues to provide for the education of children in high support and Special Care facilities and in Children Detention facilities. |
| 12 | In consultation with the IYJS, the HSE will develop a national specialist multidisciplinary team for children in special care and detention. | Child & Family Agency and Irish Youth Justice Service Health Service | by July 2010 | Ongoing | The Assessment, Consultation and Therapy Service (ACTS) is a national specialised clinical service which has been developed in order to provide multi-disciplinary consultation, assessment and focussed interventions to young people who have high risk behaviours associated with complex clinical needs. |

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| | | Executive | | | <p>ACTS began operating as a service on the appointment of the national manager in September 2012.</p> <p>ACTS provides on-site therapeutic services to special care units, children detention schools and a community service to support children and young people when they transition out of secure settings. In addition ACTS have developed a consultation service for young people, families and professionals in the community in cases where levels of high risk present.</p> <p>ACTS team is fully resourced and providing the services as described above.</p> <p>103 children and young people were seen for assessment and/or intervention in the first quarter of 2014.</p> <p>The Adolescent Forensic Mental Health Service – 10 bedded facility – is to be built as an additional service to the rebuild of Dundrum service in Portrane. It is due to be ready in 2018.</p> <p>The Psychiatric service for adolescents has not been developed to date which will provide the necessary psychiatric support for young people in detention and special care. TUSLA are currently perusing this and hope to have a 'temporary' arrangement in place pending the full roll-out.</p> <p>Recurring funding of €2,153,500 is in place for ACTS.</p> |
| 13 | The HSE will ensure that children in care are supported in accessing mainstream and specialist health services as necessary. The HSE will work with the IYJS to ensure that children in detention are similarly supported. | Child and Family Agency and Irish Youth Justice Service | Ongoing | Complete – Further progress linked to Action 12 | <p>See Action 12.</p> <p>Provision of support to children in care to facilitate their access to mainstream and</p> |

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| | | | | | <p>specialist health services is the joint responsibility of the HSE and Children and Family Services. This provision should be underpinned via a memorandum of agreement. This action refers to primary care services, CAMHS services, children's hospitals etc.</p> <p>Children in care have medical cards and are registered with a GP. Care planning reviews health at care plan review meetings.</p> <p>The results of the screening are considered, along with other relevant available information on the young person, at the weekly clinical meetings.</p> <p>The regulatory care planning process serves to identify the needs of children in care. The HSE seeks to ensure on an individual case basis that mainstream and specialist services required to implement care plans are provided. In circumstances where services are not readily available arrangements are made where possible to procure these services.</p> |
| 14 | Depending on local need and population, the HSE will resource primary care teams with social workers, speech and language therapists, and psychologists. | HSE | by July 2010 | Ongoing | <p>Primary Care Teams</p> <p>The HSE 2014 Service Plan identified a need for 485 Primary Care Teams (PCTs) by the end of 2014 as the foundation structure for health service delivery in the Irish Health Care System. 419 Teams were operating at end of 2013. The 419 PCTs were providing services for almost 4 million of the population - holding clinical team meetings on individual client cases and involving GPs and HSE staff. Although a number of GPs withdrew from the formal PCT meetings in 2014 as a protest against FEMPI cuts, those GPs continue to engage with HSE staff on individual patient cases.</p> <p>The development of the Teams is a work in progress with enhancements occurring in terms of team membership and organisational delivery over time. Core Team staff currently amounts to 2,945 comprising nursing, therapy and support staff – this will increase to 3,000 approx. by end of 2014.</p> <p>Primary Care Resource Allocation 2013</p> |

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| | | | | | <p>The Government prioritised the recruitment of front line PCT posts in 2013. A Resource Allocation Model was agreed by the Universal Primary Care Group Project Team with a view to bringing the following disciplines of core Primary Care Team staff (Nursing, Physio, OT and SLT) towards the national average for each ISA. The national average was calculated using a combination of ratio of staff to 1,000 total population and ratio of staff to 1,000 of deprived population. As a result, the recruitment of 264.5 primary care team posts was prioritised to enhance the capacity of the primary care sector. 229.5 posts are now filled or start dates agreed (as of 6th September 2014).</p> <p>Primary Care – Role and Responsibilities</p> <p>The Director General of the HSE has assigned specific responsibility for linkages with the Child and Family Agency to Mr John Hennessy National Director Primary Care. Since the establishment of the Child and Family Agency emphasis continues to be placed on good inter-agency working with the development of a Joint Protocol and Memorandum of Understanding (MoU) between the two agencies.</p> <p>The MoU sets out a partnership approach to ensure that existing levels of services across both agencies are maintained. The Joint Protocol identifies the structure for local working arrangements between the HSE and the Child and Family Agency and each HSE area has been asked to implement these structures. These documents are subject to regular review by the Chief Executive of Tusla and the HSE's Lead National Director.</p> <p>In addition the HSE is represented at Children Services Committees (which are chaired by the Child and Family Agency). The emphasis of these committees is on inter-agency working to improve outcomes for children. The HSE also contributes to the national policy framework <i>Better Outcomes Brighter Futures</i> and is working with the Child and Family Agency on a number of policy initiatives under this framework.</p> |
| 15 | The HSE will review need and establish resourced multidisciplinary assessment services for children and young people at risk. | Child & Family Agency | By December 2010 | Linked to Action 12 | <p>See above – action 12</p> <p>Tusla have standardised guidance for social workers on risk thresholds and pathways to access specialist services.</p> |

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| 16 | Addiction services for children based on best practice will be established nationwide by the HSE and the Drugs Task Force. | HSE, Drugs Task Force | By June 2011 | Complete | <p>An analysis of addiction services for children nationwide based on best practice has been undertaken.</p> <p>Under 18's who present for addiction treatment are offered a range of interventions including Initial and Comprehensive Assessment, Minnesota Programme, Brief Intervention, Individual Counselling, self-help and peer-support . The delivery of these services is based on the Four Tier Model of treatment intervention and services are designed to respond to the individual's specific identified needs.</p> <p>Interagency working between the Child and Family Agency, the Youth Services, Drug Task Forces and other community, statutory and voluntary agencies form the basis of this delivery as the aim is to provide services where possible in a community environment. Counselling and rehabilitation services provide care to those presenting with an addiction through one to one counselling and onward referral to other statutory and voluntary groups where appropriate. The Child and Family Agency also provide funding to a number of voluntary service providers who treat drug and alcohol addictions.</p> |

1.4 Family Tracing Services

| No. | Action | Department, Agency Responsible | Time frame | Status | Current Position |
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| 17 | Funding will continue to be provided for family tracing services, as recommended in the Commission's Report. | Department of Education and Skills | Ongoing | Complete – engagement ongoing | The Origins Tracing Service, provided by Barnardos, continues to be funded. Barnardos processed 70 requests during 2013, bringing the total number processed to 1,293 at the end of 2013. During 2014, to end of September, a further 19 requests were processed. |
| 18 | The Department of Education and Science will review the current arrangements to ensure the most effective means for the provision of this service. | Department of Education and Skills | Ongoing | Complete | The Department monitors the service on an on-going basis with Barnardos. The service was consolidated in Dublin at the end of 2011 and has since been restructured in September 2013 to reflect the continuing decline in the demand for the service. |
| 19 | Personal records will continue to be provided to individuals on request, under the terms of the Freedom of Information Act. | Department of Education and Skills | Ongoing | Complete – engagement ongoing | Requests for personal records continue to be received by the Department of Education and Skills, which has processed 163 in 2013 bringing the total to 13,777 requests to the end of 2013. During 2014, to end of October, a further 87 requests were processed. |

PART 2 – NATIONAL CHILD CARE POLICY AND EVALUATION OF ITS IMPLEMENTATION

2.1 Child care policy

| No. | Action | Department, Agency Responsible | Time frame | Status | Current Position |
|-----|--|--|------------------|----------|--|
| 20 | In order to discharge the OMCYA's key role in overseeing the implementation of the Commission's Report, a suitably qualified specialist will be recruited (probably on a secondment basis) to provide access to senior professional expertise in the area of child welfare and protection. | Department of Children and Youth Affairs | by December 2010 | Complete | This action is complete. |
| 21 | All agencies that provide services to children and families should develop and implement an operational plan based on The Agenda for Children's Services. | All Agencies | by December 2010 | Complete | <p>Child and Family Agency - The HSE Corporate Plan for Children & Family Services reiterates the commitment of the Agenda for Children Services to supporting children and families and Service Level Agreements are examined to ensure compliance with this requirement. The Child and Family Agency has put in place a reform programme for the management of referrals and services through the Risk Threshold, Meithal programme and referral pathway as part of the Service Delivery Model</p> <p>IYJS - The operational plan has been rolled out to staff in the children detention schools as part of training in safeguarding provided on campus.</p> |

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| 22 | The OMCYA will develop a new National Children's Strategy to cover the period 2011-2020. | Department of Children and Youth Affairs | by January 2011 | Complete | <p>Better Outcomes: Brighter Futures, the National Policy Framework for Children and Young People 2014-2020</p> <p>Better Outcomes: Brighter Futures, the National Policy Framework for Children and Young People 2014-2020 (the National Policy Framework) was accepted by Government, published and launched in April 2014. It is Ireland's first overarching children's policy framework which comprehends the age ranges spanning children and young people (0 – 24 years). It is based on a clear vision of what we want for children and young people in Ireland. This vision is for:</p> <p><i>Ireland to be one of the best small countries in which to grow up. Where the rights of all children and young people are respected, protected and fulfilled; where their voices are heard and where they are supported to realise their maximum potential now and in the future.</i></p> <p>The continuum from infancy through early and middle childhood to adolescence and early adulthood is captured in the National Policy Framework. It provides the overarching framework for the development and implementation of policy and services for children and young people. The National Policy Framework brings together key policies instanced in the Programme for Government including those relating to prevention and early intervention initiatives, early childhood education, breaking the cycle of disadvantage, through area based approaches to address child poverty, aftercare provision and addressing issues around anti-social behaviour.</p> <p>The National Policy Framework provides a means for cross departmental collaboration to promote the well-being of children and young people and a fresh impetus to a whole-of-government approach to current and emerging issues, including childhood obesity, healthy lifestyles, the impact of media and new technologies, the sexualisation of children and promoting pro-social behaviour. It accommodates a number of constituent strategies which focus in greater detail on the areas of Participation, Early Years, and Youth, and these will be developed in 2014.</p> |
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| | | | | | <p>Five Outcomes</p> <p>Five Outcomes for children and young people in Ireland are centralised in the National Policy Framework as follows:</p> <ul style="list-style-type: none"> • Children and Young People are active and healthy, with positive physical and mental wellbeing. • Are achieving their full potential in all areas of learning and development. • Are safe and protected from harm. • Have economic security and opportunity. • Are connected, respected and contributing to their world. <p>It captures the policy commitments, prioritizes key transformational goals necessitating action, and ensures an innovative and effective way of working to achieve these actions and realise these outcomes for children and young people. It will run from 2014 until 2020, and will accommodate a number of constituent strategies. These strategies will focus in greater detail on the areas of Participation, Early Years and Youth, and will be developed in 2014.</p> <p>The National Policy framework aligns government commitments to children and young people with the five national outcomes for children and young people. It identifies six Transformational Goals or areas that require strengthening to achieve these improved outcomes for children and young people. It commits to measure progress across the outcomes, with an initial selection of indicators from which to benchmark progress on key policy areas. Under the National Policy Framework a new cross government structure has been established, called The Children and Young People's Policy Consortium and it aims to support implementation and monitoring of the Framework, supported by a range of other advisory forums to support and guide implementation.</p> |
| 23 | The OMCYA will lead a process to ensure | Department of Children and | Ongoing | Complete – research | The language used in Action 23 was considered too broad to allow for tender |

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| | that the current policy framework reflects the rights and dignity of children. This process will include benchmarking against policy in other jurisdictions. All policies should be consistent with the principles of the UN Convention on the Rights of the Child. | Youth Affairs | | project ongoing | <p>applications that could be evaluated and could deliver key information to support the aim of the recommendations. Thus it was narrowed to focus on the policy framework of child welfare and protection in keeping with the focus of the Ryan Report. In light of the Commission's recommendation to learn from the past, it was decided to focus on the impact of recommendations and learning from the findings of all previous investigations, starting with the Kilkenny Incest Case. The project's aim is to test our national and operational policy framework to see if it reflects their key messages. To progress this action, research will assess the degree to which recommendations have been implemented, the particular themes addressed by recommendations and compare this with international experience. In 2010, the OMCYA undertook a tender process and commissioned Prof Colette McAuley of UCD to complete 'An analysis and synthesis of key messages arising from peer-reviewed literature and published national reports on children in need of protection and those in the care of the state'. This project will be underpinned by the principles of the UN Convention of the Rights of Children.</p> <p>The research report from Prof. McAuley is nearing completion.</p> |
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| 2.2 Evaluation and review of services against policy | | | | | |
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| No. | Action | Department, Agency Responsible | Time frame | Status | Current Position |
| 24 | The OMCYA will evaluate the extent to which child welfare and protection services, and youth justice services, meet the aims and objectives of national child care policy taking account of the output/outcomes statements recommendation in Transforming Public Service. | Department of Children and Youth Affairs | Ongoing | Complete | <p>A call for research proposals to progress this action was unsuccessful. Feedback was that the scope was too broad to allow for a successful research (Phase 1) project to be undertaken. Accordingly a decision was taken to narrow the scope of the project.</p> <p>On this basis a research project has been commissioned (Phase 2). The child protection literature review based research being conducted by Prof McAuley (see Action 23) is nearly complete.</p> |
| 25 | The HSE will submit a suite of performance indicators to the OMCYA for approval for inclusion in the National Service Plan of 2010. | HSE, Department of Children and Youth Affairs | by December 2009 | Complete | <p>This action is complete. The new indicators are targeted at providing information on how the services are performing and will allow for improved decisions around the management and reform of the services. The Department of Children and Youth Affairs engages with the Child and Family Agency each year around review of performance indicators.</p> <p>The DCYA is undertaking a review of current performance indicators in light of the reforms that have taken place, and in consultation with TUSLA, will amend the current data set to reflect improved information system.</p> |
| 26 | The National Child Care Information | Child & Family | | | |

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| | System (NCCIS) will be prioritised for implementation assuming approval by the Department of Finance. | Agency | Decision expected Summer 2009 | Ongoing | <p>The National Child Care Information System (NCCIS) will be the central ICT system supporting Child Protection and Welfare services in Social Work Departments throughout the Child and Family Agency. An extensive nationwide consultation with social workers and others to standardise business processes and to construct the functional design of the system was carried out ahead of project initiation. The system comprises a social work case management system to record and store case notes and a business intelligence system to provide management information and reports at national and local level. The new system will allow the Agency, at a minimum, to create and maintain a complete database of vital details for every child who is a client of the service.</p> <p>The standardised business process was successfully implemented nationally, following a tendering process, a company is now engaged with Tusla in piloting the first strand of the project in one area (Mid-West)</p> |
| 27 | The OMCYA, in conjunction with the HSE, will work to improve the quality and usefulness of section 8 reports and to improve reporting on outputs/outcomes | Department of Children and Youth Affairs, HSE | Ongoing | Complete | <p>The Department has agreed a new template with the HSE for the preparation of reports on the adequacy of services under Section 8 of the Child Care Act 2001.</p> <p>The 2009, 2010, 2011 and 2012 Reports were laid before the Houses of the Oireachtas and published on the HSE website. Financial outlay: €18,083.23 plus VAT (recurring)</p> |
| 28 | The Irish Youth Justice Service will submit to the Minister for Children and Youth Affairs an annual report on the adequacy of detention services in meeting their policy objectives | Irish Youth Justice Service | starting in 2010 | Ongoing | <p>The IYJS has prepared a suite of performance indicators to inform the preparation of this report. A section will be added to the annual report which will provide for reporting on the adequacy of detention services in meeting policy objectives. A document entitled Performance Indicators for the Children Detention Schools was presented to the board of management on 21 June 2011 and approved.</p> <p>The Board of Management of the Children Detention Schools has undertaken to provide an annual report based on the Performance Indicators to the Minister</p> |
| 29 | The OMCYA will examine the feasibility of a linked database, coordinating data on | Department of Children and | by July 2010 | Complete | The feasibility of developing a linked database has been explored. It is considered |

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| | children in care from health, education and justice. | Youth Affairs | | | that the current stage of development of information management within the three systems does not readily allow for a linked database as envisaged by this action. An alternative proposal to achieve the intended aim is being developed by the Department and will involve an audit of children in care. |
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PART 3 – REGULATION AND INSPECTION

3.1 Rules and regulations

| No. | Action | Department, Agency Responsible | Time frame | Status | Current Position |
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| 30 | All organisations with a statutory function in relation to children at risk, in care and in detention have a duty to ensure regulations are applied and any breaches reported to the relevant authority. | Department of Children and Youth Affairs (all agencies) | Ongoing | Complete | <p>HIQA continues to undertake a schedule of inspections of the Child and Family Agency's children's residential centres of special care units, high support units and detention schools. A three year program to inspect HSE/CFA foster care and child protection is underway. A continuous monitoring approach to compliance with standards and regulations has been established by the Authority.</p> <p>Announced and unannounced inspections continue as part of this approach, and inspection reports are issued to the Minister and published on the HIQA website.</p> <p>In 2014 HIQA intends to carry out a number of inspections of children's residential centres provided by the Child and Family Agency, with a focus on how the complex needs of children with behaviour that challenges are met in residential services. The inspection of foster care services run by private providers will now take place in quarter three of 2014.</p> <p>Services commissioned by the Child and Family Agency are obliged to confirm compliance with regulations and standards as part of the commissioning contract.</p> |
| 31 | | HSE | By | Complete | |

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| | The HSE will end the use of separately run hostels for separated children seeking asylum and accommodate children in mainstream care, on a par with other children in the care system. | | December 2010 | | <p>This action is complete. The practice of placing separated children seeking asylum in hostels ended in 2010.</p> <p>In 2008, HSE Children and Family Services implemented the <i>HSE Equity of Care Policy</i> (HSE 2008a) to ensure that all children and young people receive the same level of care as that afforded to indigenous children.</p> <p>In the Greater Dublin area, there is a specialist HSE Separated Children Seeking Asylum (SCSA) social work team. The service consists of four residential assessment units in Dublin that are registered children's homes: on arrival children are assessed in these units over a number of weeks. The assessment is multidisciplinary in nature and involves a medical examination, an educational assessment and a social work assessment.</p> <p>After assessment children are placed in the most appropriate placement option depending on their assessed needs. The most prevalent form of placement is with a foster family but supported lodgings are also used. Foster placements and supported lodgings have been identified throughout the country and there is strong linkage between the dedicated social work team in Dublin and the local social work teams in order to ensure a seamless transition from assessment centres to local placements.</p> <p>The social work service for separated children seeking asylum based in Dublin also operates a reunification service whereby immigration authorities refer families or adults presenting with children in cases where parentage or guardianship is not apparent. The social work team conduct an assessment which includes D.N.A. testing and based on this assessment children are either returned to the adults/families presenting or are taken into care where there are concerns around parentage/guardianship and/or their safety and welfare.</p> <p>The service also provides aftercare service. Aftercare is provided to those who transfer to accommodation operated by the Department of Justice for adult asylum seekers and to those who have received refugee/leave to remain status and who move to private accommodation.</p> <p>Financial outlay: €3,734,773 (recurring) (2012)</p> |
| 32 | | HSE | Ongoing | Complete | |

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| | In the interim, the HSE will inspect and register residential centres and hostels where separated children seeking asylum in the care of the HSE are placed, in accordance with the Child Care Act 1991, pending the commencement of the Health Act 2007 for children's residential services. | | | | <p>This action is complete.</p> <p>In March 2010 HSE Registration and Inspection Services commenced a full inspection of the remaining 4 hostels. As none of these hostels could meet the required Standards a closure plan was put in place.</p> <p>The Schedule of Hostel Closure operated by the HSE was as follows:</p> <ul style="list-style-type: none"> • 1 Hostel closed in summer 2009 • 2 Hostels closed in the Autumn 09 • 2 Hostels closed in July /August 2010 • 2 Hostels closed 31st December 2010 <p>From February 2010, the HSE commissioned the Crosscare agency to provide social care worker support and services to the young people who lived in these hostels.</p> <p>The practice of placing newly arriving Y/P in hostels ceased in Feb 2010.</p> <p>Financial outlay: €1,100,000 (once off)</p> |
| 33 | The HSE will ensure that all children in care will have an allocated social worker and a care plan, in accordance with the regulations. | Child & Family Agency | by December 2010 | Ongoing | <p>The following sets the position with respect to the number of children in care with an allocated social worker and care plan as of July 2014</p> <ul style="list-style-type: none"> • 94% of children in care with an allocated social worker • 91% of children in care with a written care plan <p>All children in residential special care had an allocated social worker and care plan.</p> <p>This information should be considered against a position of 112 current social vacancies which are being actively recruited and which should further enhance performance in these areas.</p> <p>Recurring funding of €17m is in place to continue to address this area.</p> |
| 34 | The HSE will ensure that all relatives as carers and foster carers are assessed, in | Child & Family Agency | by December | Ongoing | It is the policy of the HSE to ensure that all relatives as carers and foster carers are assessed, in accordance with the regulations. There are some circumstances in |

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| | accordance with the regulations. | | 2011 | | <p>which a placement with relatives may be made in an emergency situation where a risk assessment has been made and it is deemed that such placement is in the best interests of the child. In such situations the Regulations allow that the assessment is undertaken as soon as practicable but in not later than 12 weeks after the date of placement.</p> <p>Quarter 1 report in 2014 reported that 367, with whom a relative child had been placed for longer than 12 weeks, were awaiting full approval. 70% of these carers had a link worker. The number undergoing assessment was not specified.</p> <p>Performance in this area is also impacted by the 112 vacancies as set out at recommendation No. 33 which are currently being actively recruited.</p> |
| 35 | The HSE will undertake a national review of current practice in relation to Part II, Section 5 of the Child Care Act, where homeless children can be placed in accommodation and not received into the care of the HSE. | HSE | by December 2009 | Complete | <p>The HSE has undertaken a national review of current practice in relation to Part II, Section 5 of the Child Care Act, where homeless children can be placed in accommodation and not received into the care of the HSE.</p> <p>A national policy was implemented in April 2012 on the use of section 5 and supported lodgings where the application of S5 was to apply only to 16 and 17 year olds where this was deemed to be appropriate to their needs.</p> |

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| 36 | <p>The HIQA will develop guidance (by November 2009) for the HSE on the review of serious incidents, including deaths of children in care and detention. These will be reported to the HIQA and the Department of Health and Children/IYJS.</p> <p>**The HSE and IYJS will develop a panel (internal and external) of appropriately skilled professionals to undertake investigations.</p> | Health Information and Quality Authority, HSE, Irish Youth Justice Service | <p>By November 2009</p> <p>by December 2009</p> | Complete | <p><u>IYJS input:</u></p> <p>The purpose of this policy is to clearly identify the reporting and recording responsibilities in response to incidents occurring with the CDS. It outlines a grading system for incidents and the level of the reporting structure necessary dependent on the severity of the incident. The newly formed Policy and Operations Consultative Committee (POCC) within the Children Detention Schools and chaired by the Child Welfare Advisor (IYJS) is reviewing this policy with a view to incorporating the provision for the setting up of a panel to undertake investigations into a review of serious incidents, including deaths of children in detention.</p> <p><u>HSE input:</u></p> <p>In January 2010, the Health Information and Quality Authority developed guidance for the HSE on the reviews of serious incidents including deaths of children in care. This Guidance was revised in 2014 to reflect the experience of the National Review Panel.</p> <p>The National Review Panel is conducting its work anonymously to protect the confidentiality of the individuals and families concerned. The recommendations of the National Review Panel are being implemented as part of the CFA reform programme currently underway. The Child and Family Agency to publish the reports carried out by the National Review Panel except where there are exceptional or compelling reasons not to do so.</p> <p>Financial outlay: €451,608(recurring) HIQA input</p> <p>In April 2014, the Department of Children and Youth Affairs co-ordinated a working group of which HIQA was a member to review the 200 HIQA guidance for the reviews of serious incidents including deaths of children in care or known to the Child and Family Agency. This work has now been completed and a revised Guidance document agreed. HIQA will develop a framework to carry out assessments of the National Review Panel and assessment will commence in 2015.</p> |
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| 37 | In all cases of serious incidents or death of a child in care or in detention, the HIQA will review the initial circumstances and how the HSE and IYJS set about the investigation. It may, in circumstances set out in its guidance, conduct an independent investigation of the serious incident or death. | Health Information and Quality Authority | Ongoing | Complete | Year | No. of Notified Deaths between March 2010 and June 2013 | No. of Serious Incidents between March 2010 and June 2013 |
| | | | | | 2010 | 22 | 9 |
| | | | | | 2011 | 14 | 7 |
| | | | | | 2012 | 27 | 1 |
| | | | | | 2013 | 17 | 2 |
| | | | | | 2014 | 3 | 0 |
| | | | | | Total | 83 | 19 |
| 38 | The HSE will collect data regarding children from ethnic minority backgrounds and, under national standards, will ensure their cultural identity is respected and their needs met. | HSE | Ongoing | On target | <p>Census 2011 indicated that more than 10% of the Irish population comprises people from a range of minority ethnic groups. This figure reflects the unprecedented level of migration into the country since the Census in 2002.</p> <p>At a legislative level, the <i>Equal Status Act 2000 to 2004</i> prohibits discrimination in the delivery of health services for nine grounds, including Race and Membership of the Traveller community. The collaborative publication of the HSE, DoHC and Equality Authority - <i>Equal Status Acts 2000 and 2004 and the Provision of Health Services</i> - sets out the health services' commitment to planning and delivering services that provide for equality in healthcare delivery for all grounds of the Act. Both the Equal Status Act itself and the health sector response places an obligation on healthcare providers to develop systems to ensure that potentially discriminatory practices, either of a direct or indirect nature, are addressed. Without Ethnic equality monitoring it is not possible for healthcare providers to identify, monitor and address disparities among diverse ethnic groups.</p> <p>Information with respect to ethnicity is not collated at this time. However, this will form part of the dataset when the National Childcare Information System (NCCIS) is rolled out. For further information on the NCCIS see action 26.</p> | | |
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3.2 Independent Inspections

| No. | Action | Department, Agency Responsible | Time frame | Status | Current Position |
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| 39 | The Health Act 2007 will be commenced to allow the SSI of the HIQA to undertake independent inspection of all children's residential centres and foster care. | Department of Children and Youth Affairs | by July 2010 | Ongoing | <p>All children's residential services are currently inspected against National Standards for Children's Residential Centres under the Child Care Act 1991. HIQA currently inspects HSE run children centres and foster care services and the HSE inspects privately run children's residential services.</p> <p>In response to concerns regarding the quality of child welfare and protection services a Government Decision was taken in July 2010 to prioritise the inspection of child protection services in advance of commencing the relevant legislation to allow HIQA to regulate all children's residential services. HIQA commenced inspection of child protection and welfare services in October 2012 under the Health Act 2007. The registration of the Special Care units is being prioritised with drafting of Regulations at an advanced stage.</p> |
| 40 | The Health Act 2007 will be commenced to allow the independent registration and inspection of all residential centres and respite services for children with a disability. | Department of Health | by December 2010 | Complete | The Health Information and Quality Authority published National Standards for Residential Services for Children and Adults with Disabilities in May 2013. The registration and inspection process of these services commenced on 1 November 2013. |
| 41 | St. Patrick's Institution will continue to be inspected by the Inspector of Prisons having regard to his statutory remit. The Inspector may, if considered necessary, invite the HIQA to advise on matters of child welfare in the discharge of this function. | Department of Justice and Law Reform | Ongoing | Complete | The Inspector of Prisons published a "Juvenile Supplement" to the "Standards for the Inspection of Prisons in Ireland" on 1 st Sept. 2009. These standards, as outlined in the foreword to the documents, have been developed because " <i>in accordance with international best practice a juvenile in detention requires treatment different to that afforded to adult offenders...</i> " |

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| 42 | The SSI will develop standards and commence inspection of child protection and welfare services. | Health Information and Quality Authority | by February 2011 ** by Sept 2011 | Completed | The Health Information and Quality Authority launched National Standards for the Protection and Welfare of Children for the HSE Children and Family Services in July 2012. The first inspection commenced in October 2012 a full programme of inspection is underway. All inspection reports are published on the HIQA website. |
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PART 4 – MANAGEMENT OF CHILDREN’S SERVICES

4.1 Management accountability for service quality

| No. | Action | Department, Agency Responsible | Time frame | Status | Current Position |
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| 43 | The HSE will carry out an audit of all resources, financial and staff, directed at child and family services and at children in care services across regions and statutory and non-statutory agencies. | HSE Child and Family Agency | By February 2010 | Complete | <p>The National Director established a Working Group including independent validation to identify existing Child and Family WTE resources that should transfer to the new Child and Family Support Agency.</p> <p>The Working Group established a detailed data base that would:</p> <ul style="list-style-type: none"> Facilitate the collection, collation and analysis of the whole time equivalent posts that both Child Care Management and General Management agreed were working within Children and Family Services; Identify the number of whole time equivalent posts currently in the Children and Family Services budget involved/working with other services/care groups but which may or may not transfer to the new Agency. Provide a baseline, at individual WTE level, to support relevant HR transition plans and manpower planning. <p>The Child and Family Agency was established on 1 January 2004. A national survey of funding to the non-statutory funded services, under Children & Family services was carried out in 2012/2013. The survey has been funded by Atlantic Philanthropies through the Child & Family Research Centre, NUIG. This Project funding commenced in March 2012. Data on funding and services from non-statutory agencies is held on a National Service Level Agreement (SLA) Repository. The primary purpose of the database is to monitor compliance with SLAs and grant-aid processes but it also holds information on service provision that is useful in mapping family support services. The data on the National SLA Repository was interrogated through a questionnaire survey completed by the Area Managers as part of this process.</p> <p>The survey has informed the Agency's work in respect of family support including the development of the Meitheal model.</p> |
| 44 | The HSE will direct resources equitably on | Child & Family | Ongoing | | |

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| | the basis of need and level of deprivation, irrespective of geographical area or organisation. It will report progress on this action to the OMCYA annually. | Agency | from 2010 | Ongoing | A capacity review has been completed and Tusla has commenced work on the Resource Allocation Project and Phase 1 outcome model is planned to be implemented in relation to distribution of resources for 2015. |
| 45 | The HSE will act to reform its management structures following the review it commissioned in July 2009 to ensure a transparent and accountable management system. | HSE | December 2010 | Complete | <p>The Child and Family Agency, established on 1st January, 2014, by the Child and Family Agency Act, 2013, took over responsibility for:</p> <ul style="list-style-type: none"> - Child Welfare and Protection Services, including family support services currently delivered by the HSE's Children and Family Services; - Services previously delivered by the Family Support Agency and the National Educational Welfare Board; - Pre-school Inspection services; - Domestic, sexual and gender-based violence services; - Community-based services related to the psychological welfare of children and families. <p>A nine member Board of Management was appointed along with a CEO and Senior Management - Chief Operations Officer, Head of Policy and Planning, Head of Corporate and Human Resources, Head of Finance, Head of Quality and Assurance and Head of Educational Welfare Services.</p> <p>Under the legislation, the Board is the governing body of the Agency with authority, in the name of the Agency, to perform the functions of the Agency.</p> <p>The Agency has initiated a reform programme with priorities set out relating to Child welfare and protection, family support, early childhood care and education as well as value for money and accountability.</p> |
| 46 | All agencies providing services to children and families will measure managers' performance against adherence to statutory requirements and overall service delivery through performance management systems. | Department of Children and Youth Affairs (all agencies) | by July 2011 | Complete | DCYA is monitoring the delivery of this action. It is being progressed by the HSE through its Agency Business Planning process and through performance review, including the development of a revised template for the preparation of Reports of Service Adequacy under Section 8 of the Child Care Act 1991. These requirements are reflected in Service level Agreements with funded agencies. |
| 47 | Management will ensure that all staff are | Department of | Ongoing | Complete | |

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| | appropriately vetted, including high standards for the take-up of references. | Children and Youth Affairs (all agencies) | | | <p>Vetting of staff is undertaken through the Garda Central Vetting Unit and is kept under review. New legislation is being developed which will put vetting on a statutory footing. These requirements are reflected in Service level Agreements with funded agencies.</p> <p>An IYJS vetting policy is in place and being implemented.</p> |
| 48 | The HSE will systematically plan to ensure that appropriate placements are available for children in care. | HSE | Ongoing | Complete | <p>Children identified as in need of an alternative placement are assessed to enable a match with the most appropriate placement. 92% of children in care are placed in family care. Children aged 12 or under should not be placed in a residential placement unless it is identified in their care plan as required. The Child and Family Agency is undertaking a review of residential services currently to establish the number, region and level of placement required. This will contribute to more appropriate placement's</p> |
| 49 | The HSE will provide additional support, training, respite and resources to foster carers where children with significant difficulties are placed in order to sustain the placement. | HSE | Ongoing | Linked to actions 12 and 13 | <p>See Actions 12 and 13</p> <p>Foster care placements are provided with a wide range of supports and therapeutic interventions on a case by case basis by social workers and social care workers from Social Work Departments. Some placements need the input of additional specialist services including Child and Adolescent Mental Health Service, Psychology, Speech and Language Therapy, Occupational Therapy and a wide range of medical services. Additional education supports are provided in liaison with the Department of Education and Skills, the VEC and the National Educational Psychological Service.</p> <p>A national policy to manage disruptions or potential breakdown in foster placements is currently being devised. A revised respite policy has also been issued nationally. A national framework document to improve the access of children for specialised services is also underway</p> |
| 50 | The HSE will establish a mandatory year | HSE | by | Complete | |

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| | of limited caseload, supervision and support for newly qualified social workers and will consider the rotation of social workers across children in care, child protection and child welfare teams. | | January 2011 | | <p>The <i>Induction of Social Workers: A Policy and Guidelines for Children and Families Social Services</i> (HSE, 2010) provides guidance on the management of caseloads by recommending limited caseloads, supervision and support for the newly qualified social worker.</p> <p>The HSE policy <i>Staff Supervision Policy</i> (2009) has been reviewed as part of this process. The <i>Staff Supervision Policy</i> (2012) containing standard operation procedures targeted at social work and social care staff has been signed off by the National Office for Children and Family Services. An implementation plan commencing in 2013 is in the process of being agreed to ensure that there will be compliance with the policy. An evaluation of the 'Induction of Social Workers, A Policy and Guidelines for Children and Families Social Services' (HSE, 2010) has been completed.</p> |
| 51 | All agencies providing services to children and families will provide ongoing professional development through training programmes for all staff. | Department of Children and Youth Affairs (all agencies) | by December 2010 | Complete | <p>The HSE continues to provide training programmes for staff within current resources and the provision of on-going professional development will be a requirement in the Service Level Agreements with agencies. Training to external agencies providing services to children and families is provided by the Children First Information and Advice Service through the provision of the Keeping Safe Initiative. (HSE – see also action 90) These requirements are reflected in Service level Agreements with funded agencies.</p> <p>On-going training is provided to staff in children detention schools (e.g. behaviour management). A comprehensive Training Skills/Needs Analysis has also taken place among all staff (at all levels) in the Children Detention Schools. Training programmes have been developed based on the identified needs and are being rolled out with specific training days incorporated into the staff roster. (IYJS)</p> <p>As part of the regulation of the social work profession, which is in place for all practicing social workers since May 2014, evidence of on-going professional development is required.</p> |
| 52 | The HSE will put in place a system to | Child & Family | | | |

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| | provide social work students with the practice placements required as part of their training, both undergraduate and postgraduate. | Agency | By March 2010 | Ongoing | <p>With respect to undergraduates, a student placement programme is in place and well established which allows all students access practice placements in the course of their studies.</p> <p>With respect to the post-graduate placements, it is intended to develop this as an intern/graduate programme and discussions are taking place with relevant stakeholders with expected roll-out by Quarter 3 of 2014.</p> |
| 53 | The HSE will ensure full compliance with statutory complaints procedures. | HSE | Ongoing | Complete | <p>The HSE complaints policy 'Your Service Your Say' is fully operational. Part 9 of the Health Act 2004 outlines legislative requirements to be met by the HSE and relevant service providers in the management of complaints. The provisions of the Act were implemented with effect from 1st January 2007.</p> <p>The regulations include requirements such as:</p> <ul style="list-style-type: none"> • Designation of Complaints Officers and Review Officers • Development of procedures by the HSE and services providers for the management of complaints • Timeframes for the management of complaints • Review process <p>The policy and procedures for the management of complaints in the HSE were finalised in line with the regulations. The process of nominating Complaints Officers throughout the HSE commenced in November 2006.</p> <p>Complaints Officers have been given delegation orders and are trained. In addition, work is completed on specific actions in relation to engaging with children and young people to ensure that the HSE is targeting those groups who may find it difficult to raise concerns. Information on this initiative is available on the HSE website and is being supported by information sessions.</p> |
| 54 | The HSE will undertake research on staff | HSE | | | |

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| | retention issues in social work. | | By December 2010 | Complete | <p>The HSE commissioned a study by UCD entitled " <i>The Retention of Social Workers in the Health Services: An Evidence Based Assessment (2011)</i>" Findings of the study are being addressed through a range of projects including:</p> <ul style="list-style-type: none"> • <i>Staff Supervision,</i> • <i>Induction,</i> • <i>Social Work Practice Placements</i> <p>Financial outlay: €92,357.00 (once off)</p> |
| 55 | The HSE will put in place mechanisms to better utilise the role of senior practitioner within child protection. | Child & Family Agency | By June 2010 | Ongoing | <p>The reform of the management structure within the Agency has facilitated the efficient use of human resources at the local level.</p> <p>In the context of the rollout of the Service Delivery Framework social work teams have been reconfigured to cover family support, child protection and children in care.</p> <p>The Agency is further reviewing the role of senior practitioners as part of its strategic review of the delivery and management of services and, where possible, the use of senior practitioner posts will be expanded</p> |

| 4.2 Communication in child care services | | | | | |
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| No. | Action | Department, Agency Responsible | Time frame | Status | Current Position |
| 56 | The HSE and local authorities will continue to establish and implement Children's Services Committees in each county nationwide. | Child & Family Agency | Ongoing | Ongoing | There is now representation from the Child & Family Agency on all existing Children Services Committees and a model for Inter-agency Co-operation is being developed at a corporate level in the Child & Family Agency . Furthermore the Chief Operating Officer of the Child & Family Agency is now a member of the National Steering Committee. |
| 57 | The OMCYA will consider legislation to provide for a duty to share information in the best interests of children between agencies, specifically between support services for adults and the HSE child protection social workers. | Department of Children and Youth Affairs | Ongoing | Ongoing | <p>A Bill to place elements of the Children First National Guidance for the Protection and Welfare of Children on a statutory footing was published in April 2104.</p> <p>A key element of the Bill is the obligation which is it proposed to place on certain professionals and other persons working with children to report child protection concerns to the Child and Family Agency and to assist the Agency in the assessment of a child protection risk, if requested to do so.</p> <p>The Bill is currently progressing through the Houses of the Oireachtas.</p> |

4.3 Consistent care figure

| No. | Action | Department, Agency Responsible | Time frame | Status | Current Position |
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| 58 | It has already been decided that the HSE will fill up to 270 social work posts currently vacant. This initiative will be targeted at the area of child protection and children in care in order to fulfil its statutory obligations. The need to recruit further additional social workers will be considered in the light of progress made in delivering necessary reforms in the area of child welfare and protection. | Department of Children and Youth Affairs, HSE, Child and Family Agency | Ongoing, during 2009-2011 | Complete | <p>The 270 additional social worker posts identified under the Ryan Report have been all recruited. In addition, the HSE and, since January 2014, the Child and Family Agency continue to fill vacancies as they arise. At end August 2014, there were 1,387.89 whole-time equivalent social workers in the Agency representing over 40% of the total workforce. A further 148 posts are currently on offer to the candidates or under active recruitment.</p> <p>Notwithstanding current recruitment plans, vacancies are a natural part of an organisation's workforce and arise for various reasons including retirements, resignations, career breaks and paid and unpaid leave (e.g. maternity leave).</p> <p>The impact of vacancies on service provision is risk-assessed on an on-going basis to ensure that social work team members are never allowed to fall below what is considered necessary to provide a safe service. Such risk-assessments take account of issues such as case-loads and referral numbers.</p> <p>In addition to permanent recruitment, the Agency has also introduced a pilot Maternity Leave Cover scheme whereby maternity related vacancies in each Region can be filled by way of temporary contracts. The Pilot Scheme involves the allocation of 100 posts between each Region (including Residential Services) under the direction of the Service Director.</p> |
| 59 | Where appropriate, the HSE will convert existing temporary child protection social work posts to permanent positions. | HSE | by July 2010 | Complete | This action has been completed in conjunction with action 58. |
| 60 | | Child and | Ongoing | Ongoing | |

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| | The HSE will ensure that all children in care have an allocated social worker and a care plan that is developed and reviewed, as laid out in regulation and national standards. | Family Agency | | | See action 33. |
| 61 | The HSE will carry out funding and management reforms to provide an equitable and effective service to children in care and at risk. | Child and Family Agency | by July 2011 | Ongoing | <p>The Child and Family Agency is leading an extensive two year change programme to modernise public service delivery of children's social care Services.</p> <p>An audit of resources (financial and staff) across HSE and funded agencies delivering the children and families programme is currently under way.</p> <p>The staff audit process is complete. The audit of resources is underway (see Action 43). The Report of the Task Force on the Child and Family Support Agency has been published with recommendations for the reform of children's services.</p> |
| 62 | The HSE will review the working hours of its staff and those of funded agencies. | HSE | by July 2010 | Ongoing | <p>This action will be progressed in the context of the 'Croke Park' and Haddington Road public service agreements. These requirements are reflected in Service Level Agreements with funded agencies.</p> <p>The Terms and Conditions of newly recruited Children and Family Services staff reflect this requirement for more flexible working arrangements.</p> |
| 63 | The HSE will ensure that social workers who are allocated to children whom the | Child and Family Agency | Ongoing | Complete | The IYJS and HSE (now Child and Family Agency) have agreed a protocol for how social workers and children detention schools can work together. The |

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| | Courts place in detention continue to work in partnership with the children detention schools in care planning. | | | | <p>protocol can be viewed at</p> <p>http://www.iyjs.ie/en/IYJS/Protocol%20CDS%20and%20SW%20Final%20Version.pdf/Files/Protocol%20CDS%20and%20SW%20Final%20Version.pdf (IYJS)</p> <p>The overlap between child welfare and youth justice is widely recognised. This means that there will be some children in detention who are known to HSE social work services. These children may require support and/or services from both the HSE and the children detention schools.</p> <p>A joint protocol between HSE and IYJS has been agreed and implemented. This protocol promotes coordinated, collaborative practices between HSE social workers and the children detention schools and provides guidance on joint working with children and young people who are in detention and who have been identified by a HSE social work assessment as having on-going welfare needs. This includes children in Care under the Child Care Act 1991 and also children who are not in Care but who have been allocated a social worker following social work assessment. While it is acknowledged that other agencies will also be involved with young people in detention (e.g. the National Education Welfare Board, An Garda Síochána and the Probation Service among others), this protocol refers specifically to HSE social workers and staff in children detention schools.</p> <p>The circumstances and environment contributing to young people having an allocated HSE social worker are often similar to the risks and needs that contribute to their offending and re-offending. A shared style of working is essential to improve outcomes for children in the children detention schools who have allocated social workers (i.e. known to Children & Family Agency Services, HSE and the youth justice system). A shared understanding and ownership of the issues relating to these young people and effective inter-agency planning will result in more coordinated assessments and subsequent care and support packages being devised. In circumstances where difficulties may arise during the placement, for example, when a specialist assessment and treatment service is recommended, e.g. when a forensic psychiatric / psychological assessment is required, it is important that a joint approach is taken by both agencies to resolve these issues. This protocol outlines separate duties for staff in the children detention schools and HSE workers but the tasks will naturally overlap as the emphasis is on partnership working.</p> |
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4.4 Access to support services for children in care

| No. | Action | Department, Agency Responsible | Time frame | Status | Current Position |
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| 64 | The HSE will ensure the provision of aftercare services for children leaving care in all instances where the professional judgement of the allocated social worker determines it is required. | Child and Family Agency | by November 2009 | Complete | <p>A national HSE Leaving and Aftercare Policy 2011 has been approved.</p> <p>This document underpins the operational policies and processes of the National Aftercare Service now provided by the Child and Family Agency. The document was developed in cooperation with the key stakeholders (including the voluntary sector agencies representing children in care and those commissioned services involved in aftercare provision) and the Department of Children and Youth Affairs. The policy commits to promoting and achieving the best outcomes for young people leaving care and ensuring consistency of support to these young people. There have been significant improvements in the delivery of aftercare services since the introduction of the policy in 2011. The policy has contributed to increased consistency, nationwide, in the application of aftercare processes and procedures. It has also provided more detailed information on the provision of aftercare and those availing of the support.</p> <p>Under existing operational policy arrangements, an aftercare plan is prepared to identify supports that the young person requires in response to their circumstances, goals and future plans. In addition, the aftercare plan will most likely identify supports required that are under the remit of other departments/agencies e.g. accommodation, education etc. Arrangements are in place at local level for liaising with education and training services, Department of Social Protection, disability services (HSE/NGO), mental health services and primary care as part of the assessment process. Cooperation with housing authorities is also provided for.</p> <p>It should be noted that the provision of such supports must operate within the existing confines of eligibility for statutory services or the rules of administrative schemes.</p> <p>See also update under Action 67</p> |
| 65 | | | Starting in | | |

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| | The HSE will, with their consent, conduct a longitudinal study to follow young people who leave care for 10 years, to map their transition to adulthood. | Child & Family Agency | 2010 | On hold | <p>It has not been possible to proceed with this recommendation at this time due to resource restrictions.</p> <p>This recommendation will be kept under review in light of available resources and other competing demands in the sector.</p> |
| 66 | The HSE and the Department of the Environment, Heritage and Local Government will review the approach to prioritising identified 'at risk' young people leaving care and requiring local authority housing. | Child and Family Agency, Department of Environment, Heritage and Local Government | By December 2010 | Ongoing | <p>This action has been progressed under the auspices of the Child and Family Agency Aftercare implementation group.</p> <p>As part of this process discussions have been ongoing between the County and City Managers' Association and the Child and Family Agency to develop an inter-agency protocol to develop closer communication, assessment and aftercare planning for this cohort of young people.</p> <p>It is anticipated that the protocol will be finalised shortly and then communicated to local authorities, leading to a more streamlined and efficient response to the accommodation needs of young people leaving care.</p> |
| 67 | | Child and | By June | Complete | |

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| | The HSE will ensure that care plans include aftercare planning for all young people of 16 years and older. | Family Agency | 2010 | | <p>Preparation for leaving care begins on entry to care. The National Policy and Procedures Document for Aftercare Service Provision 2011 directs that all young people that are eligible should have a leaving care plan. Social work teams will work with young people from the age of 16 years, having due regard to the circumstances of each care placement, to prepare them for the transition from statutory care.</p> <p>It has been decided to strengthen the legislative provisions regarding aftercare to respond to past concerns that there was insufficient focus in this area and that such planning was not taking place on a properly structured and consistent basis. The approach adopted is to impose a statutory duty on the Child and Family Agency to prepare an aftercare plan for an eligible child or eligible young person. The aim is to create an explicit, as opposed to implicit, statement of the Agency's duty to satisfy itself as to the child's or young person's need for assistance by preparing a plan that identifies those needs for aftercare supports.</p> <p>The General Scheme and Heads of Bill in relation to Aftercare attempts to take account of the need for a degree of nuance in planning for leaving care for young people at a time which is appropriate and sensitive to their particular needs.</p> <p>The Joint Oireachtas Committee on Health and Children, at its sitting on 1st April, considered the draft aftercare provisions. The Committee's report on the Bill was made available to the Department in mid-July and is currently under consideration, prior to refining the text of the provisions in conjunction with the Office of the Parliamentary Counsel.</p> |
| 68 | | Child and | By June | Complete | |

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| | <p>The HSE will ensure that aftercare planning identifies key workers in other health services to which a young person is referred, for example, disability and mental health services.</p> | Family Agency | 2010 | | <p>See Action 64</p> <p>The General Scheme and Heads of Bill in relation to Aftercare (referred to in Action 67) clarifies the range of agencies providing relevant services with which the Agency will cooperate in the development of the aftercare plan.</p> <p>One of the Heads provides that the Child and Family Agency will cooperate with the HSE in providing assistance in relation to the health needs of the eligible child or young person as part of the transition to independent living. It also provides that the Minister may prescribe other bodies with whom the Agency shall cooperate in assisting a child or young person.</p> <p>The prioritisation of services for young people receiving aftercare is considered in the context of the statutory and administrative criteria and rules relating to State provision of services and the requirement of all State bodies to provide services in accordance with resources available to them. The Agency and officials of the Department of Children and Youth Affairs intend exploring these matters further with the relevant Departments and agencies, on a bi-lateral basis, to continue to support the improvement of aftercare for this vulnerable cohort.</p> |
| 69 | <p>The OMCYA, in conjunction with the HSE, will consider how best to provide necessary once-off supports for careleavers to gain practical life-long skills.</p> | Child and Family Agency and Dept. of Children and Youth Affairs. | By June 2010 | Complete | <p>See Action 64</p> <p>The Child and Family Agency is committed to delivering and implementing a leaving and aftercare service for young people which is responsive and relevant to each young person's circumstances. This provides a holistic, integrated, caring service to young people to support their changing needs in making the successful transition to living independently. The Leaving and Aftercare Service is an integral part of the continuum of care process.</p> <p>In addition, the Minister has published Heads of a Bill regarding the provision of aftercare.</p> |

| 4.5 Family contact for children in care | | | | | |
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| No. | Action | Department, Agency Responsible | Time frame | Status | Current Position |
| 70 | The HSE will ensure that all children in care have an allocated social worker (as per Recommendation 10, Action 33). | Child & Family Agency | By December 2010 | Ongoing | See Action 33 |
| 71 | The HSE will ensure that the care plan should reflect the updated plan for contact with family members. It should be reviewed specifically for the possibility of contact with the extended family. | Child and Family Agency | Ongoing | Complete | <p>The HSE Care Planning Process has been reviewed.</p> <p>A standardised care plan is being implemented nationally which reflects the updated plans for contact with family members.</p> <p>The Care planning process includes procedures setting out how arrangements for contact between children in foster care and their family and friends are established, maintained, monitored and reviewed.</p> <p>The Care Plan is reviewed in line with regulations and standards, to include contact with extended family to ensure that the families of children in foster care are involved in their care, in partnership with social workers and foster carers, unless this is detrimental to the well-being of the children, in which case the reasons for excluding them are recorded on the case files and the parents are advised in writing of their right to appeal.</p> |
| 72 | | Child and | Ongoing | Ongoing | |

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| | <p>The HSE will ensure that where siblings have needs that cannot be met within the one placement at a particular time, the care plan should review on a regular basis current circumstances to see if a joint placement is in the interests of all the children in the future. Siblings who live apart should have planned visits and holidays together other than in exceptional circumstances where it is not in the best interest of a child to do so and these reasons are formally recorded.</p> | Family Agency | | | <p>The Alternative Care Group is in the process of developing a protocol in this area for completion in Q4 2013 and for implementation in Q1 2014.</p> <p>Current practice is that, in line with Regulations and Standards, Care Plans ensure that procedures setting out how arrangements for contact between children in foster care and their family and friends are established, maintained, monitored and reviewed and that children are encouraged and facilitated to use a variety of media to maintain contact with family and friends such as post, phone, text and email.</p> <p>Current practice also ensures that practical support to family members and friends is provided to facilitate contact, such as adequate assistance with transport arrangements or costs.</p> |
| 73 | <p>The HSE will actively review the impact of placement distance from family and community on a child's ongoing relationship and contact with their family, and if the placement goes ahead, will put in place a specific plan to facilitate ongoing contact.</p> | Child and Family Agency | Ongoing | Complete | <p>This is considered in care planning as part of access arrangements.</p> <p>Children's need for contact with family and friends is considered when making a foster placement, especially where they are placed outside of their local community. Siblings are normally placed together where possible, taking account of their wishes. If they are not accommodated together, arrangements are made for them to have high levels of contact, including holidays together, provided this is in their best interests.</p> <p>The Child and Family Agency will provide practical support to family members and friends to facilitate contact, such as adequate assistance with transport arrangements or costs.</p> |

| 4.6 Personal Records | | | | | |
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| No. | Action | Department, Agency Responsible | Time frame | Status | Current Position |
| 74 | All records of children in care and in detention will be kept to good standard and will include details of any child who goes missing in care. | Child and Family Agency, Irish Youth Justice Service | Ongoing | Linked to Action 75 | <p>The Child and Family Agency standard business process ensures standardisation of children in care records. The Child and Family Agency has developed a Guide to Alternative Care which stipulates the type and quality of record required. It is due to be published in Q4 2014. A revised Missing in Care joint HSE and an Garda Síochána protocol has been implemented nationally which includes standardised report forms and processes</p> <p>Following inspection of the files in CDS records were found to be kept at a good standard according to HIQA.</p> |
| 75 | The HSE will facilitate the development of a national archive, to be managed professionally, for the records of all children in care. | Child & Family Agency | by December 2010 | On hold | <p>It has not been possible to proceed with this recommendation at this time due to resource restrictions.</p> <p>This recommendation will be kept under review in light of available resources and other competing demands in the sector.</p> |
| 76 | The HSE will ensure that records created in non-statutory agencies are secured in its national archive. | Child & Family Agency | by July 2011 | On hold | <p>It has not been possible to proceed with this recommendation at this time due to resource restrictions.</p> <p>This recommendation will be kept under review in light of available resources and other competing demands in the sector.</p> |

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| 77 | The HSE will ensure that records of children in care will include relevant memorabilia, such as is kept in family homes, until the child is an adult and decides what he or she wants to keep. | HSE, Child & Family Agency | Ongoing | Complete | A draft Records Management Policy has been developed for implementation. It is the policy of the Child and Family Agency that relevant memorabilia of children in Care are maintained for future access as required. |
| 78 | The IYJS will ensure that children's records created in the detention schools are securely archived. | Irish Youth Justice Service | by July 2010 | Complete | This action is complete. |

| PART 5 – VOICE OF THE CHILD | | | | | |
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| 5.1 Communication with children in care | | | | | |
| No. | Action | Department, Agency Responsible | Time frame | Status | Current Position |
| 79 | All children and young people in care will have an allocated social worker (as per Recommendation 10, Action 33). | Child & Family Agency | by December 2010 | Ongoing | See Actions 33 |
| 80 | In the context of the CAAB report on Guardians <i>ad Litem</i> , the Minister for Children and Youth Affairs will engage with ministerial colleagues to agree a future policy of management and funding of the service. | Department of Children and Youth Affairs | by May 2010 | Discussions ongoing | DCYA is preparing proposals for the Minister's consideration regarding the reform of Guardian ad Litem services in proceedings arising under the Child Care Act 1991. Provision for analogous services in private family law proceedings relating to guardianship, custody and access is a matter for the Department of Justice and Equality, which is preparing proposals in that regard in the context of the proposed Children and Family Relationships Bill". |
| 81 | The HSE will arrange for 'exit interviews' to be conducted with children on changing placements and on leaving care. These interviews should be formally recorded and should be considered, both individually and collectively, in the planning and delivery of services. | HSE, Child and Family Agency | By Sept 2009 | Discussions ongoing | <p>All children in Care who are changing placements or leaving Care are routinely interviewed in the context of Care Reviews and on referral to Aftercare services. The information from these interviews informs the planning of services for the individual child as well as the wider process of planning of Care services.</p> <p>A working group has devised a leaving care exit interview procedure for young people turning 18 years of age who are due to leave statutory care and have a minimum of 3 months care experience.</p> <p>This exit interview procedure has been piloted. A process of how the information gathered from interviews is currently being reviewed.</p> |

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| 82 | The HSE and IYJS will ensure that all young people in care and detention are made aware of the work of IAYPIC and will support children should they wish to contact or become involved with the service. | Child and Family Agency, Irish Youth Justice Service | by December 2009 | Complete. | <p>This action is complete.</p> <p>The Child and Family Agency has instructed all managers to ensure that all young people in care are made aware of the work of EPIC (formerly IAYPIC) and that they will be supported should they wish to contact or become involved with the service. This requirement will also be included in Care Plans. EPIC are represented on the Aftercare Implementation Group.</p> <p>The Child and Family Agency funds EPIC annually to provide a national advocacy service to children in care and young people in aftercare.</p> <p>The IYJS has a service agreement in place with EPIC for a visiting advocacy service to the children detention schools. Information on the work of EPIC is included in an information booklet given to each young person on admission. A member of EPIC holds 'clinic' type sessions within CDS and young people are made aware of the time and dates of these sessions. Young people have used EPIC to speak on their behalf at case conferences and reviews.</p> <p>Services currently provided by EPIC to children in state care</p> <ul style="list-style-type: none"> • Provision of advice and advocacy services to young people in the Detention school initially Trinity house but now being expanded to the other detention units. • Provision of advice and advocacy services to young people in National Special Care and High Support units. • Supporting and advising the young person advisory group to the CEO Child and Family Agency known as TAG. • Provision of support and advisory services to young people leaving care • Participation in national working and steering groups in partnership with the CFA and other agencies working with and for young people in care. • Direct contact with young people including attendance at care planning |
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| | | | | | <p>review meetings and court as required</p> <p>Financial outlay: €400,000 (recurring from end 2014)</p> |
| 83 | <p>The OMCYA will conduct a consultation exercise with children and young people in the care of the State. A working committee will examine methods of communicating with young people in care and detention settings, and ways of establishing permanent forums, with findings to be published.</p> | <p>Department of Children and Youth Affairs</p> | <p>by Sept 2010</p> | <p>Complete</p> | <p>This action has been completed.</p> <p>Children and young people in long-term, non-episodic State care or detention under the Child Care Act (1991) or the Children Act (2001) in the following care settings were included in the consultation process:</p> <ul style="list-style-type: none"> - Foster care (8-12 year olds and 13-18 year olds) - Residential care and special care - Children with disabilities living in care - Detention Schools - St Patrick's Institution - Separated children seeking asylum - Young people who have recently left the care system <p>The remit was extended to include children with disabilities who are in full or part time care and not necessarily in the care of the State.</p> <p>The aims and objectives of the consultations were to get the views of children and young people in the care of the State on the issues that really matter to them and on which they would like to be heard; to explore existing mechanisms for children and young people to express their views and to make recommendations on future structures to be established for children and young people to express their views.</p> <p>The consultations commenced in January 2010 and concluded in December 2010. Over 200 children and young people took part in consultations session. The consultation process was spearheaded by the Department of Children and Youth Affairs, in co-operation with key stakeholders including, young people who themselves live in the care of the State, the HSE, HIQA, the Irish Youth Justice Service (IYJS), the EPIC, the Probation Service and other key stakeholders.</p> |

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| | | | | | <p>These bodies were represented on the consultation oversight committee.</p> <p>A report of the consultations <i>Listen to Our Voices: A Report of Consultations with Children Living in the Care of the State</i> (2011) (LTOV) and a child/youth-friendly version of the report have been compiled and were launched by the Minister for Children and Youth Affairs in July 2011.</p> <p>At the launch of <i>Listen to Our Voices: A Report of Consultations with Children Living in the Care of the State</i> (2011) (LTOV), the Minister for Children and Youth Affairs also met with 50 children and young people invited children and young people who had taken part in the consultations. She invited them to sit on a Voice of Children in Care Implementation Group.</p> <p><u>Establishment of the Voice of Children in Care Implementation Group</u></p> <p>The establishment of the Voice of Children in Care Implementation Group is a priority action for the Department under the Integrated Reform Delivery Plan.</p> <p>In advance of establishment of the group of children and young people, the DCYA undertook the following key actions:</p> <ul style="list-style-type: none"> • Establishment of a management committee comprising the DCYA and former HSE Child and Family Services to work with the Voice of Children in Care Group. • Appointment of a consultant to access children and young people for this Implementation Group, support their involvement in the Group and compile a report of their recommendations on mechanisms for the State to improve the practice of listening to children in care • Engagement with Empowering People In Care (EPIC) on initiatives being undertaken relevant to the work of the Voice of Children in Care Implementation Group. <p>Following meetings with the former HSE Child and Family Services, it was agreed that the work of this group of children and young people would be led by a partnership between the DCYA and the HSE Child and Family Services.</p> <p>The first meeting of the Voice of Children in Care Implementation Group took place in May 2012.</p> <ul style="list-style-type: none"> • The Group met with Frances Fitzgerald TD, Minister for Children and |
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| | | | | | <p>Youth Affairs</p> <ul style="list-style-type: none"> • The Group met with Dr Gordon Jeyes, National Director, Child and Family Agency • The Group reviewed the recommendations from <i>Listen to Our Voices: A Report of Consultations with Children Living in the Care of the State</i> and identified those most in need of immediate action • The Group provided input to the HSE Alternative Care Handbook • The Group gave detailed feedback on the care plan review process • The Group provided feedback on guidance documents for HSE staff on care plan review meetings <p>In June 2013, the children and young people took the decision to re-name the Group TACTIC - Teenagers and Children Talking in Care.</p> <p>The children and young people decided to develop a suite of materials for children and young people when they are first going into care, aimed at providing reassurance and at highlighting how they can have their voices heard in their own care situations and in their care plans.</p> <p>The list of resources that have been agreed for development are:</p> <ul style="list-style-type: none"> <input type="checkbox"/> A story book for 3 – 7 year old children <input type="checkbox"/> A guide on going into foster care for 8-12 year old children <input type="checkbox"/> A guide on going into foster care for 13-18 your old young people <input type="checkbox"/> A guide on going into residential care for 13-18 your old young people <input type="checkbox"/> A leaflet on aftercare for 16-year olds in foster care <input type="checkbox"/> A bookmark - Child version of the Standards (foster) <input type="checkbox"/> A bookmark - Child version of Standards (residential) <input type="checkbox"/> An animated video on care plan reviews <input type="checkbox"/> Forms for use nationally by social workers on obtaining the child's views on her/his on going into care. <p>These resources are completed and are currently being reviewed for publication.</p> <p>The storybook and other resources will be published during 2014 by the Child and Family Agency (CFA) and launched by the Minister for Children and Youth Affairs and the children as part of a suite of resources to ensure that children in care have a stronger voice in decisions made about their own care. These resources will be given by the CFA to every child and young person going into care.</p> |
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| 84 | The HSE will arrange for exit interviews with personnel leaving child protection and residential care in order to better understand issues of staff retention. | Child & Family Agency | by Sept 2009 | Ongoing | A review group has been established to progress this action. Exit interview Feedback Form has been developed for implementation in 2014. |

PART 6 – CHILDREN FIRST

6.1 Revised Guidelines and legislation

| No. | Action | Department, Agency Responsible | Time frame | Status | Current Position |
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| 85 | Legislation will be drafted to provide that all staff employed by the State and staff employed in agencies in receipt of funding from the Exchequer will have: a duty to comply with the Children First national guidelines; a duty to share relevant information in the best interests of the child (as per Recommendation 14, Action 57); a duty to cooperate with other relevant services in the best interests of the child. | Department of Children and Youth Affairs | by December 2010 | Complete | <p>The Children First Bill, published April 2014, aims to improve the care and protection of children by raising awareness of child abuse and neglect. It has three key elements.</p> <p>The first relates to the obligation on certain professionals and other persons working with children to report child protection concerns to the Child and Family Agency and to assist the Agency in the assessment of a child protection risk, if requested to do so.</p> <p>The second relates to the obligation on providers of services to children to undertake an assessment of any potential for risk of harm to a child while that child is availing of their service, and prepare an appropriate child safeguarding statement in accordance with the Bill.</p> <p>The third key element is the statutory basis given to the Children First Interdepartmental Group. This Group, which includes a representative of each Government Department, will be required to keep the implementation of this legislation under review and to report on an annual basis to the Minister for Children and Youth Affairs.</p> |
| 86 | The OMCYA will publish a revised edition of Children First. | Department of Children and Youth Affairs | by December 2009 | Complete | <p>The Children First National Guidelines (1999) were revised and updated in 2009 in accordance with this action. Further revisions resulted in the Children First National Guidance for the Protection and Welfare of Children being published in 2011.</p> <p>It is the intention of the Department of Children and Youth Affairs to revise the 2011 Guidance to ensure that (i) the material within it is consistent with the Children First legislation, and (ii) it contains additional advice and information to assist mandated persons and organisations to fulfil their statutory obligations.</p> |

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| 87 | The HIQA will develop outcome-based standards for child protection services. | Health Information and Quality Authority | by December 2010 | Complete | The standards were published in 2012. The Standards are organised under six themes and focus on the safety and welfare of the child. |
| 88 | Compliance with the Children First national guidelines will be linked to all relevant inspection processes across the education, health and justice sectors. | Health Information and Quality Authority, Department of Education and Skills, Department of Justice and Law Reform | by December 2011 | Complete | The procedures in Whole School Evaluations undertaken by the Inspectorate of the Department of Education and Skills include a specific review of school policies in the area of child protection. |
| 89 | Children First should be uniformly and consistently implemented throughout the State. | Department of Children and Youth Affairs (all agencies) | Ongoing | Ongoing | <p>There has been an active programme of assistance for organisations in respect of implementing Children First since its introduction in 1999. The Health Boards, then the HSE and now the Child & Family Agency have continued to offer a structured approach to Children First information and advice, policy development and training to organisations throughout the Children First Information and Advisory Officer posts. At the same time an active internal Children First training approach has also been in place ensuring that Agency staffs have had access to clear information and guidance in respect of their child protection responsibilities. Social work/Garda joint training programmes have also been running since 1999. Consequently many thousands of public sector and NGO staff members and volunteers have received Children First training.</p> <p>The introduction of Children First legislation will create a more comprehensive requirement on all Government Departments, services sectors and organisations providing direct services to children to implement Children First.</p> <p>The Child & Family Agency, since its establishment, has formed a National Children First Team under the management of a National Manager for Children First who are in the process of formulating a national implementation programme.</p> |

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| | | | | | <p>Furthermore, a high level national management group has been established to provide national oversight of all aspects of the implementation of Children First National Guidance and Legislation whose priorities are in the area of training and support for service areas relevant to the protection and welfare of children i.e. the Health Service Executive, An Garda Síochána, Early Years Sector, Education, Youth Sector, Sports Sector and Local Government.</p> <p>In addition a Children First Implementation Inter-Departmental Group (CFIDG) has been established, chaired by the DCYA. The purpose of the Group is to promote the importance of Children First compliance across Government and to ensure a consistent approach is adopted.</p> <p>In July 2013 the Government approved the publication of Departmental Children First Sectoral Implementation Plans on the website of each relevant Government Department. These Implementation Plans are high level documents setting out implementation requirements for each parent Department and for agencies under its aegis which have contact with children and young people. The Plans set out the mechanisms in place, or to be put in place, to support the continued implementation of Children First Guidance at sectoral level. These plans were for a period of one year, and will be reviewed and updated shortly.</p> <p>Under the Children First Bill, 2014, it is proposed to place the Children First Interdepartmental Group on a statutory footing, and that its membership will comprise representatives from all Government Departments,</p> |
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PART 7 – ADDITIONAL ISSUES NOT SPECIFICALLY COVERED IN THE COMMISSION'S RECOMMENDATIONS

7.1 Training issues

| No. | Action | Department, Agency Responsible | Time frame | Status | Current Position |
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| 90 | The HSE/OMCYA will engage with the Health and Social Care Professionals Council regarding content of qualifying and post-qualifying courses. Similar engagement will take place with other education/accreditation bodies of relevant professionals across the areas of health, education and justice. | Child and Family Agency, Department of Children and Youth Affairs, Health and Social Care Professionals Council | by June 2010 | Ongoing | <p>The Child and Family Agency is working with relevant stakeholders in relation to the content of qualifying and post-qualifying courses. It has established an Education, Training, Research & Policy National Advisory Group for Children and Family Services including representation from the Health and Social Care Professionals Council and education bodies. The Terms of Reference include the provision of advice on aligning relevant education, training, research, policy and practice initiatives.</p> <p>The Department of Children and Youth Affairs has directly engaged with CORU regarding registration and training.</p> |
| 91 | Continuing professional development (CPD) will be prioritised by all employers in the health, education and justice sectors for their staff working with children and families. | Child and Family Agency, Department of Education and Skills, Department of Justice and Law Reform | Ongoing | Ongoing | <ul style="list-style-type: none"> The Child and Family Agency is addressing the continuing professional development needs of staff through its child care training units and it will ensure that this is provided in a standardised and quality assured manner through the development and implementation of the Children and Family Services Workforce Development Strategy. It will also work with the Health and Social Care Professional's Council and CORU to develop appropriate programmes. See also Action 90. The Department of Education and Skills continues to fund a range of continuing professional development programmes which address child protection issues. In the case of the Irish Youth Justice Service priorities in this area will be informed by identified needs arising from the Training Needs/Skills Analysis. – see action 51. |

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| 92 | Training will be provided for professional staff moving into management positions in the health, education and justice sectors. | HSE, Department of Education and Skills, Department of Justice and Law Reform | Ongoing | Complete | <p>The HSE, in partnership with HR Learning and Development developed and rolled out a standardised leadership development programme for first time managers or those who require management training.</p> <ul style="list-style-type: none"> ○ In the case of the Irish Youth Justice Service training is provided as required. ○ The Department of Education and Skills provides training in child protection for designated and deputy designated liaison persons in schools and to new staff moving into management positions. |
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| 7.2 Out of hours services | | | | | |
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| No. | Action | Department, Agency Responsible | Time frame | Status | Current Position |
| 93 | The HSE will put in place a national out-of-hours crisis intervention social work service, built into the existing HSE out-of-hours service. This will be piloted initially in two areas of the country. | HSE Child and Family Agency | Ongoing | Complete | <p>The Child and Family Agency has two services [Emergency Place of Safety and the Crisis Intervention Service] that combined provide a national emergency place of safety for children of all ages. These are available outside normal working hours, including weekends and bank holidays and can be availed of by the Gardaí under Section 12 of the Child Care Act 1991. They can also be contacted during office hours if it seems an emergency placement may be required outside of office hours.</p> <p>Additionally, the Child and Family Agency has developed a business case for a national Emergency Out of Hours Social Work Service for use by the Gardaí. This purpose of this service is to ensure appropriate decisions are made regarding emergency placement. Where there are other crises, for example, mental health issues, homelessness there are other services available to assist in these situations.</p> <p>The Emergency Out of Hours Social Work Service will operate in close liaison with the Emergency Place of Safety Service. The service will not operate within counties Dublin, Kildare and Wicklow as the Crisis Intervention Service already operates in this area. This is subject to review.</p> <p>Financial outlay: €500,000 (recurring)</p> |

7.3 HSE service arrangements with non-statutory agencies

| No. | Action | Department, Agency Responsible | Time frame | Status | Current Position |
|-----|---|--------------------------------|--------------|----------|---|
| 94 | The HSE will undertake a national review of all service arrangements in the area of children's services to ensure that: they comply with Children First; the purpose and priorities of the service fit with the HSE's legislative requirements and operational priorities to provide services to protect and support children at risk and children in care and detention. | HSE | by June 2010 | Complete | <p>New commissioning requirements have been set out in statute (the Child and Family Agency Act, 2013).</p> <p>A senior manager at national level has responsibility for implementation, monitoring and compliance with Children First.</p> <p>All service level arrangements will be reviewed by the CFA to ensure that compliance with Children First will be a requirement for all contracted services. This action will be further enhanced when Children First is placed on a statutory footing.</p> |
| 95 | In instances of part-funding, the HSE will convene meetings with all funding agencies to agree service priorities. | HSE | by June 2010 | Complete | <p>With the introduction of a new template for service level agreements all arrangements with funded agencies are being revisited by the CFA to ensure compliance with this action. Children's Services Committees have been established as a planning structure to support this work.</p> |

| 7.4 Children court issues | | | | | |
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| No. | Action | Department, Agency Responsible | Time frame | Status | Current Position |
| 96 | It is recommended that the Courts Service conduct research into other jurisdictions that have best practice in place for the management of children and family services in the Court, with a view to introducing best practice in this area to this jurisdiction. | Dept Justice and Law Reform (Courts Service) | by December 2010 | On hold | <p>The Courts Service previously advised that due to resource constraints it had not been possible to commence formal research into the management of children and family court services in other jurisdictions. The Service re-iterated its commitment to progressing this action when the necessary resources become available. The Courts Service further stated that it is conscious of the needs of all court users, especially young people, whose future may be significantly affected by the court experience. Every effort will continue to be made to ensure that the best possible service is provided by the courts.</p> <p><u>Child Care Law Reporting Project</u></p> <p>The Child Care Law Reporting Project (CCLRP) was established in November 2012 to gain a greater depth of knowledge and understanding of child care cases by reporting and researching such hearings in the courts. The project is an independent one. It has the support of philanthropic funding from the One Foundation, Atlantic Philanthropies and infrastructural support from the Department of Children and Youth Affairs.</p> <p>The Project involves attendance at a representative selection of cases in the District Courts in order to prepare and publish, on a designated website, reports of these proceedings and to collect data that will provide the basis for an analysis of how the child care law and service delivery system is working. It further aims to, inter alia, inform future policy formulation and public awareness of the child protection and courts process, and gauge the effectiveness of current systems and policies in the area of child protection and court administration. The website of the project is http://www.childlawproject.ie/</p> |

| 7.5 Assessments of alleged perpetrators | | | | | |
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| No. | Action | Department, Agency Responsible | Time frame | Status | Current Position |
| 97 | The HSE will implement the recommendations of the 2007 Report of the Working Group on Treatment Services for Persons with Sexually Abusive Behaviour. | Child & Family Agency | by December 2010 | Q1 2015 | <p>Child & Family Agency</p> <p>A National Steering Committee which represents statutory and non-statutory sectors was established in 2011. The Committee is in process of developing national Standards and Protocols for services for children, adolescents and adults who are exhibiting sexually harmful behaviour and has responsibility for guiding the establishment of a national model of service delivery. In that context, the proposed service model's aim is to enable those who have engaged in such behaviour to be accountable and take full responsibility for their behaviour and to develop the skills to lead healthy, fulfilled and non-abusive lives via the necessary specialist interventions. The paramount goal is to protect children, young people, vulnerable adults, and others from any risk that children and young people who have engaged in sexually harmful behaviour may pose.</p> <p>The Child and Family Agency undertook a re-evaluation of the proposed posts to meet this recommendation. This takes into account changes to service delivery and other reforms. It is expected that the positions required to meet this recommendation will now be recruited and in place by end Quarter 1 2015.</p> |

| 7.6 Adoption | | | | | |
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| No. | Action | Department, Agency Responsible | Time frame | Status | Current Position |
| 98 | The Government will consider the options in relation to adoption policy in the context of the outcome of deliberations by the Joint Oireachtas Committee on the Constitutional Amendment for Children (JCCAC) , to report by 16th October 2009. | Department of Children and Youth Affairs | Ongoing | Ongoing | <p>The Children's Referendum was held on 10 November 2012 and was passed. The result has been the subject of legal challenges to the High Court and the Supreme Court. Final determination by the Courts is awaited.</p> <p>The General Scheme and Heads of Bill of the proposed Adoption (Amendment) Bill was published in September 2012 in conjunction with the publication of the referendum proposal to inform the public of proposed changes to adoption law envisaged if the Constitutional amendment was approved. It is intended to bring the Adoption (Amendment) Bill 2013 before the Houses of the Oireachtas as soon as possible, following conclusion of all proceedings and processes relevant to the Children's Referendum.</p> <p>The Department is continuing to liaise with the Department of Justice and Equality in the work underway to further develop the Child and Family Relationships Bill, which is addressing a number of issues which need to be resolved, not just within the Adoption Act, but also within the broader framework of family law relating to parentage and guardianship.</p> |

| 7.7 Public awareness | | | | | |
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| No. | Action | Department, Agency Responsible | Time frame | Status | Current Position |
| 99 | The HSE will expedite the production and circulation of the Worried about a Child booklet. | HSE | by December 2009 | Complete | <p>The HSE has published the Child Protection and Welfare Practice Handbook. This is a practice guide for practitioners which accompanies and supports the revised Children First Guidance 2011 and also provides relevant information for people worried about a child. The need for additional public guidance will be determined as part of the ongoing process of implementing Children First across all sectors and the upcoming Children First Guidance.</p> <p>Financial outlay; €450,000 (once off)</p> |