



Circular Number 0036/2023

**To: The Managerial Authorities of Recognised Primary, Secondary, Community,
and Comprehensive Schools
and
The Chief Executives of Education and Training Boards**

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

1. Purpose of this circular

The main purpose of this circular is to advise school management authorities that following consultations between the Department of Education and the education partners, the *Child Protection Procedures for Primary and Post-Primary Schools* hereinafter referred to as the “procedures” have been updated and republished.

2. General and date effective

- 2.1** The revised procedures replace the 2017 procedures and take account of the Children First Act, 2015 and the “Children First: National Guidance for the Protection and Welfare of Children” published by the Minister for Children and Youth Affairs in 2017 (hereinafter referred to as “Children First National Guidance 2017”), the Addendum to Children First (2019), General Data Protection Regulation (GDPR), the Child Protection and Safeguarding Procedures for Boarding Facilities associated with Recognised Schools 2023 and the Teaching Council (Information to be Furnished by Employer in Case of Dismissal or Resignation of Registered Teacher) Regulations 2023.
- 2.2** These procedures apply to all recognised primary and post-primary schools and to centres for education (as defined in the Education Act 1998), including boarding facilities associated with recognised schools, which are attended by children and young people under the age of 18 years.
- 2.3** It should be noted that all of the requirements of the revised procedures **come into effect from 1 September 2023**
- 2.4** The revised procedures should be brought to the attention of all school staff and board of management members. The board of management at the first meeting following the 1st September 2023 shall formally adopt the 2023 procedures.

- 2.5 The revised procedures are published on the Department's website and can be accessed on gov.ie [here](#)

3. Children First Act 2015 and Children First National Guidance 2017

- 3.1 Since the publication of the procedures in 2017, schools have become very familiar with the statutory obligations which The Children First Act, 2015 has placed on certain professionals, including all registered teachers, who are referred to as mandated persons in the Act. It has also placed certain statutory obligations on certain organisations that provide services to children, including all schools.
- 3.2 Schools have become very familiar with the obligations which are outlined in the Children First National Guidance 2017 that apply to mandated persons such as registered teachers and the statutory obligations that apply to organisations, such as schools, under the Act. The Act also sets out the best practice (non-statutory) obligations which are in place for all individuals (including teachers) and for all sectors of society. The Children First Act 2015 operates side-by-side with the Children First National Guidance 2017.

4. Purpose of the revised procedures

- 4.1 The revised procedures continue to give direction and guidance to school authorities and to school personnel in relation to meeting their statutory obligations under the Children First Act 2015 and in the continued implementation of the best practice (non-statutory) guidance set out in Children First National Guidance 2017.
- 4.2 The changes to the revised procedures are outlined in Appendix 5 of the *Child Protection Procedures for Primary and Post-Primary Schools (revised 2023)*. These changes include:
- a) Updated reporting procedures at section 9.5 of the *Child Protection Procedures for Primary and Post-Primary Schools (revised 2023)*, which enable the board of management to undertake their oversight arrangements while not disclosing the identity of the member of school personnel against whom an allegation is made or disclosing the identity of the child to the board. This information must now be anonymised in the documents provided as part of the Child Protection Oversight Report. **The protocol authorising immediate action continues to operate as previously, without anonymisation.** Employers (boards of management or CEs of ETB, as appropriate) must familiarise

themselves with the revised procedures and ensure that these are followed correctly for all Child Protection Oversight Reports presented to the board from 1 September 2023.

- b) Reference to the Commencement of the Teaching Council (Information to be Furnished by Employer in Case of Dismissal or Resignation of Registered Teacher) Regulations 2023, **from 11 May 2023**. Employers must familiarise themselves with these regulations, available [here](#).
- c) Clarification that the Child Safeguarding Statement always includes a Risk Assessment. It is one document and boards of management when next reviewing their Child Safeguarding Statement must use the most recent mandatory template provided on the gov.ie website [here](#).
- d) Reference to the recently published *Child Protection and Safeguarding Procedures for Boarding Facilities associated with Recognised Schools 2023*
- e) Reference to [the Addendum to Children First \(2019\)](#)
- f) Reference to General Data Protection Regulation (GDPR)

5. Next steps

5.1 All of the requirements of the revised procedures apply to all school personnel and school authorities with **effect from 1 September 2023**.

5.2 It is the responsibility of each relevant school authority to put in place the necessary arrangements to ensure full compliance with the *Child Protection Procedures for Primary and Post-Primary Schools (revised 2023)*.

In particular:

- a) any documents provided as part of the Child Protection Oversight Report must now be anonymised to ensure that **the identities of any children and any other parties, including the member of school personnel** to whom the concern or report relates, **are not disclosed**.
- b) Employers must notify the Teaching Council once a teacher stands dismissed from 11 May 2023 onwards (or resigns following upon the making of a complaint or the invoking of a disciplinary process).

5.3 Each relevant school authority when next reviewing their Child Safeguarding Statement should ensure that it is using the latest mandatory templates provided by the Department for the Child Safeguarding Statement (including a Risk Assessment), the annual review and notification of the annual review. They are available [here](#). Guidance notes and optional templates are available at the same link.

6. Support for schools

6.1 There is an extensive selection of documents and supports available on gov.ie, Oide (previously PDST) and on the Tusla websites. These include:

[Child Protection Procedures for Primary and Post-Primary Schools \(revised 2023\).](#)

[Guide to Child Protection and Safeguarding Inspections](#)

[Child Protection and Safeguarding Procedures for Boarding Facilities associated with Recognised Schools 2023](#)

[Guide to Child Protection and Safeguarding Inspection in Boarding Facilities associated with Recognised Schools 2023](#)

The templates and guidance notes have been updated to take account of the revised procedures. Please ensure that you use the updated versions available [here](#)

Tusla secure online reporting portal [here](#)

Oide (previously PDST) child protection e-learning modules [here](#) and [here](#)

Tusla Children First training modules [here](#)

6.2 General queries in relation to child protection CPD should be addressed to the Department's Teacher Education Section at: TES@education.gov.ie

7. Queries in relation to the revised procedures

7.1 Any queries relating to the revised procedures should be raised in the first instance with the Designated Liaison Person or board of management of the school, as appropriate.

7.2 General queries in relation to the revised procedures should be e-mailed to the Department at: childprotection@education.gov.ie

8. Dissemination of circular

8.1 A copy of this circular should be provided to members of the board of management and to all school personnel. A copy should also be provided to the parents' association. This circular may be accessed on the Department of Education website at Circulars (www.gov.ie). An Irish version of this circular is also available on the Department's website.

Issued by: Judith Lyons
Principal Officer
Parents and Learners Unit

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