

Procedure for Maintaining a List of Mandated Persons, July 2023

**Introduction**

**The Archdiocese of Dublin is required to maintain a list of mandated persons who minister or work for, or on behalf of, the Diocese. Mandated persons have a legal obligation under the Children First Act, 2015 (the Act) to report child protection concerns to Tusla, the Child and Family Agency. The categories of people who are mandated persons are set out in Appendix A. The list is maintained by the diocesan Child Safeguarding and Protection Service (CSPS). It is available on request to members of the public in hard copy.** Priests, deacons, religious, parish pastoral workers and others who work for and on behalf of the Archdiocese are mandated persons under the Act.

**The diocesan Child Safeguarding Statement**

The Archdiocese of Dublin is a relevant service under the Act. Section 11 (3) requires that the Diocese: “prepare… a written statement (in this Act referred to as a “child safeguarding statement”) specifying the service being provided and the principles and procedures to be observed to ensure, as far as practicable, that a child, while availing of the service, is safe from harm”. The child safeguarding statement should specify procedures: “for maintaining a list of the persons (if any) in the relevant service who are mandated persons”.

The diocesan Child Safeguarding Statement is published, along with this procedure, on [www.csps.dublindiocese.ie](http://www.csps.dublindiocese.ie) . All those who work for or on behalf of the Diocese, its parishes and offices, whether mandated persons or not, are required to familiarise themselves with the Child Safeguarding Statement and with the other safeguarding policies and procedures named in the Statement. They are also required to adhere to these policies.

**Legal obligations of mandated persons**

Section 14(1) of the Children First Act 2015states:

“…where a mandated person knows, believes or has reasonable grounds to suspect, on

the basis of information that he or she has received, acquired or becomes aware of in the

course of his or her employment or profession as such a mandated person, that a child—

(a) has been harmed,

(b) is being harmed, or

(c) is at risk of being harmed,

he or she shall, as soon as practicable, report that knowledge, belief or suspicion, as the

case may be, to [Tusla].”

The term ‘harm’ is used as defined in the Act: “‘harm’ means, in

relation to a child—:

(a) assault, ill-treatment or neglect of the child in a manner that seriously affects

or is likely to seriously affect the child’s health, development or welfare, or

(b) sexual abuse of the child, whether caused by a single act, omission or circumstance or a series or combination of acts, omissions or circumstances, or otherwise”.

Section 14(2) of the Actplaces obligations on mandated persons to report any disclosures made by a child:

“Where a child believes that he or she–

(a) has been harmed,

(b) is being harmed, or

(c) is at risk of being harmed

and discloses this belief to a mandated person in the course of a mandated person’s

employment or profession as such a person, the mandated person shall, … as soon as

practicable, report that disclosure to [Tusla].”

**Mandated Persons in the Diocese**

Those named on the diocesan list of mandated persons are:

* Clerics (bishops, priests and deacons) of the Diocese;
* Parish pastoral workers employed either by the Diocese or by parishes of the Diocese;
* Members of religious orders who hold diocesan appointments;
* Clerics of other dioceses who hold appointments in the Archdiocese of Dublin;
* Chaplains of third level institutions who are directly employed by the Diocese;
* Members of those professions listed in Appendix A who are employed by the Diocese.

**Informing mandated persons of their responsibilities**

* All those who hold an appointment with the Diocese that involves contact with children are required to undergo one-day child safeguarding training at which the role and responsibilities of mandated persons are explained.
* CSPS contacts those diocesan offices which employ professional staff who are mandated persons in order to ensure that they are aware of their responsibilities and that their names are added to the list.
* Priests and religious from overseas who come to Ireland to minister in the Archdiocese of Dublin are given an information sheet which explains diocesan safeguarding structures and their responsibility to report child protection concerns.
* Information about the role and responsibilities of mandated persons are included in information sessions delivered to parishes and diocesan offices.
* CSPS publishes a newsletter which contains information, from time to time, on the role and responsibilities of mandated persons.

**Maintenance of the diocesan list of mandated persons**

* The names and contact details of mandated persons who attend safeguarding training are gathered and added to the list of mandated persons.
* The names and contact details of mandated persons employed in diocesan offices are gathered and added to the list of mandated persons. The names of those previously listed who are no longer employed are removed from the diocesan list of mandated persons.
* CSPS is provided every year with the names of those priests who are to be issued with a celebret permitting them to exercise ministry in the Diocese. These names are checked to ensure that they appear on the diocesan list of mandated persons and that the names of those previously listed but no longer in ministry are removed.

**Making a mandated report**

Mandated persons are advised to contact CSPS (01 8360314); info.csps@dublindiocese.ie for assistance in making a mandated report

This procedure will be reviewed in July 2025.

Appendix A

List of Mandated Persons for the purposes of the Children First Act 2015

1. Listed medical practitioner within the meaning of section 2 of the Medical Practitioners Act 2007.
2. Listed nurse or listed midwife within the meaning of section 2(1) of the Nurses and Midwives Act 2011.
3. Physiotherapist listed in the list of members of that profession.
4. Speech and language therapist listed in the list of members of that profession.
5. Occupational therapist listed in the list of members of that profession.
6. Listed dentist within the meaning of section 2 of the Dentists Act 1985.
7. Psychologist who practises as such and who is eligible for registration in the list (if any) of members of that profession.
8. Social care worker who practises as such and who is eligible for registration in accordance with Part 4 of the Health and Social Care Professionals Act 2005 in the list of that profession.
9. Social worker who practises as such and who is eligible for registration in accordance with Part 4 of the Health and Social Care Professionals Act 2005 in the list (if any) of that profession.
10. Emergency medical technician, paramedic and advanced paramedic listed with the Pre-Hospital Emergency Care Council under the Pre-Hospital Emergency Care Council (Establishment) Order 2000 (S.I. No. 109 of 2000).
11. Probation officer within the meaning of section 1 of the Criminal Justice (Community Service) Act 1983.
12. Teacher listed with the Teaching Council.
13. Member of An Garda Síochána.
14. Guardian ad litem appointed in accordance with section 26 of the Child Care Act 1991.
15. Person employed in any of the following capacities:

(a) manager of domestic violence shelter;
(b) manager of homeless provision or emergency accommodation facility;
(c) manager of asylum seeker accommodation (direct provision) centre;
(d) addiction counsellor employed by a body funded, wholly or partly, out of moneys provided by the Oireachtas;
(e) psychotherapist or a person providing counselling who is listed with one of the voluntary professional bodies;
(f) manager of a language school or other recreational school where children reside away from home;
(g) member of the clergy (howsoever described) or pastoral care worker (howsoever described) of a church or other religious community;
(h) director of any institution where a child is detained by an order of a court;
(i) safeguarding officer, child protection officer or other person (howsoever described) who is employed for the purpose of performing the child welfare and protection function of religious, sporting, recreational, cultural, educational and other bodies and organisations offering services to children;
(j) child care staff member employed in a pre-school service within the meaning of Part VIIA of the Child Care Act 1991;
(k) person responsible for the care or management of a youth work service within the meaning of section 2 of the Youth Work Act 2001.

16. Youth worker who—

(a) holds a professional qualification that is recognised by the National Qualifications Authority in youth work within the meaning of section 3 of the Youth Work Act 2001 or a related discipline, and
(b) is employed in a youth work service within the meaning of section 2 of the Youth Work Act 2001.

17. Foster carer listed with the Agency.
18. A person carrying on a pre-school service within the meaning of Part VIIA of the Child Care Act 1991.