



# **Missionary Society of St. Columban**

Region of Ireland

**2017**

## **Safeguarding Policy and Procedures**



**Missionary Society of St. Columban**

**Safeguarding Office Region of Ireland**

Dalgan Park, Navan, Co Meath

Telephone: 087 984 4779 Email: [neville.sandra@gmail.com](mailto:neville.sandra@gmail.com)

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## GLOSSARY/DEFINITIONS

**Child:** A child or young person is defined as anyone under the age of 18 years 'excluding a person who is or has been married' (Children's First National Guidance, 2011 p8.)

**Children with specific needs:** This term is used to cover the specific or unique, out of the ordinary concerns created by the child's medical, physical, mental or developmental condition or disability. Additional services are usually needed to help a person in one or more of the following areas (among others): thinking communication, movement, getting along with others and taking care of oneself.

**Church personnel:** The term 'Church personnel' is used to define those who work (voluntarily or paid) for the Church body. This includes clergy, religious, staff and volunteers.

**Complainant:** This is the term used to describe a person who has made an allegation of abuse.

**Contact with Children:** Working on an activity or in a position that involves or may involve contact with children, either under the position description or due to the nature of the work environment.

**Designated Liaison Person:** The person appointed by the Region of Ireland, the Missionary Society of St. Columban to liaise with the statutory authorities regarding child/vulnerable persons safeguarding suspicions, concerns, knowledge or allegation.

**Intern:** A student or trainee who works, sometimes without pay, in order to gain work experience or satisfy requirements for a qualification.

**Personnel:** Personnel are either employed by an organization, engaged by an organization on a subcontract basis, or engaged by an organization on a voluntary or unpaid basis.

**Respondent:** This term is used for the person about whom child/vulnerable person protection suspicions, concerns, knowledge or allegations have been made

**Statutory Authorities:** These include TUSLA, HSE, HIQA and An Garda Síochána

**TUSLA:** Child & Family Agency who are the statutory authority, responsible for improving well-being and outcomes for children.

**Volunteer:** A person who offers to take part/work for an organization without being paid.



## Introduction



**O**n behalf of the Columban Missionaries, Region of Ireland, I welcome this revised and updated policy document. This revised document builds on previous documents. It is vitally important that we learn from past experience to ensure the development of better policies and improved good practice among all our members and workers in the Region of Ireland. It also enhances our efforts to ensure that all children are safeguarded.

As Columban Missionaries of the Region of Ireland we have a duty to ensure that children and young people, with whom we come into contact, are treated with care and respect. This revised document will enhance and add to the work that we have undertaken to date in the area of Safeguarding children.

This Policy and Procedures is based on best practice and is compliant with 'Children First', the National Guidance for the Protection and Welfare of Children and in line with the NBSCCCI's Safeguarding Children Policy and Standards for the Catholic Church in Ireland, 2016.

I am fully conscious that the work of Safeguarding has to be based on best practice. It is an ongoing work to which we Columban Missionaries are deeply committed and must apply ourselves to at all times. It is my duty as Regional Director to ensure that every member/worker fully commits himself/herself to this Safeguarding Policy. I commit our personnel to the implementation of this policy.

I am conscious that this policy document will need to be reviewed in three years or sooner should there be changes in legislation.

A handwritten signature in dark blue ink that reads "Patrick Raleigh".

Patrick Raleigh ssc.,  
Regional Director

“Our generation will show that it can rise to the promise found in each young person when we know how to give them space. This means that we have to create the material and spiritual conditions for their full development; to give them a solid basis on which to build their lives; to guarantee their safety and their education to be everything they can be; to pass on to them lasting values that make life worth living; to give them a transcendent horizon for their thirst for authentic happiness and their creativity for the good; to give them the legacy of a world worthy of human life; and to awaken in them their greatest potential as builders of their own destiny, sharing responsibility for the future of everyone. If we can do all this, we anticipate today the future that enters the world through the window of the young.”  
*Pope Francis*







## SCOPE OF THE POLICY

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## SCOPE OF THE POLICY

- **This document sets out the Region of Ireland, Missionary Society of St. Columban's Safeguarding Policy and Procedures. All members, staff and volunteers are required to comply with the policy, procedures and practices set out in this document.**
- **The Region of Ireland does not work directly with children. However, we have undertaken to implement this policy in relation to our representatives (including members, staff and volunteers) who come into contact with children in the course of their work.**
- **The Region of Ireland is aware of the need to make explicit and visible our determination that our work and activities must promote the safety and security of children.**
- **Throughout the process of ensuring the safety and welfare of children, we should be aware of differing family patterns and lifestyles, not only due to different racial, ethnic and cultural groups but also issues of age, disability, gender, religion, language and sexual orientation.**

## CONTEXT OF THE POLICY

### **Definition of a child:**

*In both jurisdictions in Ireland, a child or young person is defined as anyone under the age of 18 years 'excluding a person who is or has been married'. (Children First: National Guidance, 2011 p8.)*

The Missionary Society of St Columban recognises and is committed to the rights of all children to be protected from harm in accordance with the United Nations Convention on the Rights of the Child (CRC).

**United Nations Convention on the Rights of the Child:** The UN Convention on the Rights of the Child was adopted by the UN in 1989 and ratified by Ireland in 1992.

**The National Children's Strategy** is based on the UN Convention on the Rights of the Child and as such, sets out the vision for children in Ireland over a ten-year period. The National Children's Strategy advocates that all work with children and young people should, by its very nature, recognise, implement and promote the fundamental tenets of the Convention.

**Children First:** National Guidance for the Protection and Welfare of Children (2011) provides the national guidance for the protection and welfare of children in Ireland. A child is defined under the Child Care Act 1991 as anyone under the age of 18 years who is not, or has not been married. The guidance outlines key principles to inform best practice in child protection and welfare and is a roadmap to help parents, professionals, organisations and the general public to identify and report child abuse and welfare concerns. It sets out definitions of abuse and the signs that abuse may be taking place. It also states what organisations need to do to keep children safe, and what different bodies and the general public should do if they are concerned about a child's safety and welfare.

**The Children First Act 2015** puts elements of the Children First: National Guidance for the Protection and Welfare of Children (2011) on a statutory footing. The legislation forms part of a suite of child protection legislation which includes the National Vetting Bureau (Children and Vulnerable Persons) Act, 2012 and the Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012.

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The Act provides for a number of key child protection measures, which included:

- A requirement on organisations providing services to children to keep children safe and to produce a Child Safeguarding Statement;
- A requirement on defined categories of persons (mandated persons) to report child protection concerns over a defined threshold to the Child and Family Agency (TUSLA);
- A requirement on mandated persons to assist the CFA (TUSLA) and “to give to the Agency such information and assistance as it may reasonably require” in the assessment of a child protection risk.
- To provide for the abolition of the common law defence of reasonable chastisement and, for that purpose, to amend the Non-Fatal Offences Against the Person Act 1997. (This section has been commenced and from 11th December 2015 a person who administers corporal punishment to a child will no longer be able to rely of the defence of reasonable chastisement in the courts).
- Placing the Children First Interdepartmental Group on a statutory footing.

### **Our Duty to Care**

Our Duty to Care was published by the Department of Health and Children in October 2002. It offers a practical guide to staff and volunteers who work with children by outlining a number of fundamental principles of good practice.

### **Criminal Justice (Withholding of Information on Offences against Children & Vulnerable Persons) Act 2012**

### **National Vetting Bureau Act (Children & Vulnerable Persons) 2012 - 2016**

## **SAFEGUARDING – RESPONSIBILITIES & STANDARDS**

The Region of Ireland takes very seriously its responsibility for the safeguarding of children and to ensure that every child in contact with the Region of Ireland either directly or indirectly will be treated with respect and dignity.

This policy and accompanying standards describe the steps needed to become effective in keeping children safe. They have been drawn up and reflect national and international best practice with regard to Child Protection and Safeguarding and reflect where appropriate the Safeguarding Children Policy and Standards for the Catholic Church in Ireland (2016). We believe that these standards when put in place will significantly strengthen and ensure that we can become effective in keeping children safe.





**The standards are based on the following set of principles:**

All children have a fundamental right to be respected, nurtured, cared for and protected. This right is also embedded in Gospel values, best practice guidelines and international and domestic laws.

**Advantages of implementing these standards:**

- **Children are protected:** No standards can offer complete protection for children but following these standards minimises the risk to children of abuse and exploitation.
- **Members, Staff and Volunteers are protected:** By implementing these standards members, staff and volunteers will be clear about how they are expected to behave with children and what to do if there are concerns about a child
- **The Society is protected:** By implementing these standards, the Region of Ireland makes clear their commitment to keeping children safe. The standards will help them to move towards best practice in this area.



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# Section 1

## DEVELOPING A CULTURE OF SAFEGUARDING

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## SECTION 1. DEVELOPING A CULTURE OF SAFEGUARDING

This sets out our approach to putting structures in place for safeguarding everybody. The Region of Ireland is committed to doing everything possible to create a safe and welcoming environment for children where their welfare is paramount.

Valuing children means valuing personnel as well: insisting on safe practices, eliminating the necessity for people to take risks and providing them with support will enable a healthier and safer environment.

To assist us in developing a culture of safety we are required to have

- A written Safeguarding Policy.
- Comply with Standard 1, Creating and Maintaining Safe Environments.

### SAFEGUARDING POLICY

**Child Safeguarding Policy statement of the Constituent Members of the Catholic Church in Ireland:**

*As a constituent member of the Catholic Church in Ireland we recognise and uphold the dignity and rights of all children, are committed to ensuring their safety and well-being, and will work in partnership with parents/guardians to do this. We recognise each child as a gift from God, and we value and encourage the participation of children in all activities that enhance their spiritual, physical, emotional, intellectual and social development.*

All Church personnel (including clergy, religious, staff and volunteers) have a responsibility to safeguard children through promoting their welfare, health and development in a safe and caring environment which supports their best interests and prevents abuse.

#### Foundations

In developing and implementing the Child Safeguarding Policy, this Church body is guided by the following foundations:

1. **Gospel:** Children have a key place in the heart of Jesus who said 'Whoever does not receive the kingdom of God like a child shall not enter it' (Luke 18:17). This places a sacred obligation on the Church, to ensure that children are welcomed, cherished and protected in a manner consistent with their central place in the life of the Church.
2. **Children's Rights, International and National Law:** The United Nations Convention on the Rights of the Child (UNCRC) outlines the forty-two fundamental rights to be implemented in national law by signatories to the convention (this includes the Holy See, Ireland and United Kingdom). Full realisation of these rights will ensure that children will be 'brought up in a spirit of peace, dignity, tolerance, freedom, equality and solidarity'<sup>1</sup>, whilst respecting the cultural identity of each child.

A number of the child protection rights contained in the UNCRC are already present in key pieces of national law, Canon law, and child and family policy and guidance including:

#### Republic of Ireland Law, Policy and Guidance

- Children First Act 2015
- Better Outcomes for Better Futures, DCYA, 2014

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<sup>1</sup> UNCRC Preamble

- National Vetting Bureau (Children & Vulnerable Persons Act), 2012
- Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act, 2012
- Children First: National Guidance for the Protection and Welfare of Children, DCYA, 2011
- Criminal Justice Act, 2006
- Our Duty to Care, DCYA, 2002
- Protection for Persons Reporting Child Abuse Act, 1998
- Child Care Act 1991
- The Constitution of Ireland

### **Northern Ireland Law, Policy and Guidance**

- Safeguarding Board Act (NI), 2011
- Our Duty to Care (Volunteer Now), 2011
- Our Children & Young People: Our Pledge, 2006
- Co-Operating to Safeguard Children, 2003
- Children (NI) Order, 1995
- Criminal Law Act (NI), 1967

In the laws of both jurisdictions, where there is a conflict between the best interests of the child and the interests of other parties, the best interests of the child are considered to have paramourcy.

### **3. Learning from the Past**

In his *Ad Limina* address to the Irish Bishops on 28 October 2006, Pope Benedict XVI stressed the need to (i) 'establish the truth of what happened in the past'; (ii) 'to take whatever steps are necessary to prevent it from occurring again'; (iii) 'to ensure that the principles of justice are fully respected'; and, (iv) 'above all, to bring healing to the victims and to all those affected by these egregious crimes'.

The statutory<sup>2</sup> reports into historical child abuse that has involved the Catholic Church in Ireland, as well as the reports of the reviews conducted by the National Board of individual Church bodies, highlight past errors and recommend how child safeguarding can be significantly improved.

As a Church we commit to this journey of justice, truth, healing, and abuse prevention.

### **Commitments**

Together with the foundations outlined above, this Church body as part of the Catholic Church commits to:

- **Mandatory reporting**

Each of us has a duty to notify the statutory authorities of suspicions, concerns, knowledge or allegations that a child is being or has been abused:

- Physically
- Emotionally
- Sexually
- Through Neglect

Suspicions, concerns, knowledge or allegations may relate to possible abuse by a member of Church personnel; but they can also relate to incidents in the child's family, or elsewhere in the community.

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<sup>2</sup> For further details see Department of Children and Youth Affairs (2013). An examination of recommendations from inquiries into events in families and their interactions with State services, and their impact on policy and practice. Stationary Office: Dublin.

- **Caring for the welfare of all children and the adults who work with them**

Measures to create and maintain environments which are safe for children, which prevent abuse, and create nurturing caring conditions within the Church for children and the adults who work with them, will continue to be strengthened and reviewed. This will be done through training, support, communications and quality assurance.

- **Responding appropriately to child protection suspicions, concerns, knowledge or allegations**

Anyone who brings any suspicion, concern, knowledge or allegation of current or past abuse of a child to the notice of the Church will be responded to sensitively, respectfully, actively and in a timely manner, in line with statutory child protection procedures and Church requirements.

All suspicions, concern, knowledge or allegation that reach the threshold for reporting to the statutory authorities (apart from those received in the Sacrament of Reconciliation<sup>3</sup>) will be reported via the designated liaison person to the appropriate statutory agencies. This will be done irrespective of the status of the person (lay, cleric or religious) who is suspected of having been abusive to a child. If the allegation relates to a lay member of Church personnel, in addition to notifying the statutory authorities, the allegation must also be reported to the Church Authority. If the allegation relates to a cleric or religious, in addition to notifying the statutory authorities, the allegation must also be reported to the Church Authority and the National Board for Safeguarding Children in the Catholic Church in Ireland

All Church personnel will cooperate with the statutory authorities in all cases.

In responding to complaints of child sexual abuse relating to clergy and all those in forms of consecrated life, Church Authorities will act in accordance with the requirements of civil law and canon law, and so will respect the rights and uphold the safeguards afforded in these, both to the complainant and respondent.

- **Caring pastorally for complainants and other affected persons**

Those who have suffered child abuse by Church personnel will receive a compassionate and just response and will be offered appropriate pastoral care, counselling and support as they seek to rebuild their lives.

An appropriate pastoral response to the family, parish, congregation or order and to the wider community will be provided, with due regard to the right of privacy of those directly involved, and to the administration of justice.

- **Caring pastorally for respondents and other affected persons**

This Church body in its response to suspicions, concerns, knowledge or allegations of child sexual abuse will respect the rights under civil law and canon law of an accused cleric or religious or other Church personnel. A legal presumption of innocence will be maintained during the statutory and Church inquiry processes. As the processes develop, additional assessment, therapy and support services may be offered to the respondent.

The Church Authority will take responsibility for ensuring that any cleric or religious who is considered to constitute a danger to children is managed according to a risk management plan.

All requisite steps will be taken to restore the good name and reputation of anyone who has been wrongly accused of abusing a child.

Respondents belong to families and diocesan or religious communities. The Church body will be

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<sup>3</sup> The sacramental seal is inviolable; therefore it is absolutely forbidden for a confessor to betray in any way a penitent in words or in any manner and for any reason - Canon 983.1



mindful of the need to provide support to members of families and communities affected by the respondent's changed situation.

### **SCOPE OF THE POLICY**

This policy applies to all Church bodies and is addressed to all Church personnel who are required to comply with it. Full understanding of and adherence to this policy should lead to a deepening in the understanding of, and respect for, the rights of children and young people to participate as people of faith in the life of the Church.

The care and protection of children involved in Church activities is the responsibility of the whole Church, and is a requirement that applies regardless of the nature of the Church activities in which children are involved. Everyone who participates in the life of the Church has a role to play in creating an environment in which children can develop and be safe.

### **PUTTING THE POLICY INTO ACTION**

This Church body will implement this policy by ensuring that all our ministry and activities comply with applicable indicators of the seven safeguarding standards.

- 1. Creating and Maintaining Safe Environments.**
- 2. Procedures for Responding to Child Protection Suspicions, Concerns, Knowledge or Allegations.**
- 3. Care and Support for the Complainant.**
- 4. Care and Management of the Respondent.**
- 5. Training and Support for Keeping Children Safe.**
- 6. Communicating the Church's Safeguarding Message.**
- 7. Quality Assuring Compliance with the Standards.**

### **COMMITMENT BY THE CHURCH AUTHORITY**

On behalf of this Church body, as part of the Catholic Church in Ireland – I commit to safeguarding children by agreeing to follow this Child Safeguarding Policy.

I will abide by and uphold the seven Standards and the applicable indicators in our entire ministry and contacts with children.



Church Authority Signature



Date

On behalf of: The Missionary Society of St. Columban, Region of Ireland.

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### WHAT IS A STANDARD?

A standard is the level of practice required to ensure good child safeguarding. Each standard is self-contained and is supported by indicators. It is the standard that provides the framework for action. Audit of compliance will be undertaken against the seven standards and the relevant indicators that apply to the Church body.

*Reference: Safeguarding Children Policy and Standards for the Catholic Church in Ireland 2016*

**Creating & Maintaining Safe Environments (Standard 1)**

We provide an environment for children that is welcoming, nurturing and safe. We provide access to good role models whom the children can trust, who respect, protect and enhance their physical, emotional, intellectual, spiritual and social development.

Indicators that ensure the Standard is being met:

<b>A. Recruitment &amp; Selection</b>	We follow effective practice guidelines and legislative requirements in the recruitment of all personnel and in assessing their suitability to work with children. See Appendix 2, page 17.
<b>B. Codes of Conduct</b>	We implement effective practice on the expected standards of adults' behaviour towards children. We implement effective practice in encouraging children's positive behaviour. See Appendix 3, page 25.
<b>C. Safe Care</b>	We will implement effective practice in safe care for all children, including those with specific needs if required. See Appendix 4, page 29.
<b>D. Whistle Blowing Procedures</b>	We have in place clearly written whistle-blowing procedures to support and assist personnel to raise concerns about possible dangerous or unethical conduct by others towards children involved in our activities. See Appendix 5, page 30.
<b>E. Complaints Procedure</b>	We have a clearly written complaints procedure regarding safeguarding concerns that are not allegations of abuse. See Appendix 6, page 32.
<b>F. Information Technology / Social Media</b>	We implement effective practice for the appropriate use of information technology, including social media by personnel. See Appendix 7, page 33.
<b>G. Hazard Assessment</b>	We implement effective practice for personnel on assessment of hazards when working with children. See Appendix 8, page 38.
<b>H. Visiting Groups</b>	See Appendix 9, page 39.
<b>I. External Groups using Society Property</b>	See Appendix 10, page 41.

### Training & Support for Keeping Children Safe (Standard 5)

Personnel are trained and supported in all aspects of safeguarding relevant to their role, in order, to develop and maintain the necessary knowledge, attitudes and skills to safeguard and protect everyone involved. Indicators that ensure the Standard is being met:

**A.**

**Induction of Personnel.** We will ensure that the induction of personnel will include training on the safeguarding policy & procedures. See Appendix 11, page 43.

**B.**

**Training Needs Analysis.** We will conduct an annual training needs analysis that identifies all personnel that require training and develop a training plan based on this. See Appendix 11, page 43.

**C.**

**Specific Safeguarding Responsibilities.** We will ensure that personnel that have specific safeguarding responsibilities have appropriate role specific training. See Appendix 11, page 43.

**D.**

**Information for Children.** We will provide children, their parents/guardians with information on how to keep safe where applicable. See Appendix 11, page 43.

**E.**

**Support.** We will facilitate the provision of an appropriate level of support to all involved in relation to their responsibility to safeguard. See Appendix 12, page 45.

### Communicating the Safeguarding Message (Standard 6)

We will appropriately communicate the Safeguarding Message. Indicators that ensure the Standard is being met:

**A**

**Communication Plan.** We have a written plan that details how the safeguarding message will be communicated. See Appendix 13, page 47.

**B**

**Information on Safeguarding.** We will have information regarding how to safeguard available to all. See Appendix 13, page 47.

**C**

**Communicating the Message.** We will ensure that the safeguarding message is communicated to people whose first language is not English, as well as to people who have specific needs. See Appendix 13, page 47.

**D**

**Local/National Organisations.** We will establish links with other local/national organisations in order to promote a safe and caring community and to share best safeguarding practices. See Appendix 13, page 47.

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# Section 2

## RESPONDING TO CONCERNS

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## SECTION 2. RESPONDING TO CONCERNS

This sets out our approach to raising awareness about abuse of children and ensuring that everybody working or dealing with children knows how to respond to concerns raised.

To assist us in responding to concerns we are required to:

- Comply with Standard 2, Procedures for responding to Child Protection, suspicions, concerns, knowledge or allegations.
- Comply with Standard 3, Care & Support for the Complainant.
- Comply with Standard 4, Care and Management of the Respondent.

### **Procedures for responding to suspicions, concerns, knowledge or allegations. (Standard 2)**

We have clear procedures and guidance on what to do when suspicions, concerns, knowledge or allegations arise regarding a child's safety or welfare that will ensure there is a prompt response. We will meet all national and international legal and practice requirements and guidance.

Indicators that ensure the Standard is being met:

#### **A. Recognising Abuse**

We will outline the definitions of abuse (Children's First, National Guidance for the Protection and Welfare of Children, 2011). See Appendix 14, page 49 to 68.

#### **B. Responding to an Allegation of Abuse**

We will have procedures in place on how to respond to an adult or child making an allegation of abuse. See Appendix 14, page 49 to 68.

#### **C. Reporting Procedures**

We will have a clearly written procedure and access to personnel to implement them, if suspicions, concerns, knowledge or allegations are received about the abuse of a child. These procedures specify that suspicions, concerns, knowledge or allegations that meet the threshold for reporting to the statutory authorities will be reported. See Appendix 14, page 49 to 68.

#### **D. Recording**

We will record all suspicions, concerns, knowledge or allegations and action taken that complies with relevant data protection legislation, statutory guidance on confidentiality and storage of information. See Appendix 14, page 49 to 68.

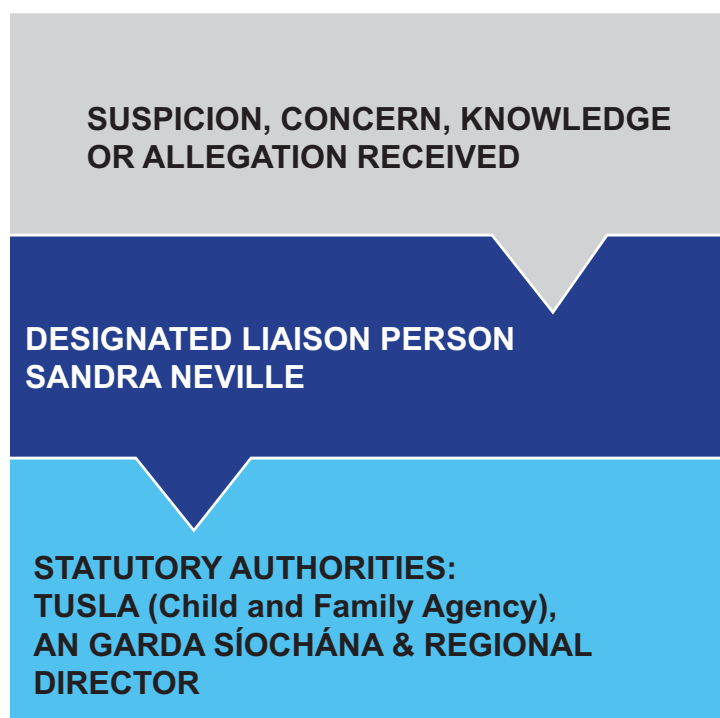
#### **E. Information Sharing**

We will share information about child protection suspicions, concerns, knowledge or allegations with those who need to know in order to keep children safe. See Appendix 14, page 49 to 68.

#### **F. Designated Liaison Person (DLP)**

We will appoint a designated liaison person who will liaise on our behalf with the statutory authorities. See Appendix 14, page 49 to 68.

## REPORTING PROCEDURES



### CARE & SUPPORT FOR THE COMPLAINANT (STANDARD 3)

Complainants who have suffered abuse receive a compassionate response when they disclose their abuse. The complainant and their families, are offered appropriate support and advice.

Indicators that ensure the Standard is being met:

#### A. Support

We work in cooperation with relevant organisations and seek specialist advice from the statutory protection services when necessary. See Appendix 15, page 69.

### CARE & MANAGEMENT OF THE RESPONDENT (STANDARD 4)

There is in place a fair process for investigating and managing safeguarding concerns.

Indicators that ensure the Standard is being met:

#### A. Informing the Respondent.

We have arrangements in place to inform the respondent that an allegation has been received about them and how their job/role within the Society will be managed. See Appendix 16, page 72.

**These standards should be read in conjunction with:**

- Standard 5: Training and Support for Keeping Children Safe.
- Standard 7: Quality Assuring Compliance with the Standards.

These will be found in Section 1 Creating a Culture of Safeguarding and Section 3 Quality Assurance.

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# Section 3

## QUALITY ASSURANCE

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## SECTION 3. QUALITY ASSURANCE

This sets out our approach to carrying out audits/monitoring to ensure continuous improvement and maintaining best practice.

To assist us in implementing and monitoring we are required to:

- Comply with Standard 7, Quality Assuring Compliance with the Standards.

### Quality Assuring Compliance with the Standards Standard 7

The Region of Ireland will develop a plan of action to quality assure compliance with the safeguarding standards. This plan will be reviewed annually. We have responsibility to monitor, evaluate and report on the compliance with the indicators under each standard that apply to it.

**Indicators that ensure the Standard is being met:**

- A. Safeguarding Action Plan.** We will produce a three year safeguarding action plan, that will outline the actions that will be taken to safeguard. This will identify who is responsible for implementing these actions, will construct a time frame to complete actions and make available resources required to do so. See Appendix 17, page 82. Action Plan: See website ([www.columban.eu](http://www.columban.eu))
- B. Evaluation/Report.** We will ensure that arrangements are in place to evaluate our compliance with the safeguarding standards. We will produce an annual report on the level of compliance established through the audit process. See website ([www.columban.eu](http://www.columban.eu)).
- C. Recording, Storage and the Retention of Data:** See Appendix 18, page 84.

**These standards should be read in conjunction with**

- Standard 1: Creating & Maintaining Safe Environments.
- Standard 2: Procedures for Responding to Child Protection suspicions, concerns, knowledge or allegations.

These will be found in Section 1, Developing a Culture of Safeguarding and Section 2, Responding to Concerns.



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# Appendix

## DEVELOPING A CULTURE OF SAFEGUARDING

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## Section 1: Developing a Culture of Safeguarding

### APPENDIX 1.

#### Child Safeguarding Policy Statement of the Constituent Members of the Catholic Church in Ireland

As a constituent member of the Catholic Church in Ireland, we recognise and uphold the dignity and rights of all children, are committed to ensuring their safety and well-being, and will work in partnership with parents/guardians to do this. We recognise each child as a gift from God, and we value and encourage the participation of children in all activities that enhance their spiritual, physical, emotional, intellectual and social development.

All Church personnel (including clergy, religious, staff and volunteers) have a responsibility to safeguard children through promoting their welfare, health and development in a safe and caring environment that supports their best interests and prevents abuse.

If you have a safeguarding concern please contact:

**SANDRA NEVILLE**

Designated Liaison Person

**Telephone: 087 984 4779**

[neville.sandra@gmail.com](mailto:neville.sandra@gmail.com)

**Or you can  
report your  
concerns  
directly to:**

**TUSLA**

(Child and Family Agency)

**Telephone: 046 909 7870**

or

**An Garda Síochána**

**Telephone: 01 666 3445**

**Reporting Phone Line:**

**1800 555 222**

***Columban Missionaries***



St Columbans, Navan, Ireland.

## APPENDIX 2. RECRUITMENT & SELECTION PROCEDURE

The Region of Ireland acknowledges that safe care starts with the appointment of suitably qualified, skilled and vetted personnel who have the desired competencies and skills to carry out their function in an effective, efficient and safe manner. Whoever is employed by the Region of Ireland, either in a pastoral, employee or voluntary role, must be recruited safely and deemed suitable for the role that they are being asked to undertake.

***Safe recruitment means that the Region of Ireland will ensure that:***

- All reasonable steps are taken to ensure that the Region of Ireland eliminates applicants who might pose a risk to children;
- Those engaged in the recruitment process are suitably trained and experienced to undertake this task;
- The Region of Ireland's recruitment procedures are transparent, adhere to best practice and comply with the rules of natural justice, appropriate record-keeping and human resource management;
- The Region of Ireland is committed to the policy of inclusion and equality.

### **Appointment Procedures (Clerics).**

For clerics who are part of the Region of Ireland in which they are ministering, the following procedure must be completed. All priests and religious should have gone through a formation programme that should include safeguarding children.

In addition to this, the Region of Ireland must ensure the following takes place prior to any appointment:


- ▶ Ensuring the cleric signs the agreement form to follow the Region's Policy and Child Safeguarding Standards.
- ▶ Requiring the cleric to sign a declaration form stating that there is no reason why they would be considered unsuitable to work with children.
- ▶ Requiring the cleric to undergo relevant vetting/clearance procedures.
- ▶ Ensuring the cleric is inducted in the Region of Ireland's child safeguarding policy and that they agree to follow the policy and the procedures of the Region of Ireland by signing an agreement form.
- ▶ Ensuring the cleric agrees to work within the Region of Ireland's code of behaviour.
- ▶ Ensuring that the cleric attends training, in particular child safeguarding training.

If a cleric or religious is not part of the Region of Ireland and applies for a voluntary or paid role within the Region of Ireland, they must follow the recruitment procedures for paid or voluntary staff. If the cleric or religious is visiting the Region of Ireland and is seeking to minister, the procedures outlined in our Safeguarding Policy must be followed.

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## Recruitment Procedures (Paid Staff)

The following procedures apply to the process of all appointments. It should be noted that these procedures do not affect the applicant's rights under the relevant employment legislation.

- Use a recruitment and selection checklist to ensure that effective practices are followed.
- Use an application form, including reference requests.
- Interview applicants to discuss their application form. This interview will include applicants being advised of their responsibilities towards children, and assessment of their suitability will include an awareness of child protection and safe care practices. 
- Interview boards will be comprised of experienced and qualified personnel with a proven ability to draw out and explore the information that the candidate has included on their application form.
- All paperwork associated with the application process should be kept in accordance with record storage policy (Appendix 18). All references, reports and communications in respect of the applicant should be in writing, and access to them will only be available to appropriate personnel within the Region of Ireland. Candidates will be advised that their application and the follow up process of recruitment will be dealt with in the strictest confidence.
- The successful applicant will be offered a position subject to:
  - a. **Suitable references;**
  - b. **Signing a declaration form;**
  - c. **Proof of qualifications, where applicable;**
  - d. **Relevant vetting/clearance procedures;**
  - e. **Positive proof of identification.**
- It should be noted that any lay person who is coming to work or volunteer in Ireland, who worked or volunteered in another country for more than one year, must provide a certificate of police clearance from the country or countries in which they have lived for a year or more, prior to coming to Ireland.

***Advice and support in obtaining a police clearance certificate can be found at [www.fingerscan.ca](http://www.fingerscan.ca) and also at [www.coru.ie/en/registration/police\\_clearance](http://www.coru.ie/en/registration/police_clearance).***

Once appointed, the following elements are critical:

- Ensure probationary periods are served, where appropriate;
- Ensure that the member of personnel is inducted in the Region of Ireland's child safeguarding policy and that they agree to follow the policy and the procedures of their Church body by signing an agreement form;
- Ensure professional support, supervision and appraisals are offered to personnel, where appropriate;
- Provide ongoing training personnel, in particular child safeguarding training.

## Recruitment Procedures (Volunteers)

Reasonable steps should be taken to ensure that all volunteers who work with children in the Region of Ireland are assessed as 'safe'.

***This includes conducting the following procedures for all volunteers:***

- Vetting through National Vetting Bureau. It should be noted that any lay person who is coming to work or volunteer in Ireland, who worked or volunteered in another country for more than one year, must provide a certificate of police clearance from the country or countries in which they have lived for a year or more, prior to coming to Ireland. *Advice and support in obtaining a police clearance certificate can be found at [www.fingerscan.ca](http://www.fingerscan.ca) and also at [www.coru.ie/en/registration/police\\_clearance](http://www.coru.ie/en/registration/police_clearance);*
- Requiring the volunteer to sign a declaration form stating that there is no reason why they would be considered unsuitable to work with children;
- Ensuring the volunteer is inducted in the Region of Ireland's child safeguarding policy and that they agree to follow the policy and the procedures of the Region of Ireland by signing an agreement form;
- Ensuring the volunteer agrees to work within the Region of Ireland's code of behaviour;
- Ensuring the volunteer agrees to report all safeguarding concerns to the DLP of the Region of Ireland



## Guidance on Vetting

### 1. The Catholic Church's standards and expectations

It is essential that those people who work in any capacity with children<sup>2</sup> are, as far as possible, assessed to ensure that they do not present a risk to children. Standard 1 provides the required standard of practice in relation to recruitment and selection. It also provides a checklist for engaging proper procedures when taking on staff and volunteers who will be working with children.

One part of the recruitment process is to screen applicants against police criminal conviction and caution records. This screening process – called vetting – includes a check against relevant police-held conviction and non-conviction information, against UK lists of individuals who have been barred from working with children and/or vulnerable adults,<sup>3</sup> and, in the Republic of Ireland, against An Garda Síochána records.

This document sets out the relevant legislation, and it provides guidance on who should be vetted and on the procedures that apply in both the Republic of Ireland and in Northern Ireland.

### 2. Vetting in the Republic of Ireland (ROI)

#### 2.1 Legislative basis

In the ROI, vetting is carried out through the National Vetting Bureau under the National Vetting Bureau (Children and Vulnerable Adults) Act 2012. From the date of commencement of the legislation on 27 April 2016, it is a criminal offence to allow anyone to engage in ministry with children or vulnerable adults, without having them vetted first.

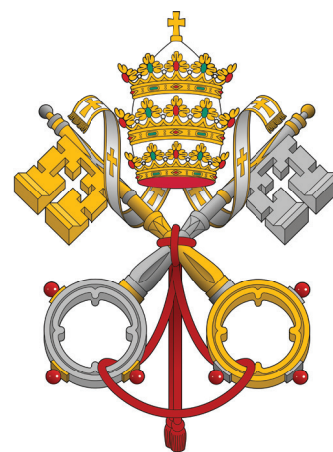
In addition, Section 26 of the Sex Offenders Act 2001 means that it is a criminal offence for some people who are guilty of certain criminal offences to fail to notify their employers of this fact before taking a job or performing a service. It is a requirement under this legislation for a prospective employee or volunteer to inform the employer of offences committed in Ireland and abroad.

Section 26 of the Sex Offenders Act 2001 makes it an offence for a person to:

- a. Apply to be employed to do relevant work;
- b. Enter into a contract of employment to do relevant work;
- c. Apply to another person to do relevant work on that other person's behalf (either paid or voluntary);
- d. Enter into a contract of services to do relevant work without, during the course of the application or before entering into the contract, informing the other person or party that they have been convicted of a sexual offence.

The 2012 National Vetting Bureau Act (as amended in the Criminal Justice [Spent Convictions and Certain Disclosures] Act 2016) sets out circumstances that require vetting, defined as:

***Any work or activity which is carried out by a person, a necessary and regular part of which consists mainly of the person having access to, or contact with, children (and/or vulnerable adults).***





Good safeguarding practice means that, as far as possible, management and supervision arrangements are such that substantial, unsupervised access to children is limited.

Under Schedule 1, Part 1, Paragraph 7, of the National Vetting Bureau Act (as amended by paragraph 27 of the Criminal Justice [Spent Convictions and Certain Disclosures Act] 2016) also requires:

***Vetting in respect of any work or activity as a minister or priest or any other person engaged in the advancement of religious beliefs, to children (and vulnerable adults) unless such work or activity is merely incidental to the advancement of religious beliefs to persons who are not children (or vulnerable adults).***

In other words, anyone who is 18 or over and has any contact with children (and vulnerable adults) which is more than incidental as part of their ministry must be vetted. Those who are aged 16 and under 18 may be vetted, but this can only be carried out with the written consent of their parent/guardian and the young person themselves.

For Church bodies who are active in both Northern Ireland and the Republic of Ireland, they must ensure that Church personnel who meet the legislative requirements in each jurisdiction and are active in both jurisdictions are vetted both in the Republic of Ireland and Northern Ireland. For other Church personnel who may come into contact but who do not work directly with children (or vulnerable adults) in the Church, vetting is not required.

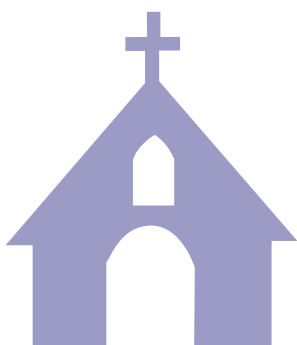
## 2.2 The legislation provides relevant definitions

**Harm**, in relation to a person, means exploitation or abuse, whether physical, sexual or emotional;

**Relevant organisation** means a person (including a body corporate or an unincorporated body of persons).

So, for the purposes of the Act, the Catholic Church and all of its subdivisions is deemed to be a relevant organisation that:

- i. employs (whether under contract of employment or otherwise) any person to undertake relevant work or activities;
- ii. enters into a contract for services with any person for the provision by that person of services that constitute relevant work or activities;
- iii. permits any person (whether or not for commercial or any other consideration) to undertake relevant work or activities on the person's behalf;
- iv. is a provider of courses of education or training, including internship schemes, for persons and, as part of such education or training or scheme, places or makes arrangements for the placement of any person in work experience or activities where a necessary part of the placement involves participation in relevant work or activities, but does not include an individual who does any of the matters referred to in sub-paragraphs (i) to (iv) in the course of a private arrangement.



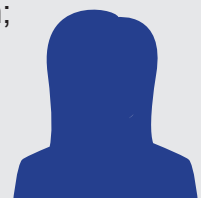
**Relevant work or activities relating to children<sup>4</sup>** means any work or activity that is carried out by a person, a necessary and regular part of which consists mainly of the person having access to, or contact with, children in:

- An establishment that provides preschool services within the meaning of Part VII of the Child Care Act 1991;
- A school or centre of education, both within the meaning of the Education Act 1998;
- Any hospital or healthcare centre that receives, treats or otherwise provides services to children;
- Any work or activity that consists of treatment, therapy or counselling provided to a child by a person in the course of that work or activity;
- Any work or activity that consists of care or supervision of children, unless the care or supervision is merely incidental to the care or supervision of persons who are not children;
- Any work or activity that consists of the provision of educational, training, cultural, recreational, leisure, social or physical activities (whether or not for commercial or any other consideration) to children, unless the provision of educational, training, cultural, recreational, leisure, social or physical activities is merely incidental to the provision of educational, training, cultural, recreational, leisure, social or physical activities to persons who are not children;
- Any work or activity that consists of the provision of advice, guidance, developmental or counselling services (including by means of electronic interactive communications) to children, unless the provision of the advice, guidance, developmental or counselling service is merely incidental to the provision of those services to persons who are not children;
- Any work or activity as a minister or priest or any other person engaged in the advancement of any religious beliefs which is not merely incidental;
- Work as a driver of a public service vehicle, which is being used only for the purpose of conveying children.

**Register of vetted persons:** the chief bureau officer will establish and maintain a register of vetted persons who were or are the subject of applications for vetting disclosure, in accordance with the legislation.

**The register of vetted persons shall contain the following information regarding each vetted person:**

- a. his or her forename(s), surname and, where appropriate, maiden name;
- b. his or her mother's maiden name;
- c. his or her address;
- d. his or her previous addresses (if any);
- e. his or her date of birth, place of birth and nationality;
- f. his or her passport number (if available);
- g. his or her personal identification number (if any);
- h. the date of application for vetting disclosure and the outcome of the application;
- i. the name and particulars of the relevant organisation making the application for vetting disclosure;
- j. the relevant work or activity to which the application relates;
- k. declaration of consent referred to in Section 13 (4) (e);
- l. particulars of the vetting disclosures made in respect of the vetted person;
- m. such other particulars as the bureau considers appropriate.



<sup>4</sup> Please refer to the legislation for the complete list.

## **2.3 The Church as a relevant organisation cannot:**

- a. employ (whether under contract of employment or otherwise) any person to undertake relevant work or activities;
- b. enter into a contract for services with any person for the provision by that person of services that constitute relevant work or activities;
- c. permit any person to undertake relevant work or activities on behalf of the organisation (whether or not for commercial or any other consideration);
- d. in a case where the relevant organisation is a provider of any course of education, training or scheme, including an internship scheme, place or make arrangements for the placement of a person as part of such education, training or scheme, if a necessary and regular part of such placement requires the participation by the person in relevant work or activities, unless the organisation receives a vetting disclosure from the bureau in respect of that person.

*A person who performs any of the matters listed in paragraphs (a) to (d) above without a vetting disclosure from the bureau shall be guilty of an offence.*

## **2.4 Reporting information to the National Vetting Bureau according to the Act (Section 2)**

The Church is not defined as a scheduled organisation according to the Act (Section 2), and is therefore not required to report specified information to the National Vetting Bureau. However, information about a member of the Church may be reported to the bureau.

As scheduled organisation has a duty to notify the bureau in writing, where, following an investigation, inquiry or regulatory process, there is a bona fide concern that the person, may:

- a. harm any child or vulnerable person;
- b. cause any child or vulnerable person to be harmed;
- c. put any child or vulnerable person at risk of harm;
- d. attempt to harm any child or vulnerable person;
- e. incite another person to harm any child or vulnerable person.

If any specified information furnished by a scheduled organisation to the bureau is incorrect or is otherwise inaccurate, the scheduled organisation will, as soon as may be, after becoming aware of its being incorrect or inaccurate, as the case may be, inform the bureau thereof.

## **2.5 Catholic Church requirements**

The Church body is required to register with the National Vetting Bureau (if not previously registered with the Garda Vetting Unit) and appoint an authorised liaison person, who will be registered by the bureau. It will be the responsibility of the liaison person to ensure that vetting application forms are completed accurately and in full.

For any Church body not already registered, discussions should take place with the host diocese or with the Association of Missionaries & Religious of Ireland (AMRI) to become affiliated under their liaison person, who may act as an 'umbrella body' for registration with the Garda Vetting Bureau. Registration and vetting checks can now be carried out online and for more information go to: <https://vetting.garda.ie>.

The form that is completed by the applicant gives permission for a vetting disclosure to be obtained and shared with the relevant personnel within the Church body, in line with data protection

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legislation. The applicant must give their permission for information to be shared with named relevant people (i.e. the employer and the DLP). The application must identify the relevant work to which the application relates, and must be specific about access to children being a necessary and regular component of the role.

National Bureau vetting is one method of ensuring that those people about whom there are concerns of a relevant nature are not engaged to work with children. The vetting return must be assessed by the employing person (parish priest, chair of board of management, etc.) to ensure that risk is minimised. Personnel accessing vetting disclosures must also observe confidentiality and must be made aware of the consequences of a breach of confidentiality.

If the vetting disclosure contains information that might mean an applicant is unsuitable for the post, the employer must make a copy of the disclosure available to the applicant to establish first that the identity details are correct, and second, whether the information shared means that the application must not proceed.

If the applicant wishes to appeal the decision, the Church body must set up a review panel meeting (see Section 6 on appeals).



## APPENDIX 3. CODES OF BEHAVIOUR FOR ADULTS WORKING/DEALING WITH CHILDREN

The recruitment of suitably qualified and experienced personnel is a vital aspect of the Region of Ireland's child safeguarding policy. However, in order to maintain a high level of child protection awareness and safe care, codes of behaviour are equally important.

A code of behaviour is a clear and concise guide to what is and is not acceptable behaviour and practice when working with children. It is an essential part of the safeguarding procedures of any Church body that has ministry with children. Adults working with children have a duty of care to children. Region of Ireland personnel who work with children should sign a code of behaviour (if it is not contained in the overall safeguarding policy) to indicate that they have seen the code and agree to follow it in full from commencement of their work within the Region of Ireland.

It is very important that everyone within the Region of Ireland is clear about what is and is not acceptable behaviour when working with children. It is also important to involve children and parents/guardians in the process of developing a code of behaviour. When considering what sorts of behaviour are appropriate in dealing with children, it is important to bear in mind that the intentions of adults are less important than the impact of their behaviours on children.

For this reason, a key aspect of any code of behaviour is the creation of an environment where it is safe for children to ask questions and express their concerns, confident in the knowledge that what they say will be heard, taken seriously and acted upon.

***In general, codes of behaviour should contain:***



**Positive statements indicating what sorts of behaviours are appropriate, e.g. listening.**



**An awareness of the scope of bullying and how to cope with the problem, as it may occur in any group context.**



**Prohibitions indicating behaviours that are never acceptable, e.g. hitting a child.**



**Good practice guidelines that indicate what is generally acceptable or unacceptable, but that also allow for exceptions, e.g. in a medical emergency; taking a child in your car without a second member of staff/adult if there is no one else around.**



**Where it becomes necessary to depart from the code of behaviour, the reasons for doing so should be carefully recorded, and steps should be taken to avoid the recurrence of such a situation in the future.**

## REGION OF IRELAND – CODE OF CONDUCT FOR ALL PERSONNEL

### Creating and maintaining a safe environment for children.

***It is important for all personnel working with the Region of Ireland to:***

- ✓ treat all children with respect and dignity
- ✓ treat all children equally
- ✓ model positive and appropriate behaviour to all children with whom they come into contact
- ✓ be aware of the Safeguarding Policy
- ✓ challenge and report potentially abusive behaviour
- ✓ develop a culture of openness, honesty & safety
- ✓ develop a culture where children have permission to tell and talk about any concerns or worries that they may have
- ✓ respect each child's boundaries and support them to develop their own sense of rights

### ***You must never:***

- hit or otherwise physically assault or physically abuse children
- develop relationships with children that could in any way be deemed exploitative or abusive
- act in any way that may be abusive or may place a child at risk of abuse
- use language, make suggestions or offer advice which is inappropriate, offensive or abusive
- do things for a child of a personal nature that they can do themselves
- condone or participate in, behaviour that is illegal, unsafe or abusive
- act in any way that is intended to shame, humiliate, belittle or degrade
- discriminate against, show different treatment or favour particular children to the exclusion of others
- develop sexual relationships with children

In general, it is inappropriate to:

- Spend excessive time alone with children away from others
- Take children away/to your own home, especially where they will be alone with you.

### **Dealing with Breaches of the Code of Behaviour**

If a child/young person or an adult breaches the code of behaviour, efforts should be made to resolve the issue by:

- Discussion with and support for the adult or the child/young person;
- A child/young person or adult may be asked to apologise for their behaviour;
- In the case of a child/young person, involving their parents/guardians;
- Agreeing on sanctions.

Sanctions may include:

- Time out of group activity;
  - For children/young people, a parent/guardian may be asked to attend group activities with their child for a period of time;
  - For adults, retraining in leadership skills, code of behaviour, etc. may be required;
  - For children/young people, the code of behaviour should be revisited and agreed upon;
  - Monitoring behaviour and support on an ongoing basis;
  - In serious cases, suspension or even exclusion from the group should be considered;
  - Formal reporting to statutory authorities.
-



## Guidance on Anti-Bullying

We recognise the devastating effects and long-term damage that bullying can have on children/young people and we hope to create safe 'bullying-free' environments for our children/young people.

### What is bullying?

***Bullying is intentional, repeated and aggressive physical, verbal or psychological behaviour directed by an individual or group against others.***

- Bullying can occur at any age, in any environment, and can be long or short term;
- Any child/young person can be a victim of bullying;
- Bullying can be perpetrated by adults towards children/young people, as well as children/young people towards their peer group;
- Isolated incidents of aggressive behaviour, which should not be condoned, cannot be described as bullying.

However, when the behaviour is systematic and ongoing it is bullying; ***bullying results in pain and distress to the victim.***

### Bullying can be:





- Emotional/psychological: tormenting, excluding, extorting, intimidating, etc.
- Physical: pushing, kicking, hitting, punching, intimidating, damaging/stealing property, or any use of violence, etc.;
- Racist: racial taunts, i.e. insults about colour, nationality, social class, religious beliefs, ethnic or Traveller background, or use of graffiti or gestures;
- Sexual: unwanted physical harassment or contact, or sexually abusive comments. This may constitute actual sexual abuse, which should be reported;
- Homophobic: taunting a person of a different sexual orientation;
- Verbal: name-calling, sarcasm, spreading rumours, teasing, etc.;
- Cyber: misuse/abuse of email, mobile phones, internet chat rooms, social media, text messaging, or camera and video facilities;
- Subtle: such as an unwelcome expression or gesture that is repeated and focused on an individual;
- Perpetrated by adults: this can include adults who are not related to the child. When Perpetrated by adults, rather than children, bullying behaviour could be regarded as physical or emotional abuse. However, other major forms of child abuse – such as neglect and sexual abuse – are not normally comprehended by the term 'bullying'.











## Prevention

To help prevent bullying, the following strategies are suggested:

-  **Engage children/young people in discussions about what bullying is and why it cannot be tolerated;**
-  **Encourage children/young people to take responsibility and report any incidents of bullying to their leader/person in charge;**
-  **Review this bullying guidance with children/young people and parents involved in parish/ agency activities;**
-  **Seek to promote positive attitudes of social responsibility, tolerance and understanding among all personnel.**

## Procedures to deal with bullying:

-  **All incidents of bullying should be brought to the attention of the leader/person in charge;**
-  **All incidents will be recorded on incident report forms and kept on file;**
-  **Leaders should report to and seek guidance/support from the parish priest/priest in charge;**
-  **Parents should be informed of any incidents of bullying, and should meet with the leader/ person in charge to discuss the problem. A record should also be kept;**
-  **The bullying behaviour or threats of bullying must be investigated and the bullying quickly stopped;**
-  **Both the victim and bully should be supported and helped throughout the process.  
If necessary and appropriate, the Gardaí should be consulted.**

## APPENDIX 4. SAFE CARE

### Adequate Supervision Ratios

In planning a trip or activity, it is critically important to consider how many adults are needed to supervise children in a safe manner. It is recommended that a certain number of adults be available to supervise a certain number of children; however, this is also dependent on whether the children have specific needs or requirements, and on the duration of the activity.

**At a minimum, two adults are required for each activity.**



### Dealing with Accidents

It is essential that all personnel (clergy, staff and volunteers) are familiar with the procedures outlined below.

If a child has an accident and injures himself/herself while attending a Region of Ireland event, these procedures should be followed:

1. Assess the injury and reassure the child. If the injury is severe or the child has lost consciousness, please contact the emergency services immediately by phoning 999 or 112. You can phone 112 from a mobile that has no credit and even from a phone that has no SIM card. The 112 emergency number is a European emergency number and can be called from anywhere in Europe. If the emergency services are to be called, contact with the child's parents/guardians must be made urgently. Contact information should be found on the child's membership/consent form. If the parents/guardians are not available, it may be necessary for a leader to travel with the child to the hospital. If medical treatment is required, personnel may be asked about known allergies or existing medical conditions. Again, this information should be found on the child's membership/consent form;
2. If the injury is minor, local application of treatment should be available from the first aid box. There should be a fully stocked first aid box to hand at all events. Remember to make a note of what has been used from the first aid box so that it can be replaced at the earliest opportunity. Under no circumstances should any medication be given to a child;
3. As soon as possible after the accident, write up a report using an accident/incident report form (see form section, page 105). Once completed, this form should be stored in a safe place, in line with data protection, and treated as a confidential document;
4. Always inform parents/guardians of any accident that has occurred involving their child, regardless of how minor you consider it to be. It is good practice to give a copy of the accident/incident report form to parents/guardians;
5. It is good practice to keep blank copies of the accident/incident form with the first aid box so that one can be easily filled out in the event of an emergency.

## APPENDIX 5. WHISTLE-BLOWING

All staff and volunteers within the context and agency of the Region of Ireland must acknowledge their individual responsibility to bring matters of concern to the attention of their manager/leader. This could be the Regional Director, and/or relevant agency managers. Although this can be difficult to do, it is particularly important where the welfare of children may be at risk. You may be the first to recognise that something is wrong, but you may not feel able to express your concerns out of a feeling that this would be disloyal to colleagues, or you may fear harassment or victimisation.

These feelings, however natural, must never result in a child or young person continuing to be unnecessarily at risk. Remember, it is often the most vulnerable children or young people who are targeted. These children need an advocate to safeguard their welfare. Don't think, 'what if I'm wrong?' Think, 'what if I'm right!'



### Reasons for whistle-blowing:



- Each individual has a responsibility to raise concerns about unacceptable practice or behaviour.
- To prevent the problem worsening or widening.
- To protect or reduce risks to others.
- To prevent yourself from becoming implicated.

### What stops people from whistle-blowing?



- Fear of starting a chain of events that spirals out of control.
- Disrupting the work or project.
- Fear of getting it wrong.
- Fear of repercussions or damaging careers.
- Fear of not being believed.

### How to raise a concern?

Whistle-blowing can be about a range of concerns, not just safeguarding. It is important to:

- Voice any concerns, suspicions or uneasiness as soon as possible. The earlier a concern is expressed the sooner and easier action can be taken;
- Try to pinpoint exactly what practice is concerning and why;
- Approach your immediate leader/supervisor/manager;
- If your concern is about your immediate superior/supervisor/manager, please contact your DLP, the statutory services or the NBSCCCI;
- Make sure a satisfactory response is secured – don't let matters rest;
- Ideally, concerns should be placed in writing, outlining the background and history, giving names, dates, locations and any other relevant information;
- You are not expected to prove the truth of your complaint, but you need to demonstrate sufficient grounds for concern.



### **What happens next?**

- You should be given information on the nature and progress of any enquiries resulting from your concern.
- Your supervisor/leader/manager has a responsibility to protect you from harassment or victimisation.
- No action will be taken against you if the concern proves to be unfounded and was raised in good faith.
- Malicious allegations will be considered a disciplinary offence.
- Follow up if the person to whom you reported has not responded within a reasonable period of time, and if that follow up is not acted upon, report the matter to the relevant statutory authorities.

### **Self-reporting**

There may be occasions when a member of staff or a volunteer has a personal difficulty, perhaps a physical or mental health problem, which they know to be impinging on their professional competence. Staff and volunteers have a responsibility to discuss such a situation with their line supervisor/leader/manager so that professional and personal support can be offered to the member concerned. Whilst reporting will remain confidential, in most instances this cannot be guaranteed where personal difficulties raise concerns about the welfare or safety of children.



## APPENDIX 6. COMPLAINTS PROCEDURE/ GRIEVANCE & DISCIPLINARY POLICY

### Introduction

A complaint is defined as a grievance and/or the raising of a concern about breaches of codes of behaviour. Allegations or suspicions of child abuse do not fall into this category of general complaints, and should always be dealt with in accordance with Reporting Concerns. See Appendix 14.

This complaints procedure is not for use by personnel who would use the whistle-blowing procedure to raise their complaint.

All complaints will be taken seriously and dealt with fairly and confidentially. Efforts will be made to quickly and informally resolve complaints through discussion with the parents/guardians, children/young people, volunteers/members of staff and clergy, as appropriate.

Parents/guardians, young people/children, volunteers, members of staff and clergy will be made aware that there is a complaints procedure. A copy of the complaints form is available.

*If a parent/guardian, young person or child is not satisfied with any aspect of the running of a particular activity, or the behaviour of any individual involved in that activity, the following steps should be taken:*

#### FIRST STEP

All complaints of this nature should be resolved using an open dialogue with the personnel involved. If resolution is not possible, the following step should be taken.

#### SECOND STEP

1. The Church authority should be contacted by completing a complaints form. The Church authority has eight weeks to consider the complaint. (See form, page 115)
2. A letter acknowledging receipt of the complaint should be sent within seven calendar days, enclosing a copy of the complaints procedure.
3. All complaints must be thoroughly investigated.
4. The Regional Director may organise a meeting to discuss and hopefully resolve the complaint. This communication may also take place by telephone if a meeting is not possible. They will do this within fourteen calendar days of sending the acknowledgement letter to the complainant.
5. Within seven days of the meeting or discussion, the Regional Director will write to the complainant to confirm what took place and to set out any solutions that were agreed upon.
6. If a meeting is not agreeable or possible, the Regional Director will issue a detailed written reply to the complainant, setting out their suggestions for resolving the matter within twenty one calendar days of sending the acknowledgement letter to them.
7. If the complainant is still not satisfied at this point, they should contact the Regional Director again. At the conclusion of this step, the Regional Director may decide to take further action on the complaint. If, however, the Regional Director decides not to take further action, the process is completed.

## APPENDIX 7. USE OF IMAGES OF CHILDREN

### Guidance for the taking and using of images of children and young people.



#### Introduction

These guidelines have been compiled using information from the Arts Council and Sports Council, Ireland. These guidelines are intended to provide support and guidance to any member, staff and volunteer who record and use images of children and young people.

These should be read in conjunction with:

- Policy & Procedures for Child Safeguarding, Missionary Society of St. Columban 2014
- Children First, National Guidelines for the Protection & Welfare of Children ([www.dohc.ie/publications/children\\_first.html](http://www.dohc.ie/publications/children_first.html))
- Our Duty to Care ([www.dohc.ie/publications/our\\_duty\\_to\\_care.html](http://www.dohc.ie/publications/our_duty_to_care.html))
- The Data Protection Act 1998/2003 ([www.dataprotection.ie/documents/forms/NewAGuideForDataControllers.pdf](http://www.dataprotection.ie/documents/forms/NewAGuideForDataControllers.pdf))
- Data Protection Policy & Code of Practice 2016 ([www.columban.eu](http://www.columban.eu))

The use of images plays an important role in many aspects of work with children and young people. Images in many formats can be used to record, document, demonstrate, promote and celebrate activities and experiences. Increasingly, accessible and diverse technology has meant recording, sharing, disseminating and publicizing images are more widespread than ever before and this practice will undoubtedly continue and expand.

#### The legal context

Other than the provision contained in the Child Trafficking and Pornography Acts 1998/2004, which contain specific provisions on the exploitation of children, there is no specific legal constraint on taking photographs or recording visual material with children and young people. Photographs and visual images are regarded as personal data under the Data Protection Acts 1998/2003. Personal data is defined as data related to a living individual who can be identified from the data in conjunction with other information in the possession of the data controller. It must be obtained fairly, accurate, kept up to date and should be kept and used only for one or more specified lawful purpose.

#### The right to privacy

Children and young people, as well as adults, have a right to privacy and therefore their consent should be sought in relation to use of personal data, including images. In the case of children (up to 18 years of age) parental consent should be sought and information provided on how and for what purpose images will be used.

#### The child safeguarding context

These guidelines have been prepared to provide information on good practice in work with children and young people, which involves taking, using and storing their images, and also in working with children and young people in the making of images. Unfortunately the making, displaying and storing of images of children and young people has become increasingly contentious in recent years with concerns being raised by parents and others about children's safety and welfare. These concerns include: protection of identity, prevention of exploitation of children or young people, ensuring that images of children or young people are not misappropriated or manipulated inappropriately and ensuring that children's





rights to privacy and dignity are respected. Guidelines on good practice have been formulated to help those who use images in ways that respect privacy and do not expose children or young people to unnecessary risk.

Adults who work with children and young people, whether in a paid or voluntary capacity have a duty to care to ensure that children or young people are not exposed to harm, including exploitation, embarrassment or distress. It is also considered good practice in terms of child protection to ensure that measures are taken to safeguard children and young people from misuse of images and that personal information such as identity and location are not made publicly available without their knowledge and informed consent.

## Participation

Children and young people have a right to participate in the social and cultural life of the society. Images of children and young people are one means of representing their participation. Therefore, a balance must be struck – the requirement to protect must be balanced with the right to participate. These guidelines aim to provide clarity in terms of responsible practice and outline steps, which can be taken to ensure that children and young people's welfare is the paramount consideration.

## Is it illegal to take photographs of children?

No. There is no legal constraint on taking images of children or young people in public settings. However, photographs or images are defined as data and therefore come within the scope of the Data Protection Acts 1998/2003.

## What is considered good practice?

- ◆ Children, young people and their parents/carers should be informed in advance if and when images will be taken and their consent sought for image retention and use. This process is known as informed consent.
- ◆ Children, young people and parents should be informed as to how and where images will be used.
- ◆ Images should only be used for the purpose(s) agreed.
- ◆ Images should only be used in the intended context and should not be used out of context.
- ◆ In general, individual children should not be identified, avoid the use of the first name and surname of the individuals in the image. (This reduces the risk of inappropriate, unsolicited attention)
- ◆ Only use images of children or young people in suitable clothing; ensure that images do not contribute to or expose children to embarrassment, distress or upset.
- ◆ Do not use images of children or young people who are considered vulnerable or whose identity may require protection.
- ◆ Where images are kept for future use, relevant names, dates and other contextual information should be stored with them as well as signed consent for use.
- ◆ Images should be carefully stored, with consent attached or cross-referenced.
- ◆ Images should only be passed to third parties for their use where this has been agreed as part of the consent.
- ◆ Do not allow photographers to be unsupervised or with individual access to children or young people.
- ◆ Refusal of consent to take images should not in anyway limit children or young people's participation in activities.
- ◆ All members, staff and volunteers should be aware of the report procedures in relation to inappropriate images.





### What is 'informed consent'?

Informed consent is a process whereby participants are informed and asked for their permission or agreement prior to taking photographs or recording images. Individuals should be informed of the purpose(s) the image will be used for and asked for their consent. Where images may be used for a variety of purposes (e.g. documenting, promoting or celebrating), consent for each purpose and/or in a variety of settings (e.g. reports, public media, or websites) should be obtained.

As a 'child' is defined as anyone under the age of 18 years, consent of parents is also required. In addition, the individual should be given any other information required to ensure fairness and transparency. For example, individuals should be informed if the image will be passed on or made available to a third party, used for marketing purposes or displayed on the Internet. This should be clearly explained as part of the process of informed consent. If this is not done, or if consent is refused, then images should not be passed on to third parties or put to any use not agreed. Informed consent includes being given the opportunity to opt out if desired.

### What about spontaneous or unplanned images?

It is recognised that on occasions spontaneous or unplanned photographs will be taken without the awareness or prior consent of the individual(s) involved. With the increased availability of digital recording media this is becoming increasingly common. Should this happen, the participant(s) should be informed of the purpose of the photograph as soon as it is taken and asked for their consent. If consent is refused, the image should not be published. Where consent is obtained it should be recorded on a consent form, dated and signed.

### Can consent ever be obtained retrospectively?

In some circumstances it may be necessary to obtain retrospective consent. For instance, where group photographs are taken, but only selected images are to be retained for future use, or where images are used for different purposes than originally intended. In situations where obtaining prior consent would not be practical e.g. at a public event where participants would not be known in advance, consent should be sought for images taken, to be used subsequently. The same process as that used for informed consent, outlined above, should be followed and noted.

### Guidelines for images taken by children and young people

In circumstances where children or young people take photographs or video clips of other children or young people, for their own use, similar ground rules should be agreed.

- Images should only be taken with the knowledge and consent of participants.
- No images should be taken which could give rise to embarrassment or distress.
- Supervising staff have a duty of care to challenge any inappropriate behaviour.



#### Privacy

Privacy is protected as a personal right under the European Convention on Human Rights, which is incorporated into Irish law. The Irish Constitution does not specifically state a right to privacy but the courts recognize that the personal rights in the Constitution imply the right to privacy. Privacy applies to family life, home and correspondence.

Sensitivity and discretion should be shown at all times in working with children or adults in terms of personal issues, for example, vulnerability, grief or distress. In publishing such information, the feelings of the people concerned should be taken into account.

The Press Council of Ireland Code of Practice notes that particular regard should be paid to the vulnerability of children, bearing in mind their age, the sensitivity of the subject matter and what circumstances, if any, are of public interest. Children and young people should be free to complete their time at school without unnecessary intrusion. The fame, notoriety or position of a parent

or guardian must not be used as sole justification for publishing details of a child's private life.

Public persons are also entitled to privacy. However, where a person holds public office, deals with public affairs, follows a public career, or has sought or obtained publicity for his or her activities, reasonable private information such as name, relevant activity or other data may be used.

### Data protection

Data protection is the means by which the privacy rights of individuals are safeguarded in relation to processing of personal data. These rights apply where the information is held on a computer or in manual form. These rights also apply to photography and video or audio recordings. (See: A Guide to Your Rights [www.dataprotection.ie](http://www.dataprotection.ie)).



### Copyright

Ownership of copyright rests with the artist/ photographer (or his/her employer). Images are not owned by the individual(s) whose image is recorded. Permission to use images owned by a photographer or agency is by prior agreement with the copyright holder.

### Publishing images of children on websites

The Internet is a public, accessible and largely unregulated media. Decisions to post information, including images, on websites should take account of this. Photographs set in a particular context (e.g., an social/family event) in an identified location reveal a substantial amount of information, through which children may be identified.

For example, images accompanied by personal information - (name) is a member of (local school/ group) and recently took part in xxx) - could be used by an individual to learn more about a child or young person and used to form a relationship with them or engage in a process of 'grooming' them for abuse.



The Society will make decisions about the type of images that represent the Society and its activities appropriately and ensure parents support the policy. When assessing risk, the most important factor is the potential of inappropriate use of the images.

You should take the following steps to reduce the potential for misuse:

- Avoid using children's names (first name or surname) in photograph captions.
- Use a parental permission form to request and record parental permission to use an image of their child. This ensures that parents know that an image of their child is being used to represent the Society or activity.
- Ask for children's permission to use their image. This ensures that they are aware of the way their image is being used to represent the Society.
- Only use images of children in suitable clothing to reduce the risk of inappropriate use.
- Certain activities present a much greater risk of potential misuse. It is preferable to use images that depict an activity or group context, rather than a particular child.
- Consider the age of children when deciding what is appropriate.
- Develop a procedure for reporting the use of inappropriate content or images to help reduce the risks to children and young people. (See: Irish Internet Advisory Board [www.iab.ie](http://www.iab.ie)).

## **Glossary and Definitions for Guidance on the Use of Images.**

### **Children**

In Irish law a 'child' is anyone under the age of 18 who is not or has not been married. For the purpose of this document, the terms 'children and young people' are used to reflect the differences in age and self identification within this broad definition.

### **Duty of care**

A duty of care identifies the relationship that exists between two persons (or a person and an organisation) and establishes the obligation to exercise reasonable care with respect to the interests of the other, including protection from harm.

### **Position of trust**

A position of trust relates to a setting or situation where someone is placed in a position of authority over another person in an ongoing relationship. A position of trust implies that someone has some degree of power or influence over another (by virtue of age, position, knowledge/ information) and that the relationship is unequal. Individuals in positions of trust may be family members, carers, volunteers or employees. A position of trust depends on the relationship and on the degree of authority, reliance and dependence on it. It is not necessarily related to, e.g., formal position or salary.

### **Negligence**

To be liable for negligence, a set of components must be present - a duty of care, a breach of that duty of care, damage or harm to the client owed a duty of care, a causal link between the action of the person owing a duty of care and the harm done to the person owed a duty of care.

### **Risk**

Risk means the possibility of exposure to harm, injury or danger. Risk assessment is the measure of the extent of possible risk against the likelihood of its occurrence.

### **Vulnerability**

Children, young people or adults may be considered vulnerable for a number of reasons. These can include ill-health or disability, minority status, poverty, homelessness, displacement. Children may be vulnerable by virtue of age, or because of some specific circumstances in their lives, e.g., abuse, minority status.



## APPENDIX 8. HAZARD ASSESSMENT

### Introduction

Hazard assessment is an important part of working with children. It assists with managing both health and safety issues, and the welfare of children. As adults we assess hazards throughout our lives, but when working with children it is important to consider potential hazards that may lead to risk to children and to the adults who work with them. Consideration of how to control or manage hazard is critical. It is important to identify acceptable levels of hazards, as all risk cannot be removed. Whilst this guidance is concerned primarily with hazards associated with failure to follow effective safeguarding practice, it must be understood alongside the health and safety regulation and policy of the Region of Ireland. Whilst the focus on hazard assessment should be on groups of children with whom you are working, as opposed to the physical venue, if a problem with the venue is discovered during the course of assessing (e.g. broken glass, electrical cabling, etc.) this needs to be raised with the appropriate authority in charge of health and safety for the Region of Ireland.



### What does the term 'hazard' mean?

A hazard is a potential source of harm or adverse health effect on a person or persons. This may include areas such as:

- failure to comply with effective safeguarding practice, such as lack of supervision ratios or consent forms;
- medical hazards, such as failure to take medication, or inappropriate intimate care practice;
- physical hazards, such as dangerous electrical cabling, or proximity to water.

### Assessing hazards

1. Identify the hazards: look for hazards in the nature of the activity, and in the place where you are holding the activity.
2. Identify who is at risk: decide who may be harmed and how. Everyone, or perhaps only certain people, may be at risk. Some groups may need special consideration as they may be more vulnerable to certain hazards.
3. Identify what the likelihood of harm may be.
4. Identify the consequences of injury or harm: the consequences could range from trivial to severe or even fatal. The most severe hazards need the most urgent attention.
5. Identify the controls that need to be put in place to limit the hazard. These steps should be used to complete a hazard assessment form. If no hazard exists, you don't need to note it on the form.

This can be done by completing a Hazard Assessment Form. (See form, page 107)



### Reviews

Hazards should be periodically reviewed, especially in circumstances when a venue changes, a new activity takes place or the members of the group change.

## APPENDIX 9. VISITING GROUPS

### Guidance for Visiting Groups to St. Columban's, Dalgan Park, Navan, Co. Meath.

The Region of Ireland, Missionary Society of St. Columban welcomes any group wishing to visit our community here in Dalgan Park, Navan Co. Meath.

#### Preamble:

As a Society who provides the use of facilities and services to individuals and groups who work with children and young people (service users) it is our responsibility to ensure that all reasonable steps are taken to safeguard children and young people using our services and facilities.

The Missionary Society of St. Columban, Region of Ireland has clear policies and procedures in relation to safeguarding children (website: [www.columbans.eu](http://www.columbans.eu)). Any group/organization operating under the name/auspice of the Society must comply with the Society requirements.

#### Visiting Groups

The obligation to comply with requirements relating to Safeguarding Children (including Garda Vetting etc.) rests with the visiting group availing of the services or using the property and not with the Society.

***Any group/school availing of the services/facilities will be required to adhere to the following:***

- ◆ Contact Mission Education personnel to book date and time of visit, a Booking Form to be completed. May be done via email. (Appendix 1)
- ◆ Complete the Visiting Groups Form on the day of visit, form to be completed by Person in charge/Leader/Supervisor. (Appendix 2)
- ◆ Agree to work with the group facilitator during the visit.
- ◆ The visiting group in line with the group's safeguarding policy and procedures provides adequate supervision.
- ◆ Abide by Codes of Behaviour as prescribed within own policy.
  - the responsibility for dealing with unacceptable behaviour lies with the teachers/supervisors.
  - adherence to the group's policy on use of camera's/phones is the responsibility of the teachers/supervisors.
- ◆ The group's staff will provide care and supervision of persons with disabilities.
- ◆ Be mindful that Dalgan Park is home to many residents; missionaries who have returned from overseas and all visiting personnel are requested to behave respectfully.
- ◆ The following areas **only** can be accessed during the visit:
  - Indoors –
    - Mission Awareness Room and Library Corridor.
    - Front Corridor and Toilets.
    - Chapel Corridor
  - Outdoors –
    - Woods, Walks, Cemetery and Eco Garden (children will be accompanied at all times)
    - Access to computers or Internet is not permissible during the visit of the group/school.
    - Information will be furnished prior to the visit regarding the degree of accessibility and disability facilities in Dalgan.

**The Society providing the services/facilities will ensure the following:**

Safeguarding Policy and procedures are in place and all members, staff and volunteers are aware and will abide by these policies and procedures including recruitment and selection and best practice for working with young people.

- ▶ Alert the visiting group to Society Safeguarding Policy and Procedures.
- ▶ A risk assessment will be carried out and a control plan put in place.
- ▶ The following people will be notified of the proposed visit and all necessary details provided:
  1. House Superior.
  2. House Bursar.
  3. Safeguarding Officer.
  4. Housekeeper.
  5. Reception Staff.
- ▶ Notification (including name, date, duration and person in charge) re visit will be placed on the entrance to the Mission Awareness Resource Room and on the Community Notice Board in Dining Room prior to the visit.
- ▶ First Aid Equipment/Accident & Incident Reports will be available.
- ▶ Report of visit/evaluation completed after visits.

**Requirements for Mission Education Personnel**

1. Recruitment & Selection process (Guidance on Recruitment & Selection):
  - Application Form
  - Self Declaration Form
  - Garda Vetting Process
2. Attended a safeguarding awareness training session and updates as applicable.
3. Agreed to comply with Society's Safeguarding Policy & Procedures (including code of behaviour for adults working children/young people).
4. Be aware of health and safety in relation to working in Dalgan Park, Navan.
5. An evaluation/review will be carried out at regular intervals throughout the year.
6. An annual report will be submitted to the Safeguarding Office at the end of each year.



## APPENDIX 10. EXTERNAL GROUPS USING PROPERTY

It is a requirement that all groups working with children within the Region of Ireland and/or using facilities owned by the Region of Ireland are insured, and that they have a child safeguarding policy in place.

The general principle is that the obligation to comply with requirements relating to insurance and child safeguarding rests with the group using property, and not with the Region of Ireland.

1. It is the responsibility of any group using the Region of Ireland property to run activities involving children to ensure that they comply with all applicable child safeguarding and protection legislation and guidelines.
2. The group should have their own child safeguarding policy and procedures. The group is also responsible for liaising with TUSLA (child and family agency), to ensure that the policy and procedures meet the statutory requirements.
3. The group should have appropriate insurance for the activity they are running.
4. The Region of Ireland should at no stage assist any outside group in developing a child safeguarding policy.
5. The Region of Ireland should have confirmation in writing from the group that they have a child safeguarding policy in place. It is not the role of the Region of Ireland to validate the adequacy of the policy.
6. The Region of Ireland should have confirmation in writing from the group that they have appropriate insurance in place, which includes the following:
  - The name of their insurers;
  - The policy number;
  - The period of cover of the policy;
  - The limit of indemnity.

### External organisations that offer advice and support regarding child safeguarding policies.

The following organisations may prove helpful in providing training and assistance to external groups to create their own safeguarding policy:

- Tusla Information and Advice Officers: [www.tusla.ie/children-first/roles-andresponsibilities/organisations/children-first-training](http://www.tusla.ie/children-first/roles-andresponsibilities/organisations/children-first-training)
  - Barnardos: [www.barnardos.ie/what-we-do/training/training-and-consultancy](http://www.barnardos.ie/what-we-do/training/training-and-consultancy)
  - National Youth Council of Ireland: [www.nycitraining.org](http://www.nycitraining.org)
  - Dublin Rape Crisis Centre: [www.drcc.ie/training-and-development/](http://www.drcc.ie/training-and-development/)
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***Guidance on Ensuring All Clerics/ Religious, who are Members of the Church Body and are Ministering with Children in an External Organisation/Church Body, Agree to Follow Effective Safeguarding Practice***

It is important that where clerics/religious are ministering with children in an external organisation or Church body, the Region of Ireland must have agreement from the external organisation or Church body that effective safeguarding policies and procedures are in place.

***To do this, the Region of Ireland should have written agreements in place for every cleric/religious who is ministering with children in an external organisation or Church body.***

**This agreement should include:**

- That the organisation for whom the member is ministering has safeguarding policies and procedures in place;
- That the member ministering in this external organisation understands that while they are working for that organisation, the safeguarding policies and procedures must be adhered.



## APPENDIX 11. SAFEGUARDING TRAINING

### National Training Strategy

The NBSCCCI develops a comprehensive training strategy that outlines the plan for the dissemination of training across target groups, at an all-island level, every three years. This training strategy can be accessed via [www.safeguarding.ie](http://www.safeguarding.ie).

### Training in the Region of Ireland

Everyone in the Region who comes into contact with children has a role to play in their protection. To carry out this role confidently and effectively they need to be aware of child safeguarding issues and to have the necessary knowledge and skills to keep children safe.

The following measures are taken to ensure this:

- ▶ The Region Safeguarding Committee has a focus on creating, maintaining and monitoring a safe environment for children in all aspects of Church life and activity, including the provision of training. To support this work, a training needs assessment (TNA) is carried out annually by the Region Safeguarding Officer who will: develop an annual training programme; identify associated resource implications and present these to the Committee for approval and action.
- ▶ Training includes: induction for newly recruited personnel; basic safeguarding awareness training; information sessions; and role specific training. The Safeguarding Committee decides on the level of training required for each person, depending on their level of involvement with children.

The following criteria will be used:

- ▶ For each Church activity that involves children, at least one leader/coordinator must attend the full day training programme.
- ▶ All clergy who are in active ministry must attend the full day training programme.
- ▶ Any personnel with a key position of responsibility for child safeguarding must attend a full day training programme (e.g. DLP, Adviser, Support Person, Child Safeguarding Committee member, Advisory Panel member, Parish Safeguarding Representative).
- ▶ All other Church personnel must be given the opportunity to attend an Information session.

### Induction Process

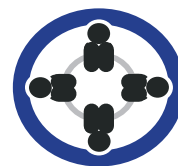
As soon as possible after their appointment, all Church personnel should undertake an induction process. A core component of this must include child safeguarding.

This induction process should include the following steps:

- ◆ A representative of the Regional Director meets with the newly appointed member of Church personnel and provides them with an appropriate copy of the child safeguarding policy and procedures.
-

***During this meeting:***

- ▶ The newly appointed member of Church personnel is asked to carefully read the provided document and to come back to the representative of the Regional Director with any questions they have;
- ▶ The newly appointed member of Church personnel is made aware that they will be required to attend a basic child safeguarding awareness training event, appropriate to their role.



The newly appointed member of Church personnel is made aware of how to access support regarding their role.

***Following the meeting:***

- ▶ Having read the child safeguarding policy and procedures, and having any questions about it answered by the appropriate representative of the Regional Director, the newly appointed member of Church personnel is then asked to sign and date an agreement form to say that they have read and understood the child safeguarding policies and procedures, and that they will abide by these in their role within the Church;
- ▶ This form is returned to the appropriate Safeguarding Officer, who stores it safely and securely in accordance with the data protection policy of the Region of Ireland.



## APPENDIX 12. GUIDANCE ON SUPPORT AND SUPERVISION

### GUIDANCE ON SUPPORT AND SUPERVISION



Everyone who becomes involved in dealing with child abuse – from whatever angle – requires support. This is most obvious for the person who has been abused, but those whose task it is to assist complainants and their families, or to assist respondents and their families, or to act as trainers, or in any other child safeguarding capacity, need to be supported. Some of these people also need to be supervised. What does support mean?

The term 'support' includes a number of different activities, which allow a person:

- To give encouragement to someone or something because you want them or it to succeed;
- To help someone emotionally or in a practical way. It can be provided in face-to-face meetings, or by phone calls, emails, etc. It is supportive to let someone know that they are being thought about positively, and that they can seek assistance if they need to.

#### Who needs support?

A structure of appropriate support should be made available to all of those affected by child safeguarding in the Church, including:

- The complainant and their family;
- The respondent and their family;
- Lay faithful who have been affected by an allegation of abuse;
- Priests/religious who are not the respondent, but who have been affected by an allegation of abuse against a colleague;
- Safeguarding personnel;
- The Regional Directorship Team.

The nature of the support provided will depend on the need expressed and/or identified. It may vary from outreach, where the initiative is taken to contact and stay in touch, to the provision of information, making counselling available or providing and facilitating a support group. One way of offering support to priests/religious and safeguarding personnel is through line management accountability.

#### What is line management accountability?

In the Church context, this can be described as:

- A process designed for you to work with your line manager to ensure and develop the efficacy of working situations;
- An arrangement to discuss your work regularly with this person, formally and informally. Meetings with a line manager provide the opportunity to consider the individual's actions, behaviours and feelings about their work, together with the line manager's reactions, comments and challenges.

The goal is to ensure that the recipient of the ministry provided by the Church body is well served. Another means of providing support to an individual priest, religious or safeguarding personnel is through supervision.

#### What is supervision?

It is important that relevant members or personnel who have responsibility for safeguarding children are given the opportunity to attend regular supervision sessions with an appropriate

person. It is the responsibility of the Regional Director to ensure that an appropriate supervision structure is in place.

According to Hawkins and Shoet (2000), supervision can have three interrelated functions:

1. **The educative function**, which is concerned with developing the skills, understanding and abilities of the supervisee;
2. **The supportive function**, which is concerned with allowing the supervisee to understand the emotional impact of the work on his/her well-being;
3. **The managerial function**, which provides accountability and 'quality control' in work with people.

**Supervision can have a number of positive impacts, including:**

- Job satisfaction, commitment to the organisation and retention;
- It appears to help reduce staff turnover and is significantly linked to employees' perceptions of the support they receive from the organisation;
- Good supervision is correlated with perceived worker effectiveness and may increase critical thinking;
- It works best when it pays attention to task assistance, social and emotional support, and when it ensures that workers have a positive relationship with supervisors.

**What does supervision entail?**

1. Initially, a person is chosen who:
  - You believe you can relate to;
  - You believe you can trust;
  - Has the right skills for what you need. This can be a mentor or an external qualified supervisor. If you are already receiving good line management, then supervision with a different person can prioritise the other two areas of education and support.
2. A contract or written agreement is produced, which covers:
  - Costs;
  - Frequency of supervision;
  - An agreed meeting place;
  - A shared understanding of confidentiality.
3. At the supervision session:
  - The supervisee identifies relevant issues that emerged in their work, especially issues that were difficult to deal with;
  - The supervisor encourages the supervisee to look at other possible ways of responding to the work issues that they have identified, by reflecting on questions like:
    - What was happening to the supervisee as they worked?
    - What was the relationship like between the supervisee and the people they worked with?
  - Learning objectives are set to assist the supervisee on their work.
4. Periodic review:
  - Set milestones are agreed at the first session and include a time frame in which the supervision process will be evaluated.

### **Record-keeping**

It is important that the supervisor and supervisee maintain an agreed record of supervision, in line with guidelines on the storage and protection of data. At a minimum, a record should be kept of the dates and times that supervision was carried out.

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## Appendix 13. COMMUNICATION

### GUIDANCE ON ENSURING THAT INFORMATION REGARDING THE CHURCH'S CHILD SAFEGUARDING MESSAGE IS ACCESSIBLE

A key part of child safeguarding is ensuring that the methods used to communicate information on the Church's child safeguarding message are accessible and appropriate.



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# Appendix

## RESPONDING TO CONCERNS

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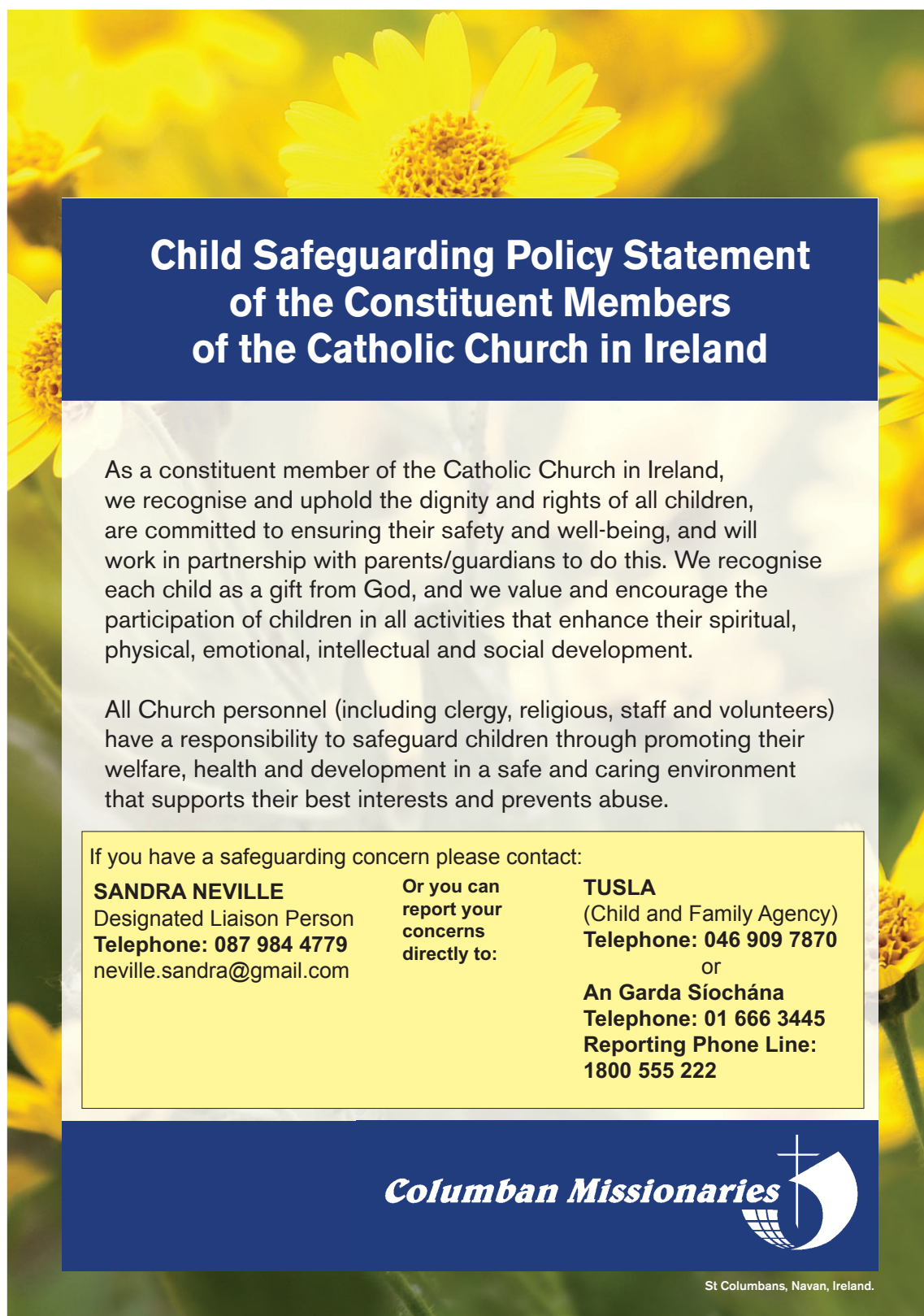




## Section 2: Report Concerns

### APPENDIX 1.

#### Policy Statement Poster with contact details of DLP/Role of DLP




**Child Safeguarding Policy Statement  
of the Constituent Members  
of the Catholic Church in Ireland**

As a constituent member of the Catholic Church in Ireland, we recognise and uphold the dignity and rights of all children, are committed to ensuring their safety and well-being, and will work in partnership with parents/guardians to do this. We recognise each child as a gift from God, and we value and encourage the participation of children in all activities that enhance their spiritual, physical, emotional, intellectual and social development.

All Church personnel (including clergy, religious, staff and volunteers) have a responsibility to safeguard children through promoting their welfare, health and development in a safe and caring environment that supports their best interests and prevents abuse.

If you have a safeguarding concern please contact:

<b>SANDRA NEVILLE</b> Designated Liaison Person <b>Telephone: 087 984 4779</b> neville.sandra@gmail.com	<b>Or you can report your concerns directly to:</b>	<b>TUSLA</b> (Child and Family Agency) <b>Telephone: 046 909 7870</b> or <b>An Garda Síochána</b> <b>Telephone: 01 666 3445</b> <b>Reporting Phone Line:</b> <b>1800 555 222</b>
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**Columban Missionaries** 

St Columbans, Navan, Ireland.

## APPENDIX 14.

### Definitions & Indicators of Child Abuse

#### NEGLECT

Can be defined in terms of an omission where the child suffers significant harm or impairment of development by being deprived of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, attachment to and affection from adults, and or medical care.

#### EMOTIONAL ABUSE

Is normally to be found in the relationship between a care-giver and a child rather than in a specific event or pattern of events. It occurs when a child's need for affection, approval, consistency and security are not met.

Emotional neglect and abuse can be identified with reference to the indices listed below. However, it should be noted that no one indicator is conclusive of emotional abuse. In the case of emotional abuse and neglect, it is more likely to impact negatively on a child where there is a cluster of indices, where these are persistent over time and where there is a lack of other protective factors.

#### PHYSICAL ABUSE

Is that which results in actual or potential physical harm from an interaction, or lack of interaction, which is reasonably within the control of the parent or person in a position of responsibility, power or trust. There may be single or repeated incidents.

#### INDICATORS

#### SEXUAL ABUSE

When a child is used by another person for his or her gratification or sexual arousal or for that of others.

***Please Note: All signs/indicators need careful assessment by the professionals relative to the child's circumstances.***

For further detail regarding definitions/indicators of the above categories of abuse please refer to Children First National Guidance for the Protection & Welfare of Children 2011 (Department of Children & Youth Affairs)

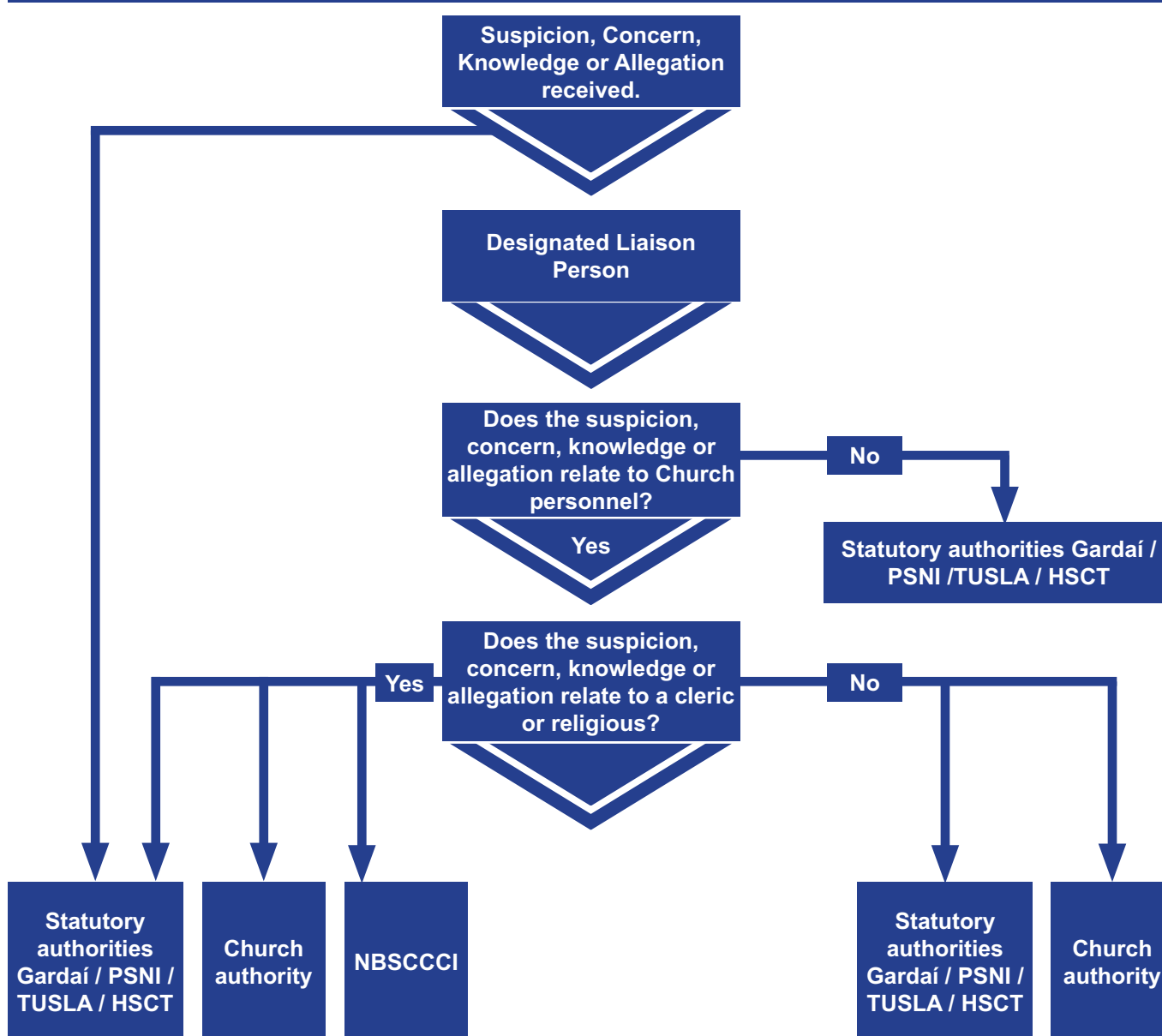
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<p><b>NEGLECT</b></p> <p>Child neglect should be suspected in cases of:</p> <ul style="list-style-type: none"> <li>→ abandonment or desertion</li> <li>→ children persistently being left alone without adequate care and supervision;</li> <li>→ malnourishment, lacking food, inappropriate food or erratic feeding;</li> <li>→ lack of warmth;</li> <li>→ lack of adequate clothing;</li> <li>→ inattention to basic hygiene;</li> <li>→ lack of protection and exposure to danger, including moral danger or lack of supervision appropriate to the child's age;</li> <li>→ persistent failure to attend school;</li> <li>→ non-organic failure to thrive, i.e. child not gaining weight due not only to malnutrition but also to emotional deprivation;</li> <li>→ failure to provide adequate care for the child's medical and developmental problems;</li> </ul>	<p><b>EMOTIONAL</b></p> <ul style="list-style-type: none"> <li>→ lack of comfort and love and rejection;</li> <li>→ lack of attachment;</li> <li>→ lack of proper stimulation (e.g. fun and play);</li> <li>→ lack of continuity of care (e.g. frequent moves, particularly unplanned);</li> <li>→ continuous lack of praise and encouragement;</li> <li>→ serious over-protectiveness;</li> <li>→ inappropriate non-physical punishment (e.g. locking in bedrooms);</li> <li>→ family conflicts and/or violence;</li> <li>→ every child who is abused sexually, physically or neglected is also emotionally abused;</li> <li>→ inappropriate expectations of a child relative to his/her age and stage of development.</li> <li>→ Children who are physically and sexually abused and neglected also suffer from emotional abuse.</li> </ul>
<p><b>PHYSICAL</b></p> <p>Unsatisfactory explanations, varying explanations, frequency and clustering for the following events are high indices for concern regarding physical abuse:</p> <ul style="list-style-type: none"> <li>→ bruises and fractures;</li> <li>→ swollen joints;</li> <li>→ burns/scalds</li> <li>→ abrasions/lacerations;</li> <li>→ haemorrhages (retinal, subdural);</li> <li>→ damage to body organs;</li> <li>→ poisonings – repeated (prescribed drugs, alcohol);</li> <li>→ failure to thrive;</li> <li>→ coma/unconsciousness;</li> <li>→ death.</li> </ul>	<p><b>SEXUAL</b></p> <ul style="list-style-type: none"> <li>→ bleeding from the vagina/anus;</li> <li>→ difficulty/pain in passing urine/faeces;</li> <li>→ an infection may occur secondary to sexual abuse, which may or may not be a definitive sexually transmitted disease.</li> <li>→ Professionals should be informed if a child has a persistent vaginal discharge or has warts/rash in genital area; noticeable and uncharacteristic change of behaviour;</li> <li>→ hints about sexual activity;</li> <li>→ age-inappropriate understanding of sexual behaviour;</li> <li>→ inappropriate seductive behaviour;</li> <li>→ sexually aggressive behaviour with others;</li> <li>→ uncharacteristic sexual play with peers/toys;</li> <li>→ unusual reluctance to join in normal activities that involve undressing, e.g. games/swimming.</li> </ul>

Children occupy a central place in the heart of the Christian community. They have a right to be listened to and heard.

1. The paramount consideration in all matters relating to children is their safety and protection from all forms of abuse. To create and maintain a safe environment, Church organisations must respond effectively and ensure all allegations and suspicions of abuse are reported, both within the Church and to statutory authorities. This responsibility to report is mandatory, and the only exception to this rule is the receipt of any information by a cleric under what is termed as the sacramental Seal of Confession. All Church organisations must provide guidance and training on recognition of abuse, and clear procedures on what to do when a child protection concern arises, so that everyone knows how to respond appropriately. This involves knowing who to tell and how to record it. It is important that the local reporting procedures are fully consistent with statutory legislation, regulations and guidance.
2. Reporting a concern can be a challenging responsibility. The procedure needs to ensure that everyone is clear what steps to take to ensure that the safety of children is the paramount consideration. The reporting flow chart below refers to any child protection concern, including where the concern is about a situation or person involved in the Church. It is the responsibility of everyone in the Church to ensure that children who may need help and protection are not left at risk of abuse.

#### Flowchart for reporting procedures.



## **FOLLOWING RECEIPT OF AN ALLEGATION, SUSPICION OR CONCERN, THE FOLLOWING STEPS SHOULD BE TAKEN.**

### **1.**

#### **Act immediately on receipt of a suspicion, concern, disclosure or allegation of abuse, and refer the matter to the DLP without delay.**

If the allegation does not relate to Church personnel, the DLP will refer the allegation to:

- The HSCT/TUSLA
- An Garda Síochána/PSNI

If the allegation relates to Church personnel who are not clerics or religious, the DLP will refer the allegation to:

- The HSCT/TUSLA
- An Garda Síochána/PSNI
- The Regional Director

If the allegation relates to Church personnel who are clerics or religious, the DLP will refer the allegation to:

- The HSCT/TUSLA
- An Garda Síochána/PSNI
- The Regional Director
- The NBSCCCI

If there is any uncertainty about whether the allegation/concern meets the threshold for reporting, a consultation should take place by the DLP with the statutory authorities, who will advise on the requirements for notification.

***Remember – it is not your role to investigate.***

### **2.**

#### **Whenever possible and practical, take notes during the conversation.**

Always ask permission to do this and explain the importance of recording all information. Where it is not appropriate to take notes at the time, make a written record as soon as possible afterwards or before the end of the day. Record the time, date, location, persons present and how the allegation was received, e.g. by telephone, face-to-face conversation, letter, etc. This initial recorded information will be transferred to a child protection referral form and will become the first entry in a file of information about the case that will be retained by the DLP. Please always sign and date the record.

**3.****The record would also normally include:**

- Accurate identifying information of the complainant, as far as it is known. This should include the name, address and age of the complainant when the alleged abuse occurred;
- Where the person who has raised a concern/allegation is a child, details of parents/ guardians should also be given;
- Name of the individual against whom the concern/allegation is being raised, and any other identifying information;
- Dates when the concern arose, or when the incident occurred;
- The person's own words they used to describe the event or incident. Do not make assumptions about the intended meaning of the words used;
- Details of any action already taken about the incident/concern/allegation;
- Do not be selective. Include details that to you may seem irrelevant. This may prove invaluable at a later stage in an investigation. All original records, including rough notes, should be passed immediately to the relevant DLP. Any copies of retained records should be kept secure and confidential. In cases of emergency (and/or outside normal business hours), where a child appears to be at immediate and serious risk, an urgent report must be made to TUSLA/HSCT, as well as to the DLP. Where the appropriate TUSLA/HSCT staff are not available, An Garda Síochána/PSNI must be contacted to ensure **that under no circumstances a child is left in a dangerous situation pending TUSLA/Health and Social Services intervention.**

**4.**

**In all cases, consideration should also be given as to whether an immediate referral is necessary in order to preserve and safeguard against the possibility of any loss, deterioration or destruction of forensic or other potential evidence.**

**5.****Explain to the person raising the concern what will happen next.**

You should inform the person making the suspicion, concern or allegation that their identity and the identity of the respondent and complainant will be shared with the statutory authorities. Leave contact details of the DLP if the referrer needs to ask questions later. The incident/concern should not be shared with anyone other than those who need to know, apart from the statutory authorities and appropriate Church authorities detailed in these procedures.

**6.****Written confirmation should be given to the person making the referral to the DLP that the information has been passed on to the statutory authorities.**

If this has not happened, an explanation should be recorded (this will not be possible when dealing with anonymous allegations).

The appropriateness of the response given to a complainant is vital to ensure that they feel heard and taken seriously.

Further guidance is provided below for:

- An adult making an allegation;
- A child making an allegation
- An anonymous allegation;
- Someone who admits abusing a child;
- Someone who makes an allegation that does not relate to Church personnel



## RESPONDING TO AN ADULT MAKING AN ALLEGATION OF ABUSE

The role of the DLP is to receive all safeguarding concerns and to pass on to the statutory authorities those that reach the threshold of reasonable grounds for concern (see Glossary). It is often very difficult for people to talk about abuse, so it is important to make sure that a safe environment of listening carefully and actively is created, in which a complainant feels able to disclose as much as they can remember. This will help those people whose responsibility it is to investigate the incident do so as thoroughly as possible.

### *People may tell you about:*

- Abuse that happened to them when they were a child;
- Something they've been told by someone else and that they strongly believe is true (disclosure);
- Seeing signs of abuse, such as physical injuries on a child;
- Something they have witnessed that makes them feel uncomfortable. Where information is given in person, consider the following:
  - Adopt a listening style that is compassionate, calm and reassuring. If the information given to you shocks, disgusts or distresses you, do not allow these feelings to show. If you do, you may inadvertently dissuade the person from giving any further information;
  - Listen carefully to that person, but do not ask intrusive or leading questions;
  - Stay calm, take what the person raising the concern says seriously, and reassure them;
  - Allow the person to continue at their own pace;
  - Check with the person to make sure that you have understood what they actually said. Do not suggest words – use theirs;
  - Make no promises that cannot be kept, particularly in relation to confidentiality, but listen carefully to what is being sought in this regard;
  - Explain the referral procedures to the person;
  - Offer the services of a support person, if the support person is not present;
  - Do not make any comments about the respondent; do not make assumptions or speculate;
  - Be aware that a person's ability to recount their concern or allegation will depend on their age, culture, nationality or any disability that may affect speech or language;
  - Avoid statements about your reaction to the information given;
  - Do not question beyond checking what has been said. It is the responsibility of Tusla/HSCT and An Garda Síochána/PSNI to investigate. There should be no probing for detail beyond that which has been freely given;
  - Do not offer wording or language to the person making the allegation that may assist in the provision of an account of the concern or allegation.

## RESPONDING TO A CHILD MAKING AN ALLEGATION OF ABUSE

The Region of Ireland aims to create and maintain a safe environment for children and young people. This includes being open and willing to listen to and respond appropriately to allegations of abuse that come directly from children. However, personnel should not intentionally instigate a meeting with a child in order to receive a disclosure or take a statement from them – that is the role of Tusla/HSCT.

However, in the event that a child tells you directly about abuse happening to them, the following general guidelines should be adhered to:

- Remain calm;

- Listen to the child carefully and in a manner that conveys that they are being heard and taken seriously;
- Give the child the opportunity to tell their story in their own time;
- Ask questions only for clarification;
- Reassure the child that they have done the right thing by telling you;
- Do not make promises that you cannot keep;
- Explain to the child what you are going to do, i.e. pass the information on to the statutory authorities, explain to them about the limits of confidentiality, etc.;
- The DLP will consult with TUSLA about informing the child's parents/guardians. It is best practice to inform parents/guardians unless doing so would place the child at further risk;
- If the allegation/disclosure is about Church personnel, explain to the child (and their parents/ guardians) that the matter will be reported to the statutory authorities and Church authorities.

***It is good practice in this situation to have another adult with you.***

## RESPONDING TO AN ANONYMOUS ALLEGATION OF ABUSE

Anonymous complaints are to be handled carefully. Anxiety and fear may persuade some people not to immediately reveal their identity. It is sometimes difficult to act on information under these circumstances, unless at some point the name of the person raising the concern or making an allegation becomes known. If you are unsure whether or not the information you have received reaches the threshold for reporting, consultation with the statutory authorities may be appropriate.

The person raising the concern should be informed that anonymity might restrict the ability of professionals to access information or to intervene to protect a child. As much openness as possible should be encouraged. However, if you receive any identifiable information that relates to an allegation of abuse (current or past), you must pass this information onto the appropriate statutory authorities so that an investigation can be undertaken to assess child protection risks.

If the allegation relates to Church personnel, after the statutory investigation has been concluded, the statutory authorities should contact the DLP as a Church inquiry process may be required.

## RESPONDING TO SOMEONE (LAY OR RELIGIOUS) WHO ADMITS TO ABUSING A CHILD

It is necessary to tell a person who admits an offence against a child or young person that such information cannot be kept confidential. If such an admission is made to you, even where the admission relates to something that happened a long time ago, you must refer the matter to the DLP as soon as possible. The DLP will follow the procedures for referral to TUSLA and An Garda Síochána. For additional information and guidance on how to interact with respondents (cleric and religious) see [www.safeguarding.ie](http://www.safeguarding.ie)

## RESPONDING TO SOMEONE WHO MAKES AN ALLEGATION THAT DOES NOT RELATE TO CHURCH PERSONNEL

Whether or not a child protection concern involves a person in the Church, it is still the responsibility of everyone in the Region of Ireland to report it to the DLP, who will pass it on to the statutory authorities to ensure that children who may need help and protection are not left at risk of abuse. It is vital to remember that the safety and well-being of any child should be the paramount consideration in any investigation, and children must never be put at further risk of harm by delay or inaction. If a concern is raised in this way, the standard reporting procedure applies, although no further Church inquiry procedure or formal notification to the NBSCCCI is required.

## GUIDANCE IN RELATION TO EMPLOYEES WITH REGARD TO CONCERNS

### Action to Be Taken When a Concern/Allegation is made against an Employee/Volunteer

Upon receipt of an allegation, the DLP will notify the Regional Director. If the allegation relates to the DLP then the Deputy DLP will notify the Regional Director.

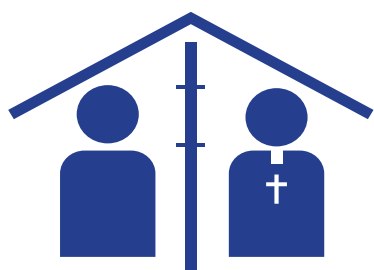
If an allegation is made against an employee/volunteer, the Designated Liaison Person or the Deputy Designated Liaison Person, in these situations there are two parts to the process, i.e. dealing with the allegation of abuse and dealing with the employee/volunteer. Where possible these two pieces should be dealt with by two different people. The Reporting Procedures as outlined above will be followed.

### The procedure for dealing with the employee/volunteer

The DLP and the Regional Director will work in close co-operation with each other and with TUSLA and An Garda Síochána.

- a. If a formal report is being made, the Regional Director will notify the employee/volunteer that an allegation has been made and what the nature of the allegation. The employee/volunteer has a right to respond to this and this response should be documented and retained. The employee/volunteer will be made aware of the Region of Ireland's Safeguarding Policy. Furthermore, the Region of Ireland will ensure that the principle of 'natural justice' will apply whereby a person is considered innocent until proven otherwise.
  - b. The Region of Ireland will suspend the employee/volunteer with pay (where appropriate). In the case where the worker is not suspended the level of supervision of the worker will be increased.
  - c. The Regional Director & DLP will liaise closely with TUSLA (Child and Family Services)/ An Garda Síochána to ensure that the actions taken by the Region of Ireland will not undermine or frustrate any investigations.
  - d. The protective measures which can be taken to ensure the safety of child can include the following:
    - suspension of duties of the person accused,
    - re-assignment of duties where the accused will not have contact with children
    - working under increased supervision during the period of the investigation
    - or other measures as deemed appropriate.
-

## GUIDANCE ON CHILD SAFEGUARDING AND THE SACRAMENT OF RECONCILIATION THE SACRAMENTAL SEAL



All suspicions, concerns and allegations of child abuse must be reported to the statutory authorities through the reporting procedure outlined. There is one exception to this rule, which is if abuse is disclosed during the Sacrament of Reconciliation.

The maintenance of trust in the Sacrament of Reconciliation requires the guarantee of absolute confidentiality, allowing for no exceptions.

This is known as the Seal of Confession and guarantees to the penitent that anything revealed to the confessor will not be divulged to anyone else. This is outlined in Canon 983, as shown below: The sacramental seal is inviolable; therefore it is absolutely forbidden for a confessor to betray in any way a penitent in words or in any manner and for any reason.

### *Definition of Confession:*

Canon law provides a clear definition of what is deemed to be appropriate with regards to the hearing of Confession. This should be used as the definition to clarify when Confession has taken place:

- Canon 964 §1: The proper place to hear sacramental Confessions is a church or oratory;
- §2: The conference of bishops is to establish norms regarding the confessional; it is to take care, however, that there are always confessionals with a fixed grate between the penitent and the confessor in an open place, so that the faithful who wish to can use them freely;
- §3: Confessions are not to be heard outside a confessional without a just cause.

### **Procedures for a penitent who discloses abuse during Confession**

If a penitent discloses abuse during Confession, the confessor should:

In the case of an abused penitent who is a child:

- a. Sensitively reassure the child or young person that they were right to tell you;
- b. Remind them that whatever is disclosed in Confession will not be repeated outside the confessional by the confessor;
- c. The confessor should encourage the child or young person to disclose the abuse to an adult they trust (e.g. a relative, teacher, friend) and to have that person report the abuse;
- d. If the penitent expresses a wish to discuss this issue outside the confessional, make it clear to them that confidentiality cannot be guaranteed regarding issues of child abuse once outside the confessional. The confessor should then follow the procedures for responding to child protection suspicions, concerns, knowledge or allegations.

In the case of an abused penitent:

- a. Remind the penitent that whatever is disclosed in Confession will not be repeated outside of the Sacrament of Reconciliation by the confessor;
- b. Advise them of the importance of contacting the statutory authorities, who deal with these issues;
- c. If the penitent expresses a wish to discuss this issue outside the confessional, make it clear to them that confidentiality cannot be guaranteed regarding issues of child abuse once outside the Sacrament of Reconciliation.

The confessor should then follow the procedures outlined.

In the case of an abusing penitent:

- a. Remind the penitent that whatever is disclosed in Confession will not be repeated outside of the Sacrament of Reconciliation by the confessor;
- b. Strongly advise them to seek professional help (e.g. counselling, consultation with their GP) and to go to the statutory authorities;
- c. If the penitent expresses a wish to discuss this issue outside the confessional, make it clear to them that confidentiality cannot be guaranteed regarding issues of child abuse once outside the Sacrament of Reconciliation.

The confessor should then follow the procedures outlined.

### **Safeguarding Children during the Sacrament of Reconciliation.**

When children attend the Sacrament of Reconciliation, all efforts should be made to provide a safe and open environment.

## **RESPONDING TO A COMPLAINANT WHO IS DISSATISFIED WITH HOW THEIR ALLEGATION HAS BEEN HANDLED BY THE REGION OF IRELAND**

If a complainant is dissatisfied with how their allegation of abuse has been handled by the Region of Ireland, it is important that an open and transparent system – akin to an appeals system – is in place to deal with their stated dissatisfaction.

Complaints that cannot be satisfactorily resolved by the Region of Ireland should be examined objectively by persons not involved with the original decisions or actions. Such examinations should have regard not only for the Region of Ireland's child safeguarding policy and procedures, but also for considerations of equity and good administrative practice. It needs to be understood that this process is not a reinvestigation of the allegation, but a method of attempting to resolve complaints relating to how the allegation was handled by the Region of Ireland.

This process should have three distinct stages. If the complainant is dissatisfied with the outcome at the completion of a stage, then the next stage is initiated in the ongoing attempt to resolve the complaint.

### **Stage 1**

All complaints of this nature should be resolved, if possible, through an open dialogue between the Church personnel involved and the complainant. Church personnel should use their best endeavours to resolve the complaint at this stage. However, if resolution is not achieved or the complainant is not happy with the outcome of discussions, then the Church personnel involved should advise the complainant that it is open to them to pursue the complaint, explaining Stage 2 of the complaints process. A written communication for and on behalf of the personnel involved, confirming the availability of Stage 2 of the process, should be sent to the complainant.

### **Stage 2**

The complainant should write to the Regional Director, setting out what their complaint is and how they would like it to be addressed.

- i. A letter acknowledging receipt of the complaint should be sent by the Regional Director to the complainant within seven days, enclosing a copy of the Region of Ireland's complaints procedure.
- ii. All complaints should be thoroughly investigated by a complaints officer, who is someone other than the person who dealt with the complainant's original allegation of abuse, and who is appropriately appointed by and responsible to the Regional Director.
- iii. This complaints officer may organise a meeting with the complainant to discuss and



- iv. hopefully resolve the complaint. The complainant may invite a person to accompany them to any arranged meeting. Only if a meeting is not possible and/or the complainant does not wish to attend a meeting, this communication with the complainant may also take place by telephone. This direct communication with the complainant should take place, if possible, within fourteen days of the letter acknowledging receipt of the complaint.
- v. Within seven days of the meeting or discussion with the complainant, the complaints officer will send written minutes to the complainant of what was discussed, and of any actions that were agreed upon.
- vi. If the complainant is not agreeable to a meeting or discussion, or for some reason cannot participate in either, the complaints officer will issue a detailed written response to the complainant within twenty-one days of acknowledging receipt of the letter of complaint, setting out suggestions for resolving the matter.
- vii. Whatever process is used, the Regional Director should ensure that no more than eight weeks is taken to consider the complaint and to propose a resolution to the complainant.
- viii. If there is no resolution at Stage 2, and if the complainant wishes to proceed further, a written request for a review can be sent to the NBSCCCI. This option of progressing to Stage 3 should be confirmed in writing to the complainant.

### Stage 3

- i. The complainant should set out in writing to the chair of the NBSCCCI the nature of the original complaint about how their allegation was dealt with, how they experienced Stage 1 and Stage 2 of this complaints process, and how they would now like their complaint addressed.
  - ii. The request to the NBSCCCI for a review should be made within three months of the conclusion of the Regional Director's internal complaints procedure (Stage 1 and Stage 2).
  - iii. The chair of the NBSCCCI will advise the Regional Director that the request has been made and permission sought to refer the complaint onto an independent complaints panel.
  - iv. Any review will be an independent evaluation of whether the proper child protection procedures have been followed, and whether the appropriate standards and best practice guidance has been adhered to.
  - v. The chair of the NBSCCCI will refer the complaint to the chair of the independent panel, who will appoint an appropriate person or persons to conduct this review.
  - vi. To assist this review process, the Regional Director should make available to the complaints panel all written information about how the complainant's original allegation of abuse was investigated, as well as the written records of how Stage 1 and Stage 2 of the complaints process was conducted, and of the proposals made for a resolution of the complaint.
  - vii. To assist this review process, the Regional Director should make available for interview all personnel involved in the handling of the original allegation.
  - viii. Having examined all written information concerning the complaint, the reviewer can use discretion about the form and extent of any review or to discontinue the process, giving the reason.
  - ix. If, during the review, there are concerns about the abuse of a child, the reviewer will revert to the Region of Ireland for their required action under Standard 2.
  - x. The reviewers will keep notation of all meetings and will ask all those interviewed to sign a declaration that these are an accurate record of their discussion. These notes may be shared with all involved parties, at the discretion of the reviewer.
  - xi. The reviewer will compile a written report on their findings and recommendations. This report will then be shared with the NBSCCCI prior to submission to all parties.
  - xii. With the approval of the NBSCCCI, the chair of the complaints panel will submit the written report to all involved parties, with recommendations of actions to be taken within specified time frames. The sending out of this report marks the completion of Stage 3 of the complaints process.
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- xiii. There will be no further recourse under this guidance if the complainant remains dissatisfied at the end of Stage 3.

The Region of Ireland will bear all reasonable costs of the review.

The chair of the complaints panel and associated reviewers will be selected by the NBSCCCI in consultation with the Regional Director.

## GUIDANCE ON CROSS-REFERENCING SAFEGUARDING POLICIES

### **Introduction**

All Church personnel are required to follow the policy for the Catholic Church in Ireland and adhere to the seven safeguarding standards. However, there are a number of instances where other child safeguarding policies need to be considered in terms of child safeguarding.

These are detailed below.

### **1. WHEN RELIGIOUS OR CLERICS ARE MINISTERING ON BEHALF OF A DIOCESE.**

If a religious or cleric ministers for a Church body outside of that to which they belong, they are bound by the procedures of that Church body, including safeguarding and notification of allegations. Therefore, if a suspicion, concern, knowledge or allegation is raised with that member while in the ministry of that Church body, they must report it using the safeguarding procedure of that Church body.

- If there is an allegation against the member while working with another Church body, the following will be observed:
- If the allegation relates to an incident that took place in the Church body (other than that to which the cleric or religious belongs), the reporting procedures will be initiated by the DLP of that Church body in accordance with their safeguarding procedures. In this instance, the name of the DLP of the Church body for whom the respondent is ministering should be displayed as the contact person for reporting suspicions, concerns, knowledge or allegations
- The respondent will either directly inform their own Church authority, or give permission for the DLP of the organisation to inform the Region of Ireland of which the respondent is a member;
- Any decision to suspend the member from that Church body rests with the management of the Church body for whom the cleric or religious is ministering;
- Any decision to remove the member from ministry rests with the Region of Ireland to which the cleric or religious belongs;
- Internal Church processes regarding the care and management of the respondent (Standard 4) will be followed upon conclusion of any criminal investigation and other organisational disciplinary proceedings.

If there is an allegation against the member, which is outside of the ministry undertaken as part of the Church body (other than that to which the cleric or religious belongs), the following will be observed:

- The DLP of the Region of Ireland to which the respondent belongs will report using the flow chart outlined. In this instance, the name of the DLP of the Church body to whom the respondent belongs should be displayed as the contact person for suspicions, concerns, knowledge or allegations;
- Church procedures will be followed in relation to preliminary investigation and management of the respondent, following the guidance outlined in Standard 4;
- Consideration will be given to the appropriateness of sharing the information about the

allegation with the other organisations. Advice from TUSLA should be sought and discussed with the respondent, whose permission may be required to share the information.

## **2. WHEN WORKING/VOLUNTEERING FOR ANOTHER ORGANISATION**

If a member of Church personnel works for another external organisation, they are bound by the policies and procedures of that organisation, which include safeguarding and notification of allegations. Therefore, if a suspicion, concern or allegation is raised with that member while in the employment of that organisation, they must report it using the safeguarding procedures of the organisation.

If there is an allegation against the member while working with that organisation, the following will be observed:

- If the allegation relates to that organisation, the reporting procedures will be initiated by the DLP of that organisation in accordance with their safeguarding procedures;
- The respondent will either directly inform the Region of Ireland or give permission for the DLP of the organisation to inform their Church authority;
- Any decision to suspend the member from that organisation rests with the management of the organisation;
- Any decision to remove the member from ministry rests with the Region of Ireland;
- Internal Church processes regarding the care and management of the respondent (Standard 4) will be followed upon conclusion of any criminal investigation and other organisational disciplinary proceedings.

If there is an allegation against the member, which is outside of the work undertaken as part of the organisation, the following will be observed:

- The DLP of the Region of Ireland will report using the flow chart outlined
- Church procedures will be followed in relation to preliminary investigation and management of the respondent, following the guidance outlined in Standard 4;
- Consideration will be given to the appropriateness of sharing the information about the allegation with the other organisation; advice from TUSLA should be sought and discussed with the respondent, whose permission may be required to share the information.

## **3. IF CHILDREN AND YOUNG PEOPLE ARE USING CHURCH PROPERTY AS PART OF CHURCH RELATED ACTIVITY WITH STAFF OR VOLUNTEERS FROM AN EXTERNAL ORGANISATION.**

This situation can occur in a number of different ways, including schools visiting the Church as part of sacramental preparation, altar servers going from school to the church and back again, school choirs practising in the Church, and youth groups on retreat in Church property that are being facilitated by Church personnel.

Each of these situations is individual and should be considered on a case-by-case basis. The Region of Ireland should agree with the external organisation in writing:

- Whose safeguarding policy applies and when;
  - Who is responsible for the children and when;
  - Which DLP will take responsibility for reporting allegations.
-

## GUIDANCE ON REGULAR LIAISON WITH STATUTORY AUTHORITIES

Best practice in safeguarding children requires a multiagency approach that allows for exchange of information proportionate to the risk, and in line with relevant legislation. The statutory authorities are TUSLA and An Garda Síochána in the Republic of Ireland, and the PSNI and the HSCT in Northern Ireland.

### Case discussions:

1. On an individual case-by-case basis, the Region of Ireland must liaise with the statutory authority agencies to notify them of allegations, and to consider with them the appropriate actions to take in terms of notifying the respondent and of managing risk. No action by the Region of Ireland should be taken that may interfere with any criminal or statutory inquiries being conducted by state agencies.
2. Notification of an allegation must be made in writing using the child protection referral form. All fields should be completed, and if the information is not known this should be stated.
3. A copy of this form must be forwarded to the statutory authority agencies and to the NBSCCCI, and a copy retained on the case file.
4. Any contacts and/or meetings with statutory authority agencies should be recorded in writing and a copy kept securely in the respondent case file.
5. Prior to informing the respondent that an allegation has been made, there should be a discussion with the relevant police force (An Garda Síochána/PSNI), whose view on informing the respondent should be sought. The purpose is to ensure that the Region of Ireland is not prejudicing any criminal investigation.
6. Prior to proceeding with the preliminary investigation in the case of clergy, or gathering the proofs in the case of a religious, written confirmation should be received from the statutory authority agencies, stating that their investigations have concluded.

### General meetings.

It is acknowledged that the interagency review committees envisaged in the report of the Ferns Inquiry\* cannot be instituted in the Republic of Ireland due to legal difficulties.+ However, at least on an annual basis, the Church authority, the relevant police force (An Garda Síochána/PSNI) and TUSLA/HSCT should liaise to discuss general matters relating to safeguarding children.

The rationale behind such meetings is explained in Children First in the Republic of Ireland, and in Co-operating to Safeguard Children in Northern Ireland, where the benefits of interagency cooperation and exchange of information in relation to child protection and welfare are explained and encouraged, and in which joint working is considered to extend across the planning, management, provision and delivery of child safeguarding services.

*These general meetings should include:*

- an update by the Region of Ireland on all allegations notified during the previous year;
- sharing information on the management of respondents;
- strengthening the working relationships between the three organisations.

The meetings should be recorded and the minutes circulated to all participating agencies. Any reference to individual cases should be anonymised or recorded separately and retained on the case management record.

### Contact information

Contact details for the relevant social work office, central Gardaí office/relevant PSNI contact and the DLP should be displayed in areas where there is public ministry. This information sets out how to raise a concern about a child or make an allegation of child abuse. A summary of these contacts is contained in Contact Information, page 93

\*Ferns Report, 2005, p. 265.

+Oireachtas debate, Tuesday, 22 November 2011, <http://oireachtasdebates.oireachtas.ie>

## GUIDANCE ON INFORMATION SHARING

The effective protection of a child often depends on the willingness of people to share and exchange relevant information appropriately. It is critical that there is a clear understanding of the Region of Ireland's professional and legal responsibilities with regard to data protection, confidentiality and the exchange of information.

The deficiencies in both internal and external communication of essential child protection information by various Church authorities has been identified and criticised in a number of statutory reports, including the Ryan Report, the Ferns Report, the Report of the Commission of Investigation into the Catholic Archdiocese of Dublin (the Murphy Report), and the Cloyne Report.

It is essential that the lessons from these reports are learned, and that improvements result in the sharing of information.

### What is meant by information sharing?

All information regarding child protection concerns (current or historical) should be shared on a need-to-know basis with the statutory authorities, in the interest of the child. The provision of information to the statutory agencies for the protection of a child is not a breach of confidentiality or data protection. The issue of confidentiality should be part of the training given to Church personnel, so that everyone is clear about their legal and ethical responsibilities pertaining to the sharing of information, in good faith with statutory bodies. No undertakings regarding confidentiality can ever be given when considering child protection and safeguarding matters (apart from the Sacrament of Reconciliation).

Interagency cooperation is as important in the later stages of child protection work as it is at the outset. Therefore, Church personnel involved in a suspected, alleged or confirmed child abuse case should consistently make efforts to remain in contact with the statutory services, and to communicate all relevant information expediently.

### SITUATIONS WHEN INFORMATION MUST BE SHARED:

- **Sharing information with the statutory authorities:** All allegations, suspicions concerns or knowledge regarding child abuse that meet the threshold for reporting (apart from those received in the Sacrament of Reconciliation) must be passed to the statutory authorities. Disclosure should include names, addresses, details of the allegations, and if the respondent has made an admission, where this information is available.
- **Sharing information with the NBSCCCI:** The NBSCCCI, as a data processor to the constituent member, is entitled to full access to the Region of Ireland's files and records for the purposes of analysing all such data in terms of compliance with best child protection practice, and in order to report upon any issues that arise in relation to that investigation. The NBSCCCI has entered into data processing deeds with various Church authorities following consultation with the Office of the Data Protection Commissioner to ensure that these arrangements are in compliance with the Data Protection Acts.

Once the Church authority has signed the data processing deeds, information must be shared with the NBSCCCI for these three purposes:

- a. The NBSCCCI maintains records of all allegations notified to it for monitoring purposes;
- b. The NBSCCCI retains records relating to advice offered directly or through the NCMC;
- c. The NBSCCCI accesses records for audit function and cannot retain and/or use the personal information accessed during its audit for further purposes.

The NBSCCCI is fully satisfied that it is entitled to receive and examine all such records without there being a loss of privilege or protected confidence pertaining to those records.

## SITUATIONS WHEN INFORMATION CAN BE SHARED.

- ◆ **As part of an investigation by the statutory authorities.** Sharing information with statutory agencies for child protection purposes, and in particular to assist investigation of potential offences, is permitted under the Data Protection Acts. Additionally, the Protection for Persons Reporting Child Abuse Act 1998 affords protection from civil liability to such persons reporting child protection concerns to statutory authority agencies in good faith.

During the course of an investigation, if the Gardaí/PSNI request information from a file, every effort should be made to cooperate.

However, careful consideration should be given to sharing the following without consent:

- Legal advice obtained by the Region of Ireland may be privileged and may not be shared without the consent of the Church authority;
- Assessment reports may require the permission of the author and the respondent.

Sharing information with statutory agencies attracts the protections cited above only insofar as it relates to child protection. Therefore, if the information goes beyond this area, it will not benefit from these exceptions.

Case files are stored in the name of the respondent and may hold other information, for example information about third parties, or suspicions, concerns, knowledge or allegations relating to other complainants outside the subject of the statutory investigation.

- ◆ **Between Church bodies.** There may be occasions when information between Church bodies is required. Under canon law, faculties to minister as a priest in public can only be granted by a bishop. It is therefore appropriate that information is shared between a provincial of an ordained cleric from a religious order/congregation when an allegation of child abuse is made against that priest, so that the bishop can determine whether or not to withdraw faculties. As each of these situations is unique, the decision whether and what to share with another Church body will be on a case-by-case basis.

### ***To assist, the following questions may be used:***

- Does the recipient have a legitimate interest in receiving this information?
  - What is the justification for sharing information?
  - Is there a risk of harm to an identified or unidentified child if such information is not shared?
  - Can permission be obtained from the respondent to share information?
  - Should the respondent be informed that the information is being shared?
  - Is the respondent in public ministry as a priest and has faculties from the bishop?
  - Is the respondent in the public ministry of a Church body?
  - Should information about the complainant be redacted? A summary of the requirements of storage and retention of data, confidentiality and data protection is contained in Appendix 18.
-



## GUIDANCE ON CASE MANAGEMENT RECORDS

Case management records should provide a complete account of involvement in order to provide evidence of all allegations and actions taken to safeguard children, to assess and manage risk and to monitor practice.

All recorded information should be typed, accurate, factual and concise. It is important to state opinion, assessment or judgement, as distinct from facts.

The records are in relation to a member of Church personnel against whom a suspicion, concern or allegation has been reported, and therefore should be catalogued as such. *See chart on the next page.*



## EACH FILE SHOULD CONTAIN:

1. <b>FILE INDEX</b>	This section should give a detailed list of all of the contents of the file as they are received.
2. <b>CASE SUMMARY INFORMATION SHEET</b>	This section includes an overview of the case to allow the reader to become familiar at a glance with the details of the complainant and respondent, as well as the roles of key personnel in the safeguarding structure who are involved with the case. An annual summary is suggested if the case is active.
3. <b>CASE RECORD NARRATIVE</b>	This section is the account of all actions taken and contact made with all relevant personnel. It should detail all contacts in relation to the case in list format, including by telephone, email, by letter and in person.
4. <b>COPY OF CHILD PROTECTION REFERRAL FORM</b>	This section should include a copy of the completed referral form that was sent to the statutory authorities.
5. <b>CHRONOLOGY OF WHEN ALLEGATIONS WERE MADE AND RESPONSES</b>	This section should be a list detailing the date and nature of the allegations received from the complainant, and the date and details of the respondent's reply if/when informed.
6. <b>ASSESSMENT REPORTS</b>	This section should include hard copies of any assessment reports relating to the respondent, including, for example, psychological assessments, credibility assessments, copies of preliminary investigations, etc.
7. <b>MINUTES OF MEETINGS</b>	This section should include hard copies of written records of any internal meetings about the case – which can be shared with the respondent – with dates of any meetings held with the advisor and any relevant child safeguarding information.
8. <b>THIRD-PARTY INFORMATION</b>	This section should include hard copies of written records relating to information – which must be kept confidential from the respondent – such as the initial statement from complainant, legal advice to the Church authority, correspondence and voti sent to the CDF and the Congregation for Institutes of Consecrated Life and Societies of Apostolic Life (CICLS), and dates of any meetings held between the support person and complainant, including relevant child safeguarding information.
9. <b>CORRESPONDENCE IN CHRONOLOGICAL ORDER</b>	The chronology referenced in this section acts as an aid to assessing risk and to reviewing action taken.

The file should be sectioned as detailed by Points 1–9, with reference to all information logged in the index sheet and referred to in the narrative account.

Third-party and confidential information must be securely placed in the appropriate sections, so they can be easily removed if access to the records is requested by someone who is deemed to have a bona fide interest in the case file.

All record-keeping must be compliant with data protection legislation, and must be stored confidentially.



## DESIGNATED LIAISON PERSON (DLP)



**Designated Liaison Person**  
**Sandra Neville**  
**Tel: 087 9844779**  
**Email: neville.sandra@gmail.com**



**Deputy**  
**Fr Donal Hogan**  
**Tel: 046 9021525**



### ROLE & RESPONSIBILITIES OF DLP

- It is the role of the DLP to ensure that the wellbeing and safety of children is promoted and supported in the Region of Ireland.
- It is the role of the DLP to ensure that the Region of Ireland has in place clear and effective policies, procedures and systems to maintain and uphold the highest standards with regard to child safeguarding.
- It is the role of the DLP to provide advice, support, direction and act as a key main resource to the Region of Ireland on all aspects regarding Child Safeguarding.

**The DLP is responsible for managing any suspicions, concerns, knowledge or allegation made in the Region of Ireland from start to finish including:**

- It is the role of the DLP to receive information where it is alleged or suspected that a child has been or are being abused;
- the referral to the appropriate authorities, e.g. the TUSLA/Gardaí/ as appropriate;
- requesting follow up reports detailing child safeguarding outcomes.

### RESPONSIBILITIES

1. Receive information about a concern or allegation;
2. Create a Case File for that concern or allegation;
3. Follow the recording, storage and retention procedures;
4. Explain the Region of Ireland procedures to the complainant;
5. Make a referral to the statutory services where appropriate;
6. Where you are unsure about making a referral consult the duty social worker (TUSLA) and/or the Gardai/relevant local authorities. Place a written record of these consultations on the case file;
7. Ensure the Regional Director & Central Leadership Team for the Missionary Society of St. Columban are appraised as appropriate.
8. Contact the emergency services/relevant local authority if a child is deemed to be at immediate risk;
9. Follow the advice of the statutory authorities;
10. Request in writing a confirmation from the statutory authorities of the referral and request to be kept informed of their progress.

## APPENDIX 15. CARE AND SUPPORT OF THE COMPLAINANT

### GUIDANCE ON A PASTORAL RESPONSE TO COMPLAINANTS

The Region of Ireland must identify who is best placed to offer pastoral care to complainants, and must recognise that providing pastoral care may not be the sole responsibility of any one person. It is the responsibility of the DLP managing the case to ensure that the support person offers support and pastoral care to the complainant.

The Region of Ireland should offer to meet with the complainant at appropriate points during the process to listen to concerns, if this is the wish of the complainant.

#### **Awareness of the impact of abuse on a complainant.**

People who have been abused want to be heard and to have their very real pain acknowledged. They want a compassionate response from the Church and to see action take place to ensure children are now safe. A person who has suffered abuse will have significant strengths, as well as potential complex needs. Disclosing abuse takes enormous courage and calls for a high level of trust. Child abuse by its very nature can damage trust; it is therefore imperative that when a complainant is ready to tell their story, the listener responds with great sensitivity and compassion.

There will be a complex mix of feelings and emotions where abuse has been at the hands of someone the complainant has trusted, and even more so if the respondent holds a position of spiritual or moral responsibility.

This may then include the challenging process of re-establishing relations with a faith community and with God.

#### **Process of ensuring a pastoral response**

Initial contact: In line with the reporting procedures, once an allegation has been received by the DLP, they should:

- Make contact with the complainant to arrange a meeting (unless this is against the wishes of the complainant) and, with the knowledge and agreement of the complainant, allow the support person to attend the initial meeting or to meet with the complainant immediately thereafter;
  - If a face-to-face meeting has been agreed, meet the complainant at a time and place that is convenient and acceptable, along with a family member or friend whom they may have asked to accompany them for emotional support. The support person may also attend this meeting, if agreed in advance with the complainant;
  - Give the complainant an opportunity to give a detailed account of the allegation(s) – the account should be recorded, signed and dated by both
  - Accept third-party accounts from family or friends of the complainant, if the complainant wishes;
  - Explain to the complainant that the Region of Ireland has a duty to provide appropriate support, counselling and pastoral care to all complainants of abuse. Details of the Towards Healing counselling service should be provided, as well as the offer of assistance in making an appointment. This step should be carried out by the support person, if they are present;
  - In a situation where the complainant is still a child, particular sensitivity is required. A parent/guardian should always be present with their child, and the offer of care and support should be made to the child's parents/guardians;
  - Every complainant is offered access to a support person.
-

The role of the support person is to ensure that the complainant is appropriately supported throughout the process of disclosure and thereafter. It is the prerogative of the complainant whether or not they wish to accept the assistance of a support person;

- After the meeting, the DLP should review the allegation(s) in an effort to establish if the threshold for reporting has been reached. If it has, the DLP should, without delay, refer the allegation(s) to the statutory authorities and the NBSCCCI;
- The DLP shall assist the support person in drawing up an outline of a supportive response, appropriate to the individual and the circumstances;
- The DLP presents their findings and the recommended support response to the Regional Director for approval;
- The support person presents their proposed response to the complainant;
- The DLP and/or the support person contacts the complainant and communicates the decision of the Regional Director on how to proceed, and they discuss the next stages of the process.

None of the above actions should interfere with any criminal investigation.

### **Meeting with the Regional Director, Region of Ireland**

Once a process of pastoral care and support is in place, the DLP should offer to set up a meeting with the Regional Director, if it is the wish of the complainant.

It is important that the agenda, time and venue of any such meeting are negotiated by the support person, in consultation with the complainant, the DLP and the Regional Director.

It is important that all parties are fully prepared for the meeting. It could be helpful in some instances to arrange to have a facilitator or mediator present, if this is deemed to be in the best interest of the complainant.

It must be understood by all that:

- The overall purpose of the meeting is to listen to the complainant;
- The meeting is not about determining the outcome of any investigation that might ensue. Towards the end of this meeting, ongoing support can be reviewed and any required changes can be agreed upon.

### **Ongoing Support**

Contact with the support person should always be led by the needs of the complainant.

Meeting the pastoral and support needs of complainants can be best achieved when the Regional Director is open to:

- Travelling to meet those who wish to disclose abuse when the complainant is unable or unwilling to come to meet the identified Church personnel. This can be delegated by the Regional Director to the DLP and/or support person, if appropriate;
- Facilitating those living abroad to travel to Ireland to meet with child safeguarding personnel and make a statement to An Garda Síochána;
- Seeking the assistance of the local Church body in situations where those living overseas wish to disclose abuse to a person or persons in their country of residence;
- Allowing sufficient time for the complainant to give a complete account of the allegation(s). This can take a number of meetings.

Some complainants may also wish to remain engaged with their Church despite the effect that the abuse may have had on their relationship with it, and, perhaps, with God. By meeting with and listening to complainants, the response from the Church that might best meet their spiritual needs can be identified with them.

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**Towards Peace may be of assistance in this regard.**

The support person liaises with the DLP for information sharing and accountability purposes, and should provide them with a summary of dates on which they have met with the complainant, along with any relevant child safeguarding concerns that may arise during these meetings. The DLP will store these in the third-party information section of the file.

**Mediation**

The services of a mediator/facilitator may be used by common agreement between the complainant and the Regional Director. There are organisations that provide professional facilitators who arrange and mediate meetings between complainants, their families and members of the Church bodies that are part of the Catholic Church in Ireland.

The function of the facilitator is to arrange and moderate a process of communication between the complainant and the Regional Director.

For instance, this may involve a meeting, managed by the facilitator, in which a formal apology can be made to the complainant, and their unresolved problems addressed. The facilitator should be aware of the ongoing needs of the complainant, and should seek to know the response of the Regional Director to those needs. The facilitator should also seek to know the support needs of the complainant's family and of the community in which the abuse occurred, if the abuse is publicly known.

The facilitator should seek to identify any outstanding issues where the complainant is not satisfied with the response from the Regional Director, and should explore with both parties the best means of dealing with such issues.

(See also: On Responding to a Complainant who is Dissatisfied with how their Allegation has been Handled by the Church Authority)

The complainant or the Regional Director may choose to have support at the meeting. The Region of Ireland should bear all ordinary and reasonable expenses attributed to the process of facilitation.

**Financial Compensation**

Some complainants may wish to claim financial compensation for the harm they have suffered. All complainants should be advised of their right to seek legal advice if they wish to pursue a civil case against their alleged abuser and/or the Region of Ireland. Complainants need to be informed of the adversarial nature of litigation and the inevitable process of disclosure involved. Some Church bodies have decided to use mediated settlements in situations where complainants do not wish to take a civil case.

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## APPENDIX 16. CARE AND MANAGEMENT OF THE RESPONDENT

### GUIDANCE ON INFORMING THE RESPONDENT (CLERIC AND RELIGIOUS) THAT AN ALLEGATION HAS BEEN RECEIVED, AND CONSIDERATION OF AN INTERIM MANAGEMENT PLAN

A proper balance should be struck between protecting children and respecting the rights of respondents. Where there is conflict, the child's welfare must come first. The rights of respondents are important and are given due weight, once the safety and protection of children has been assured.

The following flow chart shows the process for informing the respondent who is a cleric and should be read alongside the process outlined in ***Standard 2: Procedures for Responding to Child Protection Suspicions, Concerns, Knowledge or Allegations.***



### ***Process for informing the respondent who is a cleric.***

1.

On receiving a complaint, if the threshold for reporting has been reached, the DLP will inform the statutory authorities, whose role it is to investigate the allegation and assess the risk to children. If there is any uncertainty about whether the suspicion, concern or allegation meets the threshold for reporting, the DLP should consult with the statutory authorities, who will advise on the requirements for notification.

2.

If the threshold for reporting has been reached, a preliminary investigation in accordance with canon law will be initiated by the Regional Director (CIC, c. 1717;3 CCEO, c. 14684 ). This canonical inquiry will be paused to allow any statutory investigation to take place.

3.

The statutory authorities inform the DLP about when they can tell the respondent that a child abuse matter has arisen.

4.

Following the approval of the statutory authorities, the Regional Director arranges a meeting with the respondent. In arranging this meeting:

- The Regional Director should inform the respondent that they will be accompanied by the DLP;
- The respondent should be offered the services of an advisor and the role description outlined to them;
- The respondent should be informed that they can be accompanied by another person at this meeting for their own support.

5.

At the meeting:

- The respondent must be informed of their rights to both canonical and civil legal advice;
- The respondent must immediately be advised of their right to remain silent – they may admit, deny or decide not to respond at this stage;
- The respondent needs to be given enough detail about the suspicion, concern or allegation and about the person making it in order to be able to offer a response, if they choose to do so. However, if a written statement has been given by the complainant, this cannot be given to the respondent, but a summary of its content can be shared.

6.

After the meeting:

- A dated, written record of the meeting is forwarded to the respondent for signing. This record should detail what they have been informed of, and their response (if any);
- The respondent is given written information about the Church procedure, so that they are clear about the process that will be followed.

7.

The Regional Director will judge the level of risk in consultation with the statutory authorities, DLP, NCMC (National Case Management Committee), advisory panel and advisor. A decision will be made at this stage as to whether an interim management plan is required, which may include restrictions to sacred ministry.

8.

A written reminder is given to the respondent from the Regional Director to advise them to continue following the child safeguarding policies and procedures.

9.

If required, the DLP and advisor will meet the respondent and present them with the interim management plan, which the respondent will be asked to agree to and sign. During this meeting, the respondent must be advised that the preliminary investigation will be resumed following the conclusion of any statutory authority enquiries.

*Preliminary Investigation, Canon 1717 §1: Whenever the ordinary receives information, which has at least the semblance of truth, about an offence, he is to enquire carefully, either personally or through some suitable person, about the facts and circumstances, and about the imputability of the offence, unless this enquiry would appear to be entirely superfluous. 4 Canon 695 (1): 'A member must be dismissed for the delicts mentioned in Canon 1397, 1398 and 1395, unless in the delicts mentioned in Canon 1395 (2) the superior decides that dismissal is not completely necessary and that correction of the member, restitution of justice, and reparation of scandal can be resolved sufficiently in another way.'*

## GUIDANCE ON THE RISK ASSESSMENT FOR CLERIC AND RELIGIOUS TO PRODUCE AN INTERIM MANAGEMENT PLAN

At the conclusion of the process outlined, there are two levels of risk assessment that will have been completed:

### 1. Initial enquiry to establish if the threshold for reporting has been reached.

- On receipt of an allegation, the DLP should ensure that a child protection referral form is completed by the person who initially heard the allegation.
- The DLP will then conduct an internal inquiry to establish if the threshold for reporting to the statutory authorities has been reached.

This will involve:

- Establishing the name of the complainant, the nature of the allegation and the name of the respondent;
- Checking if the respondent was in the reported location at the time of the alleged abuse.
- The DLP will conclude this stage by informing the statutory authorities. If there is any uncertainty about whether the suspicion, concern or allegation meets the threshold for reporting, the DLP should consult with the statutory authorities who will advise on the requirements for notification.

### 2. Initial assessment of risk, which results in notification to comply with the child safeguarding policies and procedures, or an interim management plan.

- At the conclusion of the process of informing the respondent, the DLP will provide an initial assessment of risk for the Regional Director, to help them to judge the level of risk. The DLP may advise on restrictions to the respondent's ministry, if appropriate.
- The assessment of risk is used to complete the risk management update tool. This form is used to give a brief overview of the risks associated with the case. It must be regularly updated as required.
- This assessment of risk is used to develop an interim management plan if required (that can be initiated by precept if necessary), which the respondent is asked to sign and date.

## GUIDANCE ON LEAVE FROM SACRED MINISTRY

Among the actions that may be necessary during both a statutory investigation and a Church inquiry is the restriction of a respondent's exercise of their office and/or sacred ministry and apostolate. A respondent may be asked to withdraw from a particular office and from other forms of sacred ministry and apostolate, including public celebration of the Eucharist and other sacraments during the course of any statutory – as well as Church and canonical – investigation.



The respondent may also be required to cease from wearing clerical attire.

There are two factors that will determine the Regional Director's action in this regard:

1. The threshold for reporting to the statutory authorities has been reached;
2. An initial assessment of the potential risk to children has been conducted. Prior to deciding how to respond, advice may be sought on either or both of these issues from the NCMC, or from the statutory authorities. Each case will have to be considered on its own merits.

The advice provided to the Church authority should specifically include an assessment of the credibility of the allegation, and the potential risk arising as a consequence.

If a decision has been made by the Regional Director that it is necessary and appropriate to ask that a period of leave from sacred ministry be initiated, the following procedure must be employed.

This procedure outlines the processes to be engaged when leave and restriction from sacred ministry and apostolate are required.

It should be read in conjunction with the process outlined in Standard 2: Procedures for Responding to Child Protection Suspicions, Concerns, Knowledge or Allegations, which sets out in detail actions to be taken following receipt of an allegation.

All actions should be confirmed in writing and a date of review of actions set.

### **THE PROCESS OF LEAVE FROM SACRED MINISTRY:**

The Church authority will judge the level of risk and may be assisted in doing so by the statutory authorities, DLP, NCMC, and advisor.

A decision will be made at this stage as to whether an interim management plan is required, which may include restrictions to sacred ministry.

A written reminder is given to the respondent from the Regional Director to advise them to continue following the child safeguarding policies and procedures.

If required, the DLP and advisor will meet the respondent and present them with the interim management plan, which the respondent will be asked to agree to and sign. During this meeting, the respondent must be advised that the canonical process, which has been paused, will resume following conclusion of any statutory authority enquiries:

- a. While the allegations are being investigated, the presumption of innocence applies. Leave from sacred ministry is therefore a precautionary measure. It does not impute guilt, nor should the action (of leave from ministry) per se prejudice any statutory or canon law process.
  - b. If the respondent is in a role that involves contact with children and young people, and if it is in the interests of safeguarding children and young people, then the respondent should be invited to request leave from sacred ministry and apostolate for the course of the statutory and/or canonical investigations. Where this is agreed, there should be clarity regarding what the restrictions on sacred ministry and apostolate are.
  - c. Limitations to sacred ministry and apostolate are made in accordance with canon law, and should be considered by the Regional Director. If the respondent declines to request leave from ministry, and if continuing sacred ministry or apostolate would constitute a risk to children, advice may be sought from the statutory authorities or the NCMC. The Regional Director should also take canonical advice on how to proceed in each case. The Regional Director can issue a decree or precept outlining, at least in summary form, their decision, and outlining the respondent's restrictions on the exercise of their ministry or apostolate.  
*The right to the respondent's reputation, privacy, financial support, accommodation and advisor; restrictions on public exercise of ministry, public celebration of Mass and other sacraments; restrictions on use of clerical dress; and possible prohibition regarding contact with children*
  - d. Agreement should be reached, if possible, between the Regional Director and the respondent in relation to the following:
    - How to bring to completion the transfer of any unfinished tasks, in relation to the respondent's ministry, that do not involve access to children and young people;
-

- Residency of the respondent: consideration may be given to allowing the respondent to continue to reside in their current accommodation if it is perceived not to present any risk to children, and where alternative accommodation is available for any administrator/ replacement. This should be agreed with the respondent, together with a reasonable time frame for vacating the current residence (if considered necessary). The Regional Director should also ensure that reasonable costs incurred in obtaining suitable alternative accommodation are met;
- If possible, the respondent should be supported to engage in other work/study during the period of leave from sacred ministry and apostolate, as long as it does not involve sacred ministry and apostolate or contact with children;
- If the respondent is engaged in ministry in Northern Ireland, there is a legal requirement to refer the respondent to the Independent Safeguarding Authority (ISA) if the respondent has been invited to take administrative leave for causing harm, and if it is judged that there is the risk of harm to a child or vulnerable adult.

If the respondent is a priest, he must be required to return his celebret to the authority prior to taking administrative leave. During this meeting, the respondent should be advised of the canonical process that will be initiated following conclusion of any statutory authority enquiries.

After this meeting if the respondent has been removed from ministry the following should be considered:

- a. When an allegation has been received and a priest or religious is taking leave from sacred ministry and apostolate, the Regional Director is responsible for what is communicated about this change, to whom, and how this is communicated. The preferred approach is for any public communication to be agreed with the respondent, where the presumption of innocence should be emphasised;
- b. Great care needs to be taken not to prejudice the outcome of any civil, criminal or canonical investigation, and consultation with relevant statutory authorities may assist in this regard;
- c. Consideration may also be given to the inclusion in any public communication, if one is to be made, of information regarding how people affected can access pastoral support.

## APPEALS

Where restrictions to sacred ministry and apostolate have been directed through a decree or precept, there is the possibility of an appeal in accordance with canon law.

### **GUIDANCE WHEN PRELIMINARY INVESTIGATION FINDS THERE IS NO CASE TO ANSWER OR THAT THE ALLEGATION IS MANIFESTLY FALSE OR FRIVOLOUS (RETURN TO MINISTRY)**

Following the initial investigation report prepared by the delegated person, if the respondent denies the allegation and there is insufficient evidence that there is a case to answer, and the statutory authorities are not taking any further action, then the preliminary investigation must be concluded and the respondent should be confirmed as being 'in good standing'.

When an accusation is shown to be false (malicious/unfounded), the respondent should be returned to ministry.

*Words such as 'false', 'unfounded', 'unsubstantiated' and 'malicious' are often used in the same context when describing an allegation. However, the meanings are different. The term 'false' can be broken down into two categories:*

1. *Malicious – this implies a deliberate act to deceive. For an allegation to be malicious, it will be necessary to have evidence that proves this intention;*
2. *Unfounded – this indicates that the complainant misinterpreted the incident or was mistaken about what they saw. For an allegation to be classified as unfounded, it will be necessary to have evidence to disprove the allegation. An unsubstantiated*

*allegation is where there is insufficient identifiable evidence to prove or disprove the allegation. The term does not imply guilt or innocence.*

**To do this, the following should serve as a guide to the steps that may be taken:**

1. Once it has been established that there is no case to answer, and that all state authority investigations or prosecutions are concluded, the Regional Director should meet with the respondent to consider how and when a return to ministry can be achieved;
2. It is important that all outstanding matters are addressed prior to any return to ministry. Therefore, in preparation, the respondent should be provided with counselling and support to assist them to deal with any residual anger/distress.
3. This preparation for a return to ministry should include spiritual direction, reflection and discussions with the Regional Director. It is understandable that the respondent may be angry at the process, but this anger should be addressed appropriately so as not to interfere with future ministry;
4. Following counselling, spiritual direction and reflection, the Regional Director should meet the respondent to agree what ministry they will undertake. If the ministry involves a return to a previous community/parish/service, agreement should be reached about how to communicate the return. Consideration should be given to the Regional Director accompanying the respondent to the first liturgy, where a statement can be made about the respondent being a priest/religious in good standing;
5. The respondent should continue to be provided with support for an agreed period after the return to ministry;
6. The respondent should be reminded of the child safeguarding policy and procedures and code of behaviour when ministering to children, and should agree to working within these procedures. At any stage of this process, the Regional Director can consult the National Case Management Committee (NCMC).

**GUIDANCE WHEN PRELIMINARY INVESTIGATION FINDS THERE IS A CASE TO ANSWER AND THAT THE ALLEGATION IS NOT MANIFESTLY FALSE OR FRIVOLOUS AGAINST A CLERIC**

**Delicts**

One of the delicts against morals that is reserved to the CDF is the delict against the Sixth Commandment of the Decalogue (*The Decalogue is another word for the Ten Commandments*) committed by a cleric with a minor below the age of eighteen years.

**This delict includes:**

- The acquisition, possession or distribution by a cleric of pornographic images of minors under the age of fourteen, for purposes of sexual gratification, by whatever means or using whatever technology, cf. Normae de gravioribus delictis (Art. 6) CDF May 2010;
- Sexual abuse of a minor that occurs in the context of the Sacrament of Reconciliation.



## Burdens of proof

In the canonical process there are three different stages, with three different levels of proof.

These are referred to by three different terms:

1. **Semblance of truth** – the lowest level of proof; this is what is required for the Regional Director to begin the preliminary investigation;
2. **Probability** that a delict did or did not occur – a threshold that is a little higher than the semblance of truth. This is what the preliminary investigation looks for. The word ‘probable’ is used here in the literal sense, i.e. the possibility of proving a delict in a canonical trial;
3. **Moral Certainty** – what a canonical trial looks for.

## When are the CDF notified?

Although the CDF can be consulted at any stage during the case management process, the formal notification begins:

- In circumstances where an allegation has been substantiated within the statutory forum, in terms of a criminal prosecution, this information must be incorporated into a report that is forwarded with the Society Leader’s votum to the CDF.
- If the allegation is unsubstantiated within the statutory forum, but where there continue to be reasonable grounds for concern regarding a reserved delict, (*The more grave delicts against morals, which are reserved to the CDF*) – along with the votum of the Society Leader – should be compiled and forwarded directly to the CDF.

The CDF will investigate using the burdens of proof outlined on the previous page, and will make a determination on the status of the respondent based on the facts presented, affording all canonical rights and entitlements to the respondent.

A respondent who has received a conviction for an offence against a child, or who has been found guilty under canon law, may be requested to seek laicisation. If they refuse, a process of dismissal, in accordance with the norms of canon law, may be initiated. Once it has been established, by whatever means, that sexual abuse has occurred, the respondent should not be permitted to return to ministry and the statutory authorities are informed.

In circumstances where a decision has been made to allow the respondent to remain a priest, a permanent management plan must be put in place. This requires that, among other things, the respondent refrains from having any unsupervised contact with children, does not wear clerical/religious clothes and does not exercise any form of public ministry, and that they remain under supervision. Specific measures are determined by the Regional Director, with advice from the NCMC. Compliance is monitored by the DLP or other properly appointed personnel. The DLP is responsible for putting in place a system of monitoring by taking on this responsibility or appointing someone else to do so.

Those who remain a member of Missionary Society of St. Columban and who are ‘out of ministry’ should be provided with support and encouraged to rebuild their lives in a spirit of repentance. Any new concerns must be reported to the statutory services, in accordance with the procedures. In certain circumstances, such concerns are also notified to the CDF.

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If the CDF inquiries are inconclusive and further inquiries are required, an appropriate interim management plan should remain in place, proportionate to the level of risk to children, whilst the advice of the NCMC and the statutory authorities is sought.

## **GUIDANCE ON THE FUNERALS OF CLERICS OR RELIGIOUS AGAINST WHOM THERE IS A CASE TO ANSWER**

### **Guidance on the Funerals of Clerics or Religious against whom there is a Case to Answer**

Pastoral concern for complainants must be considered in the situation where a priest/religious dies following receipt of a credible allegation.

However, consideration must also be given to the family and friends of the priest or religious when deciding how to conduct the funeral and internment. Careful thought should be given by the Regional Director to the way the requiem liturgy and internment is conducted.

Publicly praising the respondent's qualities as a priest could have a seriously detrimental impact on complainants. Although each case is different, consideration should be given to the following:

1. Who will take responsibility for the funeral arrangements? If the Regional Director is responsible, consider the following issues:
  - The appropriateness of a death notice from the Regional Director in public communications;
  - How to inform complainants of the respondent's death, and whether they should be made aware of the funeral;
  - The role other priests or the members of the community play in the funeral Mass.
2. Give consideration to how the requiem Mass should be conducted:
  - Discuss whether the location and timing of the funeral Mass would have a negative impact on the complainants;
  - Carefully choose the readings;
  - Ensure that the homily does not negatively affect the complainants;
  - Balance the needs of the complainants with the deceased's family members.
3. How should internment be conducted?
  - Consider which burial site is most appropriate;
  - Address what an appropriate inscription on the headstone should be. This is not an exhaustive list, but it should be used as a guide to help the Regional Director deal as sensitively as possible with this situation.



## **GUIDANCE ON HOSPITALISATION OF CLERICS OR RELIGIOUS AGAINST WHOM THERE IS A CASE TO ANSWER**

When a respondent requires hospitalisation or a stay in a convalescence home, a number of steps should be taken:

1. The DLP should be informed that the respondent has been hospitalised;
2. The DLP should contact the child safeguarding officer in the hospital and inform them of the allegations so that the social worker can assess if there is any risk to children posed by the incoming patient;
3. The social worker should be asked to consider who should be informed of the respondent's circumstances, and to take responsibility for sharing this information;

4. The steps taken should be recorded and sent to the hospital social worker for confirmation of receipt and acceptance of their role;
5. The Church authority should be informed of the steps taken by the social worker to protect children;
6. The respondent must be informed that the restrictions, already imposed, remain in place when in hospital or in a convalescent home;
7. The childcare manager in the TUSLA area where the respondent normally resides will be informed of the respondent's hospitalisation and the steps taken to ensure the safeguarding of children;
8. Documentation of these steps should be recorded in the respondent's case file.
9. Advice on information sharing is on a case-by-case basis and should be sought from TUSLA.

## **GUIDANCE ON MONITORING OF CLERICS AND NON-ORDAINED RELIGIOUS FOLLOWING THE CONCLUSION OF THE CANONICAL INVESTIGATION**

In circumstances where a decision has been made to allow the respondent to remain a priest, a further risk assessment should be carried out. This may include the commissioning of a clinical risk assessment report on the respondent, and amending the risk management. These forms should then be used to create a permanent management plan that should be put in place.

This will take the same format as the interim management plan, but it will also include more detail regarding the permanent monitoring of the respondent.

The DLP is responsible for putting in place a system of monitoring by either taking on this responsibility or appointing someone to take on this role.

The monitoring role involves:

- Meeting with the respondent on a regular basis, as per the permanent management plan;
  - Assessing the support needs of the respondent and putting in place care and management mechanisms to ensure that their spiritual, psychological, health and social needs are addressed and met;
  - Assessing whether or not the plan is being adhered to;
  - Advising the respondent and the DLP (if the DLP is not the person in the monitoring role) where there is evidence of non-compliance. The DLP will advise the Regional Director of this;
  - Keeping records of all contact made with the respondent, and recording any issues emerging in relation to child safeguarding matters and passing them to the DLP (if the DLP is not the person in the monitoring role);
  - Passing on all child safeguarding concerns to the DLP (if the DLP is not the person in the monitoring role);
  - Reviewing the permanent management plan at regular intervals (depending on the assessed needs and the level of risk), in conjunction with other child safeguarding personnel;
  - Liaising with the respondent's family members, as required;
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- Maintaining professional links with the statutory authorities and preparing reports, as required;
- Liaising with the Regional Director and the NBSCCCI, where appropriate;
- Liaising with child safeguarding personnel, e.g. advisors, where appropriate. The services of an advisor should be available to the respondent throughout the entire process, should the respondent wish. The advisor will provide a vital service in ensuring that the support needs of the respondent are heard and met during this time.



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# Appendix

## QUALITY ASSURANCE

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## Section 3: Quality Assurance

### Appendix 17. Action and Compliance

#### GUIDANCE ON ENSURING COMPLIANCE WITH THE SEVEN STANDARDS AT LOCAL LEVEL

Quality assurance procedures are a systematic method of assessing the extent to which the seven child safeguarding standards are implemented at all levels within the Church body. This is an important method of ensuring that a process of continuous improvement takes place, and of demonstrating accountability and transparency.



1. **Assessing compliance by the Regional Director during systematic visits to meet with members and visiting community houses;**
2. **Annual self-audit scheme carried out locally, but coordinated by the safeguarding committee;**
3. **Annual report by the DLP to the Regional Director.**
4. **All of the documents produced are internal to the Region Of Ireland and do not need to be sent to the NBSCCCI.**

#### GUIDANCE ON COMPLIANCE VISITS BY THE REGIONAL DIRECTOR

Each Regional Director should regularly visit community houses/ministries to ensure that there is an awareness of child safeguarding, and that effective practice is being implemented. It is important that these visits are outlined in the annual three-year child safeguarding plan.

It is advised that the Regional Director has a checklist of items to examine during these visits.

This list may include, for example:

- Safeguarding posters;
- Safeguarding Policy;
- A copy of the previous year's annual child safeguarding audit from the local area.

This visit should, as far as possible, involve local people such as employees/volunteers and to thank those involved for their work in maintaining the child safeguarding standards.

#### GUIDANCE ON DEVELOPING A THREE-YEAR CHILD SAFEGUARDING PLAN

The Region of Ireland must develop a child safeguarding plan to assess the effectiveness of the steps it is taking to keep children safe.

The purpose of this internal child safeguarding plan is to set out what, how, who and in what time frame key elements of child safeguarding practices and procedures are going to be met by the Region.

***A child safeguarding plan should include the following:***

- **Specific objectives linked to each of the safeguarding standards.** It is important that specific objectives are set in line with the child safeguarding standards, any previous annual audit recommendations and any review recommendations by the NBSCCCI. These objectives can be broken down into set actions. The training plan and communications plan should be included under Standards 5 and 6.

- **Resources.** The achievement of this child safeguarding plan is fully dependent on the availability of sufficient resources. In order to successfully implement the three-year strategy, it is important to set specific and realistic objectives linked to identified allocated resources.
- **Implementation.** The Region of Ireland, through the safeguarding committee, should identify clear time frames for implementation, which should take account of the completion of the local safeguarding audits.
- **Review and evaluation.** It is important that the three-year plan sets clear dates for review of each specific objective outlined in the plan. These review dates should be achieved on an annual basis, and reviews should take account of the outcomes of the annual local safeguarding audits, and, if appropriate, of the annual report made by the DLP to the Regional Director.





## APPENDIX 18. RECORDING, STORAGE AND RETENTION OF DATA

### Record Keeping

**Good record-keeping is an integral part of safeguarding children it should not be considered to be an optional extra. There are many reasons why all those involved in safeguarding children should keep good records. These include:**



- ▶ Helping to improve accountability;
- ▶ Demonstrating how decisions relating to safeguarding children are made;
- ▶ Supporting effective assessments;
- ▶ Providing documentary evidence of actions taken; and
- ▶ Helping to identify risks, and demonstrating how those risks have been managed.

Good record-keeping also helps to safeguard the rights of all concerned. Below are the primary reasons for record-keeping, as well as the processes necessary to write and maintain accurate records. Also detailed are recommendations regarding information sharing, and retention and storage of sensitive data.

### ***Why is record-keeping important?***

- Doing so ensures accuracy of reporting information. This can be for internal use, or it can be done in circumstances where there is the necessity to report and to be accountable to external stakeholders, e.g. courts, tribunals of inquiry, Gardaí, PSNI, Tulsa (the Child and Family Agency) and HSCT (Health and Social Care Trust). Creating written records as soon as practicable after the event avoids the possibilities of memory loss and the distortion of the information.
- Doing so assists with decision-making and case management. Accurately recording factual information facilitates an evaluation of the information and aids decision-making.
- Doing so protects both the subjects of recording and the recorder by having an agreed and accurate record. As far as possible, recorded information should be agreed, with the subject of the recording, as constituting an accurate record of what took place.
- Doing so enables accountability. All those who have responsibilities for safeguarding children should be and will be held accountable for their actions. Good recording is required as evidence that the safeguarding of children is treated as a priority, and that all steps have been taken to prevent and minimize risk and to manage allegations appropriately.
- Doing so enables the proper tracking of complaints. It is important that we demonstrate through our records that complainants have been listened to and responded to in a compassionate and caring way. It is therefore vital that accurate records are kept of all complaints received and of how these have been responded to.
- Doing so allows for continuity where there are changes in personnel managing the case. Safeguarding children can involve a number of people, including the CEO and designated person. Personnel can also change over the course of managing a child abuse allegation. It is therefore important that good, factual details are maintained in writing to allow for a consistent and fair approach, a continuity of care for complainants, and the proper management of respondents, when required.

## Principles of good record-keeping:

- ▶ All records should be legible – preferably typed or word-processed.
- ▶ All entries should be signed, and the person's name and job title should be printed alongside the entry.
- ▶ All records should be dated and timed in real time. These records should be generated in correct chronological order.
- ▶ A narrative should be constructed that sets out a chronology of events and references any correspondence.
- ▶ Records should be accurate and presented in such a way that the meaning is clear.
- ▶ Records should be factual and should not include unnecessary abbreviations, jargon, opinion or irrelevant speculation.
- ▶ Judgement should be used to decide what is recorded. Is it relevant? Is it as objective as possible? Are facts and any necessary opinions clearly distinguished?
- ▶ Records should identify any risks, and should show the action taken to manage these.
- ▶ Records must not be altered or destroyed without proper authorisation. If the need for alteration arises, both the fact of such authorisation and the alteration made to any original record or documentation should be signed and dated.

## Data Protection Legislation

The principal legislation in the Republic of Ireland dealing with data protection is the Data Protection Act 1988. The 1988 Act was amended by the Data Protection (Amendment) Act 2003.

In Northern Ireland the main legislation is the Data Protection Act 1998.

The Data Protection Acts 1988–2003 in the Republic of Ireland set out eight principles that define the conditions under which processing (including recording, storage, manipulation and transmission) of personal data can be determined to be legally acceptable, or otherwise. The Act also identifies the sensitive nature of health information and the particular need that health professionals have to communicate that information between themselves. The Act gives data subjects rights of access to their records, and it applies to electronic and paper-based record systems.

### The eight principles state that the data should be:



1. Fairly and lawfully processed;
2. Processed for limited purposes;
3. Adequate, relevant and not excessive;
4. Accurate;
5. Not kept for longer than is necessary;
6. Processed in line with subjects' rights;
7. Secure; and
8. Not transferred to countries without adequate protection.

### Access to information by data subject

People have a right to know what personal information is held about them, by whom and for what purpose. This is detailed in data protection and human rights legislation. However, despite these rights, in certain circumstances such information can be shared with others.

The data subject must be made aware of the creation of a safeguarding record.

If the data subject seeks access to their record, the following should take place:

- The contents of the file should be reviewed and assessed so that data belonging to third parties is redacted;
- At an agreed time and place, the file should be made available for reading by the data subject, under the supervision of the bishop, superior or the designated liaison person;
- The data subject can make notes, and can ask for notes to be included in the file. If agreed, an amendment can be made on the file note. The file manager should state in writing the reason for the amendment, and sign and date their written note. Any such amendments should also be signed and dated by the data subject;
- If there is a disagreement concerning the amendment of any file, the details of the disagreement should be recorded, signed and dated by the file manager and the data subject.

### Storage of data

It is important that all sensitive or confidential materials are retained in a case file and stored securely in a place designated by the data controller, i.e. H.R. Manager/CEO.



Files containing sensitive or confidential data should be locked away, and access to the relevant fireproof safe(s) or filing cabinet(s) and keys should be strictly controlled.

Access to the files needs to be limited to people in named roles – i.e. the CEO/H.R. Manager – and properly designated child safeguarding personnel, who either need to know about the information in those records, and/or who have a responsibility to manage the records.

Any information of a sensitive and confidential nature – if stored electronically – must always be password protected. Arrangements need to be made for the contents of the relevant files, as well as their location and storage arrangements, to be passed on from outgoing data controllers to their successors.

Other records with identifying personal information – e.g. records on recruitment and vetting, accident forms, etc. – must be stored in a secure locked cabinet in the H.R. office.

### Retention and destruction of data

Guidance published by the data protection commissioner, in relation to compliance with the Data Protection Acts 1998 – 2003, is a useful reference for organisations to consider, as it represents what can be regarded as best practice.

This guidance states, inter alia, that: Where there is no legal requirement to retain information beyond the closure of the record, the authority will need to establish its own retention periods.

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## Guidance

- The organisation should appoint a data protection officer who will take charge of responsibility for data protection within that organisation.
- The appointed data protection officer should ensure that all records associated with these standards and guidance are reviewed on a periodic basis for the purposes of determining whether such records, in whole or in part, should be kept for a further period, or whether the purpose for which such records are kept has now ceased.
- Accordingly, each file should contain a checklist that provides for such periodic reviews. The checklist should be signed and dated after completion of those reviews, with confirmation as to whether the records will be kept for a further period and the reason for same.
- In making the decision to keep such records for a further period, the reviewer should consider the assessment of danger or harm to children arising out of the destruction of the relevant records.

## Further support

For more advice and guidance on data retention and destruction, please contact:

Republic of Ireland

- TUSLA information and advice officers:  
[www.tusla.ie/children-first/roles-andresponsibilities/organisations/children-first-training](http://www.tusla.ie/children-first/roles-andresponsibilities/organisations/children-first-training)
- Data Protection Commissioner: [www.dataprotection.ie](http://www.dataprotection.ie)

## Confidentiality

The effective protection of a child often depends on the willingness of the personnel in project/ organisations involved with children to share and exchange relevant information. It is therefore critical that there is a clear understanding of professional and legal responsibilities with regard to confidentiality and the exchange of information.

All information regarding concerns (current or historical) or allegations of child abuse or neglect should be shared on 'a need to know' basis in the interests of the child with the relevant statutory authorities.

No undertakings regarding secrecy can be given. Those working with a child and family should make this clear to all parties involved, although they can be assured that all information will be handled taking full account of legal requirements.

Ethical and statutory codes concerned with confidentiality and data protection provide general guidance. They are not intended to limit or prevent the exchange of information between different professional staff with a responsibility for ensuring the protection and welfare of children. The provision of information to the statutory agencies for the protection of a child is not a breach of confidentiality or data protection.

It must be clearly understood that information gathered for one purpose must not be used for another without consulting the person who provided that information.

The issue of confidentiality should be part of the training for all personnel.

Interagency cooperation is as important in the later stages of child protection work as it is at the outset. Therefore, personnel involved in a suspected, alleged or confirmed child abuse case should consistently make efforts to remain in contact with the statutory services, and to communicate all relevant information expediently.

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### Situations when information must be shared

- **Sharing information with the statutory authorities:** All allegations, suspicions concerns or knowledge regarding child abuse that meet the threshold for reporting must be passed to the statutory authorities. Disclosure should include names, addresses, details of the allegations, and if the respondent has made an admission, where this information is available.

### Situations when information can be shared

- **As part of an investigation by the statutory authorities:** Sharing information with statutory agencies for child protection purposes, and in particular to assist investigation of potential offences, is permitted under the *Data Protection Acts*. Additionally, the *Protection for Persons Reporting Child Abuse Act 1998* affords protection from civil liability to such persons reporting child protection concerns to statutory authority agencies in good faith. During the course of an investigation, if the Gardaí/PSNI request information from a file, every effort should be made to cooperate. However, careful consideration should be given to sharing the following without consent:
  - ▶ Legal advice obtained may be confidential and may not be shared without the consent of the CEO; and
  - ▶ Sharing information with statutory agencies attracts the protections cited above only insofar as it relates to child protection. Therefore, if the information goes beyond this area, it will not benefit from these exceptions.

## LEGISLATION, GUIDANCE AND CASE LAW

This approach is underpinned by the following:

### Legislation

- **Data Protection:** The principles of the relevant data protection legislation should be taken into account when considering whether to share information with persons other than the civil authority agencies.
- **Data Protection Acts 1988–2003 (ROI)**  
Section 2A (1) (d) states:

*Personal data shall not be processed by a Data Controller unless Section 2 of this Act (as amended by the Act 2003) is complied with by the Data Controller and that at least one of the following conditions is met:*

*(d) the processing is necessary for the purposes of the legitimate interests pursued by the Data Controller or by a third party and parties to whom the data are disclosed, except where the processing is unwarranted in any particular case by reason of prejudice to the fundamental rights and freedoms or legitimate interests of the data subject.*

This would appear to be a permissive condition and contemplates that the processing of data is not just for one's own legitimate interest, but also the legitimate interest of third parties to whom that data is disclosed. The investigation of allegations of abuse should be deemed to be a most legitimate interest of the relevant organisation in question. The Missionary Society of St. Columban should determine whether it is in their legitimate interest to disclose the information to a third party.

A key determinate is, if the disclosure were made, whether or not the processing is necessary to prevent injury or other damage to the health of the data subject or another person, or serious loss in respect of, or damage to, property or otherwise to protect the vital interests of the data subject or of another person.

It is also a requirement in this context that the consent to the processing cannot be given by or on behalf of the data subject, or the data controller cannot reasonably be expected to obtain such consent, or it has been unreasonably withheld.

- **Children First Act 2015 (enacted but not yet commenced)**

Section 17 of the *Children First Act 2015* (not yet commenced) effectively prevents the disclosure of details of child sexual abuse against a person to a third party, in circumstances where details of that child sexual abuse allegation have been made known to the Missionary Society of St. Columban by TUSLA in the course of carrying out an assessment arising from a mandatory report to that agency, without the explicit permission of TUSLA to share that information.

- **Protection of Persons Reporting Abuse Act 1998**

This affords protection from civil liability to persons who report allegations of child abuse in good faith to an 'appropriate person', namely the designated officer of TUSLA or a member of An Garda Síochána, thereby exempting them from liability for defamation as a result of such reportage.

## Guidance

There is statutory guidance on interagency cooperation.

In the Republic of Ireland the relevant guidance is *Children First: National Guidance for the Protection and Welfare of Children 2011*. The Children First guidance in the Republic of Ireland devotes its Chapter 4 to Interagency Cooperation.

**At Section 4.3: Benefits of Interagency Cooperation and Exchange of Information in Relation to Child Protection and Welfare**, the following two paragraphs outline the positives of interagency cooperation and information sharing:

### 4.3.1 Effective interagency cooperation has a number of benefits, including:

- ▶ Ensuring provision of a comprehensive response to all concerns about children. This includes the pooling of resources and skills at all stages of intervention, from initial enquiry to assessment and case management, including early identification and prevention;
- ▶ Avoiding gaps in the service response, especially in cases where information might otherwise remain concealed or unknown; and
- ▶ Providing mutual support for professionals in complex cases.

**4.3.2** The effectiveness and usefulness of interagency and inter-professional cooperation and coordination is influenced by certain conditions that should be addressed specifically in training programmes. These conditions include:

- ▶ Dissemination on a regular basis of procedures, guidelines and policies;
  - ▶ Clear contractual arrangements between statutory and non-statutory bodies;
  - ▶ An understanding and acceptance by all professionals working with children of their responsibilities and roles in the promotion of child welfare; and
  - ▶ Mutual trust in the sharing of information.
  - ▶ Agreement on common goals with regard to a child's safety and welfare;
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- ▶ Willingness of professionals to respect the contributions made by each other, irrespective of status and position within agencies and organisations; and
- ▶ Awareness of the potential for inter-professional tensions, defensiveness, prejudices, rivalries and polarity of views, which may, from time to time, prevent the needs of children from taking precedence.

The Missionary Society of St Columban is expected to embrace best practice standards in child safeguarding, including those on information management, information sharing and interagency cooperation as it functions.

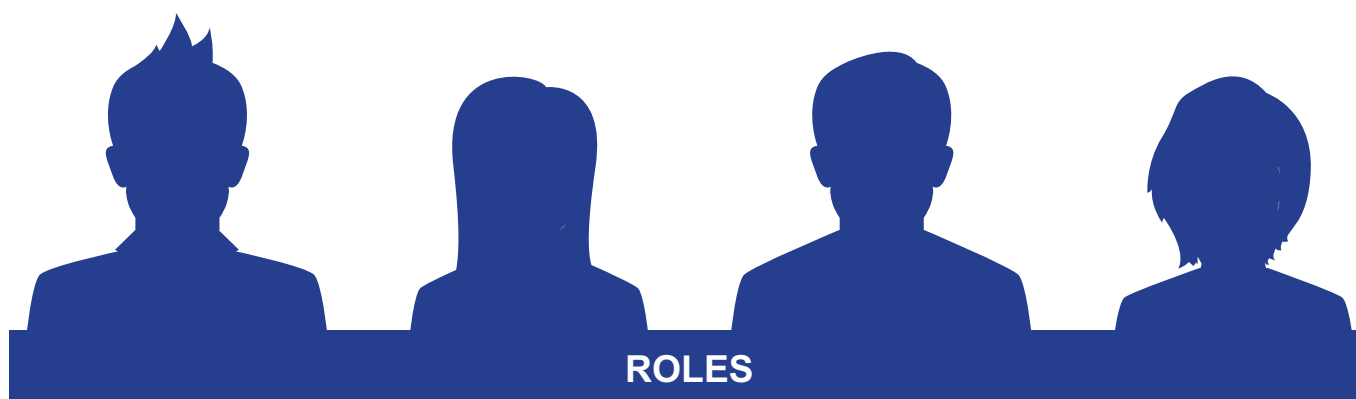


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# Roles

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### **REGIONAL DIRECTOR**

#### ***To be responsible for all safeguarding practices by:***

- Ensuring that the appropriate child safeguarding structures and personnel are in place;
- Liaising with the Holy See, as appropriate. For the Missionary Society of St. Columban, this is done through the Society Director;
- Ensuring compliance with canon and civil law;
- Upholding the seven standards in practice and behaviour

### **SAFEGUARDING OFFICER**

#### ***To be responsible for coordination of all safeguarding practices by:***

- Directing and implementing the child safeguarding policy;
- Liaising with and supporting parishes and communities to ensure implementation of local policies and procedures;
- Liaising with the child safeguarding committee and the advisory panel;
- Ensuring that all child safeguarding personnel are kept up to date with practice, as communicated from the NBSCCCI;
- Reporting directly to the Church authority on all child safeguarding issues.

### **DESIGNATED LIAISON PERSON (DLP)**

#### ***To promote safeguarding by:***

- Hearing child safeguarding concerns;
- Passing on child safeguarding concerns to the statutory authorities;
- Managing cases and all associated documents;
- Liaising with the support person, advisor and the Church authority;
- Passing on child safeguarding concerns to the NBSCCCI;
- Conducting internal inquiries;
- Contributing to upholding the seven standards in practice and behaviour;
- Completing an annual report regarding compliance with Standards 2, 3 and 4 for the Regional Director;
- Monitoring respondents or, with the Regional Director, appointing a suitable person to carry out this role.

### **SUPPORT PERSON**

#### ***To promote safeguarding by:***

- Keeping the complainant informed of the process of the case;
- Helping direct the complainant to counselling and support;
- Recording any meetings or contact they have with the complainant, and reporting to the DLP as appropriate;
- Upholding the seven standards in practice and behaviour.

### ADVISOR

#### *To promote safeguarding by:*

- Keeping the respondent informed of the process of the case;
- Helping direct the respondent to counselling and support;
- Recording any meetings or contact they have with the respondent, and reporting to the DLP as appropriate;
- Upholding the seven standards in practice and behaviour.

### SAFEGUARDING COMMITTEE

#### *To promote child safeguarding by:*

- Developing a three-year child safeguarding plan, including the establishment of the local child safeguarding policy and procedures;
- Coordinating local safeguarding representatives (LSRs);
- Coordinating activities related to child safeguarding, e.g. training;
- Ensuring the annual audit, including the correlation of records for training-related activities;
- Ensuring the completion of training needs assessments across the various child safeguarding roles in the Region of Ireland;
- Ensuring, with the Regional Director, that the appropriate child safeguarding personnel are in place;
- Upholding the seven standards in practice and behaviour.

### SAFEGUARDING TRAINERS

#### *To promote child safeguarding by:*

- Working with the safeguarding committee to identify training needs;
- Delivering full-day and information-session safeguarding training to those identified by the safeguarding committee in the Church body;
- Keeping records of all of those who have been trained;
- Contributing to upholding the seven standards in practice and behaviour.

### NATIONAL BOARD FOR SAFEGUARDING CHILDREN IN THE CATHOLIC CHURCH IN IRELAND (NBSCCCI) *Performs its child safeguarding role by:*

- Assisting with the development of policy, procedures and practices across the Catholic Church in Ireland;
- Offering advice on best practice, including training, case management and implementation of national standards and guidance;
- Monitoring the practice of child safeguarding across the Catholic Church in Ireland.

### NATIONAL CASE MANAGEMENT COMMITTEE (NCMC)

#### *Integral to child safeguarding:*

- The NCMC exists as a function of NBSCCCI, and is chaired and administered by its staff;
- The NCMC functions as an all-island group:
  - Advising the Regional Director on all stages of the investigative process into alleged child abuse;
  - Keeping a record of all of its recommendations to the Regional Director;
  - Upholding the seven standards in practice and behaviour.
- Membership is agreed through the signing of a data processing deed, which allows the sharing of full information with the NCMC and is fully compliant with data protection legislation in both jurisdictions. To find out more about the current composition of the group, please log on to: <http://www.safeguarding.ie>.

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# Contact Information

**STATUTORY AUTHORITIES/SUPPORT GROUPS**

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## CONTACT LIST FOR STATUTORY AUTHORITIES/SUPPORT GROUPS



An Ghníomhaireacht um  
Leanaí agus an Teaghlach  
Child and Family Agency

### TUSLA (Child & Family Agency)

Duty Social Work Department

Telephone: 01 4686289

[www.tusla.ie](http://www.tusla.ie)



### An Garda Síochána

Domestic Violence and Sexual Assault Investigation Unit

National Bureau of Criminal Investigation, Garda Headquarters, Harcourt Square, Dublin 2

Telephone (01) 6663430 Email: [dvsaiu@garda.ie](mailto:dvsaiu@garda.ie) [www.garda.ie](http://www.garda.ie)

Reporting Phone Line: 1800 555 222



### Towards Healing:

Towards Healing is an independent organisation providing professional support for people who have experienced institutional, clerical or religious abuse in Ireland.

Freephone: ROI: 1800 303416; NI & UK 0800 0963315

[www.towardshealing.ie](http://www.towardshealing.ie)



**The HSE National Counselling Service (NCS)** is a professional, confidential counselling and psychotherapy service available free of charge in all regions of the Health Services Executive.

Freephone: 1800 234 115 [www.hse.ie](http://www.hse.ie)



**Connect** is a free telephone counselling and support service for any adult who has experienced abuse, trauma or neglect in childhood. You can talk in confidence with a trained counsellor who can listen or help with questions you have.

Freephone: ROI 1800 477 477; NI & UK 00800 477 477 77

[www.connectcounselling.ie](http://www.connectcounselling.ie)



THE NATIONAL BOARD FOR  
**SAFEGUARDING CHILDREN**  
IN THE CATHOLIC CHURCH

**National Board for Safeguarding of Children** provides advice, services and assistance in the furtherance of the development of the safeguarding of children within the Roman Catholic Church on the island of Ireland; monitors compliance with legislation, policy and best practice, and reports on these activities annually.

New House, Saint Patrick's College, Maynooth, Co. Kildare  
Telephone No: 01 505 3124

[www.safeguarding.ie](http://www.safeguarding.ie)

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# Safeguarding Forms

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**RECRUITMENT AND SELECTION****Self Declaration Form for members and all who work/volunteer with the Missionary Society of St. Columban****Missionary Society of St. Columban****Safeguarding Office Region of Ireland**Dalgan Park, Navan, Co Meath  
Telephone: 087 984 4779 Email: neville.sandra@gmail.com**Declaration Form****CONFIDENTIAL**

Legislation in both jurisdictions in Ireland, have at their core, the principle that the welfare of children and young people must be the paramount consideration.

The Missionary Society of St. Columban therefore asks that everyone working or volunteering for the Society abide by good practice by completing and signing this form.

Do you have any prosecutions pending or have you ever been convicted of a criminal offence or been the subject of a Caution or of a Bound Over Order?  
(Please tick)

Yes ☐ No ☐

If **yes**, please state below the nature and date(s) of the offence(s)

Date of offence:

.....

Nature of offence:

.....

.....

Have you ever been the subject of disciplinary procedures or been asked to leave employment or voluntary activity due to inappropriate behavior?  
(Please tick)

Yes ☐ No ☐

If **yes**, please give details including date(s) below:

.....

.....

**Declaration**

I understand that, if it is found that I have withheld information or included any false or misleading information above, I may be removed from my post whether paid or voluntary, without notice. I understand that the information will be kept securely by the Missionary Society of St. Columban.

I hereby declare the information I have provided is accurate.

Signed:

Date:

.....

.....

This form will be held in accordance with the data protection regulations. The data entered will be used only for the purpose indicated in the form. It will be accessed only by those authorised to do so.

## Volunteer Application Form



### Missionary Society of St. Columban

**Safeguarding Office Region of Ireland**

Dalgan Park, Navan, Co Meath  
Telephone: 087 984 4779 Email: neville.sandra@gmail.com



#### For All Volunteers With the Missionary Society of St. Columban

Full name (print):

.....

Any surname previously known by:

.....

Address:

.....

.....

Date of birth:

.....

Contact Details:

Telephone: .....

Email address: .....

I declare that the above information is true and I am fit to volunteer.

Signed: .....

Date: .....

This form will be held in accordance with the data protection regulations. The data entered will be used only for the purpose indicated in the form. It will be accessed only by those authorised to do so.

## Garda eVetting Information and Form (1 of 3)



### **Guidelines for completing Vetting Invitation Form (NVB 1)**

Please read the following guidelines before completing this form.

#### **Miscellaneous**

The Form must be completed in full using **BLOCK CAPITALS** and writing must be clear and legible.

The Form should be completed in ball point pen.

Photocopies will not be accepted.

All applicants will be required to provide documents to validate their identity.

If the applicant is under 18 years of age, a completed NVB 3 - Parent\Guardian Consent Form will be required. Please note that where the applicant is under 18 years of age the electronic correspondence will issue to the Parent\Guardian. This being the case, the applicant must provide their Parent\Guardian Email address on the NVB 1 form.

#### **Personal Details**

Insert details for each field, allowing one block letter per box.

For Date of Birth field, allow one digit per box.

Please fill in your Email Address, allowing one character/symbol per box. This is required as the invitation to the e-vetting website will be sent to this address.

Please allow one digit per box for your contact number.

The Current Address means the address you are now living at.

The address fields should be completed in full, including Eircode/Postcode. No abbreviations.

#### **Role Being Vetted For**

The role being applied for must be clearly stated. Generic terms such as "Volunteer" will not suffice.

#### **Declaration of Application**

The applicant must confirm their understanding and acceptance of the two statements by signing the application form at Section 2 and ticking the box provided.

**Note: Please return this form to the above named organisation. An invitation to the e-vetting website will then be sent to your Email address.**

Dalgan Park, Navan, Co Meath  
Telephone: 087 984 4779 Email: neville.sandra@gmail.com



**To be completed by Church Authority / Person In Charge / Management Personnel Only**

[illegible][illegible][illegible][illegible]

- a. Passport or Driving Licence
- b. Verification of Current Address i.e. recent utility bill, bank statement

This form will be held in accordance with the data protection regulations. The data entered will be used only for the purpose indicated in the form. It will be accessed only by those authorised to do so.

## References



# Missionary Society of St. Columban

## Safeguarding Office Region of Ireland

Dalgan Park, Navan, Co Meath  
Telephone: 087 984 4779 Email: neville.sandra@gmail.com



### CHARACTER AND PERSONAL REFERENCE FORM

Dear \_\_\_\_\_ (insert name),

Your name has been given to us by \_\_\_\_\_ (insert applicant name),  
who has applied for the position of \_\_\_\_\_ (insert name of position).

I would appreciate you completing, signing and dating the information below and returning it to me  
at the enclosed address.

Thank you in advance for your help.

Yours sincerely,

\_\_\_\_\_  
(insert signature and date)

1) Can you tell us how long you have known the applicant?

\_\_\_\_\_

2) In what capacity do you know the applicant?

\_\_\_\_\_

3) Can you highlight some of the applicant's positive skills and qualities?

\_\_\_\_\_

4) Do you, without reservation, recommend the applicant for the position for which they have applied?  
Please bear in mind that this position involves working with children.

☐ Yes ☐ No

Why? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please include any additional comments below.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

**SAFE CARE****Priests Agreement Form – 1 of 4****Missionary Society of St. Columban****Safeguarding Office Region of Ireland**

Dalgan Park, Navan, Co Meath

Telephone: 087 984 4779 Email: neville.sandra@gmail.com



**Agreement to abide by the  
Region Ireland  
Safeguarding Policy & Procedures  
when working with children and young people.**

**SAFEGUARDING STATEMENT**

As a constituent member of the Catholic Church in Ireland we recognise and uphold the dignity and rights of all children and are committed to ensuring their safety and well-being, and will work in partnership with parents/guardians to do this. We recognise each child as a gift from God, and we value and encourage the participation of children in all activities that enhance their spiritual, physical, emotional, intellectual and social development. All Church personnel (including clergy, religious, staff, volunteers and any other Church personnel) have a responsibility to safeguard children through promoting their welfare, health and development in a safe and caring environment which support their best interest and prevents abuse.



## Priests Agreement Form – 2 of 4

### Code of Behaviour

**It is important that all personnel assigned to or working in the Region of Ireland will:**

- treat all children with respect and dignity
- treat all children equally
- model positive & appropriate behaviour to all children with whom they come into contact
- be aware of the Safeguarding Policy
- challenge & report potentially abusive behaviour
- develop a culture of openness, honesty & safety
- develop a culture where children have permission to tell and talk about any concerns or worries that they may have
- respect each child's boundaries and support them to develop their own sense of rights

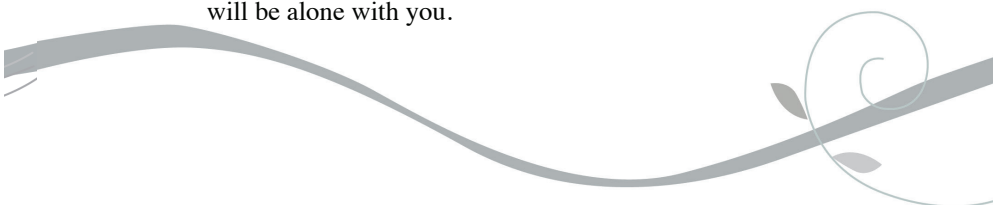


**Priests Agreement Form – 3 of 4****All personnel assigned to or working in the Region of Ireland must never:**

- hit or otherwise physically assault or physically abuse children
- develop relationships with children that could in any way be deemed exploitative or abusive
- act in any way that may be abusive or may place a child at risk of abuse
- use language, make suggestions or offer advice which is inappropriate, offensive or abusive
- do things for a child of a personal nature that they can do themselves
- condone or participate in, behaviour that is illegal, unsafe or abusive
- act in any way that is intended to shame, humiliate, belittle or degrade
- discriminate against, show different treatment or favour particular children to the exclusion of others
- develop sexual relationships with children

**In general, it is inappropriate to:**

- Spend excessive time alone with children away from others
- Take children away/to your own home, especially where they will be alone with you.



## Priests Agreement Form – 4 of 4



☐ I understand my responsibility and duty, as a priest assigned to or working in the Region of Ireland, in working to safeguard children and young people in our Region.

☐ I agree to abide by the Region of Ireland's safeguarding policy, procedures and code of conduct in working with children and young people and will at all times honour and respect their right to safety and protection from harm and abuse.

**If applicable e.g. ministering/working in Diocese, School, Hospital or Organisation:**

☐ I confirm that the external organisation in which I minister has safeguarding policies and procedures in place and I agree that when ministering in this external organisation I will adhere to its policies and procedures.

**Name of Diocese, School, Hospital or Organisation:**

.....

Full name (print): .....

Current Address:.....

.....

.....

Signed: .....

Date: .....

This form will be held in accordance with the data protection regulations. The data entered will be used only for the purpose indicated in the form. It will be accessed only by those authorised to do so.

## Staff Agreement Form



# Missionary Society of St. Columban

## Safeguarding Office Region of Ireland

Dalgan Park, Navan, Co Meath  
Telephone: 087 984 4779 Email: neville.sandra@gmail.com



### AGREEMENT FORM FOR PERSONNEL

#### Declaration

As part of the recruitment process for the post of \_\_\_\_\_

I confirm that I:

- Am aware of the safeguarding policies and procedures;
- Have been given an opportunity to have any questions addressed by a representative of the Region of Ireland, Missionary Society of St. Columban
- Have read and understood the policies and procedures document;
- Will abide by the requirements of the child safeguarding policy and procedures;
- Will attend a safeguarding information session.

Name \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_



This form will be held in accordance with the data protection regulations. The data entered will be used only for the purpose indicated in the form. It will be accessed only by those authorised to do so.

**Accident / Incident Report Form****Missionary Society of St. Columban****Safeguarding Office Region of Ireland**Dalgan Park, Navan, Co Meath  
Telephone: 087 984 4779 Email: neville.sandra@gmail.com**Accident/ Incident Report****Name and role of person completing this form:** \_\_\_\_\_**Signature of person completing this form:** \_\_\_\_\_**Date:** \_\_\_\_\_**Accident / Incident**

<b>Date and time of accident / incident:</b>
<b>Name/s of person/s involved in the accident / incident:</b>
<b>Description of accident / incident:</b>

<b>Witnesses (include contact details):</b>
---

**Reporting of the accident / incident to Safeguarding Officer / Irish Regional Director**

<b>Accident / Incident Reported to:</b>	<b>Date:</b>
<b>How (this form, in person, email, phone):</b>	

**Follow Up Action:**

<b>Description of actions to be taken:</b>
--

This form will be held in accordance with data protection legislation. The data entered will be used only for the purpose indicated on the form. It will be accessed only by those authorised to do so.

Dalgan Park, Navan, Co Meath  
Telephone: 087 984 4779 Email: [neville.sandra@gmail.com](mailto:neville.sandra@gmail.com)



All complaints arising during a Church-related activity (with the exception of complaints about child abuse) should attempt to be resolved by discussion between the parties involved. If this is not possible, this form should be completed and sent to the Regional Director, Missionary Society of St. Columban, Dalgan Park, Navan, Co Meath.

Name \_\_\_\_\_

Address

---

Email \_\_\_\_\_ Telephone number \_\_\_\_\_

Details of complaint (continue on separate sheet if necessary).

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Signature \_\_\_\_\_

Date \_\_\_\_\_

This form will be held in accordance with the data protection regulations. The data entered will be used only for the purpose indicated in the form. It will be accessed only by those authorised to do so.

Hazard Assessment Form



Missionary Society of St. Columban

Safeguarding Office Region of Ireland

Dalgan Park, Navan, Co Meath  
Telephone: 087 984 4779 Email: neville.sandra@gmail.com



HAZARD ASSESSMENT FORM

HAZARD	WHO IS AT RISK?	LIKELIHOOD OF HARM	CONSEQUENCES	CONTROLS NEEDED

Name of Group: \_\_\_\_\_

Date of Hazard Assessment:\_\_\_\_\_

Person completing the Hazard Assessment:\_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_



## Permission Form for Images



### Missionary Society of St. Columban

#### Safeguarding Office Region of Ireland

Dalغان Park, Navan, Co Meath  
Telephone: 087 984 4779 Email: neville.sandra@gmail.com



#### PHOTOGRAPH PERMISSION FORM

(Definition – The term child refers to those under the age of 18 years.)

I \_\_\_\_\_ give permission for the photograph of my child \_\_\_\_\_  
to be published in

*The Far East Magazine*

☐ Yes

☐ No

Missionary Society of St. Columban Website

☐ Yes

☐ No

**Signed (Parent / Guardian):** \_\_\_\_\_

**Print:** \_\_\_\_\_

**Relationship to young person:** \_\_\_\_\_

**Date:** \_\_\_\_\_

#### CONSENT AND PERMISSION

**Consent of parents or legal guardians of children/young people of appropriate age is required if photographs are to be used as part of any publications of the Missionary Society of St Columban.** Consent from other parties i.e. other family relatives or grandparents is not accepted.

The **Data Protection Commission** has advised that photographs constitute 'personal data' and processing of such data is subject to the requirements of the 1998 Data Protection Act. It is therefore recommended that explicit written consent is always obtained from the parent and child where photographs are used, in order to comply with legal requirements laid out in Schedule 3 of the 1998 Data Protection Act. This states that one of the required conditions for processing sensitive data is that the data subject has given his/her consent to the processing of personal data.

The majority of occasions when people take photographs of children and young people are valid and do not provide any cause for concern. Unfortunately there are occasions when this is not the case and these are some of the risks associated with photographing children:

- The collection and passing on of images may be misused
- The identification of individual children to facilitate abuse
- The identification of children in vulnerable circumstances
- A photograph should not allow an unauthorised person to identify a child or their whereabouts.

**For further information please see Safeguarding guidance on our website [www.spms.org](http://www.spms.org)**

This form will be held in accordance with the data protection regulations. The data entered will be used only for the purpose indicated in the form. It will be accessed only by those authorised to do so.

## ACTIVITIES

## Booking Form



## Missionary Society of St. Columban

## Safeguarding Office Region of Ireland

Dalgan Park, Navan, Co Meath  
Telephone: 087 984 4779 Email: neville.sandra@gmail.com



## BOOKING FORM

**Name of School / Group:** \_\_\_\_\_

**Address of School / Group:** \_\_\_\_\_

**Contact Person:** \_\_\_\_\_

**Telephone:** \_\_\_\_\_

**Email:** \_\_\_\_\_

**Date Requested:** \_\_\_\_\_

**Hours of use:**

(1) Commence at \_\_\_\_\_ (am/pm) (2) Finish at \_\_\_\_\_ (am/pm)

**Approximate Number in group:** \_\_\_\_\_

**Registration Form on Arrival****Missionary Society of St. Columban****Safeguarding Office Region of Ireland**

Dalgan Park, Navan, Co Meath  
Telephone: 087 984 4779 Email: neville.sandra@gmail.com

**REGISTRATION FORM ON ARRIVAL**

*(Definition – The term child refers to those under the age of 18 years.)*

**Name of Group/Organisation:** \_\_\_\_\_

**Purpose or proposed activities:** \_\_\_\_\_

**User Group Numbers:**

Children: \_\_\_\_\_

Adults: \_\_\_\_\_

**Name and Contact details of person(s) who will be in charge during use (x2)**

**(1) Name:** \_\_\_\_\_

**(2) Name:** \_\_\_\_\_

**Telephone:** \_\_\_\_\_

**Telephone:** \_\_\_\_\_

**Email:** \_\_\_\_\_

**Email:** \_\_\_\_\_

**Commitment to good practice**

- Do you have a policy statement and procedures on the safeguarding of children and young people?

\_\_\_\_\_

- Do you have a policy for external trips away?

\_\_\_\_\_

**Insurance**

- Do you have appropriate insurance cover for the activity?

\_\_\_\_\_

**To be signed by teacher/leader/coordinator of the school/group**

**Signed:** \_\_\_\_\_

**Print:** \_\_\_\_\_

**Position:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**SOCIETY USE ONLY**

**Form received by:** \_\_\_\_\_ **Date:** \_\_\_\_\_

Comments/Incidents/Review:

This form will be held in accordance with the data protection regulations. The data entered will be used only for the purpose indicated in the form. It will be accessed only by those authorised to do so.

## Use of Society Property Form - 1 of 2



# Missionary Society of St. Columban

## Safeguarding Office Region of Ireland

Dalغان Park, Navan, Co Meath  
Telephone: 087 984 4779 Email: neville.sandra@gmail.com



### USE OF SOCIETY PROPERTY, MISSIONARY SOCIETY OF ST. COLUMBAN

As a Society who provides the use of facilities and services to individuals and groups who work with children, young people (service users) and vulnerable persons, it is our responsibility to ensure that all reasonable steps are taken to safeguard all using our facilities and services.

The obligation to comply with requirements relating to Safeguarding all (including Garda Vetting) rests with the group using the property and not with the Society.

The Missionary Society of St. Columban has clear policies and procedures in relation to safeguarding. Any group/organisation operating under the name/auspice of the Society must comply with the Society requirements.

However we welcome other organisations/groups/individuals within the community to use our facilities. We require detailed information in respect of an application to ensure that the safety and well-being of the service users are maintained.

1. It is the responsibility of any group using the Society property to run activities involving children/vulnerable persons to ensure that they comply with all applicable safeguarding and protection legislation and guidelines.
2. The group should have a safeguarding policy and procedures. The group is also responsible for liaising with TUSLA to ensure that the policy and procedures meet the statutory requirements.
3. The Society should at no stage assist any outside group in developing a safeguarding policy.
4. The Society should have confirmation in writing from the group that they have a safeguarding policy in place. It is not the role of the Society to validate the adequacy of the policy. That is the responsibility of TUSLA.
5. Taking a copy of the group's safeguarding policy does not imply that the Society endorses it. Such endorsement can only be obtained from TUSLA.

***We would ask that you complete the following questionnaire in capital letters, using ink pen and tick response as appropriate. If any response is not applicable (N/A), please provide details of why this does not apply to your organisation.***

Please indicate when additional information is provided in support of your application.  
(Definition – The term child refers to those under the age of 18 years.)

**Name of Group/Organisation:** \_\_\_\_\_

**Purpose or proposed activities:** \_\_\_\_\_

**User Group e.g. children, adults:** \_\_\_\_\_

**Facilities required:** \_\_\_\_\_

**Date of commencement of use:** \_\_\_\_\_

**Date of completion of use:** \_\_\_\_\_

**Frequency of use:** \_\_\_\_\_

**Hours of use:**

(1) Commence at \_\_\_\_\_ (am/pm) (2) Finish at \_\_\_\_\_ (am/pm)

**Use of Society Property Form - 2 of 2****Name and addresses of person(s) who will be in charge during use:**

(1) \_\_\_\_\_

\_\_\_\_\_ Telephone Number: \_\_\_\_\_

(2) \_\_\_\_\_

\_\_\_\_\_ Telephone Number: \_\_\_\_\_

**Commitment to good practice:**

1. Do you have a policy statement and procedures on the safeguarding of all (if applicable)?

Yes ☐No ☐**Insurance:**

2. Do you have appropriate insurance cover for the activity?

Yes ☐No ☐

Name of Insurer: \_\_\_\_\_ Policy Number: \_\_\_\_\_

Period of Cover: From: \_\_\_\_\_ Expiry Date: \_\_\_\_\_

Limit of Indemnity: \_\_\_\_\_

**To be signed by official/coordinator of the organisation/group.**

Signed: \_\_\_\_\_

Print Name: \_\_\_\_\_

Position: \_\_\_\_\_

Date: \_\_\_\_\_

---

**SOCIETY USE ONLY**

Received by: \_\_\_\_\_ Date Received: \_\_\_\_\_

Print Name here: \_\_\_\_\_

This form will be held in accordance with the data protection regulations. The data entered will be used only for the purpose indicated in the form. It will be accessed only by those authorised to do so.

## REPORTING

## Reporting Form TUSLA / NBSCCCI / Gardaí - 1 of 2



An Ghníomhaireacht um  
Leanaí agus an Teaghlach  
Child and Family Agency

FORM NUMBER: CC01:01:01

## STANDARD REPORT FORM

*(For reporting CP&W Concerns)***A. To Principal Social Worker/Designate:** \_\_\_\_\_**1. Date of Report** **2. Details of Child**

Name:	<input type="text"/>	Male	<input type="checkbox"/>	Female	<input type="checkbox"/>
Address:	<input type="text"/>	DOB	<input type="text"/>	Age	<input type="text"/>
		School	<input type="text"/>		
Alias	<input type="text"/>	Correspondence address (if different)	<input type="text"/>		
Telephone	<input type="text"/>	Telephone	<input type="text"/>		

**3. Details of Persons Reporting Concern(s)**

Name:	<input type="text"/>	Telephone No.	<input type="text"/>
Address:	<input type="text"/>	Occupation	<input type="text"/>
		Relationship to client	<input type="text"/>
Reporter wishes to remain anonymous		<input type="checkbox"/>	Reporter discussed with parents/guardians
		<input type="checkbox"/>	<input type="checkbox"/>

**4. Parents Aware of Report**

Are the child's parents/carers aware that this concern is being reported	- Mother	Yes	No
		<input type="checkbox"/>	<input type="checkbox"/>
	- Father	<input type="checkbox"/>	<input type="checkbox"/>
Comment	<input type="text"/>		

**5. Details of Report**

*(Details of concern(s), allegation(s) or incident(s) dates, times, who was present, description of any observed injuries, parent's view(s), child's view(s) if known.)*

## Reporting Form TUSLA / NBSCCCI / Gardaí - 2 of 2



An Ghníomhaireacht um  
Leanaí agus an Teaghlach  
Child and Family Agency

FORM NUMBER: CC01:01:01

## STANDARD REPORT FORM

(For reporting CP&W Concerns)

### 6. Relationships

Details of Mother		Details of Father	
Name:		Name:	
Address: (if different to child)		Address: (if different to child)	
Telephone No's:		Telephone No's:	

### 7. Household composition

Name	Relationship	DOB	Additional Information e.g. School/ Occupation/Other:

### 8. Name and Address of other personnel or agencies involved with this child

	Name	Address
Social Worker		
PHN		
GP		
Hospital		
School		
Gardaí		
Pre-School/Crèche/YG		
Other (specify):		

### 9. Details of person(s) allegedly causing concern in relation to the child

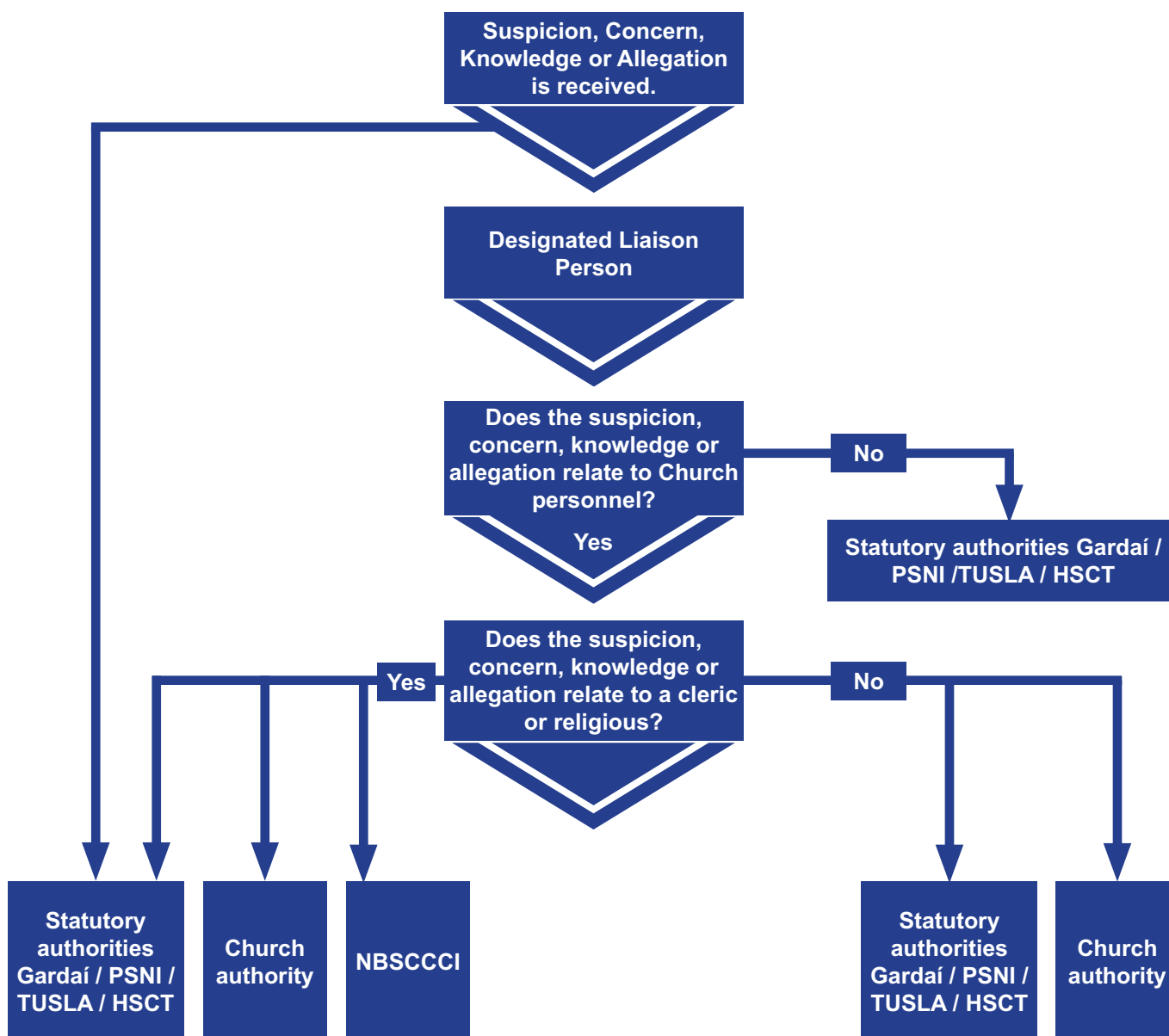
Relationship to child:		Age		Male	<input type="checkbox"/>	Female	<input type="checkbox"/>
Name:			Occupation				
Address:							

### 10. Details of person completing form

Name:		Occupation:	
Address:		Telephone No's:	
Signed		Date:	



## Reporting Flow Chart



## QUALITY ASSURANCE

### Self Audit Form – 1 of 2



## Missionary Society of St. Columban

### Safeguarding Office Region of Ireland

Dalغان Park, Navan, Co Meath  
Telephone: 087 984 4779 Email: neville.sandra@gmail.com

### SAFEGUARDING SELF AUDIT SOCIETY HOUSES, IRELAND



House Leaders are requested to complete this form and return it to the Safeguarding Committee, Region of Ireland, c/o Safeguarding Office, Dalغان Park, Navan by end of December.

The information on these forms will be used as part of the Irish Region Annual Report and also to evaluate current practices.

#### Name and Address of House:

\_\_\_\_\_

House Leader(s): \_\_\_\_\_

For Year Ending: \_\_\_\_\_ Date of Completion: \_\_\_\_\_

The Safeguarding Poster is visible in a prominent place.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
The information on the poster is up-to-date.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Have all residents/staff got a copy of the Society's Safeguarding Policy & Procedures Booklet or access to one?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Have all staff and members attended a safeguarding awareness session? If "No" please list the names of those that wish to attend an awareness session:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Have all members and staff completed a Self Declaration Form?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Where applicable have all the members and staff completed the Garda Vetting process?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Self Audit Form – 2 of 2

OPTIONAL
Suggestions, observations, questions for the Safeguarding Office.

OFFICE USE ONLY	
All Requirements are met	Yes <input type="checkbox"/> No <input type="checkbox"/>
Follow-up	

Received by: \_\_\_\_\_  
Date: \_\_\_\_\_