



Irish Youth Justice Service

Seirbhís na hÉireann um Cheartas i leith an Aosa Óig

STANDARDS & CRITERIA

FOR

CHILDREN DETENTION SCHOOLS

CAIGHDEÁIN AGUS CRITÉIR I LEITH SCOILEANNA COINNEÁLA LEANAÍ

Department of Justice, Equality and Law Reform

An Roinn Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí

NOVEMBER 2008 SAMHAIN2008

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1. PURPOSE & FUNCTION

The centre has a written statement of purpose and function which accurately describes what it sets out to do for young people¹, the manner in which care is provided, and how this relates to the overall service provided for young people as a whole. The statement takes account of relevant legislation and policies of the Irish Youth Justice Service and other agencies, where relevant; and best practice in the care of young people.

A statement of Purpose & Function should:

- 1.2 Outline the purpose, ethos and philosophy of the centre
- 1.3 Acknowledge the role of residential care in the life of the young people in the centre
- 1.4 Describe the target group (age group, gender and legal authority for placement) in care and the service that the centre aims to provide
- 1.5 Describe the School's role in relation to the Courts, the other Detention Schools and the Health Service Executive (HSE)
- 1.6 Be reflected in the policies and practices governing day-to-day operation of the centre
- 1.7 Identify the key policies developed by the centre to manage and care for the young people in residence - copies of these policies should be made available to all
- 1.8 Be available in a form accessible to young people, families and professionals
- 1.9 Be understood by management and staff
- 1.10 Acknowledge that public resources are allocated to the centre and, accordingly, there is an obligation to make optimum use of such resources
- 1.11 Be compiled and owned by all the key stakeholders and be subject to regular review

¹ The term "young people" is used throughout to generically denote children, young people and young adults.

2. CARE OF YOUNG PEOPLE

Young people are cared for by staff to whom they can relate effectively. Day-to-day care is of good quality and provided in a way which takes account of their individual needs without discrimination. The quality of care provided will be equivalent to that which would be expected of a good parent/guardian. Young people are rewarded for the achievement of acceptable behaviour and measures of control must be expressly designed to help and not to punish the young people.

Positive care of young people is achieved through:

Staff establishing good relationships with the young people while showing respect for their individuality and being aware of confidentiality

- 2.1 Staff relates to young people through care practices which take into account what restricted liberty means to them, as well as the effects of separation, loss and trauma.
- 2.2 Young people confirm that they are able to approach staff to share what they are feeling, and can be confident that they will be responded to with sensitivity and understanding.
- 2.3 **Allowing choice for young people's personal appearance, clothing and style.** Young people will be consulted about the clothing that they wear and are not obliged to share clothing.
- 2.4 Appropriate clothing is provided for sporting and other activities.
- 2.5 **Facilitating practice of religion (as far as reasonably practicable) with access to chaplain.** The centre facilitates young people with their rights in the area of freedom to practise.
- 2.6 The centre makes positive arrangements to help young people observe their religious, racial and cultural identities.
- 2.7 **Providing a balanced diet with choice in food and involvement in menu preparation.** The school's routine for the purchase, preparation, serving and consumption of meals is sufficiently flexible to involve young people.
- 2.8 There is sufficient quantity and choice of food and meals are pleasant, social occasions.
- 2.9 Healthy eating is promoted through education, information, exercising choice and the planning and preparation of meals.

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- 2.10 Ethnic and cultural diversity is reflected in the choice of meals offered. **Providing the opportunity to pursue leisure activities in which young people exhibit an interest or talent.**
- 2.11 The school has a planned programme of purposeful activities that take account of the needs, interests and potential of current residents.
- 2.12 The choice of leisure activities is not constrained by gender stereotypes.
- 2.13 There is adequate staff on duty to facilitate choice and opportunities are available for leisure for young people.
- 2.14 Leisure pursuits are considered and encouraged at care planning meetings and reviews.
- 2.15 Written guidance has been developed in the centre for staff when engaged in activities and holiday pursuits with young people when away from the centre.
- 2.16 **Offering Living Skills training in areas of personal hygiene and buying, etc.**
Staff is sensitive to the needs of young people and can advise on the importance of personal hygiene and the use of toiletries etc in an age appropriate manner.
- 2.17 Young people are given advice on good inter personal skills; how to develop their talents; how to budget pocket money and how to save; how to purchase items; the importance of friends and of becoming involved in community activities.
- 2.18 **Having a written care and control policy** - The school has a written statement on permitted disciplinary measures that is known to all staff and young people.
- 2.19 Young people are aware of the disciplinary measures which will be taken as a consequence of any unacceptable behaviour.
- 2.20 The school has a policy on the use of sanctions which is entirely consistent with promoting the developmental needs of young people by progressively encouraging them to exercise greater degrees of self-control and discipline.
- 2.21 Young people are rewarded for the achievement of acceptable behaviour and permitted sanctions are used effectively.
- 2.22 Restraint and single separation - Physical restraint is never used as a punishment, but only to protect the young person from immediate risk of injury to self or others, or serious damage to property. All incidents of physical restraint and the use of separation from the group are appropriately and accurately recorded. Proof of monitoring by management is in place.

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- 2.22.1 Staff members are appropriately and sufficiently trained in the use of physical restraint, ***as part of an overall agreed intervention strategy***, and their competence is checked regularly and refresher training is provided.
- 2.22.2 The appropriateness of its use for individual young people should be agreed as part of the placement plan and single separation is only used in exceptional cases and conforms to laid down policy.
- 2.22.3 Single separation:
- Only used exceptionally and conforms to policy
 - Only used for the minimum time necessary to restore appropriate behaviour
 - Must be subject to approval by the member of management on call
 - Time-scales must be inbuilt after which the member of management must be informed for a review of the situation
 - Must be monitored regularly and observations recorded
 - Means that the young person is not separated for a set period, but continually reviewed.
- 2.22.4 A member of management must approve its use and regular reviews must be inbuilt.
- 2.23 A written policy and protocol regarding absconding, drug misuse, home leave, non-return, etc. being in place.** Staff is familiar with the written procedures to be followed in the event of an absconding from the school or from the care of staff while away from the school. These procedures will include details of persons to be contacted and/or how to access such information.
- 2.24 Staff and young people are made aware of the sanctions to be applied as a result of an absconding, a non-return from home leave or misuse of drugs.
- 2.25 **Policy on Privacy** - Daily living arrangements respect young persons' privacy and dignity, having regard to age and gender.
- 2.26 Young people can make and receive telephone calls with an appropriate degree of privacy except where it is adjudged that safety or security would be compromised.
- 2.27 Young people should normally be able to write and receive letters without staff checking the contents.

3. CHILD PROTECTION

Young people in the school shall be protected from abuse² and there are systems in place to ensure such protection. In particular, staff members are aware of and implement practices, which are designed to safeguard young people in their care.

Each school should ensure that:

- 3.1 A child protection procedure is in place that is known to all staff, young people, parents and other professionals
- 3.2 There is evidence of supervision and training in the "*Child Protection Document: Policy, Procedures & Protocol*" and in "*Children First*"³ for all staff (including relief and ancillary staff). All students will receive similar training.
- 3.3 A child friendly, age appropriate, version of the Child Protection Document is available to all young persons on admission.
- 3.4 There are specific safeguarding practices for keeping young people safe from self-harm and abuse from staff, family, visitors and other residents. These practices outline appropriate professional relationships between staff and young people, including one-to-one contact, and other safeguarding components.
- 3.5 All staff members understand the principles, practices and procedures involved in the protection of young people and take appropriate action if they have concerns or have been informed about possible evidence of abuse.
- 3.6 Internal and external managements regularly monitor the implementation of agreed safeguarding practices.

The procedure outlines clearly the steps to be followed and the persons to be notified.

- 3.7 The role of the Designated Child Protection Officer (DCPO) is stated clearly in the young person's information pack. The name and location of the DCPO is known to all young people.
- 3.8 Young people confirm that they know how to contact the DCPO or a responsible adult to whom they feel they can speak if they have any concerns.

² Physical Abuse, Sexual Abuse, Emotional Abuse & Neglect as defined in the Department of Health' publication – Notification of Suspected Cases of Child Abuse between Health Boards and Gardai, April 1995.

³ Children First – National Guidelines for the Protection and Welfare of Children – Department of Health & Children, September 1999

3.9 All staff members receive training in, and are familiar with, the signs, symptoms and behaviour associated with bullying, being used as a scapegoat, harassment or abuse.

3.10 Young people who have been the victims or perpetrators of abuse are supervised as necessary to reduce the possibility of further abuse.

3.11 The mix within a group is such that it will not adversely impair the social, emotional, physical and personal well-being of individuals.

A 'whistle-blowing' system is in place for staff

3.12 Staff is facilitated to express concerns about the practices of colleagues where appropriate.

4. CHILDREN'S RIGHTS

Young people receive care in a manner which safeguards their rights and actively promotes their welfare. The practices of the centre should promote the additional rights afforded to young people living away from home.

Children's rights are protected through:

Staff being aware of the school's policies on rights and responsibilities

- 4.1 The school has a documented complaints procedure which is readily available in written format to young people (in age appropriate language), parents, guardians and other representatives.
- 4.2 The complaints procedure clearly outlines the following
 - What constitutes a complaint
 - How a young person can be helped to make a complaint; to whom he/she can make a complaint, both inside and outside the school; the procedure to be followed; (*steps to be taken, time scale, who investigates the complaint, where and how it is recorded, feedback to the complainant*).
- 4.3 Young people are kept informed on a regular basis both formally and informally of their right to complain.
- 4.4 Young people are informed of a person outside the centre to whom they may complain or to whom they may appeal the outcome of a complaint.
- 4.5 Staff treats the complaint procedure seriously and does not feel unduly threatened by it or play it down.
- 4.6 Staff encourages young people to bring dissatisfaction into the open and helps them formulate a complaint, if appropriate.
- 4.7 All complaints and their outcomes are centrally recorded and signed by both the staff member receiving the complaint and the young person making the complaint.
- 4.8 Subject to the overriding principle that the protection of children always receives priority, complaints against staff are dealt with in a way which balances the need to protect children with the need to safeguard the interests of staff concerned, following the laid down practices.

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- 4.9 Management, internal and external, will monitor the incidents and outcomes of complaints.

Young people being involved in preparing reports for meeting, reviews etc

- 4.10 Young people are provided with sufficient information in which to support their involvement and enable them to make informed choices.
- 4.11 Young people and their families are consulted about decisions that affect their lives. Their views are sought, valued and used to inform care planning and reviews.
- 4.12 Staff creates the proper time, circumstances and encouragement for young people to express their views and ensures that the young people meet regularly, as a group, to share their opinions about daily life in the unit.

Young people being made aware that they have access to independent advocacy services

- 4.13 A list of at least two people who may be contacted by young people will be made available in the information pack.

Young people being helped to understand their responsibilities and their rights.

- 4.14 A booklet outlining rights and responsibilities to be made available to young people.

Access to information

- 4.15 Young people have access to information about their rights under the United Nations Convention on the Rights of the Child, 1989.
- 4.16 Young people are given information verbally and in writing of their right to access information about themselves and services available in accordance with their age and level of experience.

5. PLANNING FOR YOUNG PEOPLE

The school has a written care plan for each young person entering its care. The plan is developed in consultation with parents/guardians and the young person concerned and is subject to regular review. The plan stresses the need for regular contact with family and prepares the young person for leaving care. The plan promotes the general welfare of the young person including appropriate provision to meet his/her educational, health, emotional and psychological needs. The experience of young people is enhanced by positive working relationships between professionals.

The following matters require consideration:

Placement (including admission criteria, legal authority, etc)

- 5.1 An appropriate detention order must be in place as provided for under Children Act 2001, as amended.
- 5.2 Young people are provided with age appropriate written procedures describing all aspects of the school, in particular information about visiting, phone calls, personal belongings and home leave.

Care plans (including Education and Health plans)

- 5.3 There is a comprehensive care plan drawn up for each young person based on his/her assessed needs which promotes the welfare of each young person.
- 5.4 Each care plan will contain objectives, time-scales and assigned tasks.
- 5.5 The care plan is distinguished from the overall placement plan.
- 5.6 The young person, parents and significant others are involved in drawing up the care plan and receive copies of the care plan.

Review of care plans

- 5.7 Each young person's care plan must be subject to formal, systematic and regular review - (at least every two months). Records of reviews should be held in the individual master files.
- 5.8 Each young person has an identified keyworker to progress his/her placement plan and to provide support to the young person and maintain contact with the family and outside agencies.

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- 5.9 Young people and families confirm that they are helped to prepare for reviews, attend review meetings, are aware of their purpose and receive copies of the relevant documentation.

Legal preparation

- 5.10 Young people are facilitated in the access of legal representation.
- 5.11 Young people are well informed, prepared and supported for attendance at court.

Partnership with families/guardians

- 5.12 Visits from family and friends are encouraged and facilitated in private, unless safety and security are compromised, or otherwise directed by the courts.
- 5.13 A young person's individual log should contain a complete record of all contacts between family and young person and all appointments and/or efforts made to establish contact. A record of non-contact with parents or guardians will be maintained.
- 5.14 Where a review meeting has established that contact is prohibited, this should be clearly explained to the young person concerned. The reasons for restrictions should be documented and reviewed at the time of the next care plan review meeting.

External agencies

- 5.15 The school has established positive working relationships with all the relevant external agencies and more specifically staff is encouraged to be actively involved with the young person during his/her stay at the school and attend all key decision making meetings.

Discharges

- 5.16 Young people are discharged from the school in a planned manner following consultation with the relevant agencies.

Aftercare

- 5.17 The school has a written policy on aftercare which it has developed with relevant external agencies.

6. STAFFING & MANAGEMENT

Staff in the school shall be organised and managed in a manner designed to deliver the best possible care and protection for young people in an efficient and effective manner.

The following matters require consideration:

The school is managed by an appropriately qualified person

- 6.1 The director and external managers satisfy themselves that appropriate and suitable care practices and operational policies are in place.
- 6.2 Director has in place mechanisms for assessing the quality and effectiveness of the services provided by the school, particularly outcomes for young people.

Recruitment and deployment of staff

- 6.3 Procedures are in place for ensuring that only suitable and appropriately qualified staff are recruited and employed.
- 6.4 The competence, experience and qualifications of staff on duty at any time are adequate for the purpose of the school, taking account of the nature of the resident population.
- 6.5 Staff is deployed in an efficient and effective way to support the purpose and function of the school taking into account the current resident population.
- 6.6 Working practices seek to maximise continuity of contact between young people and staff and reflect their differing needs at key points during the day.

Effective staff checking procedures

- 6.7 Procedures are in place for vetting all prospective staff (permanent, relief and temporary) through the checking of references or testimonies, particularly from the most recent employer/s and the obtaining of appropriate security clearances before taking up duty.
- 6.8 Procedures are in place for the vetting of students and other outsiders visiting the centre.
- 6.9 Role of the Board of Management i.e. responsibilities, authority and monitoring functions must be clearly defined.

Support and Supervision of staff

- 6.10 Management structures within the school must be adequate to provide for sufficient supervision, direction and accountability.
- 6.11 Supervision of staff will ensure that structures are in place which reflect policy.
- 6.12 Staff is supported in its work by explicit policies, procedures and appropriate directives; staff members are clear about accountability and reporting lines.
- 6.13 Staff meetings, hand-over meetings and other forums take place regularly to ensure co-operation and consistency between all staff (care, teaching and others) in implementing individual care plans and in maintaining safety and security.

Training and development of staff

- 6.14 There is a staff development and training programme in place for care, education and other staff. This training should reflect the needs of the young people accommodated and provide for appropriate induction training for all new staff.
- 6.15 Where appropriate, training specific to working in secure environment should be provided.
- 6.16 Staff will receive training in child protection, race and culture awareness, the management of difficult behaviour and matters related to the rights of the young person.

Administration (including Records, Files, Logs, Incident reports, Notification of significant events, Case Review notes, etc)

- 6.17 The administrative systems needed to facilitate effective management and accountability by the centre both internally and externally are in place.
- 6.18 Controls are in place to monitor the quality of all school records, the management of incidents by staff, the quality of decisions taken by staff, with a view to addressing deficiencies identified in the centre's systems and safeguarding the interests of residents and staff.
- 6.19 Each young person has a permanent, private and secure record of his/her history and progress which contains all relevant documentation. All case files are kept in perpetuity.
- 6.20 The school has adequate financial management systems so that it can fulfil all relevant accountability requirements.
- 6.21 The school has systems in place for assessing the quality and effectiveness of the services provided by the school, particularly outcomes for the young people.

Cooperation with external agencies that have responsibilities in relation to the school

6.22 There are procedures in place for ensuring prompt cooperation with outside agencies that have a statutory or regulatory role vis-à-vis the school.

Systems to ensure that public resources provided are used in an optimum manner to provide quality care programmes and services for the young people in care.

6.23 There is efficiency and effectiveness in the provision of care programmes and services.

6.24 There is an appropriate and economic utilisation of places.

7. EDUCATION

Education is recognised as an important factor in the lives of young people in detention. Each young person has a right to receive an appropriate education, which is actively promoted and supported by those with responsibility for the care of the young person.

Matters for consideration are:

Promotion of education

- 7.1 Education is actively promoted through the school conveying an ethos where learning is valued and young people are encouraged to improve their standards of educational achievement.
- 7.2 There is an education plan, which is consistent with the overall aims of the school and the outcomes are monitored and evaluated.

Educational Assessments

- 7.3 Each young person should have a formal educational assessment carried out that will then form the basis of his/her educational programme and become part of his/her care plan.

Providing Life Skills programmes as part of young peoples' education

- 7.4 The educational curriculum provided should be balanced and broadly based, promoting young people's intellectual, physical and personal development.
- 7.5 As far as possible the National Curriculum/Syllabus of the Department of Education & Science should form the basis for each young person's educational programme.
- 7.6 The effective promotion of young peoples' competencies in the key skills of reading, writing, speaking, listening, numeracy and information technology will receive priority status.
- 7.7 Opportunities are provided for young people to sit State Examinations.

Minimising disruption to education and keeping mainstream education open as an option

- 7.8 Disruption in schooling is minimised as far as possible and the school must develop programmes of educational support when the young person is temporarily out of education.

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- 7.9 Young people approaching school leaving age must be encouraged to participate in further education, job training programmes or vocational opportunities as appropriate to their abilities, interests and aspirations.

Staffing, accommodation and learning resources

- 7.10 The number, qualifications and experience of teachers match the demands of the curriculum/syllabus and the needs of the young person.
- 7.11 There is appropriate accommodation for the range of educational activities.
- 7.12 The provision of learning resources is appropriate.

8. HEALTH

Health Care is an essential element in the arrangements for the care of young people. Each young person has a right to receive appropriate health care and advice. Healthy lifestyles are promoted.

Relevant issues for consideration are:

Medical records should be complete

- 8.1 The school maintains a complete record of medical and health information on each young person in its care covering as many years as possible but to include, at least, the period since he/she was admitted.
- 8.2 A written record of all vaccinations administered shall be available.
- 8.3 All medical records are kept up to date and are appropriately stored.
- 8.4 There is confidentiality of information.

Regular health checks

- 8.5 Young people should, where possible, be given a choice of general practitioner.
- 8.6 Appropriate arrangements are in place to ensure that regular health assessments are carried out on each young person prior to review meetings.
- 8.7 Arrangements are in place to ensure access to a GP, dentist and other specialist services as required.

Consent of young person and/or parent/guardian

- 8.8 Procedures are in place to obtain the young person's consent and that of the parent/guardian where this is appropriate or necessary for the administration of medical treatment.
- 8.9 The consent of young people (over 16 years of age) is sought for medical examinations or treatments, in compliance with the **Non-Fatal Offences Against the Person Act, 1977** Section 23(1).
- 8.10 Parents/guardians are routinely kept informed of their son/ or daughter's state of health and health needs.

Emotional & Specialist support

- 8.11 Care and placement plans include programmes of work to address particular issues of identified need and behaviour.
- 8.12 External support is available to staff to provide for assessments, consultancy and treatment for individual young people.
- 8.13 Inter-agency cooperation in the matter of access to specialist services has been pursued.

Controls over the administration of medicines

- 8.14 Procedures for safeguarding and storage of medicines and other similar substances are in place.
- 8.15 Records of dispensing of medicines to the young people are kept and checked by medical personnel on a regular basis.
- 8.16 A policy for the destruction of non-used prescribed medicines is in place.

Education programmes in sex/relationships, drug misuse, effects of smoking, etc

- 8.17 Programmes of prevention and health education, which address issues such as smoking, alcohol or substance abuse, sexual misbehaviour, sexual abuse, sexually transmitted diseases, AIDS/HIV, personal hygiene, etc will be provided in an age appropriate manner.
- 8.18 The school has policies and guidelines for staff members who are providing age appropriate advice on sexuality and relationships for young people.

Promotion of healthy eating habits among young people and provision of adequate quantities of wholesome/nutritious food

- 8.19 Arrangements are in place to ensure that young people receive adequate nutrition and healthy eating habits are promoted through the provision of education and information, encouraging the young people to exercise choice and become involved in the planning and preparation of meals.
- 8.20 Young people are encouraged to eat at least one meal together with other young people and staff daily so that meals are regarded as positive social events.

The provision of regular leisure time pursuits and recreation

- 8.21 Arrangements are in place to facilitate young people becoming involved in leisure and recreational activities and staff, as role models, will encourage such pursuits.
- 8.22 Facilities are in place to allow for regular leisure and recreational exercise.

9. PREMISES, SAFETY & SECURITY

The school is located in premises which are suitable, safe and secure for the purpose of providing residential care to young people.

Relevant considerations are:

- 9.1 Each young person has his/her own room which is furnished to acceptable standards and permits personalisation to the extent agreed.
- 9.2 There is guidance for young people and staff about young people's entitlements to furniture and personal possessions on admission. Any withdrawal of entitlements is clearly documented and justified in the interests of safety and security. Young people are made aware of the schools policy in this regard. No withdrawal of entitlements is to be used as a sanction.
- 9.3 Young people can use bathrooms and toilets without being overlooked.

There is sufficient space to meet the full range of young people's identified needs

- 9.4 Young people have space for recreational activities both indoors and outdoors which is appropriate to their ages, abilities and interests.
- 9.5 The school is decorated to a good standard and equipment and furnishings are clean and of suitable quality.
- 9.6 The school is adequately lit, heated and ventilated.
- 9.7 Within the constraints of safety and security, the centre provides a domestic and homely living environment.
- 9.8 There is a written statement on safety policy, fire precautions and emergency procedures, which is understood by staff and young people.
- 9.9 The school has written confirmation from a certified engineer or a qualified architect that all the relevant requirements relating to fire safety and building control have been complied with.
- 9.10 There are arrangements with the Fire Authority for annual visits to advise on fire safety and monitor previous recommendations.
- 9.11 The school is equipped with suitable fire safety equipment, including smoke/fire detector alarms and an emergency lighting system.

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- 9.12 Routine checking of fire safety appliances and regular fire drills take place. An effective record is kept of fire drills, appliance checks as well as responses to accidents and incidents.
 - 9.13 The administration and safe keeping of keys and security equipment and the locking of doors are carefully managed.
 - 9.14 There is an effective and reliable call system that enables young people to summon help immediately from their bedrooms.
 - 9.15 Systems are in place to ensure that all furnishings are fire retardant. Combustible substances must be rigorously controlled and stored safely.
 - 9.16 Staff demonstrates safe kitchen practices and receives training and advice on food safety and hygiene.

A systematic approach to maintenance and premises checks exists

- 9.17 Repairs are prioritised, appropriately recorded and signed off when completed. A record is kept so that progress and outstanding issues can be monitored.
- 9.18 A systematic and formal approach is taken to risk assessment in relation to new admissions, personal possessions in young people's rooms, mobility and the use of high-risk areas.
- 9.19 There is a comprehensive strategy for preventing illicit items being imported into the School.

Need for searches

- 9.20 There is a comprehensive strategy for the prevention of illicit importation of specified dangerous or prohibited items to the school by young people, visitors or staff.
- 9.21 There are detailed policies, procedures and guidance that include keeping appropriate records on room and clothing searches. These will include the means by which searches will be carried out and in what circumstances. [*Whenever possible, young people should be present when their rooms are being searched.*]

10. DEALING WITH OFFENDING BEHAVIOUR

Individual offending behaviour programmes consistent with the young person's assessed needs, are in place. There are mechanisms in place to develop, monitor and evaluate the effectiveness of offending behaviour programmes.

Relevant considerations are:

Individual programmes are based on assessed needs

10.1 Each young person's programme is developed taking account of his/her presenting criminal tendencies as an integral part of the young person's care plan.

Frequent reviews

10.2 Review of the programme takes place as part of the overall Care Plan Review.

10.3 The keyworker, in consultation with other staff, ensures that reviews are carried out and recorded on the young person's file.

Evaluation & Monitoring

10.4 A mechanism is in place to evaluate the effectiveness of the individual and general offending behaviour programmes.

10.5 Monitoring of the programme will be in place and clear records will be maintained.

**Protocol for Health Information and Quality Authority
inspections of children detention schools**

Context

Minister for Justice, Equality and Law Reform

Responsibility for the children detention schools and functions relating to them (excluding education) are vested in the Minister for Justice, Equality and Law Reform under section 159 of the Children Act, 2001, as amended. The IYJS is the relevant division of the Department of Justice Equality and Law Reform in relation to these functions.

Minister for Children and Youth Affairs

Ministerial functions in the Children Act 2001 have been delegated under the Justice, Equality and Law Reform (Delegation of Ministerial Functions) Order 2008, to the Minister for Children and Youth Affairs in his role as Minister of State at the Department of Justice, Equality and Law Reform.

Board of Management

The Board of Management shall manage the Children Detention School(s) in accordance with criteria laid down by the Minister for Justice, Equality and Law Reform (section 165 of the Children Act, 2001, as amended).

Director

The Director is responsible for the immediate control and supervision of a Children Detention School (section 180 of the Children Act 2001, as amended) and shall

- (a) have the like control over the child as if he or she were the child's parent or guardian, and
- (b) do what is reasonable for the purpose of safeguarding or promoting the child's education, health, development or welfare (sec.180).

HIQA

The Minister for Children and Youth Affairs has appointed the Chief Inspector of Social Service and named inspectors on her staff to act as authorised persons under section 185 of the Children Act 2001, to carry out inspections of children detention schools.

Inspections

Inspections may be announced or unannounced.

A. Notification of announced inspection

Notification of an inspection by the Health Information and Quality Authority (HIQA) Office of the Chief Inspector will be provided in advance to the following people:

1. Director of the children detentions school
 - The Director will notify the Principal of the education facility.
2. Chairperson of Board of Management of children detention school
3. National Manager of detention school services, IYJS

B. Security

Announced inspections

For announced inspections HIQA will provide the Director of children detention school with a list of HIQA inspectors who will require access to the children detention school, in advance of the inspection. All HIQA inspectors accessing the facility will present a warrant with photo identification with them each time they attend the school and comply with security measures in place in the school.

Unannounced inspections

In the case of unannounced inspections, HIQA inspectors will present a warrant with photo identification to the children detention school on arrival. The inspector will ask to speak to the Director of the school, or in his or her absence the Deputy Director.

C. Verbal Feedback

In the normal course of events on the final day of fieldwork the inspector will invite the Director, the Principal, an IYJS representative, the Child Welfare Advisor (IYJS) and the Chairperson of the Board to the preliminary feedback meeting.

D. Draft report for factual accuracy

A draft report for the purposes of checking factual accuracy will be forwarded by HIQA inspector to the Director of the children detention school. The Director will forward a copy to, and consult with, the following people:

1. Chairman of Board of Management of children detention school
2. National Manager of detention school services, IYJS
3. Child Welfare Advisor, IYJS
4. School Principal

The Director of the children detention school will be responsible for the return of the draft report to HIQA, having coordinated the response following the assessment of factual accuracy. This includes anything in the report that might identify an individual child or young person.

The Director will consult with the Principal of the education facility within the school to ensure the factual accuracy of anything in the report pertaining to education.

E. Final report

The Chief Inspector of the Office of the Chief Inspector will submit the report to the Minister for Children and publish the report on HIQA website. The Chief Inspector of the Office of the Chief Inspector will forward a copy to the Director of the children detention school to coordinate the action plan in response to the recommendations of the report. Copies will also be sent to the following people:

1. The Director of the detention school
2. National Manager of detention school services
3. Chairman of Board of Management of children detention school
4. Child Welfare Advisor, IYJS

Notification of the publication of the report will be sent to other key stakeholders.

HIQA will place the report on the HIQA website

F. Implementation

The Director of the children detention school will be responsible for implementing recommendations relating to the school. The Child Welfare Advisor in the IYJS will act as implementation monitor and will be the contact point for HIQA in relation to progress. The Director will return the action plan, addressing the recommendations in the report, to be returned to HIQA within three weeks of receipt of the report. The action plan will be added to the final report of the inspection and will be posted on the HIQA website. After receiving the action plan, HIQA will deal directly with the Child Welfare Advisor and the Director where relevant.

G. Implementation of Recommendations

The inspection team may conduct a follow up visit to assess the extent to which the actions promised have been undertaken. Implementation of the recommendations will also be considered as part of subsequent inspections.

In the normal course of events if recommendations are not implemented within agreed time scales, the Chief Inspector may inter alia write to the Chairman of the Board of Management and the National Manager IYJS in relation to the recommendations not being implemented. If the situation remains unsatisfactory, the Chief Inspector will inform the Minister for Children.

H. Review of Protocol

These protocols to be reviewed following first four inspections.

BIBLIOGRAPHY

Craig, S, Donnellan, M, Graham, G, Warren, A, (1998), *'Learn to Listen' - The Irish Report of a European Study on Residential Child Care.*

Department of Health & Children (June 2000), *Draft National Standards for the Inspection of Special Care Units for Young People.*

Department of Health & Children (September 1999), *Children First National Guidelines for the Protection and Welfare of Children.*

Department of Health (1997), *Child Care (Standards in Children's Residential Centres) Regulations, 1996 and Guide to Good Practice in Children's Residential Centres.*

EUROARRCC, (1998), *Care to Listen.*

EUROARRCC, (July 1999), *'It Makes you Think'.*

Irish Social Services Inspectorate (October 2000), *Report of Findings Relating to Inspection of Children's Residential Centres.*

Laxton, M (March 2000), *Report on the Inspection of Trinity House School, Lusk, Co. Dublin.*

Scottish Executive (June 2000 - *A Consultation Paper*), *Draft National Care Standards - First Tranche.*

Special Schools Directors (1997), *Child Protection, Policy, Procedures & Protocol in the Special Schools.*

The Scottish Office, A. Skinner (1992), *Another Kind of Home - a review of residential child care.*

The Scottish Office, R. Kent (1997), *Children's Safeguards Review.* Western Health Board, Eastern Health Board (August 1999), *Standards and Criteria for the Inspection of Children's Residential Centres.*