

Congregation of the Sisters of Mercy



Safeguarding Children Information

Policy, Principles and Guidance Manual

April 2015



At a Congregational Leadership Team (CLT) meeting on 15th April 2015, it was agreed that this Revised Mercy Safeguarding Children Information – Policy, Principles and Guidance Manual be adopted as Policy and is binding for all members of the Congregation of the Sisters of Mercy, their employees and volunteers. This Policy Manual will be reviewed every three years by CLT. It will be reviewed earlier if required. The next scheduled review will be in April 2018.

Date: 15th April 2015

Signed:

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Abbreviations

CLT: Congregational Leadership Team

DLP: Designated Liaison Person

GARDAI: An Garda Síochána (Republic of Ireland)

HSCT: Health and Social Care Trust in Northern Ireland

LSR: Local Safeguarding Representative

NBSCCCI: National Board for Safeguarding our Children in the Catholic Church in Ireland

NCMRG: National Case Management Review Group

NI: Northern Ireland

PLT: Provincial Leadership Team

PSNI: Police Service of Northern Ireland

ROI: Republic of Ireland

TUSLA-CFA: Child and Family Agency

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Introduction: This document is The Safeguarding Children Information - Policy, Principles and Guidance Manual of The Congregation of the Sisters of Mercy, namely The Northern, Southern, South Central and Western Provinces in Ireland and the Kenyan, South African and US Provinces.

Some countries have particular sets of guidelines as set out by the local jurisdictions, which will be implemented along with this Policy. In all countries the Congregational Policy needs to be read and interpreted in conjunction with applicable local laws.

Purpose

The overall framework for this document is taken from The National Board for Safeguarding Children in the Catholic Church in Ireland (NBSCCCI, 2008), is compliant with *Children First ROI, Cooperating to Safeguard Children N.I.* and applies to the four Provinces on the island of Ireland.

Sisters of Mercy are required to adhere to the laws of the jurisdiction in which they reside. The Provinces in Kenya, South Africa and the US along with the communities in Brazil, Nigeria, Peru and Zambia will fulfil the requirements outlined in this document and make adaptations in accordance with their own local jurisdictions and diocesan safeguarding requirements.

The Purpose is:

- To ensure that all children are safe in all relationships with Sisters of Mercy and with all Mercy employees and volunteers.
- To ensure that all Provinces in the Congregation of the Sisters of Mercy have a Safeguarding Policy: (a) on the island of Ireland which accords with Standards and Guidance required by NBSCCCI. (b) overseas with due regard to local laws and Church guidance.
- To ensure that every Mercy Ministry* and Community has in place what is required of them by this Mercy Safeguarding Policy and the NBSCCCI Standards and Guidance Document.
- To direct and guide all Sisters of Mercy, communities and all Mercy employees and volunteers in the safeguarding of children with whom they interact.

*Mercy Ministry

Mercy ministry means the exercise of ministry by a Sister of Mercy and includes individual and group apostolates in which Sisters of Mercy constitute a majority of those exercising governance.

Although the Policy will always inform Congregational safeguarding actions necessitated in relation to Sisters of Mercy, the Policy does not have application to schools, hospitals, companies, parishes and other social services in respect of which National Government and Church authorities have promulgated specific Child Safeguarding Procedures. In the implementation of this Policy careful regard shall be had to ensure conformity with State Law and with existing private contractual provisions.

MERCY SAFEGUARDING POLICY

7 STANDARDS

Standard 1	A written Safeguarding Ethos & Policy Statement
Standard 2	Procedures – how to respond to allegations and suspicions
Standard 3	<ul style="list-style-type: none">• Preventing harm to children• Recruitment and vetting• Code of Behaviour• Running safe activities for children
Standard 4	Training and education
Standard 5	Communicating the Church's Safeguarding message: <ul style="list-style-type: none">• To children• To parents and adults• To other organisations
Standard 6	Access to advice and support
Standard 7	Implementing and monitoring the Standards

Standard 1

Mercy Safeguarding Ethos

&

Policy Statement

Standard 1

Mercy Safeguarding Ethos & Policy Statement

Sisters of Mercy work with people under the age of 18 and have a written Policy on keeping children safe. This is generally known as a Safeguarding Children Policy.

Our Mercy Ethos & Policy Statement

Each child is a gift of God. As Sisters of Mercy our ethos commits us to ensure that the fundamental rights of children are respected. In all circumstances we pledge to create a supportive and caring environment where children are listened to, treated fairly, taken seriously and feel safe.

The Congregation is committed to:

- ◆ best practice to ensure that children are listened to and treated with respect, and have both their rights protected and their welfare promoted
- ◆ minimizing risks in order to safeguard the interests of children
- ◆ ensuring that all Sisters of Mercy and their co-workers are carefully recruited, selected, trained, supported and supervised
- ◆ providing appropriate support for survivors of child abuse
- ◆ providing appropriate training for Sisters of Mercy and co-workers
- ◆ working in partnership with statutory authorities for the prompt, just and professional management of complaints
- ◆ making this safeguarding policy widely known, accessible and understood, and implementing procedures and protocols that contribute to keeping children safe who participate in its Mercy activities
- ◆ providing the necessary resources to ensure it fulfils the above commitments.

Inspired by the life of Jesus and challenged by Catherine McAuley's faithfulness to His example, we Sisters of Mercy commit ourselves to the wholesome development of children in a respectful and life-giving environment. We uphold the safety of the child as paramount and are committed to do all in our power to safeguard the welfare of children to whom we minister or with whom we have significant contact.

The Principles, Standards and Guidelines will keep us focused on the Mercy Safeguarding Children Policy to ensure that all Sisters of Mercy, employees and volunteers respond appropriately to allegations of abuse. These Principles, Standards and Guidelines will act as criteria for regular monitoring.

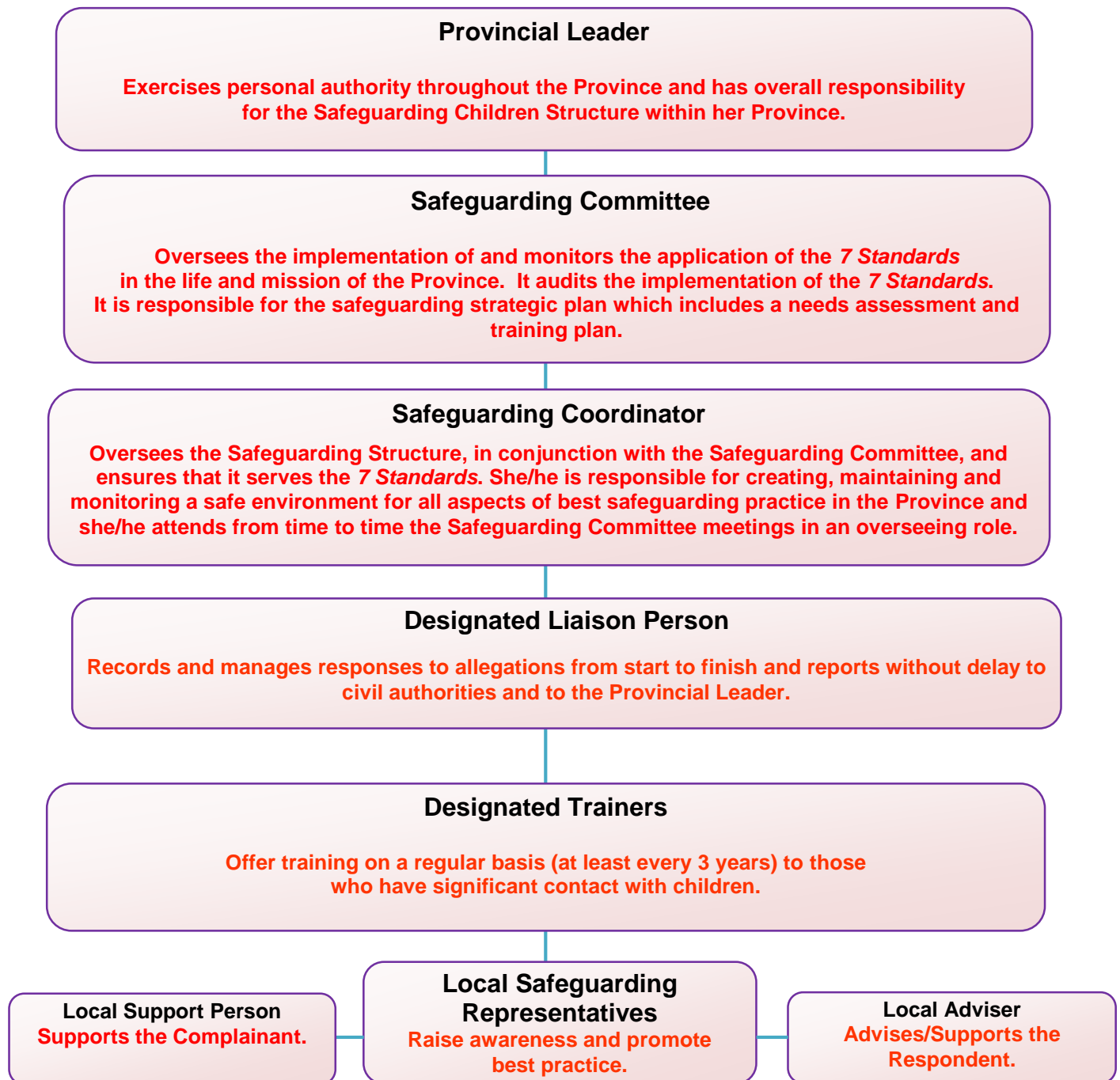
This ethos informs the overall Mercy Safeguarding Children Policy. The Policy has been devised to ensure that the Sisters of Mercy throughout the Congregation (Ireland, South Africa, Kenya, US, Nigeria, Zambia, Peru, Brazil, and other areas where Sisters live and minister) take every possible measure to safeguard children and to prevent abuse in all its forms. It aims to ensure that sisters, employees or volunteers do not engage in behaviour that could allow abuse to occur or in actions that could be misinterpreted by children, their families or other adults as constituting or leading to abuse.

Note:

- The Policy belongs to all Sisters of Mercy of the seven Provinces of the Congregation, employees and volunteers. It informs the **7 Standards** as outlined in page 8 of this document.

The following diagram illustrates the formal structure for *Safeguarding Children* in each Province in the Congregation.

Mercy Safeguarding Children Structure



Notes:

- In Provinces where a Manager is appointed, he/she fulfils the combined roles of the Safeguarding Coordinator and the Designated Liaison Person. See Appendix 1.3 pg. 63
- Each Province must appoint a Deputy Designated Liaison Person who can act in the event that the Designated Liaison Person is not able to deal with a concern/allegation, where there may be a conflict of interest, or where he/she is unavailable due to absence or incapacity.
- In countries where the normal workings of civil authority have broken down or where the police cannot protect children, we take care to report to the local authorities who are best able to protect a child and cause no further harm.

The Provincial Leader exercises personal authority throughout the Province and has overall responsibility to ensure that the *Safeguarding Children* Structure in her Province is effectively achieving the **7 Standards**. She accounts to the Congregational Leader through an Annual Progress Report.

The Safeguarding Committee oversees the implementation of and monitors the application of the **7 Standards** in the life and mission of the Province. It audits the implementation of the **7 Standards**. It is responsible for the safeguarding strategic plan to include a needs assessment and training plan.

The Safeguarding Coordinator in conjunction with the Safeguarding Committee oversees the Safeguarding Structure and ensures that it serves the **7 Standards**. She/he is responsible for creating, maintaining and monitoring a safe environment for all aspects of best Safeguarding Practice in the Province and she/he attends from time to time the Safeguarding Committee meeting in an overseeing role.

The Designated Liaison Person & the Deputy Designated Liaison Person record and manage responses to allegations of abuse from start to finish and report without delay to civil authorities and to the Provincial Leader/delegate.

Manager: In Provinces where a Manager is appointed, he/she fulfils the combined roles of the Safeguarding Coordinator and the Designated Liaison Person.

The Designated Trainers offer training on a regular basis (at least every 3 years) to those who have significant contact with children.

The Local Safeguarding Representatives are responsible for raising awareness and promoting best practice in order to implement the **7 Standards** as outlined in this document. They do this with sisters, employees and volunteers.

The Congregational Leader exercises personal authority in governing the entire Congregation. She leads and guides the Congregation in accordance with universal and proper law. The Provincials are directly accountable to her for the operational 3-year strategic plan including the needs assessment/training plan and the implementation of the **7 Standards**. She and her Team receive an Annual Progress Report from each Province.

The National Case Management Review Group (NCMRG) under the auspices of the **NBSCCCI** is the advisory panel for the four Provinces on the island of Ireland. The purpose of the **NCMRG** is to provide high quality advice to Bishops, Religious Superiors/Provincial Leaders when they are called upon to respond to Safeguarding complaints/suspensions relating to Clergy and Religious. The advice will focus on the management of the investigation and assessment processes and make comment on the “fitness for ministry” of a respondent. The group will also review cases at different times according to the needs of each case.

The **NCMRG** is not available for consultation in relation to concerns regarding employees and volunteers. It is recommended that similar multi-disciplinary advice be available when addressing employee and volunteer complaints.

In countries outside of Ireland where similar advisory panels exist it is recommended that Sisters of Mercy liaise with these services. If such a panel does not exist in these countries it is recommended that the Provincial Leader establishes a panel in service of the Province. The composition of this panel should include the following skill set:

Child Family Professional with Child Safeguarding expertise
Adult Family Member/Parent
Civil Lawyer
Canon Lawyer
Religious Sister/Brother or Priest.

It is important that there is a named Designated Liaison Person in each country where Sisters of Mercy live and minister. In communities outside of Ireland the position of the Designated Liaison Person can be shared with other Congregations/Dioceses. Each Community needs to have a structure in place to receive complaints and to liaise with the Designated Liaison Person.

If you are concerned about a child please report your concern to the Designated Liaison Person/Safeguarding Manager or to the local TUSLA/HSCT, Garda Síochána/PSNI. In countries outside of Ireland report to the relevant Child Protection Services and/or to the local Police. Contact details for the Safeguarding Manager/, Deputy Designated Liaison Person along with the relevant civil authorities listed above should be prominently displayed in every community and place of ministry.

See Appendix 1.1 pg. 55 for Child Safeguarding Contact Details on the island of Ireland.

Due to Data Protection and Confidentiality only those who need to know will be informed of the concern.

See Appendix 1.2 pg. 57 for ***Confidentiality Statement, Data Protection Policy and Consent Form for Sharing Information.***

See Appendix 1.3 pg.63 for Role of Safeguarding Manager

See Appendix 1.4 pg. 67 for ***Sample Form on Acceptance of Safeguarding Policy and Procedures.***

Standard 2

Procedures

Standard 2

The Congregation must provide clear guidance to its Sisters, Employees and Volunteers on what to do when a concern arises in relation to an allegation against a Sister of Mercy, Employee or Volunteer ¹

A. Initial Reception of a Complaint of Abuse

See Appendix 4.2 (pg. 111) for Definitions and Signs and Symptoms of Abuse.

Guidance on Responding to a Child Making an Allegation of Abuse

A child is any person under eighteen years of age.

Remember a child may disclose abuse to you as a trusted adult at any time. It is important that you are aware and prepared for this and know how to respond. Children who are very young or have a disability or communication difficulty may need skilled help to communicate their message. Children whose first language is not English may also need extra help. It is the responsibility of the DLP to interview the child. However if a Sister, employee or volunteer is the first person to receive the complaint it is important to follow the guidance below.

Do

- ◆ Remain calm
- ◆ Listen to the child carefully and in a manner that conveys that s/he is being heard and taken seriously
- ◆ Ask questions only for clarification
- ◆ Reassure the child that s/he has done the right thing in telling you and say what will happen next
- ◆ Explain to the child, in an age-appropriate manner, what you are going to do i.e. pass the information on to the Safeguarding Manager /DLP who will in turn inform the statutory authorities and church authorities if applicable. Limits of confidentiality etc. apply ²
- ◆ Record what the child said without delay after the meeting, using the child's own words as far as possible. Include the name and contact details of the child/young person and his/her parents if possible. Sign and date the written record.

1. When a concern relates to an Employee due regard shall be had to any employment contract and applicable employment laws in the implementation of those parts of the procedures which have applicability. When a concern relates to a Volunteer due regard will be had to any rules of the organisation in which the Volunteer has been active in the implementation of those parts of these procedures which have applicability.

2. Including in Northern Ireland, the requirements of the Criminal Law Act (Northern Ireland) 1967 and the Criminal Justice Act 2006 in the Republic and the Protection for Persons Reporting Child Abuse Act 1998.

- ◆ Contact the Safeguarding Manager/DLP and forward the written record of the meeting with the child/young person.
- ◆ The Safeguarding Manager/DLP will consult with TUSLA/HSCT/relevant child protection agencies about informing his/her parents. It is best practice to inform parents/guardians unless to do so would place the child at further risk
- ◆ Remember: it is not the role of a Sister, employee or volunteer to investigate or decide if abuse has taken place

Do Not

- ◆ Make judgements about the alleged abuser
- ◆ Make promises that you cannot keep or promise to keep this a secret
- ◆ Tell the child stories about other people
- ◆ Tell the child that everything will be fixed straight away
- ◆ Press for details, except to clarify
- ◆ Fill in words or finish sentences for the child
- ◆ Show anger, shock or embarrassment, or give your opinion
- ◆ Leave a child in a dangerous situation.

In an Emergency

Under no circumstances should a child be left in a dangerous situation. If a child is at immediate and serious risk, TUSLA/HSCT should be contacted without delay. If a child is at immediate risk after office hours, contact the Gardaí/PSNI as well as the Safeguarding Manager/Designated Liaison Person.

See Appendix 2.1 pg. 68 for contacts on the island of Ireland.

Guidance on Responding to an Adult Making an Allegation of Abuse

The role of the Designated Liaison Person/Safeguarding Manager is to listen to all safeguarding concerns and pass on those that reach the threshold (i.e. reasonable grounds for concern) to the civil authorities without delay. It is often very difficult for people to talk about abuse so it is important to make sure that a safe environment for 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(s), do so as thoroughly as possible.

People may tell you about:

1. Abuse that is current
2. Abuse that happened some time ago – historical
3. Something they have been told by someone else and that they strongly believe is true

4. Noticing signs of abuse, such as physical injuries on a child
5. Something they have witnessed, which makes them feel uncomfortable.

Where information is given in person, consider the following

- ◆ Be welcoming and supportive. Explain the procedure that any person making an allegation of abuse will be informed at the outset that the matter will be referred to the Safeguarding Manager/Designated Liaison Person and to the civil authorities without delay.
- ◆ Adopt a listening style which 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.
- ◆ Sensitively hear the person's story. Listen carefully to that person, but do not ask intrusive or leading questions. Allow the person to continue at his/her own pace.
- ◆ Explain the procedure and give the name and telephone number for the Safeguarding Manager/Designated Liaison Person, TUSLA/HSCT or equivalent and An Garda Síochána/PSNI/local Police. (See page 44/45: Access to Advice and Support for contact numbers in Ireland).
- ◆ Stay calm, take what the person raising the concern says seriously and reassure him/her.
- ◆ Do not pass on the phone call or message to another sister or lay person other than the Safeguarding Manager/Designated Liaison Person, TUSLA/HSCT or equivalent and An Garda Síochána/PSNI/local Police. Do not question the person or seek to investigate any detail of the allegation.
- ◆ Be mindful of the rights of all involved - the person making the allegation and the respondent.
- ◆ Make no promises that cannot be kept, particularly in relation to confidentiality.
- ◆ Check with the person to make sure that you have understood what they actually said. Do not suggest words but use the person's own words.
- ◆ Record the name of the person who called, the date on which the call was received. Inform the Safeguarding Manager/Designated Liaison Person without delay and give a written account to the Safeguarding Manager/Designated Liaison Person as soon as possible. (See Appendix 2.2, pg. 69 for Child Protection Recording Form).
- ◆ It is essential that the person making the complaint be given the contact details of the Safeguarding Manager/Designated Liaison Person, TUSLA/HSCT/Civil Child Protection Services and An Garda Síochána/PSNI/local Police as soon as possible. In all jurisdictions it is essential to follow civil law.

B) How a complaint is dealt with

The person receiving the complaint refers it directly to the Safeguarding Manager/ Designated Liaison Person in the Province. The complainant is also advised to report the matter directly to the local civil authorities and is given the contact details.

The Safeguarding Manager/Designated Liaison Person, along with another person (possibly the support person) will:

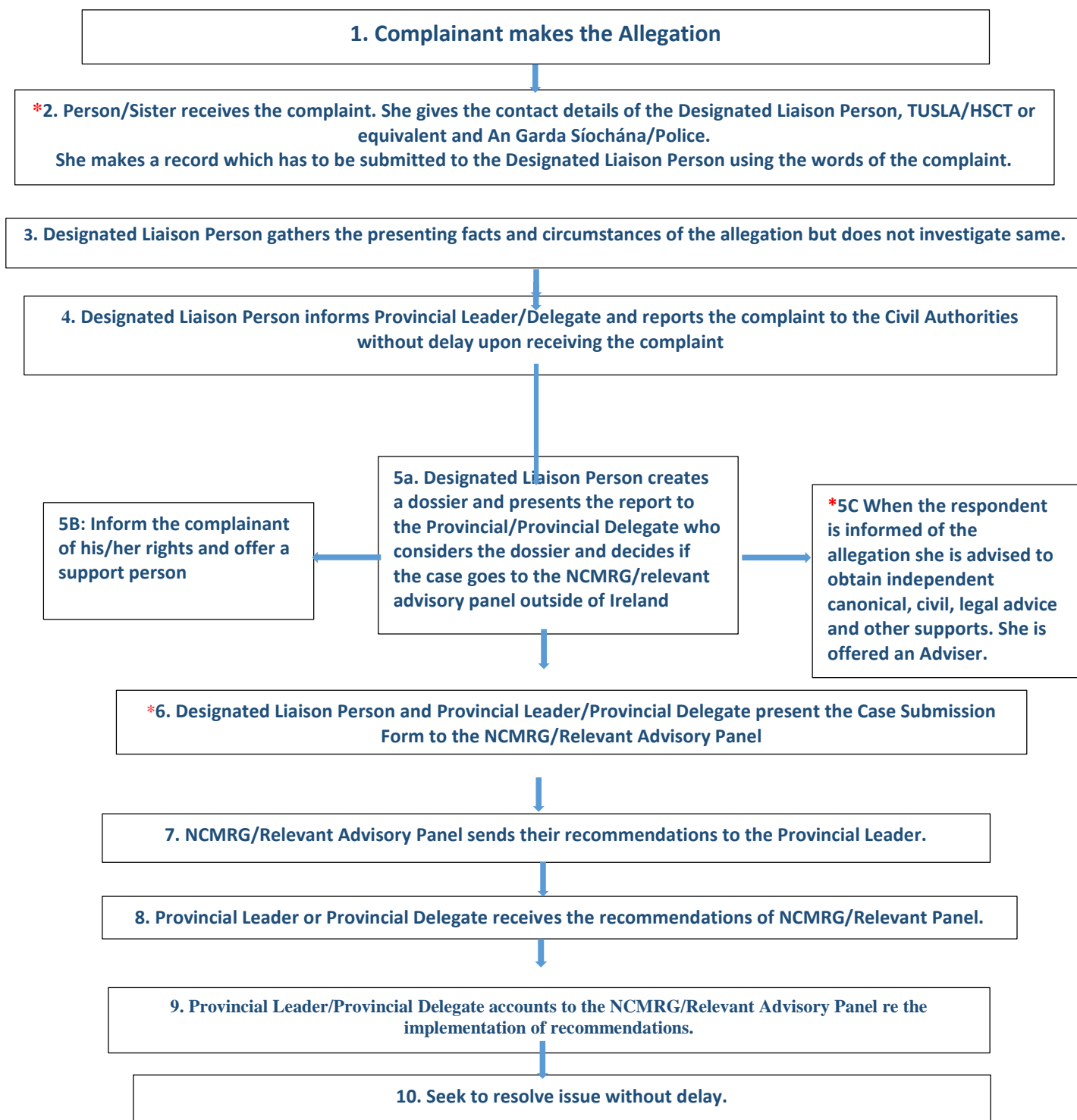
- ◇ receive information from the person making the allegation (complainant). see appendix 2.2 pg. 69 resource 16 (NBSCCCI) – Child protection recording form
- ◇ inform the complainant of his/her rights and offer a support person
- ◇ the Safeguarding Manager/Designated Liaison Person will inform the Provincial Leader and civil authorities without delay after an allegation of abuse is received
- ◇ inform the NBSCCCI (Ireland) that an allegation has been received and that it has been referred to the civil authorities
- ◇ along with the Provincial Leader, put the allegation to the respondent and offer an adviser³
- ◇ the respondent may be asked to step aside from ministry as a precautionary measure for the duration of the investigation. When an allegation cannot be substantiated or when there may be some concern regarding the truth of the allegation, the sister is made subject to a supervised contract. A contract typically requires, among other things, that the sister refrains from having any unsupervised contact with children.
- ◇ prepare a dossier for the NCMRG/relevant panel to consider. (identities of respondents are included)
- ◇ present dossier for the NCMRG/relevant panel meeting
- ◇ the Provincial Leader and Safeguarding Manager/Designated Liaison Person attend the NCMRG meeting and continue to liaise with the NBSCCCI until the case is resolved.

Note:

It is important that there is a named Designated Liaison Person in each country where Sisters of Mercy live and minister. In communities outside of Ireland the position of the Designated Liaison Person can be shared with other Congregations/Dioceses.

3 It is recommended that the Designated Liaison Person consults with the Civil Authorities regarding the timing of any interview with the respondent regarding the complaint. The Church enquiry is initiated and then suspended pending the outcome of any Civil Investigation.

Diagram of how a Complaint is dealt with



Note to 2. The complainant is given the contact details and advised to make direct contact with TUSLA/HSCT or equivalent, An Garda Síochána/PSNI/local Police as well as encouraged to contact the Safeguarding Manager/Designated Liaison Person

Note to 5C. During both the civil investigation and the Church enquiry it may be necessary to restrict a respondent's exercise of her/his ministry/office. The Provincial Leader may request the respondent to withdraw from a particular ministry/office during the course of any civil or canonical investigation.

Note to 6. In Ireland a Case Submission Form is available from the NCMRG.

Whistle Blowing Guidelines

Whistle blowing is a term used to describe the action of someone who reveals/discloses wrongdoing within an organisation to the public or to those in positions of authority. It enables the person to report concerns in a way that will not be seen as disloyal to their settings and to their colleagues.

Sisters, employees and volunteers are expected and encouraged to voice any concerns about activities involving children and young people to the appropriate persons i.e. Local Safeguarding Representatives, Designated Liaison Persons, Safeguarding Coordinators and Safeguarding Managers. All people have the right to raise concerns about perceived unacceptable practice or behaviour. All concerns will be treated as far as possible in the strictest confidence and every effort will be made not to reveal the identity of the whistle blower, if requested. However if the concerns require further action, the whistle blower may at some future date have to act as a witness and/or provide evidence.

Whistle blowing can be difficult and stressful. You may be the first to recognise that something is wrong but 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 someone to safeguard their welfare.

How to Raise a Concern

- ◆ You should voice your concerns, suspicions or uneasiness as early as possible. The earlier a concern is expressed the easier and sooner action can be taken.
- ◆ Try to pinpoint exactly what practice is causing concern and why.
- ◆ Approach your immediate religious leader/supervisor/manager.
- ◆ If your concern is about your immediate religious leader/supervisor/manager then contact the Safeguarding Manager/ Designated Liaison Person /National Office for Safeguarding Children in the Catholic Church (Ireland)/relevant board outside of Ireland. Make sure you get a satisfactory response.
- ◆ Ideally, you should put your concerns in writing, outlining the background and history, giving names, dates and places wherever you can.
- ◆ Sisters/employees/volunteers are not expected to prove the truth of an allegation but will need to demonstrate sufficient grounds for the concern.

Next Steps

- ◆ Information should be given to the whistle blower on the nature and progress of any enquiries.
- ◆ The immediate religious leader/supervisor/person in charge has a responsibility to protect the whistle blower, as far as reasonably possible, from harassment or victimisation.
- ◆ No action will be taken against the whistle blower if the concern proves to be unfounded and was raised in good faith. In Ireland this is in line with the PROTECTION FOR PERSON REPORTING CHILD ABUSE ACT, 1998 and PROTECTIVE DISCLOSURE ACT 2014.
- ◆ Malicious allegations will be considered as a serious disciplinary offence.

Guidance for a Complainant Who Is Dissatisfied With the Way the Province Has Dealt With a Concern

At Provincial level every avenue will be explored to deal with a complainant's concerns. If you are unhappy with the way the Province dealt with your concerns you can ask for an independent review. You cannot ask for the matter to be reinvestigated but you can ask for the process (i.e. how it was dealt with) to be reviewed.

You should write to the NBSCCCI (Ireland)/relevant panels outside of Ireland, setting out the reason why you are unhappy with the process. If you have any difficulty doing this, please contact the NBSCCCI (Ireland)/Relevant Panels outside of Ireland to discuss other ways they may be able to help you to ask for a review.

Appendix 2.4 pg. 74 sets out the Complaints Procedure.

Guidance on Leave and Restriction from Ministry

Procedures for managing concerns, suspicions and allegations are set out in Resources 2 and 15 in the NBSCCCI *Safeguarding Children Standards and Guidance Document of the Catholic Church in Ireland* (see pg. 136 ff. & pg.139ff). The Provincial Leader should advise the NBSCCCI/relevant body outside of Ireland of the following:

- ◆ that an allegation has been received
- ◆ that it has been referred to the statutory authorities
- ◆ that a Church enquiry will begin.

A Church enquiry is initiated and then suspended pending the outcome of the civil investigation. No church investigation should interfere with the civil enquiries which take precedence at this stage. The respondent will be offered an adviser who will encourage her to obtain advice from both civil and canon lawyers.

The Provincial Leader possesses all the necessary powers to take measures to promote and ensure the safety and welfare of children. During both a civil investigation and a church enquiry, it may be necessary to restrict the respondent's exercise of her office, ministry and apostolate. A respondent may be asked to withdraw from a particular office during the course of the civil as well as church investigation.

There are two factors which will determine the Provincial Leader's actions in this regard:

- ◆ the credibility of the allegation received
- ◆ an assessment of the potential risk to children.

Each case will have to be considered on its own merits. Advice can be sought from the National Case Management Reference Group of the NBSCCCI or relevant body outside of Ireland. This advice should specifically include an assessment of the credibility of the allegation and the potential risk arising as a consequence. Where there are ongoing concerns and/or identified risks a contract (or covenant of care) with the respondent will be drawn up. This should include restrictions to the respondent's ministry and should be reviewed as appropriate.

While the matter is pending the respondent is presumed innocent and has the right to her good name. Respondents who are asked to withdraw from ministry/community shall be provided with an appropriate place to live and where possible given a suitable activity.

Standard 3

Prevention

Standard 3

Prevention

As a Congregation we are committed to transparency and openness at all times. We continue to develop a culture of safety that minimises risks to children. In order to safeguard children, the Congregation has adopted procedures, codes of behaviour for adults and children and a recruitment and selection procedure for all personnel in order to operate safe activities for children and young people.

A. Safe Recruitment

We value and rely heavily on time and commitment given by our Sisters, employees and volunteers to participate in our Mercy mission. Safe recruitment also includes the admission and incorporation of new members to the Mercy Congregation. All positions of employment require safe practice at every stage of the recruitment process in order to promote the welfare of children. Safe recruitment requires a consistent and thorough process of obtaining, collating, analysing, and evaluating information from and about applicants. New members are to be given training in child safeguarding/protection and may not work with children until they have been inducted and trained as outlined in Standard 4.

We will ensure good recruitment procedures by:

Safe Recruitment and Selection Checklist

In recruiting new members/employees/volunteers the following is a list of requirements:

- ◆ Define the role/job description (make reference to working with and having responsibility for children).
- ◆ What contact with children will the job involve – supervised/unsupervised?
Other forms of contact – e.g. telephone, e-mail, letter, internet
- ◆ Desirable qualifications and skills
- ◆ Written Application Forms (See Sample Volunteer Application Form Appendix 3.1 pg. 75)
- ◆ Interview
- ◆ Declaration (See Declaration Form Appendix 3.2 pg. 77)
- ◆ Vetting Procedures (See Appendix 3.3 pg. 78)
- ◆ Confidential Reference Check (See Appendix 3.4 pg. 81)

- ◆ Identification
- ◆ Induction, Training and Probation
- ◆ Supervision of staff is a key element of best practice
- ◆ Annual Staff appraisals.

RESOURCE 3 in the Appendix 3.5 pg. 82 sets out a checklist for recruitment and selection of employees and volunteers.

RESOURCE 5 in Appendix 3.6 pg. 85 sets out examples of child safeguarding questions to ask during the recruitment process.

APPENDIX 3.7 pg. 86 outlines the Selection and Formation of Candidates including Psychological Testing.

APPENDIX 3.8 pg. 89 sets out Guidance on the Movement/Transfer of Sisters in Ministry or Visitors on Extended Stay Periods.

B. Codes of Behaviour

A code of behaviour is a clear and concise guide of what is and is not acceptable behaviour and practice. It is important that everyone is clear about what is and is not acceptable behaviour when working with children. This code of behaviour is to be displayed in each community/house and in places of Mercy Ministry.

Mercy Code of Behaviour

The effective implementation of this policy requires commitment by all Sisters of Mercy, employees and volunteers to our code of behaviour.

The code of behaviour must be signed by each person as an indication of her/his commitment to fully enact it in her/his work with children.

The Code of Behaviour requires all to:

- ◆ treat children with respect and courtesy
- ◆ respect the boundary of physical and emotional space that others require, using touch in a prudent and responsible way. Touch should only ever be in response to the child's needs and never in an intrusive or sexualized way
- ◆ help children to develop their own sense of their rights as well as helping them to know what they can do if they feel that there is a problem
- ◆ never develop overfamiliar relationships or create over dependency in relating to children
- ◆ be visible to other adults when working with children
- ◆ never stay in the same room alone with a minor
- ◆ avoid travelling alone with a minor
- ◆ ensure whenever possible that another adult is present or close by when providing pastoral ministry to a minor
- ◆ challenge and report potential abusive behaviour
- ◆ develop a culture that enables children to talk openly about their contact with staff or others
- ◆ do not use inappropriate communication with children through the internet, e-mail, text messages or otherwise
- ◆ never condone or participate in behaviour of children which is illegal, unsafe or abusive

- ◇ never develop relationships with children that could be deemed to be exploitative or abusive
- ◇ ensure that permission of parents/guardians is given when taking photographs and making videos or other recordings of children in the course of ministry to them
- ◇ do not engage in any of the following behaviours – striking, slapping, physical or sexual or emotional abuse of any kind including provocative language
- ◇ never act in a way that is intended to shame, belittle, intimidate or degrade
- ◇ never provide alcohol or any drug substance to a minor
- ◇ never provide medication to a minor, this is the responsibility of the parent/guardian.

See Appendix 3.9 pg. 90 Sample Agreement Form: Mercy Code of Behaviour

Code of Conduct for Children and Young People

At the outset, when involved in activities with children and young people, a specific code of conduct will be drawn up. This will be done in direct consultation with the children and young people. It is important that each group of children and young people directly contributes to the formation of their code of conduct.

The Following Is A Sample Code Of Conduct For Children Relating To Children:

be fair,
 don't cheat or lie,
 be nice to others,
 talk to the person in charge if you have a problem,
 be careful of the property of others,
 don't bring anything that might cause harm to yourself and others
 during group activities mobile phones will be switched off.

All participating children and young people must sign and adhere to the agreed Code.

The Following Points are applied as a Minimum Standard:

- ◇ Children and young people will be aware that leaders also have a Code of Conduct
- ◇ Children and young people will respect the fact that leaders will not work alone with children and young people
- ◇ Children and young people will treat each other and their leaders with courtesy, respect and dignity
- ◇ Children and young people will not be permitted to consume alcohol or use illicit drugs while participating in Mercy-related activities
- ◇ Inappropriate language or sexually suggestive comments by children or young people will not be permitted
- ◇ Physical contact between children and young people will be of an appropriate nature at all times.

Guidelines for Dealing with Challenging Behaviour

Many children and young people are dealing with complex issues which can lead them to act out negative behaviour that is challenging for leaders and for other children/ young people around them. Issues like separation, bereavement, bullying, discriminatory behaviours, eating disorders and addiction can have a huge impact on children and young people's self-esteem. We must be sensitive to their needs and remember that safeguarding is much broader than recognising, responding and reporting abuse. It is about ensuring that children have the help and support they need to be safe.

As leaders dealing with challenging or unacceptable behaviour we should remember that the welfare of the child is of paramount importance. In order to ensure the safeguarding of children the following are guidelines for sisters, employees and volunteers:

- ◆ Agree clear behavioural standards and consequences for their breach in advance.
- ◆ Try to defuse situations before they escalate, emphasising safety as the concern.
- ◆ Focus on and affirm appropriate behaviour.
- ◆ Try to help the child/young person who is having a behaviour difficulty to name the feelings; attempt to find out what the problem is and work towards finding a solution.
- ◆ Talk to the child, in his/her own language, about choosing good behaviour, and make the child aware of the different consequences following choices made. Inform the child that she/he will be asked to leave the activity if the behaviour continues to be inappropriate. If necessary take the child to one side in order to discuss the problem and work together towards finding a solution. Re-integrate the child positively into the activity as soon as possible.
- ◆ In cases of extreme behavioural difficulties which pose a threat to the child, staff or other children/young people, take the child to one side and contact the parents immediately.
- ◆ Dealing with children's challenging/unacceptable behaviour should never involve physical punishment or any form of degrading or humiliating treatment.
- ◆ Record and report any incident of extreme behavioural difficulty to the leader of the activity.
- ◆ Parents/guardians should always be informed of any behavioural issues.

C. Safe Activities

The welfare of children and young people must be given paramount consideration. In both Mercy communities and Mercy ministries there are clear guidelines for sisters, employees and volunteers on what to do to keep children safe. In Mercy ministries where there is direct contact with children, all possible steps are taken to keep children safe while involving them in activities. All possible measures are taken to prevent unsuitable people working with children. While applying the Selection Checklist, RESOURCE 3, (NBSCCCI pg. 82) the following items must be included:

- Written application, interview, identification, qualifications, references, vetting procedure and record keeping. (see Appendices 3.1, 3.3, 3.4, 3.5, 3.6 pg. 75-85)
- Declaration Form for all persons working as employees or volunteers with children and young people. (See Appendix 3.2, pg. 77).

Guidelines relating to Children's Activities

- ◇ Employees are appointed after proper recruitment procedures.
- ◇ Employees are fully aware of their roles and responsibilities.
- ◇ Leaders should be aware of children's relevant medical problems including allergies.
- ◇ Leaders working with a mixed group must be drawn from both genders.
- ◇ There is a clearly designated group leader for all activities.
- ◇ Parents/guardians complete a consent form including relevant medical details, any special needs and emergency contact numbers.
- ◇ Risk assessment must be carried out for all physical activities and written permission from parents/guardians must be sought.
- ◇ Children wishing to join a children's activity complete an application form.
- ◇ Accident and incident report forms are kept on the premises and stored securely.
- ◇ Health and safety policies are adopted.
- ◇ Children's attendance at each activity is recorded.
- ◇ Personal data on children is confidential and is to be stored securely.
- ◇ Activities must be planned and managed in a safe environment.
- ◇ An initial safety check for hazards should be done on each occasion before premises are used.
- ◇ Games and icebreakers should be structured to take into consideration the risk of physical injury and personal space issues.
- ◇ Adults must ensure proper safety standards with extra insurance cover for occasional activities e.g. bouncy castles.
- ◇ Areas where maintenance work is being carried out should never be used for activities with children.
- ◇ All medicines are to be stored securely.
- ◇ Non-prescription medication, topical creams, lotions or adhesive dressings may only be administered to a child with parental/guardian consent.

- ◆ Prescribed medication may only be administered to a child with the written consent of a doctor and strictly following a medication schedule. The medication given should be checked by two adults and recorded.

Supervision

Children are less likely to experience accidents or other harm if they are supervised properly. Activities should be organised so that they maximise participation, fun and learning, but they must also be safe. It is important to ensure that:

- ◆ Children are never left unattended
- ◆ When boys and girls are present, adequate numbers of workers of both sexes are available to supervise their activities.

Recommended (not statutory) ratio of adults per number of children:

0-2 yrs.	2-3 yrs.	3-7 yrs.	8 yrs. and over
1 staff to 3 children	1 staff to 4 children	1 staff to 8 children (6 children for outdoor activities)	2 staff to 20 children (15 children for outdoor activities)

- ◆ There should be one additional staff member for every 10 children.

Guidelines for those who have responsibility for transporting children/young people

- ◆ Except in cases of emergency a driver will never transport a child alone, and informs someone immediately if he/she does so.
- ◆ Vehicles must be road worthy, taxed and insured.
- ◆ Drivers must hold a full licence and must be fit to drive safely.

If the activities involve staying away from home overnight, the following conditions are essential:

- ◆ Safe methods of transport
- ◆ Adequate insurance to cover all aspects of the trip
- ◆ Written parental/guardian consent for each individual trip - this should include emergency contact details, permission for treatment in the case of emergency and other pertinent information in relation to the child such as allergies, medical problems and special needs
- ◆ Appropriate and well supervised sleeping arrangements
- ◆ Respect for the privacy of children and young people in dormitories, changing rooms and toilets.

Health and Safety Statement

Every Mercy premises has a Health and Safety Statement which is drawn up by the management of each premises (See Appendix 3.10 pg. 91 for sample). While this sample statement refers mainly to employers and employees it is also applicable to our volunteers and to all activities relating to safeguarding children. Where children are engaged in new activities the Health and Safety Statement should be reviewed to ensure that the particular activity is covered. Where children are engaged in once-off activities or away on trips a written plan will be drawn up. The elements outlined above in the section on safe activities in Standard 3 are to be included.

See Appendices for the following:

Youth Ministry Risk Assessment Form (See Appendix 3.11 pg. 99)

Residential Consent Form and Code of Behaviour (See Appendix 3.12 pg. 100)

Parental Consent Form for Persons under 18 years (See Appendix 3.13 pg. 101)

Residential Consent Form for Persons under 18 years old (See Appendix 3.14 pg. 102)

Sample Form – Renting/Leasing property of Mercy Sisters (See Appendix 3.15 pg. 103)

Guidelines for Personal and Intimate Care of Children

The purpose of these guidelines is to support individuals who require assistance with their personal/intimate care needs. It will provide employees/volunteers with guidance on the provision of such care.

All young people involved in activities and programmes run by the Sisters of Mercy will be supported to manage their own personal care. However, in circumstances where this is not possible, Sisters, volunteers and employees will provide support in line with a person-centred approach and following best practice for child safeguarding. All personal care assistance will be in line with other policies of the Sisters of Mercy. Personal care is defined as any care task (toileting, personal hygiene, dressing, etc.) of an intimate nature which the person is unable to undertake for himself/herself or needs some support/supervision in completing.

These guidelines apply to Sisters, staff and volunteers who may on occasion be involved in the provision or support of personal care to children.

See Appendix 3.15 pg. 103 for Guidelines on Personal and Intimate Care of Children to include children with disabilities.

Photography/IT Guidelines for Safeguarding Children

These guidelines apply to all Mercy ministries and are underpinned by the Data Protection Act 1988, amended 2003.

Guidelines for Photography

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 also occasions when this is not the case.

Some of the risks associated with photographing children are:

- ◆ the collection and passing on of images which may be misused
- ◆ the identification of individual children can facilitate abuse
- ◆ the identification of children in vulnerable circumstances may be facilitated

THERE ARE SEVEN MAIN POINTS WHICH SHOULD BE ADDRESSED

1. Consent and Permission

The written consent of parents/guardians/carers (and children/young people of appropriate age) should be sought before any photographs are taken. An organisation may seek overall consent from its members for photography; however the guidelines should be clear about the reason and purpose for that decision. There should be explicit consent to display photographs of Mercy ministry events.

2. Reason and Purpose

Photographs should only be taken by an authorised person who has a valid suitable reason related to the child or organisation.

3. Appropriateness of Images

No images of children are to be taken which capture them in what are commonly understood as non-public activities like toileting or changing clothes, or which show body parts not usually visible in public settings. Children should be fully clothed. Images involving groups should be about that activity, not the individual child.

4. Identification of Children

A photograph should not allow an unauthorised person to identify a child or the child's whereabouts. If a photograph is being used the full name of the child should not be given. Children in vulnerable circumstances, e.g. those in care should not be photographed at all unless there is clear consent from their legal guardian.

5. Photography for Public Display

The leader can decide whether publicity photographs will be allowed during activities or at a function and will inform the press of their decision in advance. It is worth noting that it is not illegal to take photographs at a public event even if asked not to do so but if the event is private the policy of the organiser will be upheld. Photographs of children taking part in activities should seek to include groups of children; they must not show children in breach of rules or behaving in a reckless or dangerous fashion. Images should never be stored in personal computers.

6. Use of Mobile Phones

Mobile phones should only be used to take photographs with the permission of the person being photographed. Those hosting events should take particular notice of this.

7. Making Video Recordings

All Mercy ministries have a duty of care to ensure that children and young people remain unidentifiable if images are shown on a website, thereby reducing the risk of inappropriate contact from outside. It is essential to get informed written parent/guardian permission before embarking on any digital project. If the names of children and young people are used in the credits, use only their first names and do not link individuals to specific roles.

Guidelines on Use of Technology when Working with Children

The Following Guidelines are recommended:

- ◆ When responsible for the supervision and safety of young people, Mercy personnel should not use mobile phones for social or business purposes unless in case of emergency. To do so in front of children would be considered both unsafe and inappropriate conduct. Anything which compromises the ability to maintain a safe environment and give full attention to the supervision of children should be actively discouraged.
- ◆ Most mobile phones have a facility to take photographs and videos which can be immediately uploaded onto the web or social networking sites without permission. Therefore, group leaders should discourage the use of mobile phones during activities. The group may wish to produce a mobile phone code of conduct to ensure safe usage.
- ◆ Mobile phones with photographic and video facilities are not to be used in changing facilities or residential accommodation.
- ◆ Contacting children by phone, text or e-mail should never be undertaken without copying to a parent or guardian. Additional communication should be directed to the child's parent/guardian.
- ◆ There are situations when access to a mobile phone will make a positive contribution to the safety and welfare of children, particularly when an emergency occurs.

Acceptable Internet Use Guidelines

Use of the internet by Mercy personnel to promote, inform and educate is encouraged where such use supports the ethos of the Congregation.

It is the responsibility of personnel using the internet to ensure that they and children in their care:

- ◆ comply with current legislation
- ◆ use the internet in an acceptable way.

It is recognised that many young people communicate through social networking sites and personal e-mails. This method of communication is generally not shared with parents/guardians. It is therefore the responsibility of the group leader/organiser to ensure that any information shared with a child through a social networking relationship or through e-mail is shared with parents. Advice in this area can be sought from the safeguarding personnel in the Provinces.

The following are some guidelines:

- ◆ All e-mails sent to and received from children to be retained and archived.
- ◆ Young people only to be contacted by group e-mail which should also be forwarded to parents/guardians.
- ◆ It is the right of each individual to decide who has access to his/her e-mail address. All e-mail providers offer a bcc function which allows the sender to send an e-mail to many people without revealing the addresses of the other people receiving the e-mail. In order to ensure the privacy of children and parents/guardians, individual addresses from group e-mails should be sent using the bcc box.
- ◆ Group e-mails should give individuals the opportunity to have their contact details removed from the list by including a statement such as: “if you wish to be removed from this e-mail list please contact the leader”.

If a group uses the internet or emailing as part of its activities, the group leader will ensure that each leader and young person is aware of what is acceptable and unacceptable usage, using the above points as a guide. The area of cyber bullying will also be addressed in drawing up and implementing an anti-bullying policy.

Safeguarding Children Resources

Resources to Support the Development of a Culture of Safety - Further help and guidance about online safety is available from the following:

For adults - Child exploitation and online protection centre (CEOP)

- www.ispai.ie; www.copine.ie; www.ceop.gov.uk; www.childline.org;

For information on Cyber- Bullying www.bullying.co.uk/schools/cyberbullying;

For children - Child exploitation and online protection centre (CEOP)

www.thinkuknow.co.uk

Mercy Anti-Bullying Guidelines is set out in Appendix 3.17 pg. 108

Raising Awareness re Safe Activities

The role of the Local Safeguarding Representative is to promote a culture of safety among Mercy Sisters, employees and volunteers. They work alongside other child safeguarding personnel. This is done by:

- ◆ raising awareness of what safeguarding is
- ◆ disseminating information on safeguarding children *Congregation of the Sisters of Mercy Safeguarding Children Information - Policy, Principles and Guidance Manual*, and circulating information widely to sisters, employees and volunteers
- ◆ gathering information through the Safeguarding feedback checklist for Mercy communities (see pg.51)
- ◆ supporting and facilitating Sisters, employees and volunteers who are engaged in Mercy ministries with children to ensure that activities are provided in a manner which protects the safety and the well-being of the children involved (e.g. appropriate level of supervision is in place for the activity and that insurance has been provided).
- ◆ ensuring that the contact details of the Safeguarding Manager, Designated Liaison Person, TUSLA/HSCT, Garda Síochána/PSNI/local police are widely publicised.

The Local Safeguarding Representatives are provided with induction, support and regular training by trainers accredited by the NBSCCCI.

Standard 4

Training and Education

Standard 4

Training and Education

There are opportunities for all Mercy personnel to develop and maintain the necessary attitudes, skills and knowledge to keep children safe.

Training Needs Assessment and Training Plan

Caring for children to the highest possible standards requires initial and ongoing training. The Safeguarding Committee along with the Safeguarding Manager/Coordinator will carry out a training needs assessment and create a training plan as part of the 3-year strategic safeguarding plan. Sisters, employees and volunteers who have direct contact with children will receive training in *The Congregation of the Sisters of Mercy Safeguarding Children Information Policy, Principles and Guidance Manual*.

See Appendix 4.1 pg. 110 for Training Needs Template.

Training Programme

Training will focus on attitudes deemed to be consistent with our Mercy Ethos and Values. From this reference place, opportunities for skill development and up-to-date knowledge about the individual's role in child protection are provided according to need. This will include clear information on how to respond to suspicions and allegations of child abuse, the seven standards of NBSCCCI, definitions of abuse, signs and symptoms associated with abuse, available support structures etc. See Appendix 4.2 pg. 111 Definitions of Abuse Recognising Signs and Symptoms.

Those who hold specific safeguarding roles and additional responsibilities for child protection, participate in specific training programmes approved by the NBSCCCI or a similar recognised body in the country where Sisters are domiciled. All other training programmes must be approved by the Provincial Leader, Safeguarding Manager/ Safeguarding Co-ordinator. The *Congregation of the Sisters of Mercy Safeguarding Children Information Policy, Principles and Guidance Manual* is kept very much to the fore at all times.

Through its recruitment and vetting procedures, individual provinces are responsible for ensuring that their staff members are competent and confident in carrying out their responsibilities for safeguarding and promoting children's welfare.

Safeguarding Induction

All Sisters/employees/volunteers are to receive induction, training and support in safeguarding children.

The Programme of Induction includes:

- ◇ definition of the various forms of abuse
- ◇ recognising the signs and symptoms of abuse
- ◇ the different ways in which children and young people can be harmed by adults, other children and young people, or through the internet
- ◇ an introduction to the Congregation's Safeguarding Policies and Procedures
- ◇ education on whistleblowing
- ◇ a copy of the User Friendly Guide will be given to each individual and each will be required to sign that he/she has received and understood and will comply with its contents
- ◇ information in respect of the Province Safeguarding Manager/Designated Liaison Person and Deputy including an explanation of their roles and contact details
- ◇ a full explanation of the standard of conduct and behaviour expected
- ◇ indication of the requirement that one participates in safeguarding training (at the earliest opportunity) at a level appropriate to the employee's contact with children.

The Sisters/Employees/Volunteers are required to:

- ◇ understand their duty to report the unsafe practice of others, and what to do if they receive an allegation of abuse made against a person who works with children
- ◇ know when, how and where to refer a concern they have about child safeguarding

Sisters/Employees/Volunteers that have direct contact with children are required to:

- ◇ Complete a signed and dated Form on Mercy Policy Induction Training as set out in Appendix 4.3 pg. 116 (see Sample Form).

Standard 5

Communication

Standard 5 Communication

Communicating our *Safeguarding Children* message to Sisters, employees, volunteers and external agencies is crucial to the effective implementation of our procedures to keep children safe.

Safeguarding Communication

The Sisters of Mercy are committed to welcoming, cherishing and protecting children in a manner consistent with their central place in the life of the Church. We recognise that policies and procedures are only effective if everyone, including children and young people, understand their purpose and know how to use them. Therefore, the Sisters of Mercy are committed to ensuring that all communication in relation to the safeguarding of children is open and transparent.

The Sisters of Mercy will endeavor to ensure that the message about the importance of safeguarding standards and the availability of appropriate guidance is communicated to as many people as possible. Communication will be directed in particular ways to staff working at Congregational and Provincial levels, volunteers, parents, children and young people. Communication is a two-way process, so listening to suggestions and feedback is of the utmost importance especially by those who are involved in youth activities.

Purpose of Communication Statement

- ◆ To create greater awareness of our Mercy Safeguarding Children Information Policy, Principles and Guidance Manual among sisters, employees and volunteers.
- ◆ To ensure that it is consistent with Standard 5 of Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland – Communicating the Church’s safeguarding message.

Communicating the Safeguarding Message

The safeguarding message will be communicated in a number of ways:

- ◆ Our ***Mercy Safeguarding Ethos & Policy Statement, Mercy Code of Behaviour and Initial Reception of Complaint of Abuse*** are prominently and permanently displayed in all our places of Residence and Ministry to include the contact details of the Safeguarding Manager/Designated Liaison Persons, TUSLA and HSCT, the Garda Síochána/PSNI and Support Services.
- ◆ Through the User Friendly Guide to the Mercy Congregation Safeguarding Policy.
- ◆ On the agenda at Congregational and Provincial Leadership Team meetings.
- ◆ On the Sisters of Mercy Congregational website and each province web page.

The names of the Safeguarding Personnel are published on the Sisters of Mercy website www.sistersofmercy.ie

Where it is relevant child friendly posters containing details of the Safeguarding Manager/Designated Liaison Person for the Province, TUSLA Child and Family Agency contacts,

HSCT and the Garda Síochána/PSNI, will be placed in houses and other buildings where children and young people meet for related activities. These posters will indicate that every child should be free from abuse and encourage children to seek help should they have a concern.

The Safeguarding Manager/Safeguarding Coordinator:

- contacts Safeguarding Representatives and/or Cluster Leaders on a regular basis with updates on child safeguarding
- may attend Community meetings from time-to-time to talk about safeguarding issues and maintaining vigilance
- ensures that the child safeguarding section of the website is updated regularly.

Where it is relevant, children and young people will be made aware by group leaders of safeguarding issues, including codes of behaviour, disciplinary procedures and the complaints procedures for use by young people. Contact details of the Safeguarding Manager/Designated Liaison Person will be available to children if they need to use them at any time.

Responsibility for Communication Guidelines

- ◇ The Provincial Safeguarding Committee oversees the implementation of the 7 Standards and monitors their application in the life and mission of the province. It ensures that audits are carried out to review implementation of the 7 Standards.
- ◇ Responsibility for communicating this policy belongs to the Safeguarding Manager/Safeguarding Coordinator.
- ◇ Only those persons designated by the Provincial Leader may speak on her behalf and on behalf of the Sisters of Mercy within the Province.
- ◇ Any statements, observations, or opinions offered by another, not designated as a spokesperson, are to be understood as personal or private remarks, not necessarily reflecting an official communication of the Province or any of its communities, institutions or agencies.
- ◇ Keeping children safe is the responsibility of everyone. Communicating the safeguarding message is largely done through our Safeguarding Children Structure which is outlined in the role descriptions on page 12 of *The Congregation of the Sisters of Mercy Safeguarding Children Information Policy, Principles and Guidance Manual*.

Review of Communication Guidelines

- ◇ An annual review and evaluation of communication effectiveness will be undertaken by the Safeguarding Committee and reported on in the context of the annual Provincial Report on safeguarding activities. This will be used as an important part of child safeguarding work that will inform best practice and help ensure standards are being maintained.
- ◇ Communication is a two way process so consideration will be given to developing consultation and feedback processes with the target groups in order to ensure that their needs in this area are met, and to improve practice.

Further Communication Guidelines are set out in Appendix 5.1 pg. 117.

Standard 6

Access to Advice and Support

Standard 6

Access to Advice and Support

Child abuse is distressing and warrants speedy advice and support. Children need someone to turn to when they are being abused. It is important to give them information about what, where and how to get help and to advise them if they have a concern. We have a duty to ensure advice and support is available to help sisters, employees and volunteers play their part in protecting children.

A. Support to the Complainant

The Congregation is committed to creating a secure and supportive atmosphere in which those who have suffered abuse currently or in the past can be assured of a sensitive, caring and compassionate response and be offered appropriate pastoral care for themselves and their families who are seeking pathways of recovery. Anyone who has been abused should be assisted and supported in seeking help in reporting the abuse.

The Safeguarding Manager/Designated Liaison Person will provide information about what to do and where to go for help. (See Std. 2 pg. 15-22).

The Support Person for complainants and their families will be available to provide pastoral support to those who make an allegation or raise a concern.

Role and Responsibilities of the Support Person

The Support Person is to be available to those who make an allegation/disclose abuse under these procedures. The role of the Support Person is to:

- ❖ assist, where appropriate, with communication between the child or adult making an allegation/disclosure and the Safeguarding Manager/Deputy Liaison Person and the Congregation
- ❖ facilitate the child or adult in gaining access to information and help
- ❖ represent the concerns of the complainant during the enquiry process
- ❖ extend appropriate pastoral support to family members of complainants.

The Support Person will be clear about his/her role and should receive appropriate training. The Support Person is not a counsellor and must not be nor act as a therapist.

The Support Person must be particularly attentive to the expressed needs and objectives of the child or adult, and the fact that some may be reluctant to seek help.

They should, therefore, consider how any therapeutic or spiritual needs of a child or adult who has made an allegation/disclosed abuse may be met, and will be mindful of his/her on-going vulnerability during this process.

In addition the Support Person is required to:

- ❖ consider any wishes of the child or adult disclosing abuse in regard to a pastoral response by the Province to his or her family
- ❖ be available to the child or adult throughout the course of the enquiry process, and thereafter as required
- ❖ ensure the child or adult is kept informed of developments in relation to her/him
- ❖ arrange, if considered helpful, a meeting between the child or adult and the Congregation.

NB

Under no circumstances should the same Support Person be provided for the child or adult making the allegation/disclosure of abuse and for the respondent.

Contact Details for Advice and Support Services are as follows:

- **National Board for Safeguarding Children in the Catholic Church in Ireland**, New House, St. Patrick's College, Maynooth, Co. Kildare (**01 5053124** or info@safeguarding.ie).
- **Towards Healing**, P.O. Box 5654, Dublin (**1800 303 416** or coordinator@towardshealing.ie) – a professional, independent and confidential counselling service funded by the Bishops, Religious & Missionary Union in Ireland.
Tel. 0800 0963315 (from Northern Ireland and the UK)
- **One in Four**, 2 Holles St; Dublin, 2. (Tel: **01 6624070** or info@oneinfour.ie) – a professional, independent and confidential counselling and advocacy service part funded by charitable donations, fundraising and Government funds.
- **Towards Peace** - Columba Centre, St. Patrick's College, Maynooth, Co. Kildare (Tel: **01 505 3028**; 087 7710533 or towardspeace@iecon.ie) - offering spiritual support for those whose faith has been damaged by abuse and who wish to continue their search for meaning and for God.
- **TUSLA, Child & Family Agency**, Block D, Park Gate Business Centre, Parkgate Street, Dublin, 8. Tel: **01 7718500** or info@tusla.ie or any local Duty Social Worker (see www.tusla.ie) and **HSCT: Tel: 028 9050 7000 (NI)**
- **Domestic Violence & Sexual Assault Investigation Unit**, An Garda Síochána, Harcourt Square, Dublin, 2. Tel: **01 666 3435** or any Garda Station.
- **An Garda Síochána: 999 or 112**
- **Childline: 1800 66 66 66**
- **The Samaritans: 1850 60 90 90**

Agencies in Northern Ireland include:

Health and Social Care Trusts, Gateway Teams

Statutory	Normal Working HOURS	Out of Hours
Belfast	028 9050 7000	028 90565444
Northern	028 2563 5558	028 94468833
South Eastern	03300 1000300	028 90565444
Southern	0800 7837745	028 3833444
Western	028 71314090	028 71345171

Barnardos:	Tel: 028 906 723 66	
Childline:	Tel: 0800 1111	
Nexus NI	Tel: 028 9032 6803	
NSPCC:	Tel: 0800 800 5000	
PSNI:	Tel: Emergency 999; Non- emergency 101	
Rape Crisis Helpline:	Tel: 0808 802 9999	
Specialist Services Alliance Victim Support	Tel: 028 9024 5729	
Stop it now:	Tel: 0808 1000 900	
The Samaritans:	Tel: 0845 790 9090	
Towards Healing	Tel. 0800 0963315 (from Northern Ireland and the UK)	
Towards Peace	00 353 1 505 3028 mobile: 087 7710533 towardspeace@iecon.ie	

B. All Sisters/Employees/Volunteers

The Congregation recognises that it has a duty to ensure that advice and support is available to assist sisters/employees/volunteers to play their part in protecting children and in assisting adults who have been abused. All personnel can access support about safeguarding issues from the Safeguarding Manager/Designated Liaison Person, Civil Authorities and the National Board for Safeguarding Children in the Catholic Church in Ireland. (See contact details above).

C. Support to the Respondent

The Congregation is committed to ensuring that the rights, in natural justice, of Sisters against whom an allegation of abuse is made are respected and that appropriate pastoral care is provided for them and their families.

A Sister who is alleged to have abused children should be assisted in dealing with the allegation in a manner which does not compromise the safety of children. When the respondent is informed of the allegation she is advised to obtain independent canonical, civil, legal advice and other supports. She is offered an adviser.

An adviser will be appointed to be available to the Sister of Mercy against whom a child safeguarding concern/allegation has been made. The adviser is required to attend appropriate training.

The Role of the Adviser is to:

- ❖ accompany the Sister to meetings
- ❖ ensure the Sister is aware of her right to obtain civil and canon law advice
- ❖ assist in the identification of any therapeutic or other needs of the Sister and suggest how these might be met
- ❖ consider the Sister's wishes in relation to a pastoral response by the Congregation to her family
- ❖ be available to her throughout the process of enquiry and later, as required.
- ❖ ensure she understands the civil and canonical processes and is kept informed of their progress
- ❖ represent the needs of the Sister to the Safeguarding Manager/Designated Liaison Person
- ❖ the Adviser is not informed of the identity of the Sister unless, and until, the Sister indicates her desire to have an adviser assigned to her. This is done to preserve confidentiality
- ❖ the Provincial Leader must then decide what immediate protective measures are to be taken in light of all the available information including the response of the Sister.

Appendix 6.1 pg. 118 sets out guidance on managing and supporting individuals against whom an allegation of abuse has been made (Respondent).

D. Support to Safeguarding Personnel:

In Ireland/Northern Ireland the specialist advice is obtained from the local TUSLA/HSCT. The National/Local Child Protection/Welfare Agencies and the NBSCCCI.

Online Resource:

Kimmage Open and Distance Education (*kode*) is offering three courses per year on **Child Protection in Development Practice**. This online 8 week course aims to define essential child protection standards for all organizations.

It demonstrates how child protection policies and procedures can be developed and implemented. For further details: e-mail: kode@kimmagedsc.ie Web: www.kodeonline.com

Provinces outside of Ireland make a list of the services, authorities and organisations in their areas that can provide assistance to children. These lists will need to contain essential contact details and be kept up to date.

Standard 7

Implementation and Monitoring the Standards

The Sisters of Mercy will continue to monitor and evaluate the effectiveness of their Mercy Congregational Safeguarding Policy

The Congregational Leader in consultation with her team leads and guides the Congregation in accordance with universal and proper law. The seven Provincial Leaders or their delegates will account to the Congregational Leadership Team (CLT) by presenting the 3-year strategic plan which includes the needs assessment and training plan for the province and reviewing the implementation of the **7 Standards** in accordance with the plan at least once a year.

A Progress Report from each Province is submitted to CLT every year. This ensures the effectiveness of the Safeguarding Structure to best serve the **7 Standards**. During the month of September, a template of the format of this Report will be provided by CLT. This needs to be completed by the Provincial Leadership Teams (PLTs) and returned to CLT within three months. (See Appendix 7.1 pgs. 121ff.)

The Provincial Leader has overall responsibility for monitoring, auditing and ensuring the implementation of the **7 Standards** in her Province. To ensure the ongoing implementation of the Safeguarding Policy, financial and human resources need to be available. Each province reviews the implementation of The Mercy Congregation Safeguarding Policy as and when required. This needs to be done at least every three years to take account of changes in legislation and guidance.

The Safeguarding Committee oversees the implementation and monitors the application of the **7 Standards** in the life and mission of the Province. It audits the implementation of the **7 Standards**. It is responsible for the Safeguarding strategic plan to include a needs assessment and training plan.

The Safeguarding Coordinator in conjunction with the Safeguarding Committee oversees the Safeguarding Structure and ensures that it serves the **7 Standards**. She/he is responsible for creating, maintaining and monitoring a safe environment for all aspects of best Safeguarding Practice in the Province and she/he attends from time to time the Safeguarding Committee meeting in an overseeing role.

Designated Liaison Person & Deputy Designated Liaison Person record and manage responses to allegations of abuse from start to finish and report without delay to the civil authorities and to the Provincial.

Manager: In Provinces where a Manager is appointed, he/she fulfils the combined roles of the Safeguarding Coordinator and the Designated Liaison Person (Appendix 2.4 pg. 74).

Designated Trainers offer training on a regular basis (at least every 3 years) to those who have significant contact with children.

The Local Safeguarding Representatives are responsible for raising awareness and promoting best practice in order to implement the **7 Standards** as outlined in this document. They do this with sisters, employees and volunteers.

The Congregation is committed to achieving each Standard. The 'Self Audit Tool' set out in Appendix 7.2 pg. 126 outlines the minimum requirements (criteria) that we are committed to uphold. The Safeguarding Manager/Safeguarding Coordinator in collaboration with the Safeguarding Committee carries out an annual audit which informs the needs assessment, training plan and three-year strategic plan. The Congregation complies with NBSCCCI, ROI and Northern Ireland Statutory Audits and any other State reviews as required.

The table below sets out questions for **Monitoring Compliance with Standards** (For more details see Appendix 7.2)

<p>STANDARD 1 A Written Safeguarding Policy Statement</p>	<p>Do you have a copy of the Mercy Ethos & Policy Statement in a prominent/visible place in the community/mission site?</p>
<p>STANDARD 2 How to respond to allegations, concerns and suspicions</p>	<p>Do you know where and how to access the Mercy Safeguarding Children Information Policy, Principles and Guidance Manual and The User-Friendly Guide? Do you know what to do if an allegation, concern or suspicion is disclosed to you?</p>
<p>STANDARD 3 Prevention Recruitment, Vetting, Code of Behaviour, running safe activities for children</p>	<p>Do you know what the Code of Behaviour is for all sisters, employees and volunteers?</p> <p>Do you know the guidelines for recruiting staff, volunteers, and candidates to the Congregation?</p> <p>Do you know the guidelines for creating a safe environment for activities of children?</p>
<p>STANDARD 4 Training and Education</p>	<p>Have you had/or organised a training in Safeguarding Awareness, Responding to Allegations, Code of Behaviour and Recruiting Practices?</p> <p>Do you know who to contact to get information about the Training and Education as outlined above?</p>
<p>STANDARD 5 Communicating the Safeguarding Policy to children, parents, adults and other organisations.</p>	<p>Do you know where to access the NBSCCCI Guidelines or similar documents e.g. <i>Children First</i> (ROI) and <i>Cooperating to Safeguard Children</i> (NI)</p> <p>Do you know the contact details of the Safeguarding Manager/Designated Liaison Person/Deputy Designated Liaison Person, TUSLA/HSCT, An Garda Síochána/PSNI/Police and other relevant Agencies?</p> <p>What are you doing in your community and ministry site to ensure all are aware of your Mercy Safeguarding Children Policy?</p>
<p>STANDARD 6 Access to Advice and Support</p>	<p>Do you know who to go to for advice & support on any safeguarding & risk management issues?</p>
<p>STANDARD 7 Implementing and Monitoring the Standards</p>	<p>Who are the key people responsible for the implementing and monitoring of the Standards? What is the Sisters of Mercy plan of action to make sure that this happens?</p> <p>Do you know the check list audit/NBSCCCI Standards and Guidance Document to help you to do this?</p>

The following is a Safeguarding Information-Gathering Tool for use in Mercy Communities by the Local Safeguarding Representatives/Local Leaders where applicable:

Please give clear responses to the questions below.

Name of Community/House: _____

Please ✓ relevant

In community/house is the poster displayed in a prominent place with the name and contact numbers of: <ul style="list-style-type: none"> • <i>Safeguarding Manager/Designated Liaison Person</i> • <i>Safeguarding Deputy Designated Liaison Person</i> • <i>Local Safeguarding Representatives/Local Leaders?</i> 	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are contact details for the civil authorities displayed in a prominent place?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Number of Sisters living in community/house for which you are Local Safeguarding Representative/s.	Number _____
Does each community/house have a copy of Mercy Safeguarding Policy?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are all Sisters (with due regard to age and infirmity) informed on the Mercy: <ul style="list-style-type: none"> • <i>Safeguarding Policy</i> • <i>Guidelines/Procedures</i> • <i>Code of Behaviour</i> 	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is the Mercy Sisters Policy Statement, Code of Behaviour and Initial Reception of Complaint of Abuse document posted in a prominent place in the community / house?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Number of Sisters in ministry with direct contact with children <i>State the type of Ministry – (See pg.52)</i>	Number _____
Have all Sisters (with due regard to age and infirmity) attended appropriate information/training on Mercy Safeguarding Policy and Procedures?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Do Sisters require refresher/other training?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Have Sisters attended training under another Church organisation?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are Sisters clear on the procedure to be followed in the event of receiving a complaint and /or observing inappropriate behaviour?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is there a Visitors Book in each community/house where relevant?	<input type="checkbox"/> Yes <input type="checkbox"/> No
In houses where Mass is celebrated are visiting priests requested to present their in date Celebret Card and to sign the attendance book?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not applicable
Number of employees in community/house? Is Child Safeguarding training part of induction received by all employees?	Number _____ <input type="checkbox"/> Yes <input type="checkbox"/> No

Signed: _____

Signed: _____

Date: _____

Local Safeguarding Representative

Sisters in direct contact with children in Convent/House/Ministry

Name of Community: _____

	Name	List of all contacts with children	Location of contact	Policy and Procedures followed	Date of latest training	Garda vetted Yes/No, Date	Garda vetted with which group?
1							
2							
3							
4							
5							
6							
7							
8							

Signed: _____

Date:- _____

Local Safeguarding Representative/Community/Cluster Leader.

Below is a Sample Template for the Safeguarding Strategic Plan to include a Training Plan to be completed by the Safeguarding Manager/Safeguarding Coordinator.

STANDARD	SPECIFIC OBJECTIVE	ACTION	RESPONSIBILITY	START BY DATE	COMPLETED BY	REVIEW DATE
Standard 1: A written policy on keeping children safe						
Standards 2 : Procedures – how to respond to child protection allegations and suspicions						
Standard 3: Preventing Harm to Children						
Standard 4: Training and Education						
Standard 5: Communicating the Sisters of Mercy Safeguarding Message						
Standard 6: Access to advice and support						
Standard 7: Implementing and monitoring the Standards						

APPENDICES

APPENDIX 1.1

Contact Details for Individuals/Organisations involved in Sisters of Mercy Safeguarding Structure for the Island of Ireland.

SAFEGUARDING MANAGERS/SAFEGUARDING COORDINATOR

Province	Name	Tel Number	Mob Number	Email
NORTHERN PROVINCE	Mrs. Teresa Burns	028 85548127 (NI) 048 85548127 (ROI)	078 03566214 (NI) 004478 03566214 (ROI)	burns.teresa@mercynth.org
SOUTHERN PROVINCE	Ms. Cleo Yates	021 4975380	087 3553024	cleoyates@mercysouth.ie
SOUTH CENTRAL PROVINCE	Mary Margaret Costigan rsm	045 876784	086 081 3956	marymargaret@mercyscp.ie
WESTERN PROVINCE	Ms. Edel Burke	0909 645202	087 7747717	safeguardingwestprov@gmail.com

STATUTORY CONTACT NUMBERS

GARDAÍ: Domestic Violence and Sexual Assault Investigation Unit, An Garda Síochána, Harcourt Square, Dublin 2.

Phone no. 01 6663435 or any Garda Station

– Every Garda Station in the country is listed on www.garda.ie

POLICE SERVICE NORTHERN IRELAND

Tel. 999 emergency 101 non-emergency; Email: foyleDCU@psni.pnn.police.uk

TUSLA Child and Family Agency Block D, Park Gate Business Centre, Parkgate Street, Dublin 8

Phone no. 01 7718500 or Phone: 1850 24 1850

Department of Health Social Services and Public Safety (NHS NI)

Contact Details of local Health and Social Services Board are available at: www.dhsspsni.gov.uk

Email: info@tusla.ie or any local Duty Social Worker (see www.tusla.ie)

Health and Social Care Trusts, Gateway Teams (Northern Ireland)

Statutory	Normal Working HOURS	Out of Hours
Belfast	028 9050 7000	028 90565444
Northern	028 2563 5558	028 94468833
South Eastern	03300 1000300	028 90565444
Southern	0800 7837745	028 3833444
Western	028 71314090	028 71345171

Provinces outside of Ireland – contact details are available through the Provincial Offices.

Kenya Provincial Office – telephone 00254 20 4445300

South Africa Provincial Office – telephone 0027 11 7886829

US Provincial Office – telephone 001 909 7984747

Confidentiality Statement

The Congregation of the Sisters of Mercy recognises the importance of ensuring peoples' rights to confidentiality and is committed to keeping confidential all personal information about children and their families. An exception is when a child safeguarding concern arises in relation to a child. In this situation information will be shared on a need to know basis in the best interest of the child as follows:

- ✚ Information will only be forwarded on a need to know basis in order to safeguard the child/young person
- ✚ Giving information appropriately to the Safeguarding Manager/ Designated Liaison Person and/or statutory authorities for the protection of the child is not a breach of confidentiality
- ✚ Primary carers have a right to know if personal information is being shared and a report is being made to TUSLA/HSCT, unless doing so could put the child at further risk.

(See below Congregation of the Sisters of Mercy Data Protection Policy & Procedures Dec. 2010)

Congregation of the Sisters of Mercy Data Protection Policy and Procedures

Dec 2010

Introduction

One of the most fundamental values which we have a responsibility to practice and promote is respect for the innate dignity of others. A particular area in which we are called to demonstrate this responsibility is in the way we hold and safeguard all personal information about others.

Civil society recognises this responsibility too and has, in a number of countries, provided data protection legislation for safeguarding the privacy rights of individuals pertaining to the processing and retaining of their personal data. In addition to these rights for individuals the legislation imposes obligations on those who hold the data* e.g. organizations or individuals who obtain personal information. Those with special responsibility for the safeguarding of data are known as data controllers.

**E.g. Data Protection Acts of 1988 and 2003 in Ireland.*

The Purpose of this Policy is to:

- ✚ follow good practice
- ✚ ensure compliance with the law in respect of the data held about individuals.

OUR POLICY

The Congregation of the Sisters of Mercy is committed to the safeguarding of the privacy rights of individuals in relation to the obtaining, processing, retaining and protection of their personal data, in accordance with good practice and the law of the jurisdiction where they reside.

Underlying Principles

Data Protection legislation is generally based on some or all of the following eight principles:

- ✚ That the data be obtained and processed fairly.
- ✚ That it be kept only for one or more specified, explicit, lawful purpose.
- ✚ That it be used and disclosed only in ways compatible with this purpose.
- ✚ That it be kept safe and secure.
- ✚ That it be kept accurate, complete and up-to-date.
- ✚ That it be adequate, relevant and not excessive.
- ✚ That it be retained for no longer than is necessary for the purpose for which it was retained.
- ✚ That it be made available, in copy form, to the subject on request.

Responsibilities

- ✚ The Congregational Leader has overall responsibility for ensuring that the Congregational offices are compliant with the ethical and legal obligations in relation to data protection. Within each province the Provincial Leader has overall responsibility for ensuring that her province is compliant with the ethical and legal obligations in relation to data protection. However all members or employees of the Congregation who collect and/or control the contents and use of personal data are also responsible for compliance with data protection legislation.
- ✚ A specially-delegated Data Protection Officer will be responsible for overseeing Data Protection throughout the Province. Her responsibilities will include
 - ◇ updating the Provincial Leader and her Team on data protection responsibilities
 - ◇ reviewing data protection and related policies
 - ◇ advising other members/staff on data protection issues
 - ◇ ensuring data protection induction and training takes place for those involved
 - ◇ training and monitoring of other staff as required
 - ◇ making available information relating to data protection, through the Provincial Office.

Confidentiality

- ✚ Access to information will normally be on a 'need to know' basis: no one will have access to information unless it is relevant for their work.
- ✚ All staff involved will be required to sign a short statement indicating that they have been made aware of their responsibilities in the privacy context.

Security

- ✚ Each province will ensure that appropriate security measures are taken to guard against disclosure, destruction, unauthorised alterations of, or unauthorised access to, personal data.

Subject Access

- ✚ Subject access requests must be in writing and signed.
- ✚ Should an individual making a subject access request not be personally known, her/his identity must be verified before access is granted.

Transparency

- ✚ Our Congregation is committed to ensuring that in principle Data Subjects are:
 - ◇ aware that their data is being processed
 - ◇ know the purpose for which it is being processed
 - ◇ know what types of disclosures are likely
 - ◇ know how to exercise their rights in relation to the data.

Staff Training and Acceptance of Responsibilities

- ✚ All staff who have access to any personal data within their remit, should have their responsibilities outlined upon induction.
- ✚ Information on data protection is set out in staff handbooks.
- ✚ As a matter of principle sisters and staff involved in the processing of data will be provided with on-going training and supervision.

Title	Data Protection Policy
Approved by:	CLT
Date:	December 2010
Review date:	To be decided by CLT
By whom:	CLT with PLT's
Related Policies:	Archival Policy
Relevant Legislation:	Data Protection Acts 1988, 2003 (Ireland)

Recording personal data on individuals is a key element of concern for data protection. We have therefore a moral responsibility to approach the task of recording such data with the utmost care and respect for the privacy rights of others. The following provides useful guidance in relation to the recording of personal data.

Why Record?

- ✚ Recording provides a structure and clarity to complex information. If you are clear about what you are doing you are more likely to know what to helpfully record.
- ✚ It enables a history or chronology of events to be appropriately logged.
- ✚ It provides a record of all 'significant' contacts and events.
- ✚ It clarifies thinking and aids decision making.
- ✚ It can help in identifying behaviours that give rise to concern.
- ✚ It can facilitate auditing and monitoring of safeguarding practices.
- ✚ It enables accountability.

Is what is being Recorded Data Protection Compliant?

- ✚ Assume subject reads record.
- ✚ Inform subject of existence of records, agency confidentiality, right of access etc.
- ✚ Ask yourself: is what I am writing relevant? is it as objective as possible? are facts and opinions clearly distinguished?

Facts	Opinions
Observable behaviours	Interpretations
Reported information	Assessments
Verifiable information	What I see, hear, touch, taste, smell
Evaluations	It is what gives the reader direct access to my original experience.
Value judgements	

Is what is being Recorded Relevant?

- ✚ Is it relevant to the objective of the work?
- ✚ Does it promote the quality of the service?
- ✚ Does it serve the interests of the subject?
- ✚ Does it help promote his/her welfare?

Is what is being recorded as objective as possible?

- ✚ Remember we see/hear what we expect to see/hear.
- ✚ We are prone to selective perception and retention.

- ✚ What are the motives for selecting what is being recorded?
- ✚ Distinguish what is fact and opinion.

Allow Right of Reply

- ✚ Record concerns and allegations clearly as such and not as fact. (Put concerns/allegations to subject)
- ✚ Record subject's response, then comment and evaluate response.
- ✚ Ask subject to agree/disagree with record.

Records should be...

- ✚ dated (contemporaneously)
- ✚ timed (if necessary)
- ✚ signed (not just initialled)
- ✚ in chronological order
- ✚ legible and copy-able (use black pen or type)
- ✚ do not delete (no Tippex)

CONSENT FORM FOR SHARING INFORMATION

Strictly Private and Confidential

Name:

Date of Birth:

Address:.....

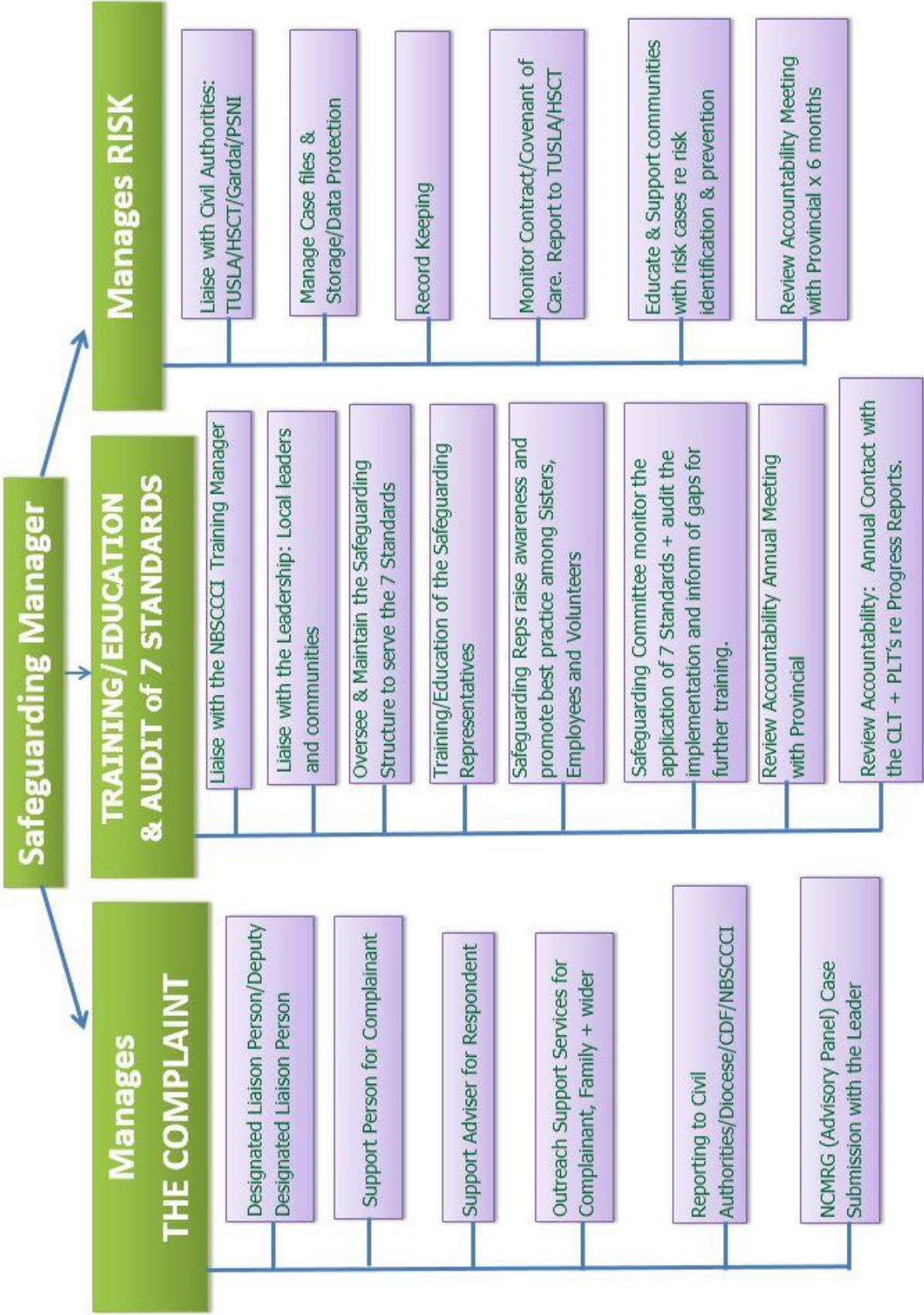
I understand that the information:

1. To be shared is:
2. Is to be shared with:
3. Is for the purpose of:
4. Is to be shared on:
5. Is to be held by:
6. Is to be held for a period of:
7. Is to be stored - how and where:
8. Is accessed only by:
9. That if the purpose of the information as stated in #3 were to change I would have to authorise any such change.
10. That it is within my rights to withdraw my consent given to share this information at any time.

I understand the above terms of reference and voluntarily give my written consent to share the information as outlined in this document.

Signed:

Date :














ROLE DESCRIPTION OF SAFEGUARDING MANAGER

In Provinces where a Safeguarding Manager is appointed, there are three broad aspects to the post:-

A. MANAGING COMPLAINTS

Acts as the Designated Liaison Person for Safeguarding children as set out in the **NBSCCCI Standards and Guidance Document (2008) pg. 55**

-  To hear any concerns relating to safeguarding, including any disclosures or allegations of abuse, and take responsibility for managing the response to that concern or disclosure from start to finish
-  To carry out the preliminary enquiry and referral to the civil authorities: TUSLA/HSCT or Equivalent/An Garda Síochána/PSNI/Police and facilitate any subsequent canonical/internal investigations
-  To ensure that the person raising a concern, disclosing abuse, or making an allegation and anyone who is implicated by that are regularly informed about the progress of the inquiry process
-  To liaise with the NBSCCCI Office/relevant bodies and have an overview of all matters dealt with under these procedures within the Province/Congregation
-  To share information with the local diocese when required
-  To carefully record all steps undertaken as part of these procedures
-  To work with the Deputy Designated Liaison Person as required e.g. in the event of a conflict of interest, or to offer choice to children or adults coming forward etc.
-  To ensure that there is a Support Person available to the complainant
-  To ensure that an Adviser is available to the respondent
-  To ensure that Outreach Support Services are available to the complainant and wider as required
-  To prepare the Case Submission Dossier and attend the Advisory Panel Meeting (NCMRG) with the Provincial Leader as required.

B. MANAGING TRAINING, COMMUNICATION AND AUDIT

Acts as the Safeguarding Co-ordinator for children as set out by NBSCCCI Training Manager:

To support the Provincial in the creation and management of safe environments through the establishment and development of policy and procedures for the Congregation (NBSCCCI/Mercy Safeguarding Children Policy, Principles and Guidance Document).

Responsibilities include the following:

- ✚ Liaising with the NBSCCCI Training Manager
- ✚ Liaising with the different levels of leadership and Communities/membership
- ✚ Overseeing and maintaining the safeguarding structure that serves the **7 Standards**
- ✚ Co-ordination of Safeguarding Committee and related activities e.g. training, implementing and monitoring of seven standards etc.
- ✚ Co-ordinating and training of the Safeguarding Representatives/Local Safeguarding Committee re implementation of the seven standards carried with the membership and personnel e.g. employees, volunteers etc.
- ✚ Ensuring the annual audit, including correlation of records for training related activities
- ✚ Ensuring the completion of training needs assessments across the various safeguarding roles in the Province Safeguarding Structure
- ✚ Ensuring, in conjunction with the Provincial Leader, that the Province has the appropriate personnel in place
- ✚ Preparing for and attending an annual accountability review meeting with the Provincial Leader re progress reports on the structure and the **7 Standards**
- ✚ Ensuring that there are clear procedures and mechanisms to communicate safeguarding policy and procedures of the Province including the updating of website safeguarding data
- ✚ Participating in on-going professional development consistent with the changing safeguarding demands in light of State Inquiries/NBSCCCI audit outcomes.

B. MANAGING RISK

Acts as a Risk Manager with responsibilities to include:

- ✚ Liaising with the civil authorities: TUSLA/HSCT, An Garda Síochána/ PSNI/ Diocese/ NBSCCCI
- ✚ Liaising with the Support & Advice Agencies e.g. *Towards Healing, Rape Crisis Centre, etc.*
- ✚ Putting in place and liaising with Support Persons and Advisers to monitor the Contract/Covenant of Care (*agreement drawn up between the Congregation and the individual against whom an allegation has been made*) in consultation with TUSLA/HSCT & Gardaí/PSNI as required.
- ✚ Record Keeping
- ✚ Managing case files/storage in accordance with data protection
- ✚ Educating and supporting a community which has a member against whom an allegation has been made
- ✚ Preparing for/attending risk management accountability meetings with the Provincial Leader once every six months or as needed.

Additional Duties and Responsibilities

- ✚ Supervise and support the functions of the internal safeguarding structure and personnel in the service of the **7 Standards** and other Church and State Guidelines/requirements.
- ✚ Represent the Province at Safeguarding Meetings.
- ✚ Other duties specified from time to time by the Provincial Leader

Accountability Structure

The Safeguarding Manager will:

- ✚ Be accountable to the Provincial Leader/Delegate
- ✚ Report on a monthly basis or as required to the Provincial Leader/Delegate
- ✚ Submit Annual Progress Report to the PLT using the standard Mercy Template
- ✚ Prepare with the Provincial and her Team the Annual Safeguarding Progress Report which will be submitted in writing to the CLT.

Sample Form

Acceptance of Safeguarding Policy and Procedures

Name: _____

Role: _____

I _____

hereby declare that I have read and understood the procedures on how to deal with allegations or suspicions of abuse and will comply with the Congregation of the Sisters of Mercy Safeguarding Children Information Policy, Principles and Guidance Manual.

Signature: _____

Date: _____

APPENDIX 2.1

Contact Details for Civil Authorities and Support Agencies

National Board for Safeguarding Children in the Catholic Church in Ireland, New House, St. Patrick's College, Maynooth, Co. Kildare (01 5053124 or info@safeguarding.ie).

Towards Healing, P.O. Box 5654, Dublin (1800 303 416 or coordinator@towardshealing.ie) – a professional, independent and confidential counselling service funded by the Bishops, Religious & Missionary Union in Ireland.
Tel. 0800 0963315 (from Northern Ireland and the UK)

One in Four, 2 Holles St; Dublin, 2. (Tel: 01 6624070 or info@oneinfour.ie) – a professional, independent and confidential counselling and advocacy service part funded by charitable donations, fundraising and Government funds.

Towards Peace - Columba Centre, St. Patrick's College, Maynooth, Co. Kildare (Tel: 01 505 3028; 087 7710533 or towardspeace@iecon.ie) - offering spiritual support for those whose faith has been damaged by abuse and who wish to continue their search for meaning and for God.

TUSLA, Child & Family Agency, Block D, Park Gate Business Centre, Parkgate Street, Dublin, 8. Tel: **01 7718500** or info@tusla.ie or any local Duty Social Worker (see www.tusla.ie)
HSCT: Tel: 028 9442 4000 (NI)

Domestic Violence & Sexual Assault Investigation Unit, An Garda Síochána, Harcourt Square, Dublin, 2. Tel: **01 666 3435** or any Garda Station.

Childline: 1800 66 66 66 The Samaritans: 1850 60 90 90

Agencies in Northern Ireland include:

Barnardos:	Tel: 028 906 723 66	
CHILDLINE:	Tel: 0800 1111	
Nexus NI	Tel: 028 9032 6803	
NSPCC:	Tel: 0800 800 5000	
PSNI:	Tel: Emergency 999; non-emergency 101 028/9065 0222	
Rape Crisis Helpline	Tel: 0808 802 9999	
Specialist Services Alliance Victim Support	Tel: 028 9024 5729	
STOP IT NOW:	Tel: 0808 1000 900	
The Samaritans:	Tel: 0845 790 9090	

Outside of Ireland make a list of the services, authorities and organisations in your area that can provide assistance to children. These lists will need to contain essential contact details and will need to be kept up to date.

APPENDIX 2.2 (Resource 16 NBSCCCI pg. 89-92)

SECTION 3: RESOURCES

RESOURCE 16

Resource 16: Child protection recording form (template)

Child Protection Recording Form

1. About the disclosure/concern

Date of disclosure/concern _____

Time of disclosure/concern _____

How was information received? (attached any written information to this form)

Telephone Letter Email In person

2. Details of person making disclosure/raising concern

Name _____

Address _____

Tel _____ Mobile _____

Email _____

Relationship to child or alleged victim _____

3. Details of child or alleged victim

Name _____ DOB _____

Address _____

Tel _____ Mobile _____

Ethnic origin _____

Language (is interpreter/ signer needed) _____

Disability _____

Special needs _____

Parish / Order (if applicable) _____

4. Parent / Carer details *(where appropriate)*

Name _____

Address (if different from above) _____

Tel _____ Mobile _____

Are they aware of the allegation, suspicion or complaint?

Yes No

5. Details of alleged perpetrator

Name _____

Address _____

Tel _____ Mobile _____

Relationship to child/ victim *(parent/Priest/teacher etc)* _____

Position in Church/ Order _____

Address at time of incident(s) _____

Current contact with children if known *(sit on board of governors of school, runs youth activities etc)* _____

Any additional information _____

6. Details of concern, allegation or complaint

(Include dates / times and location the incident(s) occurred, witnesses, if known. Does the child / victim know this referral is being made?)

7. Action taken

Has the matter been referred to civil authorities?

Yes No

If yes

Date _____ Time _____

If no explain why _____

Who was it referred to:

Name _____

Designation _____

Address _____

Tel _____

Email _____

Has the matter been referred to a member of the Church?

Yes No

If yes

Date _____ Time _____

If no explain why _____

Who was it referred to:

Name _____

Designation _____

Address _____

Tel _____

Email _____

8. Next Steps

What actions were agreed and by whom when the matter was referred onto civil / Church authority?

Are there any immediate child protection concerns? If so please record what they are and state what actions have been taken by whom to address them:

9. Designated Officer details:

Date form sent _____

10. Details of person completing the form

Name: _____

Tel _____ Mobile _____

Email _____

Position in Church _____

Parish/Order _____

Form completed

Date _____ Time _____

Signed

(A copy must be retained by the recipient and filed in a secure location, and a copy must be sent to the designated officer and civil / statutory authorities)

APPENDIX 2.3

(Resource 9 NBSCCCI pg. 72)

Resource 9: Responding to a child making an allegation of abuse

Children will occasionally tell an adult they are being abused if they feel they can trust this person. This happens for many reasons but the important thing to remember is, if they do tell you, they are doing so in the hope that you will act to stop it happening, even if they ask you not to do anything with the information.

If a child begins to tell you about abuse it is important that you...

Do:

- stay calm
- listen carefully and take them seriously
- ask questions for clarification only if you are unclear what the child is saying
- allow the child to continue at his / her own pace
- reassure the child that, in disclosing the abuse, they have done the right thing
- tell them they are not to blame for the abuse
- let them know you will do what you can to help
- report the child's disclosure to your manager or the designated person immediately (or in the absence of the designated, or if the disclosure in any way involves the designated person, then seek advice from the National Safeguarding Board Support Team)

As soon as possible, write down everything that you were told by the child, using their own words to describe the abuse. Sign and date this record and pass it on to the designated person.

Do not:

- dismiss the concerns
- panic
- probe for more information/ask other questions
- 'promise not to tell anyone' or say 'you'll keep it a secret'
- make negative comments about the accused person
- make assumptions or speculate
- disclose details of the allegation to anyone else – even if the allegations involve them in any way.

Find an opportunity to explain that it is likely that this information will need to be shared with others and at the end of the discussion tell them what you plan to do next and with whom this information will be shared. Remember: It is important that everyone in the organisation is aware that the person who first encounters a case of alleged or suspected abuse is **not** responsible for deciding whether or not abuse has occurred. That is the task for the professional child protection agencies following a referral to them of the concerns about the child.

SAFEGUARDING CHILDREN

Standards and guidance document for the Catholic Church in Ireland

September 2008

APPENDIX 2.4

Complaints Procedure

Congregation of the Sisters of Mercy Complaints Handling Guidelines

Our complaints guidelines

The Congregation of the Sisters of Mercy is committed to providing a high-quality child safeguarding service.

If you have a complaint re our child safeguarding service please contact the Safeguarding Manager/DLP with the details. The complaint will be considered within eight weeks.

What will happen next?

1. A letter will be sent acknowledging receipt of your complaint within seven days of receiving it, enclosing a copy of this procedure.
2. Your complaint will be investigated. This will normally involve passing your complaint to the Provincial Leader who will review the matter and speak to the member of staff/volunteer who complained to you.
3. The Provincial Leader may invite you to a meeting to discuss and hopefully resolve your complaint. This communication may also take place by telephone if a meeting is not possible. She will do this within fourteen days of sending you the acknowledgement letter.
4. Within seven days of the meeting/discussion, the Provincial Leader will write to you to confirm what took place and any solutions she has agreed with you.
5. If you do not want a meeting or it is not possible, the Provincial Leader will send you a detailed written reply to your complaint, including her suggestions for resolving the matter within twenty-one days of sending you the acknowledgement letter.
6. At this stage, if you are still not satisfied, you should contact the Safeguarding Manager/DLP again who will inform the NBSCCCI.
7. If your complaint relates to how the Congregation dealt with a child protection/concern, you can write to the NBSCCCI requesting a review of how your complaint was handled. For guidance on how to request a review by NBSCCCI please refer to Resource 13 Safeguarding Children Standards and Guidance Document for the Catholic Church in Ireland' (See pg. 144 of this document).

APPENDIX 3.1

SAMPLE VOLUNTEER APPLICATION FORM FOR THOSE WITH SIGNIFICANT ACCESS TO CHILDREN
All information received in this form will be treated confidentially

Full Name: _____ **Maiden Name:** _____

(If applicable)

Current Address: _____ **Previous Address (within last five years):** _____

How long have you lived at your current address? _____

Tel: _____ **Mobile:** _____ **Date of Birth:** _____

PPS Number (R.O.I): _____

N.I Number (N.I): _____

I.D. Number: _____

Are you (Please tick):

Employed Unemployed Student

Homemaker Retired Other

Previous work experience & relevant qualifications:

Have you previously been involved in voluntary work? YES NO

If yes, give details:

How much time can you commit? (Please tick)

	Mon	Tue	Wed	Thurs	Fri	Sat	Sun
Morning							
Afternoon							
Evening							

Do you have any spare time hobbies, interests or activities?

Do you agree to abide by the Mercy Congregation’s Code of Behaviour? (copy included with this form)

Yes No

Have you completed Child Protection Awareness Training?

Yes No

If yes, who was it organised by and when did you complete it?: _____

Do you agree to undergo specific training on the role of the (*position being appointed*)?

Yes No

Have you ever been asked to leave an organisation in the past?

(if you have answered yes we will contact you in confidence)

Yes No

Any other relevant information:

Please supply the names of two responsible people whom we can contact and who from personal knowledge, are willing to endorse your application.

Name: _____ Address: _____ _____ _____ _____ Tel: _____ Designation: _____ _____	Name: _____ Address: _____ _____ _____ _____ Tel: _____ Designation: _____ _____
---	---

Declaration Form for All Persons Working With Children and Young People

Confidential

Legislation in both jurisdictions in Ireland, has at its core, the principle that the welfare of children and young people must be the paramount consideration. Legislation in other countries is likely to reflect the same principles. Everyone working within Mercy who will come in contact with children or personal details of children, abide by good practice by completing this declaration.

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(s) of offence: _____

Nature of offence: _____

Have you ever been the subject of disciplinary procedure or been asked to leave employment or voluntary activity due to inappropriate behaviour towards a child? (Please tick)

Yes **No** If yes please give details below:

Full name: _____

Any surname previously known by: _____

Address: _____

Date of birth: _____ Place of birth: _____

Declaration: I understand that if it is found out 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 Congregation of the Sisters of Mercy.

I hereby declare the information I have provided is accurate.

Signed: _____ Date: _____

APPENDIX 3.3

Safeguarding Children - Vetting Procedures

In keeping with our commitment to safeguarding children as outlined in our Mercy Congregational Safeguarding Children Policy, we will ensure that all sisters, employees and volunteers are Garda vetted. It is important to remember that the request to obtain Garda Vetting (ROI)/Access NI Vetting must be made to the applicant. Then the permission of the applicant must be sought to share the information with the relevant people. In addition the person accessing the information must observe confidentiality and be made aware of the consequences of any breach.

Vetting Procedure

The following procedure will be adopted to facilitate efficient and effective applications for Garda vetting:

- ✚ Garda Vetting forms/Access Northern Ireland Vetting forms are available to the applicant from the Provincial Offices.
- ✚ It is the responsibility of the applicant to ensure that the information is full, correct and accurately recorded.
- ✚ The completed form is forwarded to the Authorised Signatory who has been fully trained by the Garda Vetting Unit /Access NI and appointed to this post of responsibility by the Provincial Leader.
- ✚ If the information is incomplete the form will be dated and returned to the applicant with a covering letter highlighting deficiencies in the application and inviting a re-submission.
- ✚ The Authorised Signatory forwards the completed forms to the Garda Central Vetting Unit/Access NI.
- ✚ Forms are returned to the Authorised Signatory (usually within ten days – two weeks) and the applicant is informed of the outcome.
- ✚ If the vetting check contains information which might mean an applicant is unsuitable for the post, the Provincial Leader/Delegate will discuss the vetting check with the applicant.

The vetting certificate is **not transferable**. It is recommended that re-vetting be carried out every three years for those who have direct contact with children through their ministry. The Sisters of Mercy reserve the right to initiate Garda/Access (NI) re-checks at any time. All information gathered through the Garda/Access vetting procedures are subject to confidentiality as per our Congregational Data Protection Policy (see pg.57 of this document).

Please note:

- ✚ *The standard Garda vetting form only covers addresses in the Republic and the North of Ireland. Individuals who lived overseas for a period of six months or more may be required to provide proof of non-convictions from the country in which they were resident. In the event that the individual is unable to provide this, it must be demonstrated that all efforts have been made to do so. These situations may include individuals who have travelled on a J1 working holiday visa, or individuals who are from countries where police clearance certificates may be difficult to obtain.*

Risk Assessment (The level of risk will be determined by management)

In Assessing Risk the Following Factors Should be taken into Account:

- ✚ The post for which the applicant is seeking employment.
- ✚ The nature and number of any convictions.
- ✚ Time lapse since last conviction.
- ✚ The self-disclosure of any convictions pending.
- ✚ Steps taken to prevent re-offending.

Other factors for Consideration

The Sisters of Mercy will NOT consider any person for employment or as a volunteer to work with children, who has been charged or convicted of any of the following:

- ✚ An offence of a sexual nature
 - ✚ The ill treatment of a child
 - ✚ The ownership, production or distribution of child pornography.
- Other offences may be considered on a case by case basis.

Appeals

Decisions to withdraw offers of employment or voluntary work will be proposed by the Safeguarding Committee and approved by the Provincial Leader who may seek the opinion of the Safeguarding Manager/Co-ordinator. If the applicant has been the subject of any prosecution and/or convictions, the Garda Central Vetting Unit/Access (NI) will provide the details. It is the right of the applicant to appeal this information if he/she so wishes and to respond to the information received from the Garda Central Vetting Unit/Access (NI).

If the applicant wishes to appeal the decision, the Provincial/Safeguarding Committee must set up a review panel. The role of the review panel is to determine if the original decision was reasonable and fair.

The applicant must be told that the appeal process will require information to be disclosed by An Garda Síochána/PSNI to be shared with members of the appeals panel and that any representations made by him/her may be shared with the statutory authorities.

Representation from the applicant will be requested in writing in order to offer the opportunity to explain any circumstances which might further inform the appeals panel. The panel may permit an oral hearing if that is seen as necessary.

Appeals can be made in writing to the Garda Vetting Person in each Province within fourteen days of the issue of the decision.

Appeals Process

- ✚ The Provincial will arrange a meeting with the applicant who is invited to bring a support person if she/he so wishes.
- ✚ The purpose of the meeting is to clarify the applicant's identity and to give the applicant an opportunity to discuss the application in the light of the information received from the Garda Central Vetting Unit/Access (NI).
- ✚ The nature and significance of the new information will be discussed.
- ✚ A written record of the meeting will be kept.
- ✚ Should the applicant claim that the information is inaccurate; the onus is on her/him to provide evidence to support this claim.
- ✚ This evidence will be forwarded to the Garda Vetting Unit/Access (NI) by the Authorised Signatory with any other information deemed necessary.
- ✚ When the Garda Vetting Unit/Access (NI) has conducted further checks the response will be forwarded to the Authorised Signatory who will then communicate it to the Provincial.

Note 1: It must be noted that any appeal can only be made in relation to the Provincial Leader's decision not to take on employees or volunteers. The Provincial has no role in reviewing the contents of the Garda/PSNI disclosure as this belongs solely to the Garda Síochána/Access (NI)

Note 2: The Vetting procedures outlined above apply to the island of Ireland. In jurisdictions outside Ireland, vetting procedures in the relevant jurisdictions should be utilised.

Confidential Reference Check

The following person: _____

has expressed an interest in working in: _____

If you are happy to complete this reference, any information will be treated with due confidentiality and in accordance with relevant legislation and guidance. Information will only be shared with the person conducting the assessment of the candidate’s suitability for the post, if he/she is offered the position in question. We would appreciate you being extremely candid, open and honest in your evaluation of this person.

1. How long have you known this person? _____

2. In what capacity? _____

3. What attributes does this person have that would make him/her suited to this work?

4. Please rate this person on the following – please tick one box for each statement:

	Poor	Average	Good	Very Good	Excellent
Responsibility					
Maturity					
Self-motivation					
Ability to motivate others					
Energy					
Trustworthiness					
Reliability					

This post involves substantial access to children. As a Congregation committed to the welfare and protection of children we are anxious to know if you have any reason at all to be concerned about this applicant being in contact with children. Yes No

Signed: _____ Date: _____

Print Name: _____

Position: _____ Organisation: _____

Safe recruitment and selection checklist

<p>Contact with children</p> <p>What contact with children will the job involve?</p> <p>Will the employee have unsupervised contact with children or hold a position of trust?</p> <p>What other forms of contact will the person have with children e.g. email, telephone, letter, internet?</p>	
<p>Defining the role</p> <p>Have the tasks and skills necessary for the job been considered?</p> <p>Does the job description make reference to working with and having responsibility for children?</p>	
<p>Key selection criteria</p> <p>Has a list of essential and desirable qualifications, skills and experience been developed?</p>	
<p>Written application</p> <p>Have all applicants been asked to supply information in writing including personal details, past and current work/ volunteering experience?</p> <p>Have you developed application forms?</p>	

	<p>Interview</p> <p>Have at least two representatives from the organisation been identified to meet with an applicant to explore information contained in their application?</p> <p>Have the applicant and the application forms been carefully considered, highlighting points to raise in interview including:</p> <ul style="list-style-type: none"> • the applicant's attitudes towards working with children • areas you want to explore in more detail • gaps in employment history • vague statements or unsubstantiated qualifications • frequent changes of employment.
	<p>Declaration</p> <p>Have applicants been asked to sign a declaration stating that there is no reason why they would be considered unsuitable to work with children?</p> <p>Have applicants been asked to declare any past criminal convictions and cases pending against them?</p>
	<p>Identification</p> <p>Have applicants been asked for photographic documentation to confirm their identity e.g. birth certificate, passport?</p> <p>Is documentation relating to the applicant's identity and relevant qualifications checked at interview?</p>
	<p>Qualifications</p> <p>Are applicants asked for documentation to confirm qualifications?</p>

	<p>References</p> <p>Are applicants asked to supply the names of two referees who are not family members and ideally, who have first-hand knowledge of the applicant's experience of work/contact with children?</p> <p>Are referees asked specifically to comment on the applicant's suitability to work with children?</p> <p>Are all references provided in writing and followed up with a telephone call if appropriate?</p> <p>Is the identity of referees verified?</p>
	<p>Vetting procedure</p> <p>Has the vetting procedure that you will need for your selected applicant been considered? (In the Republic of Ireland An Garda Síochána central vetting unit if applicable. In Northern Ireland POCVA vetting.)</p> <p>Has the applicant been informed that you will need to conduct essential background checks before they take up any appointment?</p>
	<p>Records</p> <p>Are details kept of the selection and induction process on the personnel file of the person appointed?</p> <p>Are references kept on file as part of the record of the recruitment process?</p>
	<p>Confidentiality</p> <p>Is information about the applicant only seen by those directly involved in the recruitment process?</p> <p>Are applicants reassured that information about them, including information about convictions, will be treated in confidence and not used against them unfairly?</p>

Resource 5: Example of Child Protection Questions

Establishing a fuller picture of the character and attitudes of an applicant is an important part of the safe recruitment process.

The formal interview is an opportunity to discuss and assess the applicant's values, motivations, abilities, experience and suitability.

Here are some examples of child protection questions you could ask during the interview process:

- Tell us about any experiences that have been difficult for you when working with children and young people, and how you handled them?
- Tell us how you respond to aggression, or young people who are especially challenging?
- Tell us how you go about advising a young person about sexual matters?
- How would you respond to a young person who tells you that they are being abused?
- Tell us what you would do if a young person started sending you text messages unrelated to your work?

(Safeguarding Children Standards and Guidance Document for the Catholic Church in Ireland September 2008, pg.68)

APPENDIX 3.7

SELECTION AND FORMATION OF CANDIDATES FOR RELIGIOUS LIFE

(As per Our Children, Our Church 2005)

Introduction

The proper selection and formation of those who present themselves for religious life has a vital part to play in ensuring the care and protection of children and young people in the Church. This is true in relation to both the personal formation of candidates and their training in best practice in pastoral engagement with children and young people.

Selection of Candidates

It is important that those who are accepted into formal training for religious life are deemed to have achieved a sufficient level of maturity – particularly, affective and emotional maturity – to allow them to engage in and benefit from a programme of formation. In making this determination religious superiors shall seek the assistance of those competent in this area, as well as those who know the prospective candidate.

Oral references from responsible people who have known candidates over a long time are important aids to the selection process.

FORMATION

Personal Formation

In keeping with the recommendations of a number of Church documents, the programme of formation shall include a sound human formation and draw on the insights of the human sciences.

It is particularly important that the process of formation fosters the growth and integration of the affective life of the individual, including his or her sexuality in the context of a celibate lifestyle.

It is also essential that formation personnel are satisfied that the future religious can relate appropriately both to children and adults before presenting her for final vows.

Training in Best Practice

Those in formation for the religious life shall be given comprehensive training in safe and best practice in working with children and young people.

This training will include, at the earliest possible stage, the provision of clear information about how to respond if concerns about child protection arise in the context of formation or outside it. All those in formation shall be provided with the name and contact details of the relevant Director of Child Protection and shall be made aware of the procedures for reporting suspicions or allegations of child abuse outlined in this document. They shall be made aware of the commitment in the Church's procedures to act in accordance with the principle that the welfare of children is always the paramount consideration.

Other issues which should be covered in formation include the absolute importance of respecting appropriate boundaries in interacting with children; knowledge of the theories associated with sexual abuse, how abusers operate and the elements of treatment for abusers; awareness of the immediate and long-term impact of abuse of all kinds and the pastoral needs of all those affected by child abuse.

The placement of a candidate for religious life in pastoral situations allows those responsible for formation to observe and assess the ability of candidates to relate to those with whom they will be expected to minister following profession. Facilitating candidates with opportunities to reflect on their pastoral experience, and to learn from it, is intrinsic to the formation process.

Placement in any pastoral situation that involves working with children and young people requires careful planning, supervision and assessment. The vetting procedures in the relevant jurisdiction should be utilised. Candidates should expect and receive the same formal supervision as other trainees and staff.

It is essential that those entrusted with the formation of religious are themselves properly trained in the area of child protection and that their work with those in formation is adequately supported and supervised.

Similarly, sound pastoral and professional practice suggests that in the early years of ministry it is important to provide for:

- ✚ ongoing pastoral supervision
- ✚ continuing professional development
- ✚ a system of personal support and mentoring
- ✚ periodic personal reviews of experience in ministry

Psychological Testing

Psychological testing is one of the requirements in the admission process of the Congregation of the Sisters of Mercy. It takes place before the woman is admitted to Novitiate (at least six months before), giving time to process it as much as possible. The woman being tested will be informed that she will be invited to make the results available to the Provincial and relevant formation personnel, but that this availability depends on her written consent.

Psychological testing is used primarily to assess the applicant's psychological health and relational capacities for entering into ministry and community life and her potential for living the values of Religious Life. It is conducted by an experienced psychologist who respects Christian and Religious life values. He/she will conduct an in-depth interview with the candidate. This interview will provide information on her history – family background, self-identity, psycho-sexual development, relationships, values, interests, etc. In addition to the interview the psychologist may use some of the standard assessment tools (e.g. Rorschach, MMPI, interest and skills assessment, etc.)

The candidacy formator contracts with a psychologist to do the testing. The results of the psychological testing may be used by the Provincial Leader as part of assessing the woman's suitability for novitiate, and by the formator as a support tool in her accompaniment of the woman.

Following the testing, the psychologist meets with the woman to give her feedback and to allow her to ask questions or add explanations.

The results of the tests are confidential and access to them is restricted. The woman is invited to sign a form releasing the information to designated persons. This information will be reviewed only by the Provincial Leader, the Candidate, the Novitiate Formator and any other person listed on the release form.

Counselling

If the psychological tests indicate a need, the candidate should be invited to attend regular counselling for her personal growth and development. If however it emerges that a candidate needs long-term therapy, she should be asked to withdraw from the programme until she has resolved her personal difficulties

(Adapted from 'Journeying Into Mercy – Vision for Formation'. (Vision, Guidelines & Handbook'.) Congregation of the Sisters of Mercy. June 2006)

APPENDIX 3.8

Guidance on the Movement/Transfer of Sisters in Ministry, or Visitors on Extended Stay Periods.

(Addendum to the Recruitment and Vetting policy)

Note: This guidance should be conducted in line with other administrative practices when a Sister moves from one province to another. It does not apply to Sisters or others who visit for holiday periods or for periods less than six weeks where they have no contact with children.

Purpose

This guidance is for managing situations where Sisters move into a province from another province or country or congregation for the purposes of ministry or for extended periods of stay.

Process

- 1.1 The process should be completed before the Sister can commence her ministry.
- 1.2 A Garda or Access NI Vetting Form should be completed at the earliest opportunity. This should be at the time of application, if appropriate.
- 1.3 In the event that there is delay with the Garda or Access NI vetting procedures, the Sister can commence her ministry once the administrative process is complete.
- 1.4 The Sister must complete a Declaration Form for All Persons Working with Children and Young People (See pg. 77).
- 1.5 Where the transfer/move occurs outside of the recruitment process or a move due to a new appointment, two references should be sought, one of which should be from the previous Provincial Leader or Congregational Leader.
- 1.6 A copy of the safeguarding policies and all other relevant policies should be given to the person on arrival as well as arrangements for any relevant training.
- 1.7 Induction should be carried out as per the local induction policy.

Signed: _____
Provincial Leader

Sample Agreement Form
Mercy Code of Behaviour

Name: _____

Role: _____

I _____

hereby declare that I have received a copy of *The Congregation of the Sisters of Mercy Safeguarding Children Information – Policy, Principles and Guidance Manual*. I have read, understood and agree to comply with the Mercy Code of Behaviour as set out therein.

Signature: _____

Date: _____

Sample Health & Safety Policy

The Sisters of Mercy are committed to the health and safety of their employees. This policy is in accordance with the provisions of the Safety, Health and Welfare at Work Act 2005. Any breach of an employee's health and safety obligation will be treated seriously and may result in disciplinary action up to and including dismissal.

The Sisters of Mercy aim to provide and maintain safe and healthy working conditions and to follow procedures that will safeguard everyone. We expect all employees to comply with the safety procedures so they will not endanger themselves or their colleagues.

The commitment of the Congregation of the Sisters of Mercy to the safety, health and welfare of all its employees and to the full compliance with the terms of the Safety, Health and Welfare at Work Act 2005 and attendant legislation is outlined in the Health and Safety Statement. The statement includes the identification of hazards, makes a risk assessment and outlines hazard controls. The Congregation of the Sisters of Mercy is committed to:

- disseminating information relating to health and safety, to all members.
- creating a positive climate with regard to the receipt of health and safety complaints, dealing with them promptly and reporting appropriately on progress.

EMPLOYER'S RESPONSIBILITIES

The Management has overall responsibility for Health and Safety of all within the house. In this capacity the Management will:

- a) regularly appraise the effectiveness of the Safety Statement and will ensure that any necessary changes are made
- b) regularly consult with Sisters and Staff to ensure that the Safety Statement is implemented
- c) ensure that all liability is covered by insurance
- d) ensure that all Staff members are competent to carry out their work, are fully aware of hazards and are trained in the correct working procedures, and ensure that new employees are capable of carrying out their work in a manner that is safe to them and others
- e) ensure that all accidents/incidents are documented in the Accident/Incident Book
- f) provide a safe place of work which is adequately designed and maintained
- g) provide safe systems of work
- h) prevent risk to health from any article or substance (including plant, tools, machinery, chemical substances and equipment)
- i) provide appropriate information, instruction, training and supervision, especially when employees are new or move to new tasks or the use of new equipment
- j) provide suitable protective clothing and equipment where hazards cannot be eliminated
- k) prepare and revise emergency plans
- l) designate staff to take on emergency duties

EMPLOYEE'S RESPONSIBILITIES

Safety Health & Welfare at Work Act 2005

An employee shall, while at work:

- a) take reasonable care of their own safety, health and welfare and that of any other person who might be affected by his/her acts or omissions while at work.
- b) co-operate with his or her employer or other persons to comply with any of the relevant statutory provisions.
- c) use protective clothing and equipment provided for safety and have regard to the training and instructions received.
- d) report without delay, any defects in plant, equipment, place of work or system of work which might endanger safety, health and welfare at work.
- e) attend safety training.
- f) not be under the influence of any intoxicants.
- g) submit to appropriate, reasonable and proportionate tests by or under the supervision of a registered medical practitioner who is a competent person.
- h) not engage in improper conduct or behaviour that is likely to endanger their own or others' safety.
- i) agree to a medical examination by a registered medical practitioner to assess fitness to perform work which gives rise to critical safety and health risks, if required by their employer.
- j) inform the employer if they become aware that they are suffering from any disease or impairment that would affect the safety of themselves or others.

SAFETY ROUTINE

With the safety, health and welfare of all persons in mind, the following procedures will be the normal custom and function of any staff member when faced with a health and safety hazard.

Procedures for dealing with hazards/potential hazards

All Sisters and Staff are required to bring urgent safety concerns to the attention of their peers, in compliance with the safety legislation.

This in turn should be brought to the attention of the Management who is then required to deal with the hazard/risk appropriately.

All concerns reported by Sisters and/or Staff should be recorded in the Health and Safety hazards record book by the Management.

It would be important that the potential hazards be addressed as soon as possible with a risk assessment carried out.

The Management should assess the outcome of the risk assessment for possible remedies and the Sisters and Staff should be involved in this process.

To ensure safe and healthy work conditions the following needs to take place:

- Identification of specialised areas of work within the premises
- Identification of the individuals responsible for health and safety in the areas of work
- Identification of hazards
- Elimination of hazards as far as possible
- Ongoing conversations with Sisters and Staff on Health and Safety matters.

SAFE SYSTEMS OF WORK

It is the policy of the Management to ensure that tasks are within the competence and the capacity of the employees. It is clear that some processes necessarily involve risk, which can only be controlled by adherence to proper procedures. The training provided to the employees will identify the areas where skill must be exercised.

They include consideration of safety and health of Sisters, Staff and visitors.

Management shall review systems of work on request from Sisters and/or Staff and shall report its findings.

FIRE PRECAUTIONS

Fire precautions are taken, these include:

- A fully maintained fire alarm.
- Smoke detectors in all rooms and zones.
- Fire safety doors throughout.
- Fully maintained fire extinguishers throughout.
- Fire drill directions posted throughout.

- Fire blankets in kitchen area.
- Clearly identifiable exit signs throughout.
- Sisters and Staff fully apprised of procedures in case of fire.

Fire drills are undertaken once a year.

HAZARD IDENTIFICATION AND RISK ASSESSMENT

Management shall carry out a risk assessment of the various zones within the premises.

As part of this process Sisters and Staff in their respective areas should be consulted.

As part of the process the risk assessment form will be used by Sisters and Staff to aid with this process.

Where possible the Management will make use of competent consultants with special skills and services to augment the internal audits.

Where practicable, staff commits itself to dealing with the hazards identified on the basis of their elimination by whatever means necessary.

This risk assessment is quantified where the risk rating is from 1 – 5 indicating a low, medium or high risk of the hazard actually causing harm.

VISITORS

All Sisters, employees and volunteers are expected to play a responsible role in security matters. Visitors should be identified and asked to wait until the individual whom they are meeting arrives. Visitors should not be given free access within the building.

Every effort will be made by the Management to notify visitors and contractors of any risks to their safety or health, which they may face while on the premises. Responsibility for this rests with all Sisters, employees and volunteers.

All risks should be highlighted.

All visitors and contractors will be required to sign, where relevant, upon arrival at the house.

FIRST AID

The First Aid Box will be kept in a room known to all. A detailed report should be kept regarding an explanation of usage and signed by the person administering the first aid. Contents of the First Aid Box should be checked and replenished on an on-going basis. This is the responsibility of the Management. The First Aid Box should contain the following as outlined by the Health and Safety Authority.

Materials	First Aid Box Contents	
	1-10 persons	11-25 persons
Adhesive Plasters	20	20
Sterile Eye Pads (No. 16) (bandage attached)	2	2
Individually Wrapped Triangular Bandages	2	6
Safety Pins	6	6
Individually Wrapped Sterile Unmedicated Wound Dressings Medium (No. 8) (10 x 8cm's)	2	2
Individually Wrapped Sterile Unmedicated Wound Dressings Large (No. 9) (13 x 9cm's)	2	6
Individually Wrapped Sterile Unmedicated Wound Dressings Extra Large (No. 3) (28 x 17.5cm's)	2	3
Individually Wrapped Disinfectant Wipes	10	20
Paramedic Shears	1	1
Pairs of Examination Gloves	5	10
Sterile water where there is no clear running water	1x500mls	2x500mls
Pocket Face Mask	1	1
Water Based Burns Dressing Small (10x10cm's)	1	1
Water Based Burns Dressing Large.	1	1
Crepe Bandage (7cm)	1	2

VISUAL DISPLAY UNIT

There is no conclusive evidence of any serious risk associated with Visual Display Units (VDUs) when properly used. There may be associated ergonomic problems as stated below.

HAZARDS

There are three principal health issues that must be addressed when considering the safety of working with display screen equipment (DSE).

- Visual discomfort
- Physical problems
- Problems of mental stress.

ARRANGEMENTS AND CONTROLS

All VDUs have detachable keyboards and tilt/swivel facilities so that the operator can find a comfortable position avoiding fatigue in the arms and hands.

LAYOUT OF THE WORKPLACE

- Work surfaces are sufficiently large for workers to lay out their work comfortably and are of 'low reflection' nature.
- Document holders are provided if required and can be arranged for frequent head and eye movement.
- All power cables are positioned so as to avoid the risk of trips and falls.
- All operators are provided with footrests, if necessary.
- Where possible, desks and screens have been arranged so that any bright lights are not reflected in the screen.
- To this end VDUs should be positioned between, rather than under a row of lighting so that the line of sight is parallel to light fittings and any windows.
- All glare and unwanted light from windows can be avoided by the use of blinds.
- Lighting which is appropriate to the use of VDUs has been provided in all the main VDU areas.
- General principles of ergonomics including the optimum adjustment of furniture, screens, keyboards, lighting.
- VDU eye tests should be carried out yearly if the employee is classed as a "user" in that they work on the computer for more than one hour per day.

MANUAL HANDLING

Where lifting is a regular feature of an employee's work, he/she is required to have a G.P.'s letter stating that they are fit to lift and carry out general duties.

No employee should engage in lifting tasks until they are taught how to do so.

All items to be lifted should be assessed and planned before commencing to lift.

Manual handling should be avoided where possible and the use of lifting aids should be used.

Any risk/problems should be reported to the Management.

If you feel you are unable to lift, then don't.

COMMUNICATION AND REVIEW.

The Health and Safety Statement has been created by the Management following consultation with the Sisters, employees and volunteers. The policy endeavours to identify all the hazards that are present in the house and to minimise the risk to the well-being of all through controls and proper work practices. The existence of this policy is communicated to all Sisters, employees and volunteers by Management. The policy will be reviewed if and when the need arises. It will be reviewed annually as a general rule.

Signed: _____

Date _____

Youth Ministry Risk Assessment Form

To be completed before residential youth ministry events or day-trips etc.

Project Name:			
Project Location:			
Project Leader:			
Date of Activity:			
Contact Details:			
	Yes	No	Action to be Taken
<i>Have all volunteers/staff successfully completed Application Forms?</i>			
<i>Have references been checked?</i>			
<i>Have Garda Vetting forms been submitted and returned?</i>			
<i>Have all volunteers/staff attended Safeguarding Training?</i>			
<i>Is the attendance book to hand?</i>			
<i>Is each child's Parental/Guardian's Consent form signed and to hand, including medical requirements and medical emergency consent.</i>			
<i>Have parents/guardians been informed about the event, planned activities, etc.</i>			
<i>Is the First Aid Bag fully stocked and to hand?</i>			
<i>Is there a trained first-aider available to travel with the group?</i>			
<i>Are there Accident/Incident Forms to hand?</i>			
<i>Are the appropriate transport arrangements in place?</i>			
<i>Are all the activities planned and appropriate?</i>			
<i>Are all toilet/shower facilities appropriately designated - boys, girls, leaders?</i>			
<i>Where necessary, are the kitchen/food storage/ food preparation/cooking facilities adequate for the event?</i>			
<i>Where activities include outdoor activities/ pursuits, have parents/guardians been informed?</i>			
All questions must be answered "Yes" before the project can proceed			
Signed: _____		Date: _____	
Print Name: _____			

Template of a Residential Consent Form and Code of Behaviour
Residential Activity Consent Form for persons under the age of 18 years

1. Name of Church Organisation:	7. Parent/Guardian Contact Information: Name Parent /Guardian:
Venue/Activity/Group/Event:	Address:
Date and Time of activity/event:	Phone (Daytime): Phone (Evening):
Name of Group Leader/Person Responsible:	Please provide the name and contact number of another adult whom we can contact if necessary:
2. Name of Child/Young Person:	Name Contact 2: Phone Contact 2:
Address:	8. Photography – On occasion we may use photographs of young people in promotional material and on our website. If you would prefer us not to use photographs of your child for this purpose, please contact us. (See Guidelines pg.32)
Telephone No:	
Date of Birth:	9. Safeguarding - The Congregation of the Sisters of Mercy values and encourages the participation of children in the life of the Church and is committed to best practice, which protects children from harm and abuse. Staff, volunteers and religious in the Congregation accept and recognise their responsibilities to develop awareness of the issues which cause children harm.
3. Give details of any medical condition of which the organisers ought to be aware. Please include details of any medication which has to be taken or any dietary requirements. Please ensure that your child has any medication he or she might require, and that he/she knows how to take it. (This information will be treated in confidence)	
4. In the event of an emergency I authorise the administration of any medication which has been prescribed by a medical professional. Signed: _____ (parent / guardian)	For more information please visit our website www.sistersofmercy.ie If you have concerns about any activity please contact the Safeguarding Manager/Designated Liaison Person. (Relevant numbers to be included here at Provincial Level)
5. Name of GP: Telephone Number:	
6. Passport Number: Passport Expiry Date:	10. European Health Insurance Card Number : (For EHIC visit www.ehic.ie) EHIC Expiry Date:
11. Any Other Relevant Information:	
I have read all the information provided concerning the programme of the above activity and hereby give permission for my son/daughter/ward to participate in the above activity. Signed: _____ Date: _____	

Parental/Guardian Consent Form

Activity permission form for persons under 18 years

1. Name of organisation: _____

Venue/activity/group/event: _____

Date/time: _____

Name of group leader/person responsible: _____

2. Name of child/young person: _____

Address: _____

Telephone number: _____ Date of birth: _____

Give details of any medical condition of which the organisers need to be aware. Please include details of any medication which has to be taken, or of dietary requirements. (Information will be kept confidential)

3. I have read all the information provided concerning the programmes of activity. I hereby request permission for my son/daughter/ward to participate in the above activity.

4. The _____ organisation only accepts liability or responsibility for an incident or accident caused by the negligence or breach of statutory duty of the organisation, its agents or servants.

Signed: _____ Date: _____

(Parent/guardian)

Address (if different from above)

Include any additional telephone numbers that may be needed during the period of the activity

APPENDIX 3.14

Residential Consent Form Code of Behaviour for Residential Events and Activities

1. The taking of unauthorised drugs or alcohol at any event is absolutely forbidden.
2. At all times only girls are allowed in the female sleeping areas and only boys are allowed in the male sleeping areas. Children may not be in one another's rooms under any circumstances.
3. Only those accompanied by one of the appointed leaders may be outside after curfew.
4. Children will participate actively in the entire programme of events as arranged, making every effort to make the occasion enjoyable for all children.
5. It is necessary that all health information which may be relevant during the event be given to leaders by parents/guardians.
6. As far as possible all children will take responsibility for their own belongings.
7. Children may not carry or buy any item which may be deemed a risk by airport security personnel.
8. The leaders will make every effort to comply with children's reasonable wishes e.g. sharing arrangements in bedrooms if applicable.
9. Each person is expected to treat all others with respect. Bullying of any sort will not be tolerated. Children should inform a leader immediately if they feel unsafe (see Anti-bullying Guidelines Appendix 3.17 pg. 108).

To be completed by parent/guardian:

I give consent for my child/ward to participate in this event. I have read the code of behaviour and conditions for travel. If my child/ward infringes any of the above rules I accept responsibility for the consequences that may follow. I accept that the leaders are responsible for my child/ward only as long as he/she complies with this code of behaviour.

Signature of Parent/Guardian: _____ Date: _____

Signature of Participant: _____ Date: _____

I understand the above conditions and wish to travel with this group.

Office use only.

Form received by: _____ Date: _____

SAMPLE FORM

Renting/Leasing Property of Sisters of Mercy

Community _____

As a Congregation which 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 facilities and services. The Congregation of the Sisters of Mercy has clear policies and procedures in relation to safeguarding children. Any group/organisation operating under the name/auspices of the Sisters of Mercy must comply with the Congregational requirements.

However, we welcome other organisations/groups/individuals within the community to use our facilities. We require detailed information in respect of applications to ensure that the safety and well-being of the service users is maintained. We ask that the following questionnaire is completed in capital letters, using ink pen and tick response as appropriate. If any response is not applicable (N/A), please provide details regarding why this does not apply to your organisation.

Please indicate whether additional information is provided in support of this application.

If you cannot supply all of the information required we cannot authorise the use of our facilities by your organisation/group.

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: Commence at _____ (a.m. /p.m.)

Finish at _____ (a.m. /p.m.)

Names and addresses of persons who will be in charge during use:

(1) _____

Telephone Number: _____

(2) _____

Telephone Number: _____

Commitment to good practice:

Do you have a policy statement and procedures on the safeguarding of children and young people?
Yes _ No _

Insurance:

Do you have appropriate insurance cover for the activity? Yes _ No _

Name of Insurer: Policy Number:

Period of Insurance - From: Expiry Date:

Please provide a copy of your insurance policy and/or a letter from your insurer establishing that you have adequate cover in force for the activity in question.

To be signed by official/co-coordinator of the organisation/group.

Signed: _____

Print Name: _____ Date: _____

Position: _____

Community Use Only

Evidence of insurance received:

a) Copy of insurance policy: Yes _ No _

b) Letter from renter's insurer: Yes _ No _

Received: _____ Date Received: _____

Signed: _____ Date: _____

GUIDELINES FOR PERSONAL AND INTIMATE CARE OF CHILDREN, INCLUDING CHILDREN WITH DISABILITIES.

The following principles underline the guidelines:

- ✚ We recognise that there is a need to treat all people with respect when intimate care is given or supported. While all children and young people will be encouraged to manage their personal care needs independently, Sisters, employees and volunteers will offer support and assistance when necessary.
- ✚ Each individual will be encouraged to do as much for himself/herself as he/she can.
- ✚ Each individual will be supported to achieve the highest level of autonomy that is possible, given their age and ability.
- ✚ The dignity, respect and privacy of the individual are paramount. No individual should be attended to in a way that causes distress, embarrassment or pain.
- ✚ The management of intimate care needs to be carefully planned. Two adults should be present in a supportive role at all times, if possible, in order to ensure safe practice.
- ✚ The Congregation of the Sisters of Mercy is committed, in so far as is reasonably practicable, to providing a safe and healthy work environment for all people who provide supports and services. The organisation will comply with all related Health and Safety legislation and any relevant codes of practice or safe practice recommendations.

Guidelines on Intimate Care of Children with Disabilities

- ✚ Disability is defined as a substantial restriction in the capacity of a person to participate in economic, social, or cultural life on account of an enduring physical, sensory, learning or emotional impairment. The types of disability include: physical disability, mental ill-health, autism, intellectual or learning disability and sensory impairment such as hearing or visual impairment (Duty to Care: Department of Health & Children April 2002).
- ✚ Assumptions should not be made about the effects of impairment on a person. These should be elicited, as much as possible, directly from the person even though communication may be difficult. Where there are communication difficulties, the care giver must become proficient in understanding the child.
- ✚ To ensure equality of treatment and opportunity for persons with disabilities, reasonable adjustments should be made to the physical environment, such as access, to accommodate their needs, membership and activities. Prejudices needs to be addressed through education and information.
- ✚ People with disabilities must be treated fairly, avoiding direct discrimination on the basis of disability, victimisation and harassment. Children and young people with disabilities are children first, and they have the same rights, hopes, fears and aspirations as other young people. They have additional needs that place additional responsibility on those who care and work for them.

- ✚ Children/young people with a disability may be more vulnerable and depend on adults more than other children for their care and safety.
- ✚ Appropriate care is to be given by Sisters, employees and volunteers, always respecting the child's/young person's dignity, privacy and choices.
- ✚ Planning and agreements with the parents/guardians/children/young people in relation to inclusion should be discussed at enrolment time, with special reference to personal care and communication.
- ✚ Where it is necessary to carry out tasks of a personal nature for a child/young person, this should be done with the full understanding and consent of parents or guardians. In carrying out any personal care task, sensitivity must be shown to the child, and the tasks should be undertaken with the utmost discretion.
- ✚ Any care task of a personal nature, which a child or young person can do for themselves, should not be undertaken by the Sister, employee or volunteer.
- ✚ In an emergency situation where this type of help is required, parents/guardians should be fully informed as soon as is reasonably possible.
- ✚ Sisters, employees, volunteers should be aware that vulnerable children may be more likely than other children to be bullied or subjected to other forms of abuse, and may also be less clear about physical and emotional boundaries.

The Congregation aims to:

- ✚ provide guidance and reassurance to employees and parents/guardians.
- ✚ safeguard the dignity, rights and well-being of children.
- ✚ be able to assure parents/guardians that Sisters/employees/volunteers are knowledgeable about intimate care and that their individual needs and concerns are taken into account.

All those who work with special needs children must be aware that:

Every child has a right to:

- ✚ feel safe and secure and to be treated as an individual.
- ✚ privacy, dignity and a professional approach from all persons when meeting his/her needs.
- ✚ information and support that will enable him/her to make informed and appropriate choices.
- ✚ be accepted for who they are, without regard to age, gender, ability, race, culture or belief

Every child and parent/guardian has the right to information and procedures to be used for any complaint or query he/she may have regarding intimate care.

Anti-Bullying Guidelines

Bullying

'Each child is a gift of God. As Sisters of Mercy our ethos commits us to ensure that the fundamental rights of children are respected. In all circumstances we strive to create a supportive and caring environment where children are listened to, treated fairly, taken seriously and feel safe'. (Congregation of the Sisters of Mercy Safeguarding Children Information - Policy, Principles and Guidance Manual April 2015 pg. 10).

As a Congregation we commit ourselves to respect the human rights and dignity of all people. We seek to eliminate/minimise bullying behaviours in our interactions with each other and with everyone we encounter. We are especially committed to respect the rights and dignity of all children, both those to whom we minister and those whom we meet in our daily lives. We strive to do all in our power to protect children from harm or abuse in any form.

Definition of bullying

Bullying is defined as unwanted negative behaviour, verbal, psychological or physical conducted by an individual or group against another person (or persons) and which is repeated over time. Bullying is a repeated inappropriate behaviour towards an individual who is singled out in an unpleasant way by persistent aggression (verbal, physical or psychological) or by persistent exclusion conducted by one or more persons. 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.

The following types of bullying behaviour are included in this non-exhaustive definition:

- ✚ deliberate exclusion, malicious gossip and other forms of relational bullying;
- ✚ cyber-bullying;
- ✚ Identity-based bullying such as homophobic bullying, racist bullying, bullying based on a person's membership of an ethnic community and bullying of those with disabilities or special educational needs.
- ✚ Placing a once-off offensive or hurtful public message, image or statement on a social media site or other public forum where that message, image or statement can be viewed and/or repeated by other people will be regarded as bullying behaviour.

Types of bullying

The following are some of the types of bullying behaviour that can occur amongst children:

- ✚ physical aggression: pushing, shoving, biting, punching, kicking, poking and tripping people.
- ✚ intimidation: such as very aggressive body language with the voice being used as a weapon; a facial expression which conveys aggression and/or dislike.
- ✚ isolation/exclusion and other relational bullying: isolating, excluding or ignoring one person, by individuals or by the entire group

- ✦ cyber-bullying: through the use of information and communication technologies such as text, social network sites, e-mail, instant messaging, apps, gaming sites, chat-rooms
- ✦ name calling: persistent name-calling directed at the same individual(s) which hurts, insults or humiliates
- ✦ damage to property: defacing, breaking, stealing, hiding or interfering with personal belongings such as clothing, mobile phone or other devices, school books and other learning material
- ✦ items of personal property may be defaced, broken, stolen or hidden.
- ✦ personal property can be the focus of attention for bullying behaviour; this may result in damage or extortion - demands for money often accompanied by threats.

As Sisters of Mercy, we recognise the very serious nature of bullying and the negative impact that it can have on the lives of children and young people and therefore we are committed to the prevention of bullying behaviour. We do this by promoting a positive culture and climate which:

- ✦ is welcoming of difference and diversity and is based on inclusivity;
- ✦ encourages children to disclose and discuss incidents of bullying behaviour in a non-threatening environment; and
- ✦ promotes respectful relationships between children
- ✦ has a shared understanding of what bullying is and its impact;
- ✦ implements education and prevention strategies (including awareness raising measures)
- ✦ builds empathy, respect and resilience among children and young people,
- ✦ explicitly address the issues of cyber-bullying and identity-based bullying - including in particular, homophobic and transphobic bullying;
- ✦ effectively supervises and monitors children;
- ✦ consistently records, investigates and follows up on bullying behaviour

On-going evaluation of the effectiveness of the anti-bullying guidelines is essential to good practice.

APPENDIX 4.1

Questionnaire re Training Needs

Who needs to be trained?	What training do they need?	How to meet the training needs?	Priority High=4 Low=1	Resources/costs?

Definitions and Signs and Symptoms of Abuse

Abuse and neglect are forms of maltreatment of a child. Someone may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Children may be abused in their family, in a faith based institutional or community setting; by those known to them, or more rarely by a stranger. They may be abused by an adult/s, another child or children. It often involves people they trust and know well.

The abuse of children generally involves one or more of four main forms of abuse:

- physical abuse
- emotional abuse
- sexual abuse
- neglect.

It is essential that personnel in the Catholic Church recognise that the abuse of children is not just about sexual abuse. Many children experience harm through emotional, physical abuse and neglect. The Church must take responsibility to nurture, protect and take action for any child who is suffering harm, whatever the harm may be and whoever is causing it.

Some children may be particularly vulnerable to abuse. For example there is research which has found that children with disabilities are three times more likely to be abused than non-disabled children.

Some studies suggest children from minority ethnic groups may be at increased risk of abuse through factors such as stereotyping, prejudice and discrimination. There is also extensive evidence that these children and families often fail to receive an appropriate service when concerns are raised about a child's welfare. Over-reaction and inaction have both been shown to be based on misunderstandings and misinterpretations of different cultural patterns, which have led to failure to meet children's needs.

Other groups of children who might be particularly vulnerable include asylum-seeking children, children who are in care, children who are living with parents/carers who misuse drugs and/or alcohol.

Definitions

Physical Abuse

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces illness in a child. Physical abuse, as well as being a result of an act of commission can also be caused through omission or the failure to act to protect.

Emotional Abuse

Emotional abuse is the persistent emotional ill-treatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of ill treatment of a child, though it may occur alone.

Sexual Abuse

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, including prostitution, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape, buggery or oral sex) or non-penetrative acts (oral sex). They may include non-contact activities, such as involving children in looking at, or in the production of, pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways. Boys and girls can be sexually abused by males and/or females, by adults and by other young people. This includes people from all different walks of life.

Neglect

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 failure to access appropriate medical care or treatment. Neglect generally becomes apparent in different ways over a period of time rather than at one specific point. It is the persistent failure to meet a child's basic physical and/or psychological needs, such as the neglect of, or unresponsiveness to, a child's basic emotional needs likely to result in the serious impairment of the child's health or development. Neglect may also occur during pregnancy as a result of maternal substance abuse.

NBSCCCI Standards and Guidelines (2008) pg. 73

Child Sexual Exploitation Images

The viewing, use, trade, transmittal or transference of abusive sexual images of children engaged in real or simulated explicit sexual activity, or showing of their private parts, for the purpose of sexual gratification.

Bullying

Repeated aggression conducted by an individual or a group against another or others; such aggressive behaviour may be verbal, psychological or physical, including racist or sexist remarks, or emotional intimidation such as isolating or excluding.

Recognising Child Abuse

Sisters of Mercy, employees and volunteers have a responsibility and duty to take action where there is a concern for the safety of a child. The following information should alert one to the possible signs of child abuse.

Recognising Physical Abuse

Cuts and bruises on the bony parts of a child's body, like elbows, knees and shins are common occurrences. Unexplained bruises or injuries, injuries in unusual places like the cheek or thighs, unlikely explanations that do not fit the injury and delays in seeking medical treatment are a cause of concern.

Physical Signs of Abuse May Include:

- ✚ unexplained bruising, marks or injuries on any part of the body;
- ✚ bruises that reflect hand marks or finger tips
- ✚ cigarette burns
- ✚ bite marks
- ✚ broken bones
- ✚ scalds.

Changes In Behaviour Which Can Indicate Physical Abuse May Include:

- ✚ fear of parents being approached for an explanation
- ✚ aggressive behaviour or severe temper outbursts
- ✚ flinching when approached or touched
- ✚ reluctance to get changed, for example in hot weather
- ✚ depression
- ✚ withdrawn behaviour
- ✚ running away from home.

Recognising Emotional Abuse

Emotional abuse can be difficult to measure, and often children who appear well cared for may be emotionally abused by being taunted, put down or belittled. They may receive little or no

love, affection or attention from their parents or carers. Emotional abuse can also take the form of children not being allowed to mix/play with other children.

The Physical Signs of Emotional Abuse May Include:

- ✚ a failure to thrive or grow, particularly if the child puts on weight in other circumstances e.g. in hospital or away from the primary carers
- ✚ sudden speech disorders
- ✚ developmental delay, either in terms of physical or emotional progress.

Changes in behaviour which can indicate emotional abuse may include:

- ✚ being unable to play
- ✚ fear of making mistakes
- ✚ neurotic behaviour e.g. sulking, hair-twisting, rocking
- ✚ self-harm
- ✚ fear of parent/carer being approached regarding their behaviour.

Recognising sexual abuse

Adults, who use children to meet their own sexual needs, might abuse both girls and boys of all ages, including infants and toddlers. Usually, in cases of sexual abuse it is the child's behaviour which may cause one to become concerned, although physical signs can also be present. In all cases, children who tell about sexual abuse do so because they want it to stop. It is important, therefore, that they are listened to, taken seriously and that their concern/allegation is acted on.

The physical signs of sexual abuse may include:

- ✚ pain or itching in the genital area
- ✚ bruising or bleeding near genital area
- ✚ sexually transmitted disease
- ✚ vaginal discharge or infection
- ✚ stomach pains
- ✚ discomfort when walking or sitting down
- ✚ pregnancy.

Changes in behaviour which can also indicate sexual abuse include:

- ✚ sexual knowledge which is beyond their age or developmental level
- ✚ sexual drawings or language beyond their age or developmental level

- ✚ bedwetting
- ✚ eating problems such as overeating or anorexia
- ✚ self-harm or mutilation, sometimes leading to suicide attempts
- ✚ saying they have secrets they cannot tell anyone about
- ✚ substance or drug abuse
- ✚ suddenly having unexplained sources of money
- ✚ not being allowed to have friends (particularly in adolescence)
- ✚ acting in a sexually explicit way towards adults.

Recognising Neglect

Neglect can be a difficult form of abuse to recognise. It occurs over a period of time; it is not a once off incident. The physical signs of neglect may include:

- ✚ constant hunger, sometimes stealing food from other children
- ✚ constantly dirty or 'smelly'
- ✚ loss of weight, or being constantly underweight
- ✚ inappropriate dress for the conditions.

Changes in behaviour which can also indicate neglect may include:

- ✚ complaining of being tired all the time
- ✚ not requesting medical assistance and/or failing to attend appointments
- ✚ having few friends
- ✚ mentioning their being left alone or unsupervised.

NBSCCCI Standards and Guidelines (2008) pg. 75,76

Sample Form

Mercy Policy on Completion of Induction Training

Name: _____

Role: _____

I _____

hereby declare that I have attended a Mercy Policy Induction Training Programme and I have read and understood and agree to comply with the Congregation of the Sisters of Mercy Safeguarding Children Information-Policy, Principles and Guidance Manual.

Signature: _____

Date: _____

APPENDIX 5.1

Communicating Church Child Safeguarding Message cf. Standard 5 (NBSCCCI) as outlined below:




It is helpful to identify what currently happens now and what different methods of communication exist in your Congregation. The following checklist suggests some ideas for you to consider. Do you:

- ✚ Advertise the name of the person who has safeguarding responsibility for children during your congregation organisation's youth activities and have a record of their contact details?
- ✚ Ensure that congregational personnel are easily identifiable when at work, for example, by wearing a T-shirt or badge?
- ✚ Make sure that communications between the congregational organisation and parents/carers/children/community leaders take account of language or communication differences?
- ✚ Make sure that parents, children and relevant others know about your child protection policies and reporting procedures?
- ✚ Have a process for enabling people including children to make a complaint and make sure that this process is publicised and that everyone knows about it?
- ✚ Involve parents, as well as children, in developing codes of behaviour e.g. about anti-bullying etc.
- ✚ Devise ways of obtaining feedback from parents/carers/children/the congregation to find out what you are doing well, and what's not working

NBSCCCI Standards and Guidelines (2008) pg. 48

Guidance on Managing and Supporting the Respondent

Investigation Stage

1. On receipt of a concern/allegation/complaint, the Safeguarding Manager/Designated Liaison Person discusses the concerns with the Provincial Leader within 48 hours.
2. The Sister (respondent) is informed of the allegation made against her in an interview arranged by the Provincial and Safeguarding Manager/Designated Liaison Person. This meeting should be conducted either as part of the initial enquiry to establish if 'reasonable grounds for concern' exist, or, as part of the canonical investigation once it has been established that a criminal investigation or civil investigation (TUSLA/HSCT) is not going to proceed.
3. During the interview, the Safeguarding Manager/Designated Liaison Person details the nature of the allegations, including the name of the person who has provided the information (if possible) and asks for a response to the allegations.
4. The interview will be recorded in writing and, where relevant, details of the response given passed to the authorities. (Initial Enquiry).
5. The Sister is advised of her rights, including the right not to respond to the allegation or to respond at a later date. Her right to seek civil, legal and canonical advice is outlined.
6. The Provincial Leader, Safeguarding Manager/Designated Liaison Person should advise the National Board for Safeguarding Children in the Catholic Church in Ireland of the following:
 -  that an allegation has been received
 -  that it has been referred to the statutory authorities
 -  that a Canonical Enquiry will commence.
7. A Canonical Enquiry is then initiated and immediately suspended pending the outcome of the civil investigation. No church investigation should interfere with the civil enquiries which take precedence at this stage.
8. Given due regard to the rights of the individual and to the presumption of innocence during the period of the investigation, it is expected that all Sisters of Mercy within the Congregation would comply fully with any child abuse enquiry or investigation, criminal, civil or canonical.
9. An Adviser (Sister/Lay Person) is made available to the Sister if she so wishes. The Advisers are approved by the Safeguarding Committee and recommended to the Provincial.
10. The Adviser is not informed of the identity of the Sister unless, and until, the Sister indicates her desire to have an Adviser assigned to her. This is done to preserve confidentiality.

The Role of the Adviser is to:

- ✚ provide support to the respondent
- ✚ accompany her to the interviews
- ✚ ensure the Sister is aware of her rights to obtain Civil and Canon Law advice
- ✚ assist in the identification of any therapeutic or other needs of the Sister and suggest how these might be met
- ✚ consider the Sister's wishes in relation to a pastoral response by the Congregation to her family
- ✚ be available to her throughout the process of enquiry and later, as required
- ✚ ensure she understands the civil and canonical processes and is kept informed of progress.

11. Where it is established that 'reasonable grounds for concern' exist, those who are the subject of an investigation may be asked to step aside from their ministry and duties for the duration of the investigation. The respondent is presumed innocent and retains the right to her good name while the matter is pending.

12. Where a Sister is asked to step aside from ministry she should:

- ✚ be informed of the reasons for being asked to step aside
- ✚ be given details of any information that will be put in the public domain
- ✚ be given confirmation that temporary withdrawal from ministry does not constitute removal from her appointment.

13. If the Sister denies the allegation, and there are doubts as to whether the threshold of 'reasonable grounds for concern' has been reached, appropriate protective measures, proportionate to the level of risk to children, will be put in place, pending further investigation.

14. The Provincial Leader will seek the advice of the NCMRG on such matters. The Safeguarding Manager /Designated Liaison Person will consult with TUSLA/H SCT on the proposed measures. Review arrangements should be put in place.

Outcomes:

1. Return to Ministry

Where it is established that an allegation of abuse by a Sister is without foundation, she will be returned to full ministry. Every effort will be made to undo whatever damage has been done to her reputation, including communication with relevant parties. She will be offered counselling and other appropriate support to help her deal with the related stress of dealing with a false or mistaken accusation.

2. Implementation of further preventative measures

When allegations cannot be substantiated or when there may be some concern regarding the truth of the allegation, the Sister is made subject to a contract (Covenant of Care).

A contract typically requires, among other things, that the Sister refrains from having unsupervised contact with children.

Specific measures are determined by the Provincial, with advice from the NCMRG.

Compliance is monitored through the auspices of the Safeguarding Manager/Designated Liaison Person.

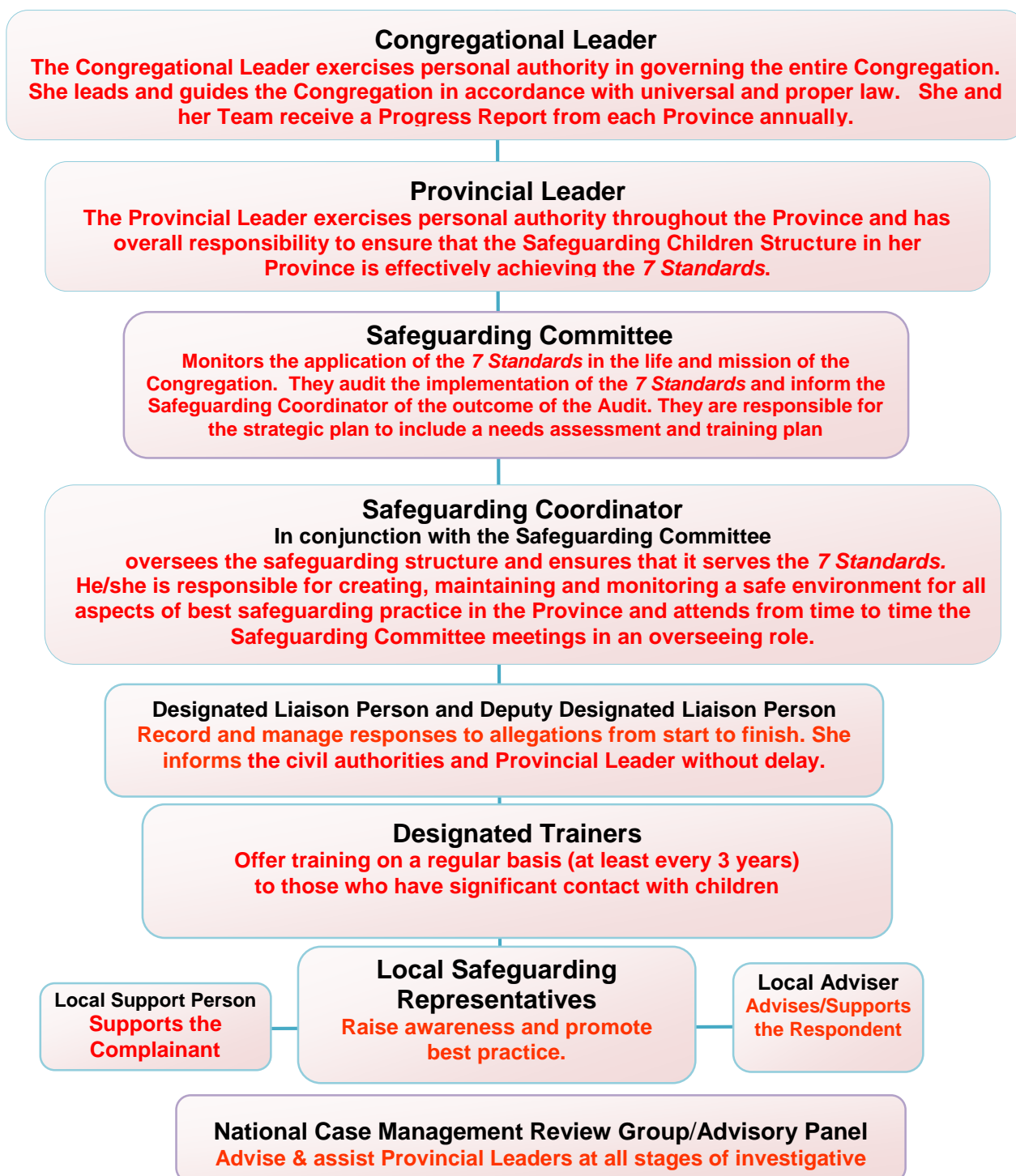
3. Leave from Ministry

Any Sister of Mercy who has been convicted of child abuse cannot remain in ministry.

The Provincial Leader must decide what immediate measures are to be taken with regard to the Sister. Those not in ministry for this reason are provided with appropriate support by the Provincial Leader and community.

Any new concerns are reported to An Garda Síochána/PSNI/TUSLA/HSCT.

Annual Progress Report on Mercy Child Safeguarding



Note: In Provinces where a Manager is appointed, he/she fulfils the combined roles of the Safeguarding Coordinator and the Designated Liaison Person.

Congregational Leadership

- Is the Safeguarding Structure up and running?

- What is in place?

- How is it working?

- Where are the gaps, if any?

- What are the next steps?

Provincial Leadership

- Is the safeguarding Structure up and running?

- What is in place?

- How is it working?

- **Where are the gaps, if any?**

- **What are the next steps?**

Safeguarding Manager\Designated Person and Deputy Designated Person

- **Is the Safeguarding Structure up and running?**

- **What is in place?**

- **How is it working?**

- **Where are the gaps, if any?**

- **What are the next steps?**

Local Safeguarding Representatives

- Is the Safeguarding Structure up and running?

- What is in place?

- How is it working?

- Where are the gaps, if any?

- What are the next steps?

Local Support Person

- Is there a Local Support Person? Yes____ No____
- Is the Local Support Person contracted when there is a need? Yes____ No____
- Are there any gaps?

Local Adviser

- Is there a local Adviser? Yes____ No____
- Is the Local Adviser contracted when there is a need? Yes____ No____
- Are there any gaps?

Safeguarding Committee

- Is the Safeguarding Structure up and running?

- What is in place?

- How is it working?

- Where are the gaps if any?

- What are the next steps?

National Case Management Review Group

- Have you availed of their expertise during the year? Yes ___ No ___
- If so, how was your experience?

Any Other Comments

CHECKLIST FOR MONITORING COMPLIANCE WITH STANDARDS

(for use by Safeguarding Manager/Safeguarding Coordinator)

	Standard 1: A written policy on keeping children safe	In place	Proposed	Not in place	Date reviewed
1	A clearly written child protection policy in place.				
2	All obliged to comply with it and it is signed by relevant leadership.				
3	Reviewed at least every 3 years and adapted when necessary.				
4	All aspects and contexts of child protection work addressed.				
5	Management of those who pose a risk to children is spelt out clearly.				
6	The Congregation's understanding and definitions of abuse.				
7	All current child protection concerns reported to civil authorities immediately.				
8	Policy created at Congregational level. Other policies must be consistent with Policy of Congregation and be approved.				

	Standard 2: Procedures - responding to allegations	In place	Proposed	Not in place	Date reviewed
1	Clear written step-by-step procedures on action to take (historic or current abuse).				
2	Procedures consistent with legislation on child welfare and civil guidance for child protection- clearly written.				
3	Designated Liaison Person(s) with clearly defined roles and responsibilities.				
4	Process for recording incidents, allegations or suspicions and referrals. Details stored securely.				
5	Process for dealing with complaints (made by adults and children) with timescale for resolving them.				
6	Limits on confidentiality which makes it clear that the protection of the child is paramount.				
7	Contact details for local child protection services in your jurisdiction.				

	Standard 3: Preventing harm to children	In place	Proposed	Not in place	Date reviewed
1	Policies & procedures in place for recruitment and assessment of personnel.				
2	Safe recruitment & vetting policy in line with best practice guidance.				
3	All involved regularly with children or in positions of trust complete form in appendix 3.3				
4	Guidance provided on expected standards of adult behaviour towards children.				
5	Guidance on expected behaviour of children towards other children.				
6	Clear ways to raise allegations or suspicions, confidentially if necessary, about unacceptable behaviour towards children (whistle blowing).				
7	Processes in place for dealing appropriately with children's unacceptable behaviour.				
8	Discriminatory behaviour or language unacceptable re: race, culture, age, gender, disability, religion, sexuality or political views.				
9	Guidelines on personal/intimate care of children with disabilities.				
10	Guidelines on risk assessment especially in activities away from base.				
11	Ensure children are adequately supervised at all times (including projects/activities).				
12	Guidelines re: use of IT (mobile phones, email, digital camera, website, internet).				

	Standard 4: Training and education	In place	Proposed	Not in place	Date reviewed
1	All personnel inducted into policy and procedures on child protection.				
2	Personnel trained and up-skilled regularly for keeping children safe.				
3	Extra training provided for Designated Persons and for those involved in recruiting, dealing with complaints, disciplinary processes, managing risk.				
4	Training in places of religious formation.				
5	Training programmes monitored by National Board for Safeguarding Children/other agencies.				

	Standard 5: Communicating our Safeguarding Policy	In place	Proposed	Not in place	Date reviewed
1	The Child Protection Ethos & Policy Statement is openly displayed and available to everyone.				
2	Children know their right to be safe from abuse and how to raise concerns.				
3	Everyone knows who the Designated Liaison Person is and how to contact her/him.				
4	Personnel are provided with contact details of local child protection services such as the Police and Statutory Child Protection Agencies, Designated Liaison Person & Telephone Help lines.				
5	Positive links with Statutory Child Protection Agencies.				

	Standard 6: Access to Advice & Support	In place	Proposed	Not in place	Date reviewed
1	Those with special responsibility have access to specialist advice, support and information on child protection.				
2	Contact with sources of support and information at local/national levels.				
3	Guidance on how to respond to a child suspected to have been abused.				
4	Information for those who have been abused on how to seek support.				
5	Support in a manner which does not compromise children's safety for those who have abused.				

	Standard 7: Implementing and Monitoring Standards	In place	Proposed	Not in place	Date reviewed
1	Written action plan for keeping children safe (with details of by whom and when).				
2	The human and financial resources for implementation of plan.				
3	Details of monitoring compliance with Child Protection Policies and Procedures.				
4	Processes to get views of children and others re: policies for keeping children safe.				
5	All incidents, allegations/suspicions of abuse recorded and safely stored.				

Appendix 7.3

Ways of Providing Evidence re: Implementation of Policy

The following documents will provide evidence of compliance:

Standard 1: A written policy on keeping children safe

- a copy of the policy
- minutes of the meeting where the policy was authorised
- written evidence of how abuse is dealt with, and provision for review.

Standard 2: Procedures for responding to allegations

- copy of written procedures
- flow chart indicating steps in reporting process
- name and duties of those with special responsibility for child protection
- examples of forms for recording details.

Standard 3: Preventing Harm to children

- copy of recruitment process
- examples of application, reference and declaration forms
- evidence of registration with or access to agencies in any jurisdictions where we minister, which are authorised to vet people
- guidance for adult-to-child and child-to-child behaviours
- guidance on physical contact
- document explaining how those with child protection concerns can confidentially discuss them with senior staff
- copy of child welfare plan re: transportation, overnights, use of IT, filming, along with evidence to show compliance with supervision ratios.

Standard 4: Training and Education

- copy of training plan
- record of course attendance
- induction documentation
- systemic ongoing formation programmes for safeguarding children.

Standard 5: Communicating our Safeguarding Message

- examples of resources used to communicate the message with reference to child protection policy and code of behaviour
- examples of ways the policy has been promoted, including with communities and children
- information including contact details for children when they have a concern.

Standard 6: Access to Advice and Support

- copies of information for children about sources of support
- information about training, advice and support for all
- copy of outreach programme for those abused, and their families.

Standard 7: Implementing and Monitoring Standards

- action plan for implementing the Standards
- record of a date planned for review and who is responsible
- summary of the number of incidents of abuse and number of complaints.

ADDITIONAL RESOURCES AND DOCUMENTS

	Page No
Summary of Church and State Developments in Relation to Child Protection and Safeguarding (<i>Republic of Ireland Version</i>)	134
Resource 2: Procedure – How to manage concerns, suspicions, allegations and disclosures of abuse involving Church staff and volunteers (NBSCCCI pg. 60)	136
Resource 15: Roles and responsibilities of Church personnel (NBSCCCI pg. 84)	139
Resource 13: Child Protection allegations and concerns - Review Procedures (NBSCCCI pg. 79)	144

The National Board for
SAFEGUARDING CHILDREN
in the Catholic Church

HANDOUT 2 (a)

Summary of State and Church Developments in relation to Child Protection and Safeguarding
Republic of Ireland version

- **1989 UN Convention on the Rights of the Child.**
Ireland signed up to the Convention in 1992.
Signatories also include Northern Ireland and the Vatican. Convention has no legal or statutory powers.
All rights apply to children without exception
- **1991 Child Care Act:** Placed a duty on the HSE to identify children who are not receiving adequate care and protection and to provide child care & family support services. Welfare of the child is of paramount importance. Defines a child as any person under the age of 18 years, excluding a person who is or who has been married.
1996 The Green Book: Child Sexual Abuse: Framework for a Church Response. Recognised the paramount need to safeguard the welfare of children. It emphasises the need for a strong commitment to prevention through a range of measures to reduce the risk of such abuse in the future.
1998 Protection for Persons Reporting Child Abuse Act: Provided legal immunity for reporting Child Abuse “reasonably and in good faith” to HSE or Gardai.
- **1999 Children First (DOHC):** Intended to assist in identifying and reporting child abuse and to improve professional practice in statutory and voluntary agencies and organisations that provide services for children and families.
2002 Our Duty to Care: Guidelines issued by the HSE, based on Children First, setting out principles of good practice for the protection of children and young people.
- **2005 Ferns Report:** An official Irish government inquiry into the allegations of clerical sexual abuse in the Irish Catholic diocese of Ferns. The Inquiry did not concern itself with the truth or otherwise of the complaints and allegations made, but entirely with

the response to those allegations. The Inquiry recorded its revulsion at the extent, severity and duration of the child sexual abuse allegedly perpetrated on children by priests acting under the aegis of the Diocese of Ferns.

2005: Our Children Our Church (OCOC):

Proposed a single national structure for the monitoring and managing of child protection. It aimed to bring greater clarity and consistency to the Church's procedures in child protection.

2006 National Board for Safeguarding Children in the Catholic Church (NBSCCC): Established on foot of recommendations in OCOC.

2009 The Ryan Report. The Commission's remit was to investigate all forms of child abuse in Irish institutions for children; the majority of allegations it investigated related to the system of sixty residential "Reformatory and Industrial Schools" operated by religious orders, funded and supervised by the Department of Education. The Commission's report said testimony had demonstrated beyond doubt that the entire system treated children more like prison inmates and slaves than people with legal rights and human potential, that some religious officials encouraged ritual beatings and consistently shielded their orders amid a "culture of self-serving secrecy" and that government inspectors failed to stop the abuses.

2009 The Murphy Report: An official Irish government enquiry into the management of sexual abuse by clergy in the Archdiocese of Dublin.

2009 Standards & Guidance Document (NBSCCC). The intention of this document is to provide a practical mechanism by which everyone in the Catholic Church in Ireland can reach a uniform standard of best practice in safeguarding.

2011 The Cloyne Report: An official Irish government enquiry into the management of sexual abuse by clergy in the Diocese of Cloyne.

2011 Children First: National Guidance for the Protection and Welfare of Children (DOC&YA). A revised and enlarged version of Children First (1999).

Resource 2: Procedure – How to manage concerns, suspicions, allegations and disclosures of abuse involving Church staff and volunteers

The Catholic Church is committed to promoting the safety, welfare and protection of children and takes all concerns, allegations, suspicions and disclosures of abuse very seriously.

This procedure sets out the action that must be taken if any concern, allegation, suspicion or disclosure is made, whether current or historical, that indicates a member of the Church staff (current or former) has:

- behaved in a way that has harmed a child, or may have harmed a child
- committed a criminal offence against a child or related to a child
- behaved towards a child or children in a way that indicates s/he is unsuitable to work with children.

Applies to:

All Church staff and volunteers

Initial contact

Procedure: Action to take when you receive a concern, suspicion, disclosure or allegation of abuse

Remember: It is not your role to investigate.

1. If you receive a concern, suspicion, disclosure or allegation of abuse, you must act immediately and refer the matter to your Designated Officer as soon as possible; the Designated Officer will refer the complaint to the Health and Social Services / An Garda Síochána/PSNI.
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 make notes at the time, make a written record as soon as possible afterwards and in any case before the end of the day.
3. Record the time, date, location (or if the matter has been communicated by letter or telephone), and persons present. (You should use *Resource 16: Child protection recording form* template to do this.) The record should be signed and dated by the author. The record would also normally include:
 - accurate identifying information as far as it is known. This should include the name and address of the person who has raised a concern (as well as their date of birth, and parents'/carers'/ names and addresses where the person who has raised a concern/ allegation is a child)
 - the name of the individual against whom the concern/allegation is being raised and any other identifying information
 - as much information as possible about the circumstances that led to the concern/allegation being raised, why is the person worried about the welfare and safety of the child or children
 - dates when the concern arose, or when the incident(s) occurred
 - circumstances in which the concern arose, or the incident(s) occurred
 - any explanation offered to account for the risk, injury or concern
 - the child's own statement using the words they used to describe the events or incident(s), if possible. Do not make assumptions about the intended meaning of words used
 - details of any action already taken about the incident/concern/allegation
 - any views expressed by the child's parent(s) or guardian(s) about the matter.
4. Do not be selective. Include detail which to you may seem irrelevant. It may prove invaluable at a later stage in an investigation.
5. Use the suggested form for this use (see *Resource 16*). This initial recording will form the first entry in a file of information about the case which will be retained by the relevant Designated Officer.
6. All original records, including rough notes, must be passed immediately to the relevant Designated Officer. Any copies of records retained must be kept secure and confidential.

7. Not all persons raising a concern will wish to go through the process described below. Nonetheless, information about the existence of a potential allegation must always be communicated to the relevant Designated Officer.

8. In cases of emergency, where a child appears to be at immediate and serious risk, an immediate report should be made to the Health and Social Services as well as to the relevant Designated Officer. Where the appropriate Health and Social Services staff are not available, An Garda Síochána / PSNI should be contacted to ensure that under no circumstances a child is left in a dangerous situation pending Health and Social Services intervention. Consideration should, in all cases, also be given to whether an immediate referral is necessary in order to preserve, and safeguard against the possibility of any loss, deterioration or destruction of potential evidence or forensic evidence.

9. Explain to the child/person raising the concern what will happen next. Indicate who will be made aware of the information given by them. Leave contact details of the Designated Officer in case the referrer needs to ask questions later.

10. It is important not to discuss the incident/concern with anyone other than those detailed in these procedures.

Guidance on how to respond to people making an allegation

It is often very difficult for people to talk about abuse so it is important to make sure that you are patient, listen carefully and actively, and create a safe environment in which they feel able to tell you as much as they can remember. This will help those people whose responsibility it is to investigate the incident(s) do so as thoroughly as possible.

People may tell you about:

- abuse that's happening to them now - current
- abuse that happened to them some time ago - historical
- something they've been told by someone else and that they strongly believe is true
- seeing signs of abuse, such as physical injuries on a child
- something that they have witnessed, such as the behaviour of an adult to a child that made them feel uncomfortable.

Where information is given in person, consider the following.

- 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 the person.
- Allow the person to continue at his/her own pace.
- Check with the person to make sure that you have understood what they actually said. Do not suggest words, but use theirs.
- Make no promises that cannot be kept, particularly in relation to secrecy, but listen carefully to what is being sought.
- Explain these procedures and the referral procedures² to the person.
- Offer to accompany the person to the Support Person.
- Do not make any comments about the respondent, make assumptions or speculate.
- Be aware that a person's ability to recount his or her concern or allegation will depend on age, culture, nationality and upon any disability which may affect use of language and range of vocabulary.
- Adopt a listening style which 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.

2. Including, in Northern Ireland, the requirements of the Criminal Law Act (Northern Ireland) 1967.

- Avoid statements about your belief or otherwise, of the information given.
- Do not question beyond checking what has been said. It is the job of the Health and Social Services / An Garda Síochána / PSNI to investigate. There must be no probing for detail beyond that which has been freely given.

Listening does not mean telling a person to stop when they are freely recalling events; because some facts are only ever told once, the information given must be fully and accurately recorded. However, it is better that such

detail is given directly to a professional from one of the Health and Social Services /An Garda Síochána /PSNI, to allow proper procedures to be observed and to avoid the distress of having to repeat the account more than once.

A Priest must be clear about the status of such a conversation. Make sure there is no misunderstanding about whether the Seal of Confession applies.

Listening to a child

A child might tell you directly about abuse happening to them. For additional or specific guidance about listening to a child, please refer to **Resource 9**.

Listening to a person who admits 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 which happened a long time ago, you must refer the matter to the Designated Officer as soon as possible, who will follow the procedures for referral to the Health and Social Services /An Garda Síochána /PSNI.

Anonymous allegations or concerns

Anonymous complaints are to be treated carefully. Anxiety and fear may persuade some people not to reveal their identity immediately. It is sometimes difficult to act on information under these procedures unless at some point the name of the person raising the concern/making an allegation becomes known. 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.

SAFEGUARDING CHILDREN

Standards and guidance document for the Catholic Church in Ireland

September 2008

Resource 15: Roles and responsibilities of Church personnel

The following sections outline the roles and responsibilities of Church personnel with child protection responsibilities.

Designated officer or Delegate⁵

It is the Designated Officer's responsibility to receive information where it is alleged or suspected that a child/ (ren) has been or is being abused by any member of the Church including volunteers.

The Designated Officer is responsible for managing the allegation/disclosure or concern, from start to finish including:

- the preliminary internal enquiry
- referral to the Health and Social Services / An Garda Síochána / PSNI
- any subsequent internal investigations.
-

He or she is also responsible for ensuring the person raising the concern/suspicion or making an allegation and the respondent or alleged perpetrator are regularly informed about how the inquiry into the matter is progressing.

Where an external investigation is being conducted advice and agreement about what and how much information to share must be obtained from the Health and Social Services / An Garda Síochána / PSNI or from the National Office.

It is expected that the Designated Officer will seek advice from the appropriate authority if they are in any doubt about interviewing a person making a complaint about abuse.

Where the person raising a concern/making an allegation or disclosure is a child or the parent or guardian of a child who alleges abuse:

Under no circumstances should a Designated Officer interview a child alone. Designated Officers should not interview a child or a child's parents or guardians in any detail about the matter without first consulting the Health and Social Services, as the interview may more appropriately be carried out by the Health and Social Services or An Garda Síochána / PSNI.

Where an adult is making an allegation or disclosure about historical or retrospective abuse:

Ask the individual to provide a detailed account of what happened and the circumstances. The Designated Officer should carefully record what is said, and check with the person who has raised the concern/made the allegation the accuracy of what has been recorded. Ample time must be given to this. A written note of the details of the matter must be prepared and these notes are to be confirmed by the signature of the person raising the concern. The Designated Officer should try to obtain sufficient information about the nature of the concern for the respondent to know what has been alleged against him or her.

Procedure

The role of the Designated Officer

- 1 Receive information about a concern or allegation.
- 2 Ensure that the procedure about how to manage concerns, suspicions, allegations and disclosures of abuse involving Church staff and volunteers in Resource 2 have been followed, and to ensure a referral has been made to the statutory authority where appropriate if this has not already happened.

5. Note: where an allegation or suspicion is made against the Designated Officer, the information must be passed to the Deputy Designated Officer and the process as outlined should be carried out by the Deputy Designated Officer.

3. Create a child protection case file for every referral that includes a log of actions, events and information received using the dedicated form for this purpose (Resource 16). Entries should be made as soon as possible after the event but before the end of the day. They must be timed, dated and signed by the author.
4. Take possession of any written records made by any person in connection with the case and place them on the Child Protection Case File.
5. Explain the procedures for addressing the concern, allegation or disclosure to the person who has raised the concern and ensure that they (including the child's parent or guardian where appropriate) sign the data protection declaration of consent. This consent relates to this child protection concerns process only – consent is not required for the making of a referral to the Health and Social Services / An Garda Síochána / PSNI.
6. To contact emergency or appropriate services where a child appears to be at immediate and serious risk of harm. An immediate referral in accordance with Resource 16 should be made to the Health and Social Services. Where appropriate, if Health and Social Services staff are not available, An Garda Síochána /PSNI should be contacted to ensure that under no circumstances is a child left in a dangerous situation pending Health and Social Services intervention. Consideration should, in all cases, also be given to whether an immediate referral is necessary in order to preserve, and safeguard against the possibility of any loss, deterioration or destruction of potential evidence or forensic evidence.
7. Inform the Church authority that a complaint has been made and make a recommendation to the Church authority about any immediate action(s) that may need to be taken in order to ensure the safety of children.
8. Make enquiries to identify the present and previous appointments of the respondent in order to establish whether there are any previous concerns about his/her practice, or any current grounds for concern in relation to the safety and well-being of children. (Again, in cases of emergency, where a child appears to be at immediate or possible risk, an immediate referral (in accordance with Resource 2 Procedure – How to manage concerns, suspicions, allegations and disclosures of abuse involving Church staff and volunteers should be made to the Health and Social Services. Where appropriate, if Health and Social Services staff are not available, An Garda Síochána /PSNI should be contacted so as to ensure that under no circumstances is a child be left in a dangerous situation pending Health and Social Services intervention.
9. Alert the Adviser to be on standby, without identifying the respondent.
10. Conduct an initial interview with the respondent as soon as possible, unless (where an earlier referral has been made) the Health and Social Services /An Garda Síochána / PSNI have requested that such an interview be deferred. The respondent shall be given information about his or her entitlement to seek legal advice (both civil and, where appropriate, canonical) and about the child protection process. The respondent should be informed that he/she is not obliged, in law, to respond or to furnish evidence, but that any statement provided will be taken into account in the investigation. The Designated Officer and the Church authority should then inform the respondent of the nature and detail of the allegation/concern and the name of the person raising it. The purpose of the interview is to inform the respondent of the existence of the allegation and of the process being followed. The respondent needs to be given enough detail about the disclosure /allegation/concern, and the person raising it, to be able to offer a response. The respondent shall be offered the services of an Adviser. A written record of the interview must be prepared, agreed with the respondent, signed and dated.
11. Implement the referral policy as outlined in Resource 2 Procedure – How to manage concerns 1 suspicions, allegations and disclosures of abuse involving Church staff and volunteers¹²
12. In cases where a Designated Officer has a concern about a child but is not sure whether to make a referral, he or she should seek appropriate advice. He or she may consult the National Office, the Health and Social Services and/or

An Garda Síochána / PSNI on the appropriate steps to be taken. The Designated Officer must keep a written record of the outcome of the consultation with the Health and Social Services / An Garda Síochána / PSNI on the Child Protection Case File. Decisions not to refer a matter must always be in consultation with the National Office.

13. Ensure the availability of the Advisory Panel, if required, and convene the Advisory Panel at an appropriate time.
14. Follow the advice given by Health and Social Services / An Garda Síochána / PSNI where a child protection concern has been referred to them. Allow the Health and Social Services / An Garda Síochána to conduct their enquiries unimpeded. Do not visit the family or contact family members without prior discussion with investigators.
15. Maintain a dialogue with the Investigating Officer or Social Worker to monitor the progress of the case and act on any advice given. Details of contacts made should be recorded chronologically on the Child Protection Case File.
16. Ask for an update from the Health and Social Services / An Garda Síochána / PSNI about the outcome of their investigations; this request should be made in writing.
17. Conduct an internal investigation at the conclusion any external investigation or where no such investigation takes place. Any internal investigation will be initiated in cases where child protection concerns remain or where disciplinary action needs to be considered.

Such an investigation will gather and assess available information from all sources and witnesses. Every effort should be made, in consultation with the Health and Social Services / An Garda Síochána / PSNI, to avoid the necessity to interview child witnesses for the purposes of disciplinary inquiries.

This investigation (which takes place after the statutory enquiries have been completed) should be conducted expeditiously, taking no longer than three months, wherever possible. In cases where there is a delay, and particularly where a Priest or religious has been temporarily removed from active ministry or a lay person suspended from duties, it is important to keep everyone informed of the progress of the investigation and to maintain records of such communications. There can be no excuse for a respondent to be left uninformed and 'in limbo' indefinitely.

Where an investigation concerns Clergy or religious, the requirements of Canon Law will be observed.

The Church authority (Bishop, Religious Superior, Senior Administrative Authority)

The role of the Church authority

1. Inform the Designated Officer immediately upon receipt or notification of a current or historical allegation, suspicion or concern about abuse of a child from any person.
2. Co-operate, contribute to and assist any investigation being undertaken by Health and Social Services / An Garda Síochána / PSNI and / or Designated Officer.
3. Upon being contacted by the Designated Officer following his/her receipt of a concern or allegation, the Church authority must carry out a risk assessment. In urgent situations, a decision may be required at short notice.
4. Contact the Holy See as appropriate.
5. At the conclusion of a statutory investigation or where no statutory investigation takes place, an internal investigation will be mounted in case there are disciplinary or child protection matters to consider. Where an investigation concerns Clergy or religious the requirements of Canon Law will be observed.
6. In cases where there has been an acquittal or a decision not to prosecute there may be, nonetheless, sufficient evidence to meet the civil standard of proof of the concern/allegation that has been made. The duty of the Church authority, in the event of:
 - a. an acquittal where there remain concerns
 - b. a criminal inquiry which does not lead to a prosecution, or
 - c. an internal investigation of apparently inappropriate conduct but not amounting to a crime is to examine the position of the respondent within the Church. The continued

role of the respondent within the Church must be considered carefully.

This investigation (which takes place after the statutory enquiries have been completed) should be conducted expeditiously, taking no longer than three months wherever possible. In cases where there is a delay, and particularly where a Priest or religious has been temporarily removed from active ministry or a lay person suspended from duties, it is important to keep everyone informed of the progress of the investigation and to maintain records of such communications. There can be no excuse for a respondent to be left uninformed and 'in limbo' indefinitely.

The next steps depend on whether a canonical or other process is to be followed.

Canonical

In addition to being a crime in civil law, the sexual abuse of a minor by a cleric is a crime in Canon Law. When a concern is raised, the Church authority is to initiate a preliminary investigation (c.1717, §1). The stages hereafter of this procedure assume that, if a decree under c. 1717 is made, the Designated Officer has been appointed to carry out the enquiry⁶. If a person other than the Designated Officer is appointed, appropriate adjustment will be required to ensure that all of the objectives of the protocol are fulfilled.

No Church investigation shall be undertaken in such a manner as to interfere in any way with any investigation by the Health and Social Services /An Garda Siochana /PSNI, whether such is in progress or is contemplated in the foreseeable future. If, following referral of the matter, the person raising a concern/making an allegation has elected not to pursue the matter with the Health and Social Services /An Garda Siochana /PSNI, or if those bodies have confirmed that they are not pursuing an investigation or that their investigation is concluded, a Church investigation, having been suspended to allow the investigation of the civil authorities, may resume and shall be carried out expeditiously.

During the preliminary investigation the Church authority may seek the advice of others. At the conclusion of the preliminary investigation, the Church authority is to follow the requirements of the Holy See⁷.

In the case of a non-ordained religious, the investigation is carried out in accordance with c. 695, §§1-2.

Canon Law confers all necessary powers to take measures in promoting and ensuring the safety and welfare of children who receive pastoral care from Church personnel. Among the actions necessary may be the requirement to restrict a respondent's exercise of his office and/or public ministry. A respondent may be asked to stand aside from a particular office or offices, and from other forms of public ministry, including the public celebration of the Mass and other sacraments, for the duration of any investigation by the Health and Social Services /An Garda Siochana / PSNI and under Canon Law.

6. In the event that an allegation is made against a Bishop, the Designated Officer should contact the Metropolitan; if the allegation is against the Metropolitan, the Bishop senior by appointment should be contacted. In the case of a Major Superior, the matter should be referred to the Supreme Moderator, or to the Holy See in the case of a Supreme Moderator, by the Designated Officer.

7. The Motu Proprio Sacramentorum sanctitatis tutela, 30 April, 2001; The Circular Letter of the Congregation for the Doctrine of the Faith, De Delictis Gravioribus, 18 May, 2001.

While the matter is pending the respondent enjoys the presumption of innocence and the right to his or her good name.

Respondents shall receive normal remuneration and other entitlements while they are standing aside. They shall be provided with an appropriate place to live and, where possible, given some suitable activity.

The Church authority may avail of the advice of the Advisory Panel and, if appropriate, the Professional Practice Committee, from time to time and as required.

Lay employees and volunteers

If the allegation/disclosure/suspicion raised concerns about a current employee or volunteer of a Church organisation, then the Designated Officer should refer the matter to be dealt with under the

grievance and disciplinary procedures of the body concerned, to be investigated in accordance with the applicable procedures of employment law (and any other relevant laws) in the relevant jurisdiction. The Designated Officer will inform the person who raised the concern or allegation as identified in the procedures contained in **Resources 12 and 15**.

The documents or other material arising from the investigation are to be kept in accordance with the practices of the employing authority and any relevant laws.

Clergy or religious

Some Clergy and religious will be child protection professionals and may be tempted to initiate investigative action because of their knowledge and expertise. Such blurring of boundaries between roles should be avoided. It is not the role of Clergy or religious to investigate child abuse allegations or concerns.

The role of Clergy and religious

1. Inform the Designated Officer, upon receipt or notification of an allegation, suspicion or concern about abuse of a child, current or historical, from any person and to follow the guidelines in Resource 2 and 12.
2. Co-operate with, contribute to and assist any investigation being undertaken by Health and Social Services / An Garda Síochána / PSNI and / or the Designated Officer.
3. Maintain an impartial stance with parish communities during an investigation, even when tensions exist and recognise the need to respect the rights of all parties involved.

Local Safeguarding Representative ('LSR')

Some LSRs will be child protection professionals and may be tempted to initiate investigative action because of their knowledge and expertise. Such blurring of boundaries between roles should be avoided. The LSR does not have an investigative role.

The role of the LSR

1. Inform the Designated Officer, upon receipt or notification of an allegation, suspicion or concern about abuse of a child, current or historical, from any person and to follow the guidelines in Resource 2 and 12
2. Co-operate, contribute to and assist any investigation being undertaken by Health and Social Services / An Garda Síochána / PSNI and / or Designated Officer with any practical matters.
3. The LSR in a religious congregation will refer child protection concerns to the Designated Officer appointed to act for that congregation.
4. The LSR in a diocese will refer child protection concerns to the diocesan Designated Officer.
5. The LSR must not take on the role of Support Person to the person raising a concern/making an allegation or disclosure; nor should they take on the role of Adviser to the respondent.

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Resource 13: Child protection allegations and concerns - Review procedures

1. If the person who raised a child protection concern/made an allegation or the person they raised the concern about (the respondent) is unhappy with the way in which the concern/allegation was managed they can ask for this process to be reviewed.
2. The person requesting a review will normally be required to provide written reasons for his or her dissatisfaction with the process. There may be circumstances where this is not possible for example, where the person making the allegation is a child or has an impairment. In these situations their request will be accepted verbally and assistance will be offered to enable them to access a review.
3. The person's written request for a review should be forwarded to the National Board within three calendar months of the conclusion of the investigation of the matter. However, the National Board can accept requests for review outside this timeframe if it feels it is appropriate.
4. The Review of Process is an independent evaluation, not only of whether the child protection procedures have been properly observed, but also of whether the Standards established in the *Safeguarding Children - Standards and Guidance Document for the Catholic Church in Ireland* have been adhered to. This review of process shall not, however, include or extend to a review of the outcomes determined under the child protection procedures.
5. A review under these procedures is to be conducted otherwise than in public and, save as appears below, in confidence. The review will be carried out with respect to similar confidentiality guidelines as the initial inquiry.
6. The National Board will appoint three Reviewers from the National Review Panel, who will arrange for a review to take place. The Reviewers will be independent and they will decide how best to conduct the review in line with these procedures.
7. The National Board will inform the Church authority concerned that a review of process has been requested and approved. The National Board will also ensure that both the complainant and/or respondent are informed that a review has been requested and will take place.
8. The Reviewers can use their discretion after looking at the information and decide not to carry out a review or to discontinue a review if they consider the request to be inappropriate.
9. In any case where a request is made to the National Board for a review and the Reviewers, having been appointed, decide not to carry out a review they will write to the person who has requested the review and the National Board outlining their decision.
10. The Reviewers can ask to interview any person concerned (other than a child), and will, in the case of a Church organisation or Church authority, be given, and have access to all such information and documentation relating to the matter in the possession of the body or authority. Some information and documentation may be given, or access afforded, to the Reviewers may be legally privileged material³ (referred to below as 'material'). This will be done to ensure that the Reviewers have all they need to properly, fully and effectively carry out their role. It will also ensure full transparency, openness and cooperation, and so foster confidence and trust in the child protection process as a whole, and assist in facilitating the best possible handling of child protection concerns generally.

3. Such material, which is exempt from disclosure in court, and other relevant proceedings, comprises the following types of written and/or oral communications:

- confidential communications between a client and his professional legal Adviser, which communications are made in the course of a professional legal relationship between them for the purpose of either seeking or giving legal advice (not other advice, and not mere legal assistance); and

- confidential communications between a client and his professional legal Adviser, or between the client and a third party, or between his professional legal Adviser and a third party, the dominant purpose for which was preparation for pending, contemplated or reasonably apprehended litigation.

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Any such material will be disclosed on the following bases :

- a. there being no intention whatsoever, in giving and/or affording access to the material to abandon or waive legal professional privilege over the material concerned;
- b. access being afforded for the specific and limited purposes of the Review, and in the context outlined above;
- c. access being afforded on the strict condition and understanding that the confidentiality of the material, which it is the intention of the Church organisation / Church authority to maintain into the future, be strictly observed by the Reviewer, and, without prejudice to the generality of this, the following strictures be abided by:
 - In the case of documents, access to the material will be given by means of inspection only (copies will not be made) in a confidential setting, at the premises of the Church organisation/Church authority where the relevant files are normally kept.
 - Any notes made on foot of any inspection, interview or other disclosure of the contents of the material for the purposes of the Reviewer carrying out the Review, be kept secure and confidential, and be promptly destroyed once used for those purposes; and
 - Disclosure of the material, or its contents, not being effected to any third party (including any other party to a Review), without the prior, written, consent of the Church organisation/ Church authority.

11.If at any stage during the course of a review, the Reviewers have reasonable grounds for concern that a child may have been abused, or is being abused, or is at risk of abuse, they will inform the Health and Social Services or An Garda Siochana /PSNI if this has not already occurred.

12. The Reviewers will carry out the review within three calendar months, unless the National Board agrees an extension. The Reviewers shall prepare a draft report upon conclusion of the review.

13. The Reviewers shall be free to make interim recommendations to the Church authority in the course of its work and, in so doing, shall afford to the Church authority the opportunity of responding to such interim recommendations.

14. The Reviewers shall check for factual accuracy in the report and to this end, the Reviewers shall provide excerpts of the draft report, containing those parts of the report which refer to or affect the person who has raised a concern/made an allegation, the respondent and the Church authority respectively, to each of those persons, for their checking of the facts.

15. After considering any comments provided by the person raising a concern, the respondent and the Church authority, the Reviewers shall then prepare a written final report containing recommendations. A copy of the report shall be provided to the National Board and, insofar as they have given their reasonable co-operation to the process, the Church authority, the Church organisation, the person raising the concern/making an allegation and the respondent. The report shall not be published.

16. If the Reviewers consider that there has been a failure to observe the required processes, the National Board will discuss the case with the Reviewers. Upon such consideration of the report, the National Board shall make such recommendations as it sees fit to the Church authority in relation to the child protection matter.

17. The Church authority, having considered the recommendations, will decide upon the appropriate course of action and inform the person who has raised the concern/made an allegation, and the respondent.

18. The Annual Report of the National Board shall contain a summary of the learning identified through such reviews carried out during the previous year, with care being taken to ensure that the identity of all persons involved, including the Church authority, is not revealed.

19.The Church authority shall bear all ordinary and reasonable expenses of the review.

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