

THE OBLATES OF MARY IMMACULATE OMI
CHILD SAFEGUARDING POLICY AND PROCEDURES
ADDITIONAL GUIDANCE

Following the launch of the additional guidance by the Archdiocese of Dublin and in accordance with the National Standards the Oblates of Mary Immaculate have produced this additional guidance to be read in conjunction with *Safeguarding Children, Child Protection Policy of the Missionary Oblates of Mary Immaculate, Ireland 2011*. This additional guidance will be integrated into a revised policy and procedures document for the Oblates of Mary Immaculate after the publication and adoption of the new standards by the National Board for Safeguarding Children in the Catholic Church in Ireland.

The policies and procedures are in addition to the Child Protection Policy of the Missionary Oblates of Mary Immaculate. The policies are; Procedures on how to manage allegations; Whistle blowing policy; Complaints policy; Dealing with children who present with challenging behaviour; Anti-bullying policy; Intimate care policy; and the Communication with children and young people policy.

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Provincial

1. Procedures – How to manage concerns, suspicions, allegations and disclosures of abuse involving Members, Staff and Volunteers

The Oblates of Mary Immaculate are 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 priest or brother, a member of staff or volunteer (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

1.1 Action 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 Tusla and Gardaí without delay.
2. Whenever possible and practical, take notes during the conversation. Always ask permission to do this and explain the importance of recording all information. Record the time, date, location (or if the matter has been communicated by letter or telephone), and persons present.
3. Use the Standard Reporting Form for this use (Appendix 2)¹. 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. Do not be selective. Include detail which to you may seem irrelevant. It may prove invaluable at a later stage in an investigation. All original records, including rough notes, must be passed immediately to the Designated Officer. Any copies of records retained must be kept secure and confidential.

¹ *Safeguarding Children, Child Protection Policy of the Missionary Oblates of Mary Immaculate, Ireland 2011.*

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

5. In cases of emergency, where a child appears to be at immediate and serious risk, an immediate report should be made to Tusla as well as to the relevant Designated Officer. Where the appropriate Tusla staff are not available, Gardaí should be contacted to ensure that **under no circumstances a child is left in a dangerous situation pending Tusla intervention.**

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

8.2 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 happened 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 them.
- 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 procedures 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.
- 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 Tusla and Gardaí 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 Social Services or Police, 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.

8.3 Listening to a child

How to respond;

When responding it is of utmost importance that allegations are handled in a sensitive and discreet manner and any response to a child making an allegation should take the following into consideration:

- Take what the child says seriously.
- React in a calm manner as over-reaction may intimidate the child and increase any feelings of guilt and that he/she may have.

- Reassure the child that it was right to tell somebody what happened.
- Use language that the child understands: for example, when naming different parts of the body adopt the child's words rather than substituting your own.
- Listen carefully and attentively to the child.
- Be careful when seeking clarification. Conversation should be supportive and for the purpose of clarification only. Never ask leading questions such as, whether specific acts not mentioned by the child occurred or whether a specific person not named by the child carried out the abuse. Do not seek intimate details beyond those volunteered by the child. Such questions and suggestions could complicate an official investigation by the Social Services/Police.
- Do not express any opinions about the alleged abuser to the person reporting to you.
- Do not confront the alleged abuser.
- Write down immediately afterwards what was said, including where, when any other significant factors noting marks and signs observed. All reports should be signed, timed and dated by the person recording the event.
- Check with the child to ensure what has been heard and understood by you accords with what the child actually said.
- Make no promises that cannot be kept.
- Do not promise to keep secret what will be revealed. You can avoid this by telling the child that the confidential nature of an allegation does not result in the allegation remaining a secret and that the matter will have to be investigated as it is referred.
- Explain and make sure that the child understands what will happen next.

8.4 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 Tusla and Gardaí.

8.5 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.

2. Whistle Blowing Policy

Rationale For Policy

The aim of this policy is to encourage those who have concerns about the welfare or safety of children involved in Church activities to express those concerns without the fear that they will be victimised or harassed for so doing. The policy applies to all those who work for the Oblates of Mary Immaculate whether in a voluntary or paid capacity. There are protections under civil law for people who report child protection concerns. Under the 'Protections for Persons Reporting Child Abuse Act 1998', people are protected from civil liability when they report child protection concerns to designated officers of the Tusla the Child and Family Agency, provided that they do so reasonably and in good faith. It is an offence to report child abuse, knowing that the information provided is untrue. It can be difficult for people to raise concerns about the practice or behaviour of colleagues. People may be reluctant to do so because of:

- Fear of getting it wrong and damaging the career or reputation of a colleague
- Fear of disrupting working relationships
- Fear of not being believed
- Fear that the information will be used inappropriately, precipitating a chain of events that spiral out of control. These concerns, however, have to be considered in light of the following:
 - Each person working for or on behalf of the OMI has a responsibility for the welfare and safety of children involved in church activities
 - Raising a concern in a timely manner can prevent a bad situation spiralling out of control
 - Raising a concern about one situation can reduce the risk of similar situations arising elsewhere.

Raising a concern about poor or inappropriate practice will prevent the person raising the concern from becoming implicated in such practice. The Oblates of Mary Immaculate commits itself to ensuring that any person, staff member or volunteer, who raises a child protection concern reasonably and

in good faith, will not be victimised, harassed or in any other way be disadvantaged by doing so.

All reports and concerns should be brought to the attention of the Designated Person for Child Protection Suzanne Phelan 085 1146391 or to the appropriate authorities in the Gardaí or Tusla child and Family Agency.

3. Complaints Policy

A complaint is an expression of dissatisfaction. A person who makes a complaint is stating that they are unhappy about something. The aim of this complaints policy is to outline how complaints can be addressed in order to deal with the unhappiness or dissatisfaction of the complainant. This complaints procedure runs in parallel with the child protection procedure but is separate from it. The child protection policy addresses the management of risk to the safety of children.

On occasion people may need to make a complaint when their child is unhappy or upset about something. For a variety of reasons people are often reluctant to use the word 'complaint' or to make statements beginning 'I wish to make a complaint about...'. Nonetheless people who are working with children ought to be able to tell from their behaviour, demeanour or from verbal cues, when children are and these indicators should never be ignored. The simplest and best way to address such matters is as close as possible to the source of the problem. For example, if an adult leader speaks to a child in a manner that upsets the child, a simple, direct and unqualified apology is the most appropriate response. It may be hard for a child, or the parent of a child, to tell an adult leader involved in a children's activity that the child has been hurt or upset by something that the adult has done. For this reason, it is important that, for every activity involving children in there is a designated person to whom the children and parents can take their concerns. The designated person should assist the parties to resolve the matter to the satisfaction of all concerned, for example, through negotiation or mediation. Where resolution cannot be achieved, the matter should be referred to the to the parish priest. At this point a note should be made of the incident giving rise to the complaint and the outstanding issues. The parish priest will determine the next steps to be taken.

Some complaints may raise issues to do with the conduct of the person whose behaviour has given rise to the complaint or issues to do with the safety and welfare of a child or children. In this case, other procedures may have to be invoked, such as the disciplinary procedure for employees or the child protection procedure. Even where these procedures are invoked, they are additional to and not a substitute for attempts to resolve the unhappiness or dissatisfaction of the child or parent.

4. Dealing with challenging Behaviour of Children

Those running activities for children in parish may encounter situations where children behave in ways that pose a risk to their own safety, the safety of others or that otherwise undermine the viability of the group. There may be a variety of reasons for such behaviour, such as bereavement, problems in the family home, learning difficulties and so on. The adult leaders may have a limited awareness or even no awareness of these issues and may also lack the specialist skills to manage very challenging behaviours. Nonetheless, there are some general approaches that can be helpful.

Managing challenging behaviour in children involved in church activities, we must ensure that we have a child centred approach. This is much more important than any specific behaviour management technique. Indeed the application of such techniques in the absence of the appropriate ethos is likely to be counter-productive. *It is not acceptable under any circumstances to physically punish a child, to threaten to do so or to belittle or humiliate a child in any manner whatsoever.* In dealing with behavioural issues with children, the aim should always be to promote appropriate behaviour.

This can be done by:

- Working with the children to develop a code of conduct that promotes values such as respecting each other, sharing and including everyone
- Informing parents of the behavioural expectations of their children and asking them to share any information that might be significant to the management of their children's behaviour
- Managing the children's environment in a manner that does not place unrealistic expectations on them, for example, minimising the amount of unstructured time
- Paying attention to and responding to verbal and non-verbal cues that children give out about whether or not they are comfortable, anxious or distressed
- Ignoring attention seeking or irritating behaviour that does not undermine the viability of the group or the safety of its members
- Communicating directly and simply with children when their behaviour does undermine the viability of the group or the safety of the members
- If necessary asking the child to take a short 'time-out' from an activity and then helping him or her to reintegrate

- Keeping parents informed of behavioural problems and asking their assistance, where appropriate
- Excluding the child from the activity only where it is clear that there is no other means of ensuring the viability of the activity and safety of the participants
- Keeping a record of all the steps taken to resolve the difficulties.

5. Anti-Bullying Policy

All children and young people involved in church activities in the OMI will be treated with respect and dignity by those adults who run the activities and by the other children who participate in them. It is not permissible to discriminate against any child or young person on the basis of age, gender, race, religion, culture, disability, sexuality or political views. Bullying, defined as repeated acts of physical, verbal or psychological aggression, is not acceptable and those who run activities involving children must take steps to ensure that the risk of bullying is minimised. This involves ensuring that;

- All activities have a child centred approach
- Those who work with children are carefully chosen
- Ensuring that workers and volunteers behave appropriately in their dealings with children
- Making proper arrangements when organising activities and outings (including ensuring adequate levels of supervision of children and young people)
- Keeping good records.

In addition, the policies outlined above on complaints and dealing with challenging behaviour, must form part of the anti-bullying strategy. Allegations of bullying must be treated with the utmost seriousness. Bullying of children by adults is a form of child abuse and must be reported to the Designated Person, Suzanne Phelan Designated Person 085 1146391.

6. Intimate Care Policy

Intimate care involves those activities that people generally do for themselves, such as, washing, dressing and toileting. OMI personnel are not ordinarily involved in the provision of intimate care and are not authorised to carry out such tasks. There are OMI services such as the creches that, for example, care for pre-school children where intimate care is provided. The members of such services are authorised to provide such care by virtue of their employment. They are subject to the policies and procedures of the service.

The OMI Pilgrimage to Lourdes every year may require some degree of intimate care. The volunteers who accompany the sick are given guidance and direction on these matters by the committee that organises the pilgrimage. The Oblate Youth Service OYS members (generally aged at least 17) who accompany the (adult) pilgrims on the OMI Pilgrimage to Lourdes in September each year are not permitted to provide intimate care for the sick pilgrims. Such care is provided by the nursing and other adult volunteers. The OYS members under 18 are required to wear different coloured badges to ensure that they are easily distinguishable from the other volunteers and do not find themselves in a situation where they are asked to provide such care. It is not possible to anticipate every eventuality and situations can arise when adults are required to depart from normal practice. In general, adults should not do for children what the children can do for themselves. A child who has a toileting accident, for example, may need some adult assistance but that does not necessarily mean accompanying the child to the toilet. Touching children may be appropriate in certain situations, for instance, in comforting a distressed child. Some rules apply.

Offering physical comfort/ reassurance should always be done in response to the child's needs and wishes. Adults need to be sensitive to what is being communicated by the child's behaviour (children who are not comfortable being touched will draw back from contact). Any physical contact should take place in the presence of others. Children should only be touched over their clothes and above the waist (and away from the breast area for girls). As in all such situations, knowing as much as possible about the children for whom the adults are responsible will help the adult staff and volunteers respond appropriately to their needs. Parish groups that are involved in planning activities and trips away should always ask the parents of the children whether there is any information that needs to be shared with the adult carers.

7. Communication with Children and Young People Policy

It is fundamental to the OMI child safeguarding policy that children participate in church activities in the Oblates of Mary Immaculate with the knowledge and consent of their parents. For such consent to be valid, it must be informed. Therefore, information about church activities involving children must be shared with the parents, rather than directly with the children. For example, parents should be informed when their children are expected to serve at mass or attend choir practice. It is not appropriate for any person acting on behalf of OMI parishes or services to collect, retain or use a young person's personal mobile phone number or email address, to become a child's 'Facebook Friend' or similar or otherwise to use social media to enter into personal communication with a child or young person. Parishes may use text or email to inform older young people (16 and 17 year olds) of events and arrangements provided that they have obtained the consent of their parents to do so. Such messages should come from a parish account rather than from a personal phone or email address. Messages should be sent only between 9am and 8pm. They should not contain any personal information about young people.

Photographs

Photographs of children and young people can only be placed on the websites of parishes and services with their consent and that of their parents.