

**Missionary Oblates of Mary Immaculate
Anglo-Irish Province**

**DRAFT SAFEGUARDING CHILDREN
DOCUMENT**

1. Introduction

This document has been produced in accordance with Standards published by The National Board for Safeguarding Children in the Catholic Church. The purpose of the standards is to ensure there is understanding of how to safeguard children and develop good practice throughout church organisations. In this document the Missionary Oblates of Mary Immaculate OMI in Ireland set out the policies and procedures for the safeguarding of children and vulnerable adults involved in all the activities of church. This policy relates to the Republic of Ireland only a separate document OMI Safeguarding Policy relates to England Wales and Scotland.

**2. Policy Statement of the Oblates of Mary immaculate
in Ireland**

ALL members of the Oblates of Mary Immaculate, as well as their employees and volunteers, value and encourage the participation of children and young people in their pastoral ministry and in activities that enhance their spiritual, physical, emotional and social development. The Oblates of Mary Immaculate recognize the dignity and rights of all children and are committed to their support and safeguarding.

The Oblates undertake to ensure through best practice to create a safe environment for children and young people and to ensure their protection from all forms of abuse.

The Oblates are committed to:

1. Best practice in ensuring the safeguarding of children and young people, protecting their rights and promoting their welfare.
2. Minimizing risks in order to safeguard the interests of children and young people.
3. Ensuring that all Oblates, and their paid employees and volunteers, are carefully recruited, selected, trained, supported and supervised.

4. Ensuring that all Oblates, their paid employees and volunteers are aware of, trained in and work to the Code of Behavior for working with Children
5. Supporting all victims of abuse.
6. Working closely with statutory authorities to ensure that all allegations of abuse are dealt with justly and promptly.

3. Founding principles

All children have a fundamental right to be respected, nurtured, cared for and protected. This right is embedded in Gospel values, best practice guidelines and international and domestic laws. In the light of the teaching of the Church, civil legislation and guidance, every part of the Church must be committed to taking the necessary steps to:

- demonstrate that the right of the child to protection from harm is paramount
- cherish and safeguard children and young people
- foster best practice
- demonstrate accountability through establishing effective structures
- support Church organisations and personnel in safeguarding children
- establish safe recruitment and vetting practices – aimed at preventing those who pose a risk to children from holding positions of trust
- maintain codes of behaviour – having clear guidelines that set out what is and is not acceptable behaviour as an essential part of keeping children safe
- operate safe activities for children – helping ensure they can play and learn in a safe environment.

4. The Guidance Document Safeguarding Children for the Catholic Church is a standards based approach.

There are 7 Standards

1. A written policy on keeping children safe is required:

All priests and religious, staff and volunteers, have an obligation to ensure that the fundamental rights of children are respected. The policy has been written to ensure that all measures are taken to safeguard children.

2. Procedures — how to respond to Safeguarding Children allegations and suspicions:

Children have a right to be listened to and heard: Church organisations must respond effectively and ensure any allegations and suspicions of abuse are reported both within the Church and to civil authorities.

3. Preventing harm to children:

Create safe environments, with safe recruitment, vetting, codes of behaviour & safe activities. Children should have access to good role models they can trust, who will respect and nurture their spiritual, physical and emotional development. They also have a right to an environment free from abuse and neglect.

4. Training and education for keeping children safe:

All Church personnel should be offered training in Safeguarding Children to maintain high standards and good practice.

5. Communicating the Church's safeguarding message:

Children are welcomed, cherished and protected in a manner consistent with their central place in the life of the Church.

6. Access to advice and support:

Those who have suffered child abuse should receive a compassionate and just response and should be offered appropriate pastoral care and access to counselling to help rebuild their lives.

7. Implementing and monitoring the Standards:

To keep children safe, policies, procedures and plans have to be implemented across all Church organisations. Checks are needed to ensure this is happening consistently. The views of those involved inside and outside of Church organisations can help to improve the effectiveness of any measures undertaken.

Meeting the Standards will protect:

- Children – by ensuring they are in a good safe environment and minimising risk of abuse to them if allegations and suspicions of further abuse do arise
- Church personnel – by clarifying how they are expected to behave with children and what to do if there are allegations and suspicions about the safety of a child
- the integrity of the Church and its missions – by making clear its commitment to keeping children safe and by modelling best practice.

5. Code of Good Practice

Children and young people need warmth and security in order to thrive. Fostering a nurturing and affirming environment is therefore an essential element of Church activities. This should always be reflected in the practice of those who work with children and young people.

5.1 Code of Behaviour

It is important that all those working in OMI Organisations, including priests and religious, employees, volunteers should:

- Treat all children in a manner that fully respects their dignity and rights
- Provide, in their own behaviour, an example of good conduct at all times
- Operate within the OMI principles, guidance and specific procedures in relation to safeguarding children
- Respect each child's boundaries
- Help children develop an awareness and understanding of their own rights and a respect for the rights of others
- Provide children with information as to how they can seek help if they have a problem and from whom.
- Be visible to others when working with children
- Be accompanied – children should be accompanied by two adults or where in exceptional circumstances only one adult is available, in a place not open to public view, an open door policy will be implemented.
- Challenge and report behaviour that is abusive or potentially abusive
- Develop a culture where children can talk openly about their contacts with staff and others.

In general, it is inappropriate for members of the OMI, employees and volunteers in Communities and Organisations to:

- Spend excessive time alone with children away from others
- Take children to his or her own home.
- Use alcohol, tobacco or non-prescriptive drugs when in the company of children, nor should they be offered to those under 18 years.

Members of OMI, employees and volunteers in Communities and Organisations must never:

- Hit or otherwise physically assault or abuse a child

- Develop sexual relationships with a child
- Engage in inappropriate conversations with children.
- Develop relationships with children which could be deemed to be in any way exploitative or abusive
- Act in ways that may be abusive or may place a child at risk of abuse.

5.2 Meetings with children and young people

- If the pastoral care of a child or young person necessitates meeting alone with them, such meetings should not be held in an isolated environment. The times and designated locations for meetings should allow for transparency and accountability (for example, be held in rooms with a clear glass panel or window, in buildings where other people are present, and with the door of the room left open).
- Both the length and number of meetings should be limited.
- Parents or guardians should be informed that the meeting(s) took place, except in circumstances where to do so might place the child in danger.
- Visits to the home or private living quarters of Church personnel should not be encouraged, nor should meetings be conducted in such locations.
- When the need for a visit to the home of a child or young person arises, professional boundaries must be observed at all times.

5.3 Health and safety

- Adequate and appropriate supervision must be provided for all events and activities organised for children and young people
- Arrangements and procedures for leaving activities or centres should be explicit.
- In places such as changing areas, toilets and showers, separate provision should be made for boys and girls. There should be adequate and gender-appropriate supervision of boys and girls in such areas.
- It should be agreed in advance with parents and guardians on the taking of photographs and the making of video recordings of children or young people involved in Church-related activities or events. This also relates to the

generation of computer images. In addition, it should be agreed as to where and for what purpose photographs and images may be displayed.

5.4 Use of computers

- Where a computer is used by more than one person, each person should be obliged to have a unique username and password, or where this is not possible, to maintain a signed record of the date, time and duration of their use of the computer.
- Where a computer in an OMI organisation or institution can be accessed by children or young people, it should be accessible only through the use of a username and password unique to each child. Where this is not possible, the children or young people should be obliged to provide a signed record of the date, time and duration of their use of the computer.
- • Computers which can be accessed by children or young people should always have appropriate filtering software.
- All computers in Church organisations and institutions should be monitored regularly to ensure that they are being used in accordance with the stated policy. Where there is any suspicion or doubt, a person with specialist knowledge of computer hardware and software should be asked to assess the purposes for which the computer has been used.

5.5 Trips away from home

- All trips, including day trips, overnight stays and holidays, need careful advance planning, including adequate provision for safety in regard to transport, facilities, activities and emergencies. Adequate insurance should be in place.
- Written consent by a parent or guardian specifically for each trip and related activities must be obtained well in advance.
- A copy of the itinerary and contact telephone numbers should be made available to parents and guardians.
- There must be adequate, gender-appropriate, supervision for boys and girls.
- Arrangements and procedures must be put in place to ensure that rules and appropriate boundaries are maintained in the relaxed environment of trips away.

- Particular attention should be given to ensuring that the privacy of young people is respected when they are away on trips.
- The provision of appropriate and adequate sleeping arrangements should be ensured in advance of the trip.
- Sleeping areas for boys and girls should be separate and supervised by two adults of the same sex as the group being supervised.
- At least two adults should be present in dormitories in which children or young people are sleeping. Under no circumstances should an adult share a bedroom with a young person unless it is a parent and child.
- If, in an emergency situation, an adult considers it necessary to be in a children's dormitory or bedroom without another adult being present they should (a) immediately inform another adult in a position of responsibility and (b) make a diary note of the circumstances.

5.6 Pilgrimages and retreats

Pilgrimages and retreats are an important part of the Church's pastoral and spiritual engagement with children and young people. Those involved in the planning and delivery of pilgrimages and retreats should adhere to the same guidance as outlined for other activities with children and young people within the Church.

6. Definitions of a child, a vulnerable adult, abuse.

6.1 Definition of a child; Under the UN Convention on the Rights of the Child ratified by Ireland in 1992 a child is defined as any person under the age of eighteen years who is not married.

6.2 Definition of a vulnerable adult;¹A vulnerable adult is a person who is aged 18 years or older and:

- is living in residential accommodation, such as a care home or a residential special school;
- is living in sheltered housing;
- is receiving domiciliary care in his or her own home;
- is receiving any form of health care;
- is detained in a prison, remand centre, young offender institution, secure training centre or attendance centre or under the powers of the Immigration and Asylum Act 1999;
- is in contact with probation services;
- is receiving a welfare service of a description to be prescribed in regulations;
- is receiving a service or participating in an activity which is specifically targeted at people with age-related needs, disabilities or prescribed physical or mental health conditions. (age-related needs includes needs associated with frailty, illness, disability or mental capacity);
- is an expectant or nursing mothers living in residential care;
- is receiving direct payments from a local authority/HSS body in lieu of social care services;
- requires assistance in the conduct of his or her own affairs.

6.2 Definition of Abuse

Abuse is a violation of a person's fundamental right to respect and to bodily integrity by any other person or persons. Abuse may consist of a single act or repeated acts. Child abuse is generally categorised into four broad groups: neglect, emotional abuse, physical abuse and sexual abuse. A child may be subject to more than one form of abuse during his or her childhood.

¹ British Home Office Criminal Records Bureau CRB

a) **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, medical care, attachment to and affection from adults or medical care. The threshold of significant harm is reached when the child's needs are neglected to the extent that his or her well being and/or development are severely affected.

b) **Emotional Abuse**

Emotional abuse is normally to be found in the relationship between a care-giver and a child rather than in a specific event or pattern of events. It occurs when a child's need for affection, approval, consistency and security are not met. Unless other forms of abuse are present, it is rarely manifested in terms of physical signs or symptoms.

c) **Physical Abuse**

Physical abuse is any form of non-accidental injury or injury which results from wilful or neglectful failure to protect a child.

d) **Sexual Abuse**

Sexual abuse occurs when a child is used by another person for this or her gratification or sexual arousal or for that of others.

7. Recruitment and Training of Employees and Volunteers

7.1 General Principles

Safe practice starts with safe recruitment procedures. Most people, who apply to work with children and young people in the Church are well-motivated and potentially suitable for the various tasks involved. It is most important, however, that all reasonable steps are taken to ensure that this is, in fact, the case.

Some of the principles which enhance the safety of recruitment include:

- Always applying thorough selection procedures regardless of who the applicant is and whether the position is full-time, part-time, permanent, temporary, paid or voluntary.
- Judging the suitability of applicants across a broad range of criteria, through interview.
- Ensuring that interviews are conducted by more than one person and that at least one of those interviewing has established competence in interviewing and selection for posts involving work with children.
- Taking all reasonable steps to exclude unsuitable candidates by insisting on and verifying references, qualifications and previous records of employment.

7.2 Clear definition of role

A clear definition of role includes being specific about the roles and responsibilities that the person will be required to undertake, and identifying the personal qualities and skills needed to carry out the work. A detailed job description and information about the organisation or group responsible for the post should be sent to all applicants.

7.3 Written application

Applicants should be asked to supply information in writing. If an application form is used, it should be designed to collect all relevant information about the applicant, including past and current experience of working with children. The information supplied by the applicant should be seen only by those directly involved in the recruitment process.

7.4 Interviews

Interviews should always be conducted by more than one representative of the group or organisation. The interview is a critical opportunity to explore with candidates the information provided in their written application and to assess their attitudes and skills, in particular their commitment to the welfare and protection of children.

The recommendation for appointment agreed by the interview panel should be submitted for ratification to the management committee of the organisation or group making the appointment.

7.5 Declarations

All applicants should be required to sign a declaration stating that there is no reason why they would be considered unsuitable to work with children or young people and declaring any past criminal convictions or cases pending. (Appendix 1)

7.6 References

An applicant should be expected to supply the names of two referees, who are not family members, who will testify to their general character, their suitability for working with children and young people, and any other detail relevant to their ability to perform the tasks associated with the post. At least one referee should have first-hand knowledge of the applicant's previous work with children or young people. An acceptable reference will indicate that the person is known to the referee and is considered by them to be suitable to work with children and young people. All references should be provided in writing and later verified by telephone, or in person.

7.7 Background Checking

In accordance with the Child Care Act 1991, Children's Act 2001, Data Protection Act 1988/2003 and future legislation on Garda Vetting, it is the policy of the OMI to seek a background check on all staff prior to taking up employment.

Applicants have the right to decline to undergo a background check; however the OMI will be unable to proceed with applications without this consent.

8. Procedures – How to manage concerns, suspicions, allegations and disclosures of abuse involving Church staff and volunteers

The OMI 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 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

8.1 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 Services Executive / An Garda Síochána 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. 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 Appendix 2 *Standard Reporting Form* template to do this.) The record should be signed and dated by the author.

The record would also normally include:

- a. 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)

b. the name of the individual against whom the concern/allegation is being raised and any other identifying information

c. 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

d. dates when the concern arose, or when the incident(s) occurred

e. circumstances in which the concern arose, or the incident(s) occurred

f. any explanation offered to account for the risk, injury or concern

g. 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

h. details of any action already taken about the incident/concern/allegation

i. 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 (Appendix 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.

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 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.

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 procedures⁴ 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 the Health Service Executive and An Garda Síochána 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 Service Executive or An Garda Síochána, 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 HSE/Gardaí.
- 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 the Health Service Executive/ An Garda Síochána

8.3 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.

8.4 Confidentiality

Confidentiality should be maintained in respect of all issues and people involved in concerns about the welfare of a child. It is important that the rights of both the child and the person about whom the complaint has been made are protected. The welfare of the child or young person must always come first, regardless of all other considerations. It must be clearly understood that information, which is gathered for one purpose, must not be

used for another without consulting the person who provided that information.

The following points should be borne in mind:

- a guarantee of confidentiality or undertakings regarding secrecy cannot be given, as the welfare of the child or young person supersedes all other considerations.
- all information should be treated in a careful and sensitive manner and should be discussed only with those who need to know.
- Information should be conveyed in a sensitive way to the parents/ guardians of the child or young person about whom there are concerns.
- Giving information to others on a "need to know" basis for the protection of a trainee is not a breach of confidentiality.

9. Church OMI Safeguarding Structures and Personnel

9.1 Introduction

The safeguarding structure represents the way for the OMI to ensure effective procedures and practices are in place to keep children safe, and allows for these to be monitored regularly. Ensuring children are properly safeguarded requires co-operation and a willingness to work across traditional boundaries to ensure that any allegation or disclosure of abuse is handled compassionately, effectively and professionally.

Those fulfilling any of the roles listed below must abide by the highest possible standards of professional conduct in all aspects of their work, including the maintenance of appropriate confidentiality.

Because of the obligations of the sacramental seal, no priest performing a function under the procedures for dealing with a child-protection matter should celebrate the Sacrament of Penance with a respondent.

9.2 Parish Safeguarding Representative

It is expected that one or two people within each Church organisation will be identified to act as Local Safeguarding Representatives to work alongside the Diocese and the OMI Safeguarding Coordinator / Delegate. The position is voluntary, but Local Safeguarding Representatives will be provided with induction, support and regular training.

The role will be to promote the safeguarding of children within that Church organisation by:

- raising awareness of what safeguarding is
- disseminating information on Parish Child Protection Policy and Procedures, and circulating information widely to the public.
- ensuring that any activities run within that Church organisation are provided in a manner which ensures the safety and well-being of the children involved (e.g. appropriate level of supervision is in place for the activity, or that insurance has been provided, and so on)
- ensuring that the contact details of the relevant designated officer/delegate are widely publicised.

The overall responsibility for safeguarding children in any Church organisation remains with the relevant Church authority, such as the parish priest.

Any safeguarding concerns raised with a Local Safeguarding Representative should be dealt with in accordance with the Initial Contact procedures, see **8.1**

9.3 OMI Congregational Designated Officer or Delegate

The Designated Officer is located at the level of a diocese or religious congregation and is appointed by the Religious Superior. The Designated Officer is the person to whom all personnel go to in the event that they have a concern about a child or other safeguarding issue, and for children disclosing abuse.

The role of the designated officer is:

- 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. This would include the preliminary internal inquiry and referral to the Health Service Executive / An Garda Síochána subsequent 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 National Office and have an overview of all matters dealt with under these procedures within the congregation
- to carefully record all steps undertaken as part of these procedures.

9.4 Advisory Panels

This is a consultative Advisory Panels the Provincial of the OMI in order to advise and assist him at all stages of the investigative process into alleged abuse.

The Panel provides a consistent and accessible source of guidance, through a process of risk assessment for the Provincial who is charged with specific responsibilities for decision-making in response to alleged or actual child abuse involving a priest or religious.

The Panel will consist of not less than five members who collectively provide expertise, experience and impartiality necessary in this field of safeguarding. The members shall include each of the following competencies:

- a Canon Lawyer
- a civil lawyer
- a child care professional (being either a psychologist or a social worker) knowledgeable in the field of child protection issues and the effects of child abuse
- a priest or religious with strong pastoral experience
- a lay person with qualities and expertise relevant to the functions of the Panel, such as a parent representative.

The Advisory Panel may provide advice on:

- the complaint itself
- ensuring the safety and welfare of the child(ren) remains paramount
- the appropriateness of providing help to a child making an allegation and to the family of the child
- the appropriateness of the respondent continuing in his or her present pastoral assignment, having regard to the paramount need to protect children
- how the right of the respondent to a fair trial on any criminal charge may be preserved, and his or her good name and reputation may be appropriately safeguarded
- whether a specialist risk assessment of the respondent should be sought
- the needs of a parish or other community in which a respondent has served
- the needs of the wider community, including the appropriateness and timing of any public statement.

The Panel will create a record of its recommendations and should note the matters upon which it has been asked to advise and the documents which it has considered. These documents should include information on any previous allegations that have been made against the individual concerned.

The advice that is provided by an Advisory Panel shall be included in any inspection of an incident/allegation report file conducted by the National Office.

No member of an Advisory Panel shall act in a professional capacity to either the person making the allegation or the respondent.

9.5 Support Person

The Provincial has to appoint Support People to be available to those who make an allegation/disclose abuse under these procedures. The person (which can be a child or adult) making the allegation will be offered a choice between a male or female Support Person.

The role of the Support Person is to assist, where appropriate, with communication between the child or adult making an allegation/disclosure and the Designated Officer, to facilitate the child or adult in gaining access to information and help, and to represent their concerns during the inquiry process.

The Support Person needs to be clear about his/her role and should receive appropriate training. The Support Person is not a counsellor to the child or adult, and must not be or act as their therapist.

Support Persons 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. Support Persons 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 ongoing vulnerability during this process.

In addition, the Support Person should:

- consider any wishes of the child or adult disclosing abuse, in regard to a pastoral response by the Church to his or her family
- be available to the child or adult throughout the course of the inquiry process, and thereafter as required
- ensure the child or adult is kept informed of developments in relation to them
- represent the wishes and any therapeutic needs of the child or adult to the Designated Officer, as required
- arrange, if considered helpful, a meeting between the child or adult and the Church authority, such as the priest, or Provincial.
- 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.

9.6 Adviser

The Provincial has to appoint an Adviser to be available to the respondent.

Advisers shall represent the needs of the respondent to the Church Authority and assist, where appropriate, with the care of the respondent and with communication between the respondent, the Designated Officer and the Church authority / Church organisation. The respondent's adviser shall not be the respondent's therapist or spiritual adviser.

Advisers should be particularly alert to the sense of isolation and vulnerability which a respondent may experience following an allegation of this nature.

He or she will:

- accompany, if so requested, and be available after the respondent's meeting with the Church authority and the Designated Officer
- inform the respondent of his or her right to obtain advice in both in civil and Canon Law³
- identify any therapeutic or other needs of the respondent and suggest how these may be met
- consider the wishes of the respondent in regard to a pastoral response by the Church to his or her family
- be available to the respondent throughout the inquiry process, and thereafter as required
- ensure that the respondent is kept informed of developments in regard to the inquiry
- represent the needs and wishes of the respondent to the Designated Officer, as required.

Advisers should receive appropriate training. 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.

References

- **Children First National Guidelines for the Protection and Welfare of Children 1999. Published by The Dept of Health & Children.**
- **Our Duty to Care: the principles of good practice for the protection of children and young people 2002. Published by The Dept of Health & Children.**
- **Safeguarding Children Standards and Guidance Document for the Catholic Church in Ireland. National Board for Safeguarding Children 2008**
- **Our Children Our Church Child Protection Policies and Procedures for the Catholic Church in Ireland. 2005**

APPENDIX 1

Declaration form for all persons working as employees or volunteers with children and young people

Confidential

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

Church organisations therefore ask that everyone working or volunteering for the Church, who will come into contact with children or personal details of children, abide by good practice by completing and sign 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 of offence: _____

Nature of offence: _____

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

Yes No

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

Full name (print): _____

Any surname previously known by: _____

Address: _____

Date of birth: _____ **Place of birth:** _____

Declaration


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

I hereby declare the information I have provided is accurate.

Signed: _____ Date: _____

APPENDIX 2

FORM NUMBER: CC01:01:00



Feidhmeannacht na Seirbhíse Sláinte
Health Service Executive

STANDARD REPORT FORM

(For reporting CP&W Concerns to HSE)

A. To Principal Social Worker/Designate: _____

1. Date of Report _____

2. Details of Child

Name:		Male	<input type="checkbox"/>	Female	<input type="checkbox"/>
Address:		DOB		Age	
		School			
Alias		Correspondence address (if different)			

3. Details of Persons Reporting Concern(s)

Name:		Telephone No.	
Address:		Occupation	
		Relationship to client	
Reporter wishes to remain anonymous	<input type="checkbox"/>	Reporter discussed with parents/guardians	<input type="checkbox"/>

4. Parents Aware of Report Yes No

Are the child's parents/carers aware that this concern is being reported to the HSE?

5. Details of Report
(Details of concern(s), allegation(s) or incident(s) dates, times, who was present, description of any observed injuries, parent's view(s), child's view(s) if known.)

National Child Care Information System Project – Phase 3

STANDARD REPORT FORM

(For reporting CP&W Concerns to HSE)

6. RELATIONSHIPS

Details of Mother		Details of Father	
Name:		Name:	
Address: (if different to child)		Address: (if different to child)	
Telephone Nos:		Telephone Nos:	

7. Household composition

Name	Relationship	DOB	Additional information, e.g. School/Occupation/Other

8. Name and Address of other personnel or agencies involved with this child:

	Name	Address
Social Worker		
PHN		
GP		
Hospital		
School		
Gardaí		
Pre-School/Crèche/YG		
Other (specify):		

9. Details of person(s) allegedly causing concern in relation to the child

Relationship to child:		Age		Male	<input type="checkbox"/>	Female	<input type="checkbox"/>
Name:		Occupation					
Address:							

10. Details of person completing form

Name:		Occupation	
Signed		Date:	

National Child Care Information System Project – Phase 3

Guidance Notes

The HSE has a statutory responsibility under the Child Care Act, 1991 to promote the welfare and protection of children. The HSE therefore has an obligation to receive information about any child who is not receiving adequate care and/or protection.

This Report Form is for use by:

- Any professional, individual or group involved in services to children, including HSE personnel, who becomes aware of a child protection or welfare concern, or to whom a child protection or child welfare concern is reported.
- Professionals and individuals in the provision of child care services in the community who have service contracts with the HSE.
- Designated persons in a voluntary or community agency.

Please fill in as much information and detail as is known to you. This will assist the Social Work Department in assessing the level of risk to the child or the support services required. If the information requested is not known to you, please indicate this by putting a line through the question. It is likely that a social worker will contact you to discuss your report.

The HSE aims to work in partnership with parents. If you are making this report in confidence,

you should note that the HSE cannot guarantee absolute confidentiality for the following reasons:

- A Court could order that information be disclosed.
- Under the Freedom of Information Act, 1997, the Freedom of Information Commissioner may order that information be disclosed.

You should also note that in making a 'bona fide report', you are protected under the Protections for Persons reporting Child Abuse Act, 1998.

If you are unsure if you should report your concerns, please telephone the HSE duty social worker and discuss your concerns with them

