



WHAT ARE THE LEGAL OBLIGATIONS OF A MANDATED PERSON?

Mandated persons have two main legal obligations under the Children First Act 2015. These are:

1. To report the harm of children above a defined threshold to Tusla;
2. To assist Tusla, if requested, in assessing a concern which has been the subject of a mandated report. Mandated Persons

Section 14 (1) of the Children First Act 2015 states: ‘...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 the Agency (in conjunction with the DLP).

Section 14 (2) of the Children First Act 2015 also places 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 the Agency (in conjunction with the DLP).

Section 2 of the Children First Act 2015 defines harm as follows: ‘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.’

CHAPTER 3 page 19/20 [CHILDREN FIRST National Guidance for the Protection and Welfare of Children](#)

See more:

<https://www.tusla.ie/children-first/mandated-persons/what-are-the-legal-obligations-of-a-mandated-person/>