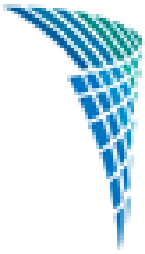
Trinity House Children Detention School



Health Information and Quality Authority

An tÚdarás Um Fhaisnéis agus Cáilíocht Sláinte

Social Services Inspectorate

TRINITY HOUSE

CHILDREN DETENTION SCHOOL

INSPECTION REPORT ID NUMBER: 270

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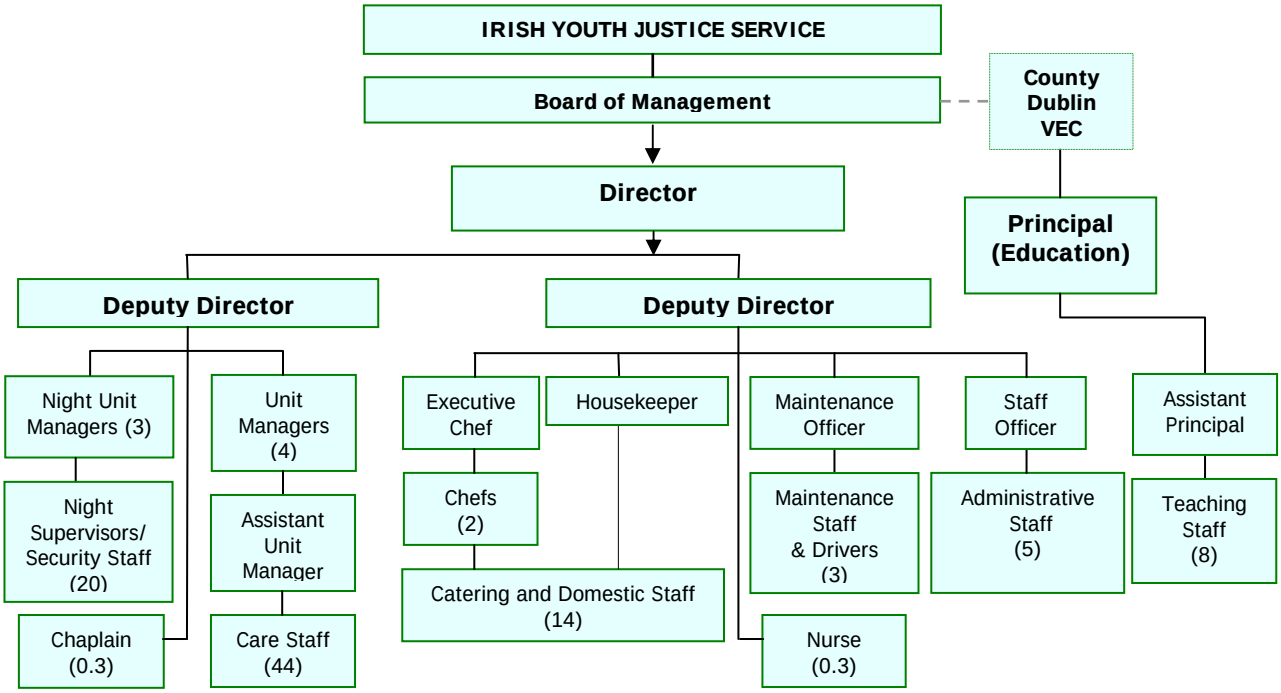
Contents

Name of Detention School	**Trinity House School (THS)**
Dates of Inspection	9th – 12th December 2008
Authority to Inspect	The Health Information and Quality Authority (HIQA) Social Services Inspectorate (SSI) carry out inspections of Children's Detention Schools under Section 185 of the Children Act 2001 as amended by the Criminal Justice Act 2006.
Inspectors	Michael McNamara (Lead Inspector) Sharron Austin (Co-Inspector) Kieran O'Connor (Co-Inspector)
Purpose and Function	THS provides a residential service to the courts for 27 male young offenders aged between 10 and 16 years prior to admission[1]. It is funded by the Department of Justice, Equality and Law Reform (DJELR) and managed by an executive board of management. It mostly caters for young people on committal, but also offers places to young people on remand. It offers care and education to boys who have been committed to custody after conviction for criminal offences[2], or remanded to custody while awaiting trial or sentence.[3] THS also accommodates boys in respect of whom the court has postponed a decision.
Accommodation	THS is one of three children detention schools sharing a spacious campus in a rural setting, the other two being Oberstown Boys' School and Oberstown Girls' School. The campus has external security fencing. THS comprises three internal residential units and a tuition unit in which education is provided in an integrated one storey inter-connecting building with a high level of security, internally and externally. It also has a separate step-down unit. At the time of the inspection one unit was closed for refurbishment and the step down facility was also closed. The tuition unit operated under the aegis of the County Dublin Vocational Education Committee (VEC).[4]
Number of places: Original Certificate	A maximum of 27 (21 on committal, 3 on remand, 3 in step-down) [5]
Certificate at time of inspection	20 (14 on committal, 3 on remand, and 3 in step-down)
Occupancy on Inspection	12 (11 on committal, 1 on remand)
Age range	10 – 16 years

[1] *Under section 196 of the Children Act 2001, as amended.*
[2] *Under section 142 of the Children Act 2001, as amended.*
[3] *Under section 88 of the Children Act 2001, as amended.*
[4] *Under section 159 of the Children Act 2001, as amended.*
[5] *Under section 195 of the Children Act 2001, as amended.*

Management	THS is managed by a board of management appointed by the Minister for Children and Youth Affairs. The board of management is responsible for all three detention schools on the campus. The board has direct governance of the school in accordance with policy guidelines laid down by the Minister for Justice, Equality and Law Reform through the Irish Youth Justice Service (IYJS). It is also responsible for the recruitment and dismissal of staff subject to the Minister's approval, financial management and control, the maintenance and upkeep of the premises, furniture and equipment, and the provision of an annual report on the operation of the school and such other reports, statistics and information as the Minister may require. The board includes a representative of the IYJS and the VEC, both of whom have voting rights. The director attends board meetings, as a non-voting member. Each of the units was headed up by a unit manager. The organisational structure is shown in the chart below.

Organisational Structure of THS, December 2008



Overall responsibility	The overall operational responsibility for the day-to-day management of the school rests with the director, supported by two deputy directors with designated responsibilities. One is responsible for care provision, the other for oversight of the ancillary services and health and safety. The principal of the tuition unit reports to the VEC. The deputy directors and unit managers were 'on call' in rotation.
Staffing	At the time of inspection, the school employed 107 non-teaching staff in 89 full-time and 18 part-time posts: • 1 Director, • 2 Deputy Directors, • 4 *(Day)* Unit Managers, • 3 Night Unit Managers, • 1 Assistant Unit Manager, • 44 residential child care workers *in 42 posts*, • 20 night supervisors and security staff, • 1 staff officer, • 5 administrative staff,

	• 1 executive chef, • 2 chefs, • 1 housekeeper, • 14 catering and domestic staff, • 3 supplies officers, - *2 full-time and 1 relief,* • 1 maintenance officer, • 3 maintenance staff and drivers, • 0.3 Nurse, *(Full-time post shared with two other detention schools)* • 0.3 Chaplain, *(Full-time post shared with two other detention schools)* Staff for the tuition centre comprised a principal, one assistant principal and eight teaching staff.
Methodology	The inspection was carried against the *Standards and Criteria for Children Detention Schools,* issued by the Department of Education and Science (DoES) in November 2004 and adopted in November 2008 by the IYJS. Inspectors' judgements are based on evidence verified from several sources gathered through direct observation, examination of relevant records and documentation, an inspection of accommodation, and interviews with the chair of the board of management, the director, two deputy directors, one unit manager, 13 care staff (including three with special responsibilities), the school's nurse, the chaplain, the principal teacher, a probation officer, the executive chef, and nine young people. Telephone interviews also took place with three probation officers, one social worker, and a consultant psychiatrist. The inspectors also had access to the following documents: • The school's statement of purpose and function, policies and procedures, • Information for parents and young people about the school, • A health and safety statement, • The school's registers, • The young people's care files, • Administrative records and staff personnel records, • Details of the use of single separation for the previous twelve months, • Details of unauthorised absences for previous twelve months, • Details of serious incidents in the previous twelve months, • Details of complaints in the previous twelve months, • Questionnaires completed by six young people, a social worker, and a parent. Although the term 'school' is used in this report the inspection was of the residential care provided only. THS was inspected in 2005 by inspectors commissioned by the DoES. In this report reference is made to the recommendations of that inspection where appropriate.

1.1 Acknowledgements

The inspectors wish to acknowledge the co-operation of the young people, the chair of the board of management, the director, managers and staff of the detention school, and other professionals who participated in this inspection.

1.2 Background

THS was founded in 1983 as a reformatory school, managed by the DoES until March 2007 when it transferred to the DJELR under the Children Act 2001. The school is managed by a board of management, but overall responsibility for policy and funding rests with the IYJS, an operational arm of the DJELR. THS is the only secure residential facility within the detention school system. At

the time of the inspection the school operated below its original capacity to allow for the refurbishment of the units. The IYJS has an overall plan to redevelop the detention schools as one integrated service on the Oberstown campus.

THS was last inspected in 2005 by inspectors commissioned by the DoES. This was the first announced inspection of the school by HIQA SSI, an independent authority incorporating the social services inspectorate established in May 2007 under the Health Act 2007. Section 186 (1) of the Children Act 2001 (as amended by section 152 of the Criminal Justice Act 2006) requires inspections of detention schools to be carried out annually.

1.3 Data on young people

At the time of the inspection there were 12 young people in the school, 11 committed to detention, and one on remand. Their average age on admission was just over 15 years. Details are shown in the table below.

Young Person	*Month & Year of admission*	*Age on admission*	*Length of remand*	*Length of committal*	*Month & Year of discharge*
# 1	Sept 2007	14 years 10 months		**1 year 4 months**	January 2010
# 2*	November 2007	15 years 11 months		**1 year 10 months**	September 2009
# 3	December 2007	14 years 9 months		**1 year 3 months**	February 2009
# 4	December 2007	15 years 7 months		**1 year 4 months**	April 2009
# 5	February 2008	15 years		**2 years**	February 2010
# 6	February 2008	14 years 2 months		**2 years**	February 2010
#7	April 2008	14 years 1 month	**6 months 3 weeks**		October 2008
	October 2008	14 years 7 months		**1 year 11 months & 1 week**	October 2010
#8	April 2008	14 years 6 months	**1 week**		April 2008
	November 2008	15 years 1 month	**4 weeks**		December 2008
#9	May 2008	15 years 7 months		**1 year 2 months**	July 2009
# 10	June 2008	15 years 8 months		**10 months**	April 2009
# 11	July 2008	15 years 10 months		**9 months**	April 2009
# 12	August 2008	15 years 11 months		**8 months**	April 2009

** = Absent without authority since April 2008*

2. Analysis of Findings

2.1 Practices that met the required standard

2.1.1 Register

The school was required to keep a register consisting of electronically held lists of remands, committals and discharges, and daily reports on occupancy were sent to the IYJS. In the year prior to the inspection there were 20 remands involving 17 young people. The average age on admission was 15 years and four months, and the average length of remand was 13 days. Seven young people were from Dublin, five from Limerick and the others from four other counties. Details are in the table below. In 2008 none of the young people detained by THS were in the care of the Health Service Executive (HSE); but four were from families allocated to social workers.

Remands to THS November 2007 – November 2008

Young Person	Month & Year of admission	Age	Length of remand		Young Person	Month & Year of admission	Age	Length of remand	
			Weeks	Days				Weeks	Days
#1 (2)	Nov 2007	15 yrs 10m	1	4	#11~	April 2008	14yrs 6m	1	
#2	Dec 2007	15 yrs 5m		4	#12	May 2008	14yrs 5m		5
#3	Dec 2007	15 yrs 5m	3	2	#13	May 2008	14yrs 6m	1	
#4 (9)	Jan 2008	15 yrs 9m	2	1	#14	May 2008	15yrs 10m	1	6
#5	Jan 2008	15 yrs 11m	3	1	#15	June 2008	15yrs 10m	4	2
#6*	Jan 2008	15 yrs 11m	2	3	#16	July 2008	15yrs 6m	4	
#7	Feb 2008	15 yrs 9m	1		#17**	Aug 2008	15yrs 7m		6
#8*	Feb 2008	15 yrs 11m	1		#18	Aug 2008	15yrs 7m		4
#9 (15)	Feb 2008	14yrs 3m		2	#19	Sept 2008	15yrs 9m	1	
#10 (24)	April 2008	14 yrs 1m	2	6	#20^	Nov 2008	14yrs 7m	4	

*(-) = No. in the Committals table * = 6 & 8 - same young person ~ = Same young person as #20 ^ = Same young person as #11*
*** = Separate remand of #16*

In the year prior to the inspection 24 young people had been committed to detention in THS. The average age on remand was 15 years and three months; and on committal it was 15 years and six months, and the average length of sentence was eight and a half months. Eleven young people were from Dublin, five from midland counties, and the other eight were from six other counties. Ten of the young people (in bold) were in the school at the time of the inspection. Details are in the table below.

Committals to THS November 2007 – November 2008

Young Person	Month & Year of committal	Age	Length of committal		Young Person	Month & Year of committal	Age	Length of committal	
			Months	Weeks				Months	Weeks
#1	**Nov 2007**	**15 yrs 11m**	**22**		**#13**	**May 2008**	**15yrs 7m**	**14**	
#2*	Nov 2007	15yrs 10m		2 days	#14	May 2008	14yrs 6m		2
#3	Nov 2007	15yrs 11m	8		#15^	May 2008	14yrs 7m		1
#4	Dec 2007	15yrs 11m	4		**#16**	**June 2008**	**15yrs 8m**	**10**	
#5	**Dec 2007**	**14 yrs 9m**	**15**		#17	June 2008	15yrs 11m	5	
#6	**Dec 2007**	**15yrs 7m**	**20**		#18	July 2008	15yrs 11m	3	
#7	Jan 2008	15yrs 11m		1	**#19**	**July 2008**	**15yrs 10m**	**9**	
#8	Jan 2008	15yrs 11m	3		#20	July 2008	15yrs 11m	2	2
#9**	Jan 2008	15yrs 9m	9		#21	July 2008	14yrs 11m		1 day
#10	**Feb 2008**	**14yrs 11m**	**24**		#22	July 2008	14yrs 11m		2 days
#11	**Feb 2008**	**15yrs 10m**	**24**		**#23**	**Aug 2008**	**15yrs 11m**	**8**	
#12	May 2008	15yrs 7m		10 days	**#24~**	**Oct 2008**	**14yrs 7m**	**23**	**1**

** = Remand #1 ** = Remand #4 ^ = Remand #9 ~ = Remand #10*

2.1.2 Discharges

There had been 41 discharges in the year prior to inspection involving 37 young people. The majority of young people had been discharged to their families. Two went to a place of detention for 16 – 18 year olds. Three staff from the step-down unit provided outreach and tracked young people who had returned to the community. They carried out exit interviews and reported on their findings.

2.1.3 Quality and choice of food

The standard on the quality and choice of food was well met. There was a good choice of nutritious food which was prepared in a central kitchen and distributed to the residential units, where staff and young people sat to meals together. There were kitchens on the units with facilities to prepare snacks. Young people's choices were balanced with the need to provide a healthy diet, and there was sufficient variety to allow choice.

2.1.4 Religion

The standard on religion was well met. There was a detailed policy statement in place. The school facilitated religious practice through the provision of a chaplain, who was available to the boys throughout the week but also covered the other two schools on campus. She provided opportunities to attend a variety of services, and receive sacraments. Young people interviewed by inspectors expressed an interest in religion, and spoke highly of the chaplain, and said that they liked attending mass. The school was aware of the potential to have young people detained in the school whose culture and religion differed from the majority. Inspectors suggest that parents are consulted about the religious upbringing of their child, and that a record of their views is kept, in line with good practice. As no space had been dedicated for services, consideration should be given to where appropriate space could be made available.

2.1.5 Partnership with families

The standard on contact with families was good. Details of contacts were provided to inspectors. Each young person had the opportunity to make phone calls to family and friends daily, and the care staff facilitated visits to and from families. Parents, or in their absence other relatives, were invited to case conferences and care plan reviews.

2.1.6 Co-operation with statutory agencies

The standard on co-operation with statutory agencies was well met. THS had good relationships with the IYJS and the courts.

2.1.7 Education

The standard on education was well met. The education facility was under the aegis of the County Dublin VEC, and had its own board of management. A representative of the VEC was on the THS board of management. Inspectors were told that difficulties in the past in the relationship between care and education staff had been resolved, and that the tuition unit was functioning well. The principal provided details of attendance that indicated an average attendance of 89 % between September and November 2008. These figures included absences from tuition due to case conferences, unauthorised absences, attendance at court, and medical and other appointments. The IYJS told inspectors that there were plans to develop opportunities for young people within the school to avail of vocational education through FETAC accredited programmes. Inspectors urge the board of management and IYJS to consolidate the progress made in developing partnership between the education and care staff.

2.2 Practices that partly met the required standard

2.2.1 Purpose and function

Inspectors were provided with a copy of a statement of purpose and function. Inspectors recommend that it is revised in consultation with the IYJS, reflecting the objectives and values of the Children Act 2001, specifying the terms of the new certificate, and giving greater detail about how the school carries out its key functions. It should describe the role of the Board of Management, and set out the relationship of the school to the IYJS, courts, other detention schools, and the VEC. The section on child protection, already present in the current statement, should state the requirement of *Children First: National Guidelines for the Protection and Welfare of Children, 1999* to refer child protection concerns to the appropriate section of the HSE. Inspectors were shown boys' and parents' handbooks that were clearly written and well illustrated and gave a detailed description of the running of the school. They should be revised to include the role of the probation service, which is involved when detention and supervision orders are made,[6] and a statement on the rights of young people.

2.2.2 Good relationships

Most of the young people could identify staff they felt confident talking to, and there was evidence that good relationships were built between staff and young people. Inspectors observed preparations for Christmas festivities where there was a co-operative spirit between staff and young people. Inspectors were told by staff that morale was low, and while managers rated it higher, it was accepted that it could be better in some respects. Inspectors found that managers and staff had experienced serious challenges over the year prior to the inspection, and were of the view that quality of relationships within the staff group and between staff and young people needs to improve. Inspectors recommend that the board of management arrange for the chair of the board and senior managers to receive training in change management since the school has been and will continue to be subject to a series of significant changes, and it is imperative that the long-serving staff group are brought along with the managers and IYJS and included in change processes.

2.2.3 Care of young people

In assessing the standard of care of young people, inspectors observed practice during the inspection, examined relevant records, interviewed nine young people and received completed questionnaires from six. They found that the standard on care of young people was partly met. The young people said that generally they had good relationships with staff. The majority were very positive about their education, and they thought that their families were respected and made welcome in THS. Most of them could identify people they could talk to if they had a worry or wished to make a complaint. Most of them identified their keyworkers as people they could trust, and whom they met regularly. About half of them said that they would talk to the director or unit managers if they were worried about something or did not feel safe. They were unsure of their rights even though they acknowledged that they had been explained to them. They did not feel enough was done to respect their privacy. Through observation inspectors noted that the opportunities to afford privacy were restricted by the physical environment and the need to maintain standards of safe care. While acknowledging the constraints in providing opportunities for privacy in a detention unit, the director and managers of THS should approach this as being a validly expressed view and discuss it with the young people. Several mentioned not being able to be present when their rooms were being searched. Standard 9.21 provides for young people to be present when their rooms are searched, where it is possible. They were informed about plans and prepared for case conferences, and were able to take part in all the meetings held about them, but they did not feel that their views were always given weight. Some said that they had an aftercare plan, but others were unable to describe one, other than returning home.

[6] *Under Section 151 (5) of the Children Act 2001.*

They found some of the rules difficult, particularly the ban on smoking, and some said that the practice of locking young people up in rooms should be governed by stricter rules for staff. Most of the young people found several of the rules fair, but they felt there were too many rules and that they did not have sufficient say in them. They were concerned that mobilities, that is, outings from detention whereby young people can go into the community or visit relatives and gradually rehabilitate to having freedom of movement, were too restricted and that they did not have opportunities to go swimming or to shops. Mobilities are risk assessed. They are an important preparation for discharge from detention. In THS they were limited to visits home and outdoor pursuits on the adventure programme, which, while welcome, were not a preparation for discharge. Inspectors acknowledge that the reasons for restricting mobilities are to do with the appropriate management of risk. They recommend that the THS policy on mobilities be reviewed.

A description of the daily routines was provided to inspectors. On a weekday the young people were called at 8.30 a.m., had breakfast between 8.45 and 9.30 a.m. They attended school from 9.30 a.m. to 3.00 p.m. with a break from 12.15 to 1.15 p.m. for lunch. From 3.13 to 5.00 p.m. there was planned work in the unit such as advocacy clinics, counselling, keyworking, literacy and homework clubs. Tea was from 5.00 to 6.00 p.m., and the following two hours were spent in recreational activities such as: gym, football, golf, cricket, athletics, arts and crafts, table tennis, wall tennis, basketball and kite flying. There was half an hour's free time before supper and settle-time which extended from 8.30 to 9.00 p.m. Bedtimes varied by 15 minute intervals depending on the levels achieved in the behaviour management programme. On level three and four it was at 9.30 p.m. From that time onwards young people were confined to their bedrooms where they could watch TV up to lights out. On Wednesday evenings there were young people's meetings. There were also adventure therapy outings – mountaineering, canoeing, and hill walking for example, and offending behaviour and substance misuse programmes in the afternoons and evenings. For some young people there was addiction counselling from 10.00 a.m. to 12.00 noon. There were also visits from professionals such as the doctor, social worker, probation officer, or psychiatrist for some young people; and those on home leave at weekends would depart on Friday mornings to travel home.

On weekends the young people were called from 10.00 a.m. They had a late breakfast/early lunch after which there were activities such as sports and arts and crafts. Dinner was at 5.00 p.m., followed by more activities up to 8.00 p.m., and free time from 8.30 to 9.00 p.m. The bedtime routine was the same as for weekdays, but lights out was later. Young people present in THS over the weekend could either receive visitors or go out on mobilities on Saturday and Sunday afternoons. In the summer months the daily timetable was as for weekends with the addition of a summer activity programme which took place from 3.00 – 8.00 p.m. and included activities in the tuition workshops as well as adventure therapy outings for those eligible for them. Some of the activities were elements of coursework towards FETAC level three awards in subjects such as coaching, engineering, woodwork and cooking.

The aspect of detention young people disliked most was separation from family and friends. They acknowledged that they can keep in touch by telephone on a daily basis. Several expressed concerns, and inspectors concurred with them, that they did not have appropriate furnishing in their bedrooms to allow them to store their clothes or put a TV or radio on a secure surface. Inspectors acknowledge that an assessment of risk is necessary when considering the furnishings of the rooms, but recommend particular consideration of the use of more suitable furniture. Some found the living accommodation extremely confining, with one describing it as 'claustrophobic'. Inspectors found that the accommodation was confining, and refer to it further in the section on premises and safety below.

2.2.4 Personal choice

The young people could exercise choice about food and clothing, and they were able to personalise their bedrooms, but the lack of suitable furnishings and space made this difficult.

2.2.5 Leisure activities

There were opportunities on the units to engage in indoor pursuits such as computer games. There were two enclosed outdoor spaces and a gymnasium, and the young people said that they enjoyed football in particular. Owing to security risks there was a limit on the numbers of young people who could access open space at one time. Inspectors recommend that the school review practice with a view to increasing young people's opportunities for exercise and access to fresh air. This is important on grounds of health and well being, but also creates an environment in which interventions such as use of physical restraint are less likely to be used, and the restrictive nature of detention in a confined space is counterbalanced by a good lesson for life that has a benefit once a young person's sentence has been served and he is back at home again.

The school is commended for the adventure therapy programme which gives the young people access to outdoor pursuits. It is well regarded by the young people. It was developed after an analysis of the use of physical restraints was carried out, and was envisaged as providing diversionary and enriching experiences for young people who otherwise were unlikely to access such opportunities. The school also had a creative and varied programme of campus-based activities during the summer holidays, which young people spoke well of. The organisation of those activities stood in contrast to the everyday activities on site and in the community, which were limited by comparison. The school should review its policy and practice on on-site activities. It should also review practice in respect of mobilities.

2.2.6 Living skills training

The young people received personal and social education delivered by the teachers in school time. Programmes for dealing with offending behaviour are referred to below. Inspectors are of the view that keyworkers should be more involved in the delivery of programmes covering living and social skills.

2.2.7 Management of behaviour

The units operated a system of points for compliant behaviour called 'levels' by which young people's behaviour was rated on a daily basis, and inspectors were also told that some young people had individual contracts of behaviour and that an initial review of behaviour management was underway. In the levels system, each young person received a set amount of pocket money and had access to supervised outings depending on which level he had reached. The system was understood well by the young people. Inspectors are of the view that while the system is understood by staff and young people, the number of instances of use of single separation and the recurrence of seriously challenging incidents during the year prior to the inspection call into question its effectiveness. The system should be reviewed and its effectiveness carefully assessed. Reducing the dependency on the use of single separation will present challenges, but the overall strategy for managing behaviour should be based on positive age-appropriate incentives, and relationship building, rather than systems of punishment. There should be better monitoring and external governance by the board of management; and the review of the management of behaviour should include the development of the system of notification to ensure that the board of management and IYJS regularly receive full details of all serious measures of control and risk management such as physical restraint, single separation, and personal searches.

There were three serious incidents in the year prior to the inspection when young people became violent and damaged property, assaulted staff, and accessed the roof of the school. Two of the incidents, in February and April 2008, were fully investigated and changes of practice were

introduced as a consequence. The other incident in late October 2008 had yet to be investigated at the time of the inspection. Inspectors were concerned that in each of these episodes the young people concerned put themselves at considerable risk. They were also concerned that the behaviour was repeated twice over an eight month period. They recommend that a thorough overall review be carried out to identify the changes to care practice necessary to radically reduce the likelihood of similar incidents occurring in the future. The review should look at the circumstances contributing to them, the trigger points, deployment of staff, decision-making processes involved, how the consequences, (including complaints) were managed, the implications for behaviour management policy and practice, and the implications for the organisation of the daily routines in the units.

The policies and strategies used for the management of behaviour should be subject of a radical review, and training and practice guidance should be provided to staff to ensure that they are confident in making a distinction between the control of behaviour and the assessment and management of risk. Training and guidance in the assessment and management of risk should be developed by the school in consultation with the IYJS.

2.2.8 Use of Physical Restraint

The frequency of use of physical restraint was low. In the 11 months prior to the inspection there were 21 instances where physical restraint was used. Inspectors found some evidence that physical intervention, such as escorting, was used to ensure that young people went to a locked room when being subject to single separation. Inspectors were told that the IYJS, in consultation with the four detention schools, was in the process of agreeing a model of intervention for all detention schools. Whatever model is adopted, inspectors recommend that practice in the use of physical restraint be reviewed, that the IYJS is notified of every instance as it occurs, and that the board of management is routinely informed of the frequency of use of all extreme measures of control, including all physical restraints.

2.2.9 Absconding

In the year prior to the inspection, there were 11 unauthorised absences. None were from the unit itself, five were from outings, and six were non-returns either from home leave or mobilities. In ten cases the absences ranged from one to 121 days. However, one young person had been absent for eight months since April 2008. Inspectors were told that the whereabouts of the young person was completely unknown and were concerned that the young person's status had not changed to that of missing person. The policy on unauthorised absences should be reviewed. In particular, there should be clarity, and a specific policy, on the status of young people who are missing from detention for long periods of time.

2.2.10 Privacy

Inspectors found that there was a basic level of respect for privacy. The young people interviewed and those who completed the questionnaires said that they felt safe in the units; but some thought that their privacy was not sufficiently respected. Care practice was characterised by high levels of supervision arising from an emphasis on security. The young people had limited opportunities to have time alone; and they were particularly concerned about searches of their rooms being carried out without their being present. The right to privacy should be affirmed, and in revising the system for the management of behaviour consideration should be given to making further opportunities for privacy available without compromising safety. THS's training plan included training in the school's policies on children's rights in March 2009. Inspectors suggest that this training includes the right to privacy.

2.2.11 Child Protection

The school had written procedures and guidelines entitled *Child Protection and Welfare Procedures and Guidelines for the Children Detention Schools*, which was produced in 2002 and adopted by all the detention schools. The director was the designated child protection officer (DCPO). Her role was to ensure that the established procedures were followed in regard to any suspicion or concern about abuse or inappropriate treatment of young people. The 2005 inspection report recommended that the child protection policy of the school be revised to make it more specific to THS. In this inspection inspectors found that the recommendation had been met.

Inspectors found that in the year prior to inspection there had been three allegations of mistreatment by staff. One, concerning an incident that occurred in a classroom in March 2006 which had been independently investigated but had yet to be resolved at the time of the inspection. The DCPO said that her remit covered the tuition unit. However, after March 2007 the VEC became involved after taking over responsibility for education in the detention schools from the DoES, and there is an acknowledged need to review the complaints and child protection procedures in the light of the VEC's responsibilities. At the time of the inspection three unresolved matters had been referred to the VEC for resolution. Another concern was about the use of handcuffs by staff to control a young person during a serious incident. A deputy director carried out an investigation into the allegation and concluded that it was unfounded. The young person appealed the outcome of the investigation and an independent investigation was carried out that upheld the decision of the staff to use handcuffs. The director told inspectors that practice regarding the use of handcuffs has changed as a result of this incident and the handcuffs are kept in a central office and can only be accessed on the authority of the director or a deputy director to be used in escorting young people to court. A third allegation of mistreatment was made by a young person involved in a serous incident in October 2008. Inspectors examined records and found that the allegation had been initially made and reported to senior managers by staff during a period of single separation and that this was followed-up with a detailed report five days later. It had yet to be investigated at the time of the inspection. This is an unacceptable delay in response to a serious matter. The DCPO told inspectors that THS notified child protection concerns to the IYJS and the HSE, and that two matters were referred to principal social workers during the year, even though there is no written protocol about notification.

Inspectors were of the view that there was considerable confusion between complaints, procedures for processing staff grievances, and child protection concerns. Inspectors recommend that:

- a strategy be prepared for dealing with all outstanding matters without further delay,
- the procedures for dealing with child protection concerns and allegations are brought into line with *Children First: National Guidelines for the Protection and Welfare of Children, 1999.*
- the position of the director as DCPO is reconsidered, with the role being carried out by a member of senior management. This would enable the director to oversee the process and ensure that policies, protocols and practice are monitored at an appropriate level of management.
- there is a clear system of appeal within the procedures,
- protocols are developed between THS, the IYJS and the HSE to ensure that there is a competent external element in the process, and that the primary role of the HSE in child protection is embedded in the school's procedures,
- a clear notification system is developed that includes the IYJS, the board of management, social workers, parents and others with a bona fide interest in the case.

2.2.12 Safeguarding

The confusion between complaints, child protection procedures and staff grievances or disciplinary issues does not support best practice, and is a significant safeguarding concern. It is essential for safe care that staff are clear about their roles and responsibilities and confident in carrying them

out. They should also be confident in bringing concerns about the welfare of the young people in their care to the attention of managers, and making best use of the procedures in place to do this. Inspectors recommend that THS develop a safeguarding policy that encompasses all aspects of care of the young people, is strongly based in children's rights, and creates a culture in the staff where safe care can be openly discussed and promoted.

2.2.13 Whistleblowing

The school's child protection policy makes it clear that all staff of the school have a responsibility to ensure that they report any concerns or suspicions of child abuse or mistreatment to the designated child protection officer. All but one of the child protection concerns referred to above were as a consequence of a young person making a complaint. There were reports by staff of breaches of policy by colleagues, but in the one instance where concern about the general welfare of the young people was raised by a member of staff it was not satisfactorily resolved. Inspectors are of the view that this policy required affirmation and clarity in terms of protected disclosure. The IYJS, in consultation with the school's director and board of management should review the whistleblowing policy and ensure that staff have confidence in using it so that it may fulfil its purpose of protecting young people.

2.2.14 Children's rights - Complaints

The young people were uncertain about children's rights, but had received information on admission about how and to whom they should make any complaint. Two parts of the THS handbook for young people described ways make a complaint. They differed in detail, with one indicating that a complaint could be made to the Ombudsman for Children, whose name and telephone number was included. In the 2005 inspection the inspectors noted that the handbook did not inform young people who are unhappy with the investigation or outcome about the steps they could take. This was still the case at the time of this inspection.

Inspectors were provided with details of ten complaints that were processed in the year prior to the inspection, and found information concerning another two in the course of the inspection. Three were allegations of mistreatment by staff and are referred to in the section of the report on child protection. Inspectors also found a complaint made nearly a year prior to the inspection about the general conditions of the welfare and education of the young people that had not been resolved at the time of the inspection. Details of this complaint were not included in the information provided to inspectors prior to the inspection. Five of the complaints were staff grievances about colleagues, and another three were staff disciplinary matters. One of these concerned an incident in traffic that occurred in March 2008 that was still unresolved at the time of the inspection.

Inspectors found that there were significant difficulties with the complaints system. For example, it required young people to write a letter rather than complete a form. This would inhibit several of the young people owing to their limited literacy skills. In one instance, while the complaint process was understood and accepted by the young person bringing the complaint, he did not accept the conclusion, but felt there was nothing further he could do. The procedures did not include a process of appeal against outcomes. Inspectors were told that if young people were unhappy using other people to bring a complaint they could contact the IYJS, but it was not made clear in the written procedures how a young person would go about this.

The right to complain, and to make the complaint to persons outside the school, is an important safeguard for young people. Inspectors recommend that the IYJS develop a clear policy on complaints for young people in all four detention schools. Procedures and practice should be characterised by: clarity about the distinction between complaints and concerns about welfare and safety, clear timescales for prompt investigation and resolution of complaints, access to a variety of avenues for presenting and pursuing a complaint, information provided to the complainant about

the progress and outcome of an investigation, and a procedure for appeal in the event of the complainant being unhappy about the process or outcome. Essentially, it should be a system that works well for each young person who uses it, and offers him an assurance about the school's capacity to keep him safe.

2.2.15 Children's rights - Consultation

The young people met with their keyworkers each week, and spoke well of them, and there was evidence of opportunities for consultation both about daily life and in preparation for reviews. However, most of the young people interviewed and those who filled in questionnaires said that they did not feel that they had a say in matters that affected their daily lives.

Similarly, young people attended all of the care planning meetings but some said that they felt that they had a say only sometimes. Those interviewed by inspectors had strong views about aspects of their daily lives. Some wished to have more opportunities to access outdoor recreation facilities, and several found the restrictions on mobility difficult and unfair. Inspectors recommend that THS reviews policy and practice on consultation with young people and ensures that their views are given due weight in daily life and in care planning.

2.2.16 Children's rights - Access to Records

Inspectors found that the recommendation of the 2005 inspection that information be included in the young people's handbook about the right to see care records had been met. The handbook said that they could have access to all information about themselves in accordance with age and level of experience, and that staff would go through the file and daily log on a daily basis and encourage the young person to put their own comments in it. The daily log format had space for the entry of young people's views. In practice, some young people had not availed of opportunities to have access to records about them. THS has declared the principle of access to records, and young people are aware of the right. Practice needs to be developed further to facilitate the right.

Generally, the imparting of information about rights has taken place, and most of the young people said that they were aware of them. The school should ensure that there is a culture amongst staff that sees children's rights as a basis for good safe care within a secure environment, that the exercise of rights is realised in spirit as well as the letter of the standards, and that all staff have a confident knowledge about the rights of children in detention and are able to explain them to young people and promote their facilitation.

2.2.17 Children's rights - Independent advocacy

The standard on independent advocacy was partly met. The Irish Association of Young People in Care (IAYPIC) provided an independent advocacy service on a pilot basis for six months after contact had been made by the school. A new agreement was reached in December 2008, and training for staff had been planned before the re-introduction of the service in March 2009.

The director and board of management of THS, in consultation with IYJS, should determine how the standard on independent advocacy is to be met. They should include in any policy statement clear objectives and definition of roles for independent advocates.

2.2.18 Care planning and review

The school had a policy of formulating care plans for each young person. The meetings at which care plans were prepared were referred to as 'case conferences'. The term 'care plan', which is in the standards, is confusing because it has a different meaning in the *Child Care Regulations, 1995* where it refers to a statutory requirement of the HSE to have a specific individual plan for each child its care. In essence, the purpose of the school's care plan was to provide focus for the work to be done to address the individual needs of each young person during their stay in the school.

The 2005 inspection report recommended that consideration be given to implementation of the planning document as a means of providing sharper focus for the work being carried out, with long-term aims and shorter term objectives for each young person being identified at the initial case conference. It also recommended that specified actions should be assigned to named individuals. In this inspection inspectors found that this recommendation had not been met.

Several of young people did not have care plans. Some of them had case conferences after transferring from remand to committal. If they had been on remand over several months the conference was effectively held in the middle of their stay in the school. Reviews were infrequent, and young people attended only part of them.

The plans should be based on a detailed assessment of need and include goals for young people after they leave the school. They should be renamed in order to avoid confusion with statutory care plans, and the system of planning and review should be reformed. The frequency of reviews and the level of participation should be determined as part of the reform of the planning system.

2.2.19 Partnership with external agencies

For the most part, the school worked well in partnership with external agencies. Social workers who were assigned to young people in the school were satisfied with the quality of care received and said that they were kept well informed of progress. Probation officers who were named as being involved with the young people did not have as much contact with the school. It was explained to inspectors that this was because they did not have a remit to be involved. Sentences that combine detention and community supervision in the latter part of the sentence have been issued only rarely, but beyond the sentence there is a need for clarity about what supports are in place for young people when they return home from detention. The IYJS, HSE and probation service should enter into discussion about the continuity of support for young people in preparation for and after their leaving the school.

There were two issues that concerned the relationship between the Gardai and the school that were still in process at the time of the inspection, and a long-standing child protection investigation, referred to above, that involved three external agencies. In each of these cases the concern of inspectors was the length of time it took to resolve matters, and the impact of such delays on the partnership between the agencies and THS. Inspectors recommend that IYJS and the school engage in discussion about agreed protocols that promote partnership in the best interests of young people.

2.2.20 Aftercare

Standard 5.17 requires the school to have a policy on aftercare developed with relevant external agencies. There were limits to aftercare provision after the step down unit closed owing to staffing difficulties, but three members of the step-down unit staff maintained contact with young people after they left the school. Inspectors were concerned that there should be more discussion with external agencies such as the probation service and the HSE to ensure that practice reflects policy and that young people receive suitable support after discharge from the school.

2.2.21 Evaluation of practice

Inspectors found that there were areas of practice that were subject to detailed evaluation. For example, in establishing the adventure therapy programme an analysis of the use of physical restraint was used, and there were projects carried out to support the offending behaviour and drugs awareness programmes. An evaluation of the use of single separation had been carried out by a deputy director.

Inspectors found from the records, from interviews with staff and young people, and from observation, that some areas of practice needed to improve. For example, in examining the files they found two statements of retraction of allegations that had been signed by young people and witnessed by staff. Neither of these had come to the notice of the DCPO. The presence of the statements on the files without any follow-up indicated that the checks carried out by unit managers needed to be more systematic. THS should establish more regular systems of evaluation that focus on routine care practices.

2.2.22 Recruitment and deployment of staff

Information provided to the inspectors by the school indicated that there had been 10 appointments since January 2007 and two appointments in 2008. The roster showed a balanced deployment of care staff.

In the year November 2007 to November 2008 there had been significant absences owing to sickness throughout the various sections of staff. Twenty-two had been absent for four weeks or more. In this number there were twelve care staff and four night supervisors, all in full time posts. Half of the group had been off for periods greater than 10 weeks, and two were absent throughout the year, (one of whom held a part-time post). This is a serious problem for the school and should be systematically addressed by the director and the board of management in consultation with the IYJS. Inspectors recommend that THS review the roster, in consultation with IYJS.

2.2.23 Management

The school did not have a statement clearly defining the role of the board of management, its responsibilities, authority and monitoring function in accordance with standard 6.9. Inspectors recommend that one is prepared that includes the lines of accountability of the directors and the board's relationship with the IYJS. The 2005 inspection report noted that, in accordance with standard 6.1, the board is required to satisfy itself by frequent visits to the school that both the care of the boys and the condition of the school are satisfactory, and recommended that visits were made by board members on a regular and basis with reports of all visits being made to board meetings. It suggested that some visits should focus on the condition of the premises and others consider the care of the young people. At the time of this inspection that recommendation had not been met. Inspectors reiterate the recommendation and urge the board to give priority to arranging regular visits. Inspectors also recommend that, as the board of management is accountable for risk and behaviour management practices, a report should be sent to it each month regarding the use of restraint, single separations, personal searches and unauthorised absences.

2.2.24 Supervision and support

The standard on supervision was only partly met. THS managers had one day's training in supervision in October 2007, and there was a system in place, but it was not fully reflected in practice. Inspectors were provided with dates of supervision and found that for some staff the frequency was between three and four monthly, but the frequency varied, and the pattern was irregular. For example, a frequent pattern of supervision was evident earlier in the year for one group, but was not in evidence after August. In another instance, the supervision of unit managers showed a gap between July and September. The notes of supervision were scant and some records were blank. Inspectors recommend that the IYJS and the school should determine which model they intend to use, decide on the frequency and then implement it, and a senior manager should monitor practice to ensure that all staff receive supervision consistently.

2.2.25 Training

Thirteen staff had relevant qualifications, and three were qualified nurses. THS is commended for offering staff opportunities to gain qualifications and receive a wide range of in-service training. Thirty-three had National Vocational Qualifications (NVQ) accessed through a course in Scotland.

Eight care staff were studying for social care qualifications courses, supported by THS. Six care staff and 12 night supervisors did not have qualifications. In the year prior to inspection the management team had received training in supervision, time management, management facilitation and conflict management. Training in fire safety had been provided for 23 staff in autumn 2006, and 19 staff in 2007 – 2008.

Inspectors were told that the IYJS was developing a training strategy for the four detention schools commencing in January 2009. They recommend that a full training audit of THS is carried out and overall training needs for the whole staff team are identified. In particular they recommend specific training in *Children First: National Guidelines for the Protection and Welfare of Children, 1999* for the DCPO, and extension of the training in fire safety and First Aid to a wider group of staff.

Inspectors were concerned to find that staff morale was generally low. The director and board of management, in consultation with the IYJS should address this as a matter of priority. Several staff have been employed in the same posts over many years. THS has undergone change as a consequence of the transfer to IYJS and the implementation of the *Children Act 2001*, and there are development plans which will entail further change. There were eight working groups designed to review practice and policy on a variety of subjects and include staff in the process, and there was evidence of inclusion in some developments, such as the introduction of adventure therapy. Several of the working groups concerned the development and support of staff. It is essential for the cohesion of the staff group that the changes are managed well and staff are brought along with them by having a shared understanding of their purpose and an involvement in their realisation. Inspectors recommend training in change management for the chair of the board of management, and senior and middle managers in order to support this objective.

2.2.26 Administration

The standard on administrative records was partly met. Some records were extremely brief and did not give a clear indication of the basis on which decisions were made. For example, in interviews young people said that it was not possible to get home leave until five months of the sentence had been served. There were also conditions put on access by families, such as a requirement in one case for three successful parental visits before siblings could visit. These were reported factually in records but it was unclear who had made the decisions and on what basis they were made. The system does not require radical reform, but needs to be streamlined with accessibility and accountability in mind, and decisions that affect young people's lives should be clearly explained within the context that they were made.

The 2005 inspection report recommended that unit managers make regular checks to ensure that the files are in order and contain all relevant material. In this inspection, inspectors were told that this was being done, but it was not clearly evidenced in the files. Inspectors recommend that the files have clear evidence of monitoring by senior managers, and suggest that unit managers sign off the parts of the files they check. The files should also indicate routes of notification of significant events. The IYJS should have a clear policy about the foundation documents it requires in every case, and develop a clear policy on archiving for the four detention schools.

Some staff personnel files were insecure. Significant information was not present on some of the files, and there was potential for information to be misplaced. The director should ensure that all personnel files contain all relevant information in a secure format.

2.2.27 Fire Safety

In the 2005 inspection inspectors were concerned about the risk entailed in boys bringing cigarettes and possibly lighters into their bedrooms, and they recommended that the health and safety committee in THS looked at the problem with a view to finding an appropriate way to reduce the

fire hazard, and engage the young people in reaching an agreement about how the risk could be minimised.

In this inspection, inspectors found that this recommendation had been met in part. The issue of young people having cigarettes or lighters was addressed in a smoking ban. A nicotine substitute programme was put in place for staff, and was prescribed by the GP for some of the young people. In interviews and questionnaires young people were unanimous in their view that smoking should be allowed, some citing the fact that it is allowed in another detention school where there had been a ban. Inspectors noted that some staff smoked and this needs to be addressed in terms of how it is managed in an enclosed environment in which young people are not permitted to smoke.

In other respects, the standard on fire safety was mostly met. Inspectors were provided with a standing instruction on fire precautions for all schools that had been issued by the Minister for Education in August 1981. The directive included a specimen fire notice and drill procedures. Inspectors were also provided with a detailed description of the fire alarm system and a service agreement with a fire safety company that indicated that three monthly checks were carried out, the last in September 2008. In the year prior to the inspection there had been five fire drills– all held in April 2008. They also recommend that THS keeps the issue of fire safety to the fore in its policy and practice and that it arranges for a representative of the Fire Authority to make annual visits to the school in accordance with standard 9.10, and come to an agreement about the regularity of fire drills. A recommendation on fire safety training has been made above.

2.2.28 Health and Safety

Inspectors were provided with a copy of collated health and safety assessments of all areas of the school carried out in between September and early December 2008. The assessments were carried out by a range of staff, and were thorough and detailed. The staff carrying out the assessments were named, but the reports were not signed. Many of the identified hazards related to practices and required heightened levels of awareness and supervision. Inspectors found that some of the high risk hazards had been dealt with. They noted that the requirement for suitable furniture in the young people's bedrooms was awaiting the finalisation of a policy. Inspectors found that most of the assessments predated the inspection by less that one week. However, they recommend that all the recommendations are carried out without delay. They also recommend that the IYJS and VEC arrange for a specific health and safety assessment of the classrooms in the tuition unit which contain machinery and tools.

THS had a health and safety statement. It was brief and unsigned. It did not name those with responsibility for health and safety in the school. Inspectors recommend that the statement be amended so that it names those who have overall responsibility for health and safety, all of whom should sign the completed statement. Inspectors also recommend that THS arranges appropriate training for those who have responsibility for health and safety and the health and safety staff representatives.

2.2.29 Health

The standard on health was mostly well met. Young people enjoyed good health and told inspectors that their health needs were met. All the young people in the school were registered with a local GP practice, and practice in relation to having a medical examination carried out at the point of admission for each young person was well met. They had access to dental and ophthalmic assessments and treatment, and inspectors were told that there was no delay in accessing appropriate services. The school had the service of a nurse who divided her time between the three detention schools on the campus. For the majority of young people parental consent for medical interventions had been sought.

Inspectors were told that the nurse was involved in an IYJS working party developing a policy on the administration of medication for all four detention schools. A comprehensive policy was in draft and consultation was underway. The development of a common procedure is commendable, and inspectors will track its progress in future inspections. Inspectors examined the system in operation in THS and found that for the most part the administration of medication was good, but work was needed to address the practice of staff accessing medication for their own use in the medical cabinets on the units. Staff should be required to store their own medication in a secure place separate from the young people's medication.

Some of the young people who had been prescribed medication refused to take it from time to time. This should be reviewed not only by the nurse in consultation with the doctor, but within the context of case planning and review.

There was a smoking ban and programmes of health education for young people, and healthy eating was promoted. There were some facilities and opportunities for exercise. Several young people told inspectors that they would welcome more opportunities to play soccer on the outdoor pitch and avail of the gymnasium more. Security and safety are primary considerations owing to the distance of the outdoor areas from the buildings. However, inspectors urge THS, in consultation with IYJS, to explore ways in which the facilities can be used more. This is subject of a recommendation made earlier in this report.

2.2.30 Emotional and Specialist support

In interviews and in a questionnaire inspectors were told about concerns that the mental health needs of the young people were not adequately met. Several of the young people came to THS with diagnoses of ADHD; some were on courses of medication, and some were refusing to take what had been prescribed. The school accessed the services of a child psychiatrist as required for assessments, and some of the young people were referred to privately sourced counsellors, but there was no facility to pursue or review treatment programmes through provision of a specialist service. Inspectors recommend that ways of addressing the emotional needs of young people in detention be reviewed by THS in consultation with IYJS.

2.2.31 Offending behaviour programme

Standard 10 requires the school to have individual offending behaviour programmes consistent with each young person's assessed needs. In accordance with the standard, the school had 'offending behaviour' and 'substance misuse' programmes in place. The programmes were delivered to individual young people according to an assessment of need. Inspectors found records of the sessions on young people's care files. The programmes were supervised by one of the deputy directors.

The programmes were in early stages of implementation and needed to be developed further, particularly the offending behaviour programme. As sentences are of short duration, the length and content of the programmes should be reviewed to ensure that full use is made of the opportunity to support each young person in looking at the impact of offending behaviour and drug misuse and inappropriate sexual behaviour in their lives.

The involvement of keyworkers in delivering the programme needs to be made clear and there should be a consistent structure so that systematic monitoring and evaluation can take place. The IYJS told inspectors that they are carrying out a review of the offending behaviour programmes, and that will include making a link between the schools. Inspectors were of the view that the person delivering the offending programme in THS would benefit from training and clinical supervision.

2.3 Practices that did not meet the required standard

2.3.1 Single separation

The use of single separation did not meet the standard. In THS single separation entailed involuntary time spent away form the group, mostly in a locked room. On the units there were 'protection rooms' used for separation when a young person was at risk of inflicting damage on himself, others or property. The 'protection' rooms were totally enclosed lockable spaces with an adjacent toilet facility. In effect they were cells, being without natural light and unfurnished.

There were 424 instances of single separation between January and October 2008. Of these, 325, (76%) were for periods of up to 15 minutes and were described as 'time out', but were involuntary and therefore properly recorded as single separations. Ninety-eight were for periods between 16 and 60 minutes, 24 lasted between one and four hours, and seven were between four and 24 hours. On examining records inspectors found that most of the short separations were for the management of behaviour. The longer separations were not reviewed in accordance with the standards, and in some instances the duration of separation was due to the unwillingness of the young person to engage in discussion about his behaviour. Single separation was also integrated into planned 'programmes' of behaviour management. The longest was of a young person in single separation for 16 days. For part of this time the young person was confined to his bedroom for short periods on four different occasions through the day and had limited access to the gymnasium for exercise. Records show that the young person apologised for his behaviour early in the programme. The primary purpose or single separation is to manage immediate risk, and the routine use of separation in order to effect compliance or control behaviour is unacceptable.

The principal of the tuition unit gave inspectors details of the use of time out and 'chill out' in a specified area in the tuition wing. 'Chill out' was voluntary removal by the young person himself from the classroom to a room in the tuition unit for a short period in order to regain or maintain self-control. From September to November 2008 there had been 55 'time outs' from the classrooms involving 15 young people, of which 10 were voluntary.

In April 2008 one of the deputy directors carried out an audit of the use of the protection rooms. The audit concluded that the rationale for using the rooms was sometimes unclear and in contravention of the school's policy. The on-call duty manager was notified of the use of the measure after a decision was made by unit staff rather than consulted before its use, as required by THS policy. The audit identified patterns of use. It identified a higher incidence in one of the units and the tuition facility. The report recommended that all staff should be retrained in pre- and post-crisis intervention skills.

As a place of detention the school has legal authority to use single separation, but to meet the standard it should be an exceptional measure of control used in situations of immediate serious risk, and never used as a punishment. Reducing the frequency of use of this measure will require changes in the overall strategies for managing behaviour. The locus of authority to use single separation, which was at the level of on-call duty manager, should be at director/deputy director level, and each episode should be reviewed to ensure that practice conforms to policy. The records of single separation should clearly show who authorised its use, and the outcomes of reviews. The appropriateness of the protection rooms for the management of risk should be re-assessed. There should be a system of notification of each incident to the IYJS, the board of management, social workers, and parents; and the IYJS and board of management should receive a report on the review of each incident. The IYJS should liaise with the DoHC and the HSE in order to produce common guidelines on the use of single separation which can apply in any centre in the state where children may be legally detained. Whatever the circumstances of their detention, the rights of young people remain the same.

2.3.2 Vetting

There were significant deficiencies in vetting. All staff had Garda clearance, but forty-seven Garda clearances were received after staff commenced employment.

In the two years prior to inspection ten staff were appointed, five as relief staff, four on fixed term and one permanent contracts. Full vetting had taken place for four of these staff. Two of the other staff had two references, one had one reference and one of the staff had none. This is not acceptable.

Inspectors recommend that the deficiencies in vetting for this group of staff are remedied and that a system is put in place to ensure that all future appointments comply with the requirement for Garda clearance and three satisfactory references prior to the commencement of employment. Garda clearances should also be obtained for members of the board of management and others who have regular access to young people such as counsellors.

2.3.4 Premises and Safety

The 2005 inspection report described the boys' bedrooms as 'fairly basic being 9.5' x 8' with a bed on a fixed wooden base and a built-in shelf, and that there were no washing or toilet facilities in the rooms.' While the young people were permitted to personalise their rooms, the overall effect of the limits of space and furniture was one of clutter, and they expressed concern that this could present a fire hazard in the event of a fire. This is referred to in the section on fire safety above.

Inspectors noted that the young people's accommodation had not changed since the 2005 inspection, and found the general quality of the accommodation unsatisfactory. They noted that the accommodation was small for the size of several of the young people. This was acknowledged by everybody who spoke about it. Inspectors were told that the IYJS has an overall long-term plan but in the meantime, at the time of this inspection, a programme of interim refurbishment was about to begin. To facilitate this one of the units was closed. At the next inspection, inspectors will assess the accommodation to determine whether the standard has been met when the improvements have been carried out.

The school did not have written confirmation of compliance with building control and fire safety regulations as required by standard 9.9. Inspectors were told that it was not required as the school was a place of detention. The IYJS should make a determination about the requirement of the standard and give a clear directive about whether or not written confirmation is required.

3. Findings:

1. Purpose and function

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

	Practice met the required standard	*Practice partly met the required standard*	*Practice did not meet the required standard*
Purpose and function		√	

Recommendation:

1. The director and board of management of THS, in consultation with the IYJS, should revise the statement of purpose and function and ensure it reflects the requirements of the standards, the objectives and values of the Children Act 2001, the terms of the present certificate, the roles of the stakeholders, and how the school carries out its key functions.

2. Care of Young People

Standard
Young people are cared for by staff that they can relate to effectively. Day-to-day care is of good quality and provided in a way that takes account of their individual needs without discrimination. The quality of care provided is equivalent of that which would be expected of a good parent/guardian. Young people are rewarded for the achievement of acceptable behaviour and measures of control are expressly designed to help rather than punish the young people.

	Practice met the required standard	*Practice partly met the required standard*	*Practice did not meet the required standard*
Good relationships	√		
Personal choice		√	
Religion	√		
Quality and choice of food	√		
Leisure activities		√	
Living skills training		√	
Management of behaviour		√	
Physical restraint		√	
Single separation			√
Absconding		√	
Privacy		√	

Recommendations:

2 The director of THS should consider ways of increasing opportunities for exercise and recreation inside and outside the units, and of encouraging the young people to make better use of the facilities and open space already available.

3 The director of THS should develop the roles of all staff, particularly care staff and keyworkers, in providing living skills training to young people.

4 The director and board of management of THS, in consultation with the IYJS, should:
- review its policy on care and control,
- revise its system for managing behaviour,
- review the use of physical restraint and single separation,
- develop a policy and practice on the management of risk,
- give consideration to making further opportunities for privacy available within the behaviour management system,
- develop practice that distinguishes between the management of behaviour and management of risk.

5 As a matter of priority, the director and board of management of THS should:
- review the use of single separation,
- reduce its frequency,
- ensure that in every instance it conforms to the standards, and
- ensure that practice reflects the principles of children's rights.

6 The IYJS should enter into discussion with the Department of Health and Children and the HSE with a view to developing common standards for the use of single separation in all places where young people can be legally detained.

7 The director and board of management of THS should ascertain the wishes of parents about the religious upbringing of their children.

8 The IYJS should review the detention schools' policy on unauthorised absences to ensure clarity about the status of young people who are missing for long periods of time.

3. Child Protection

Standard
Young people in the school are protected from abuse and there are systems in place to ensure such protection. In particular, staff members are aware of an implement practices that are designed to safeguard the young people in their care.

	Practice met the required standard	*Practice partly met the required standard*	*Practice did not meet the required standard*
Child protection		√	
Safeguarding		√	
'Whistle-blowing'		√	

Recommendations:

9 The director and board of management of THS, in consultation with the IYJS, should:
- should review the school's child protection policy,
- develop the protocols with the HSE for notification of child protection concerns, and
- consider assigning the role of designated child protection officer to a deputy director.

10 The director and board of management of THS, in consultation with the IYJS, should develop a safeguarding policy that encompasses all aspects of care of the young people, is strongly based in children's rights, and creates a culture in the staff where safe care can be openly discussed and promoted.

11 The director and board of management of THS, in consultation with the IYJS, should review the whistleblowing policy and ensure that staff have sufficient confidence in it for it to fulfil its purpose of protecting young people.

4. Children's rights

Standard
Young people receive care in a manner that 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.

	Practice met the required standard	*Practice partly met the required standard*	*Practice did not meet the required standard*
Complaints		√	
Consultation		√	
Independent advocacy		√	
Access to information		√	

Recommendations:

12 The director and board of management of THS, in consultation with the IYJS, should carry out a review of practice in children's rights to ensure that staff are confident about them and able to promote their facilitation.

13 The director and board of management of THS, in consultation with IYJS, should determine how the standard on independent advocacy is to be met.

14 The IYJS should develop policy and set out clear objectives and definition of roles for independent advocates.

5. Planning for children and young people

Standard
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 of 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 the young people is enhanced by positive working relationships between professionals.

	Practice met the required standard	*Practice partly met the required standard*	*Practice did not meet the required standard*
Admission	√		
Care planning and review		√	
Partnership with families	√		
Partnership with external agencies		√	
Discharges	√		
Aftercare		√	

Recommendations:

15 The director and board of management of THS, in consultation with the IYJS, should carry out a thorough review of the planning process. It should ensure that the plans, programmes of action and reviews are appropriate for every case and tailored to lengths of sentences**.**

16 The IYJS should enter into discussion with the HSE and probation service about the continuity of support for young people in preparation for leaving and aftercare.

6. Staffing and Management

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

	Practice met the required standard	*Practice partly met the required standard*	*Practice did not meet the required standard*
Evaluation of care practices by managers		√	
Recruitment and deployment of staff		√	
Vetting			√
Supervision and support		√	
Training		√	
Administration		√	
Co-operation with statutory agencies	√		
Utilisation of places	√		

Recommendations:

17 The director of THS should review the unit managers' role in monitoring care practices, develop more regular systems of evaluation including routine care practices, and ensure that it is evidenced in the files.

18 The director and board of management of THS, in consultation with the IYJS, should carry out a review of the deployment of staff that includes the issue of chronic staff absences.

19 The director and the board of management of THS, in consultation with the IYJS, should determine how it is to remedy the deficiencies in vetting, and ensure that in all future appointments the national guidelines on vetting are rigorously followed.

20 The board of management of THS should produce a statement clearly defining the role of the board, its responsibilities, authority, monitoring function in accordance with standard 6.9, including in the statement the lines of accountability of the directors and the board's relationship with the IYJS.

21 The board of management of THS should give priority to arranging visits to the school in accordance with the recommendation of the 2005 inspection.

22 The IYJS should develop a policy on supervision, and determine which model of staff supervision is to be used in the detention schools; and the director and board of management of THS should ensure that it is properly implemented.

23 The director and board of management of THS, in consultation with the IYJS, should draw up a comprehensive programme of training for staff that includes:
- training for the chair of the board of management, director, deputy directors and unit managers in change management;
- training in *Children First: Guidelines on the Welfare and Protection of Children* for the DCPO and unit managers;
- training in health and safety for the deputy director with overall responsibility for health and safety, the health and safety and maintenance officers, and the staff health and safety representatives;
- training in fire safety for those staff who have not received it;
- training in the rights of children in detention for care staff.

24 The director of THS should streamline the system of recording and ensure that it is complete, accessible, accountable, regularly monitored, and secure.

7. Education

Standard
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.

	Practice met the required standard	*Practice partly met the required standard*	*Practice did not meet the required standard*
Education	√		

8. Health

Standard
Health care is essential in the arrangements for the care of young people. Each young person receives appropriate health care and advice. Healthy lifestyles are promoted.

	Practice met the required standard	*Practice partly met the required standard*	*Practice did not meet the required standard*
Health	√		
Emotional and specialist support		√	
Health education		√	
Healthy eating and exercise		√	

Recommendations:

25 The director of THS should review practice with a view to increasing young people's opportunities for exercise and access to fresh air.

26 The director of THS should ensure that staff store their own medication in a secure place separate from the young people's medication.

27 The director and board of management of THS, in consultation with the IYJS, should review practices and the services available for addressing the emotional needs of young people in detention.

9. Premises, Safety and Security

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

	Practice met the required standard	*Practice partly met the required standard*	*Practice did not meet the required standard*
Accommodation			
Health and Safety			√
Fire safety		√	
Maintenance and repair		√	
Security		√	

Recommendations:

28 The director and board of management of THS should arrange for a representative of the Fire Authority to visit the school annually in accordance with standard 9.10, and ensure that fire drills are carried out regularly.

29 The director and board of management of THS, in consultation with the IYJS, should encourage and support staff in quitting smoking on the premises so that they may provide a positive example to the young people.

30 The IYJS should determine a policy on the requirement of the standard 9.9 that the school requires written confirmation of compliance with building control and fire safety regulations.

31 The board of management of THS should arrange for a comprehensive health and safety audit to be carried out that includes an assessment of the potential for self-harm.

32 The director of THS should ensure that the health and safety statement is updated so that it identifies who has responsibility for the safety, health and welfare of the young people and staff.

10. Dealing with Offending Behaviour

Standard
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.

	Practice met the required standard	*Practice partly met the required standard*	*Practice did not meet the required standard*
Individual programmes	√		
Frequent reviews	√		
Evaluation and Monitoring		√	

Recommendation:

33 The director and board of management of THS, in consultation with the IYJS, should establish a means whereby the offending behaviour programme can be formally evaluated and regularly monitored.

4. Summary of Recommendations

1. The director and board of management of THS, in consultation with the IYJS, should revise the statement of purpose and function and ensure it reflects the requirements of the standards, the objectives and values of the Children Act 2001, the terms of the present certificate, the roles of the stakeholders, and how the school carries out its key functions.

2 The director of THS should consider ways of increasing opportunities for exercise and recreation inside and outside the units, and of encouraging the young people to make better use of the facilities and open space already available.

3 The director of THS should develop the roles of all staff, particularly care staff and keyworkers, in providing living skills training to young people.

4 The director and board of management of THS, in consultation with the IYJS, should:
- review its policy on care and control,
- revise its system for managing behaviour,
- review the use of physical restraint and single separation,
- develop a policy and practice on the management of risk,
- give consideration to making further opportunities for privacy available within the behaviour management system,
- develop practice that distinguishes between the management of behaviour and management of risk.

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