

# **STANDARD 1**

CREATING AND MAINTAINING SAFE ENVIRONMENTS

## **GUIDANCE**

**THESE PIECES OF GUIDANCE ARE TO ASSIST,  
IF NECESSARY, WITH THE IMPLEMENTATION OF  
STANDARD 1**



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

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Children in the Catholic Church in Ireland, 2022

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# **Roles of Safeguarding Personnel in Relation to this Standard**

## **Church authority**

The role of the Church authority across all the seven standards is outlined in Appendix A.

In relation to Standard 1, the Church authority is responsible for:

- Appointing a safeguarding committee, and, along with that committee, ensuring that local safeguarding representatives (LSRs) are in place across the Church body;
- Ensuring, with parish priests or local superiors, that all those who are recruited as Church personnel are suitable and appropriate for their role;
- Ensuring compliance with civil law and policy in creating and maintaining safe environments, and regarding areas such as vetting, safe recruitment, adult-to-child ratios, codes of conduct and risk assessment.

## **Safeguarding committee**

The role of the safeguarding committee across Standards 1, 5, 6 and 7 is outlined in Appendix A.

In relation to Standard 1, the safeguarding committee is responsible for:

- Producing a three-year plan on how to implement and maintain Standards 1, 5, 6 and 7 across the Church body. This includes the development of procedures and practice around creating and maintaining safe environments;
- Liaising with the local safeguarding representatives to identify areas where guidance and support on policy or practice is needed;
- Ensuring that records for activities relating to child safeguarding are produced and stored appropriately (See Appendix B).

## **Local safeguarding representative**

The role of the LSR across Standards 1, 5, 6 and 7 is outlined in Appendix A.

In relation to Standard 1, the LSR is responsible for:

- Checking and providing advice and support so that all Church activities are being carried out in line with the safeguarding policies and procedures of the Church body;
- Liaising with the child safeguarding committee (and the local safeguarding council, if applicable) around areas where further child safeguarding advice and support are required.

## **Local safeguarding councils**

In some parts of the Church, local child safeguarding councils or parish child safeguarding committees operate at a local level to provide child safeguarding advice and support to the parish priest or local superior. These councils usually comprise of the LSRs, members of the parish or provincial council, and any other person whom the parish priest or local superior wishes to appoint.

As part of the role outlined in Appendix A, the local safeguarding council can be responsible for:

- Supporting the recruitment of new volunteers;
- Ensuring that issues relating to local practice are raised and resolved with the parish priest or local superior and the child safeguarding committee.

## Storage and Retention of Records Associated with this Standard

The table below lists the types of records that need to be stored appropriately and securely as part of this standard, in accordance with best practice in record-keeping (see Appendix B). The templates for the production of each record, which have been included in the guidance for this standard, are listed in the final column.

Type of Record	Where to Store	Template/Guidance Number/Page Number
Application forms of those successful	Parish/local congregation	1.1A Template 2 Page 14
Application forms of those unsuccessful	Parish/local congregation	1.1A Template 2 Page 14
Attendance lists/sign-in and sign-out records for each activity involving children	Parish/local congregation	1.4A Template 1 and 2 Page 63 and 64
Parental and children's consent forms	Parish/local congregation	1.4A Template 3 Page 65
All records relating to vetting (until vetting disclosure is received and any appeals process is concluded)	Diocese/province & parish/local congregation	Guidance 1.1B Page 21
Copies of Service Level Agreements (if applicable) in respect of vetting and sharing of information relating to vetting.	Diocese/province	1.1B Template 1 Page 31
Accident/incident forms	Parish/local congregation	1.4B Template 1 Page 68
List of those vetted (following receipt of vetting disclosure)	Diocese/province & parish/local congregation	Guidance 1.1B Page 21
Codes of behaviour for groups involving children	Parish/local congregation	1.2A Template 1 Page 51 1.3A Template 1 Page 55
Evidence of concerns raised through whistle-blowing, and actions taken	Diocese/province	Guidance 1.6A Page 100
Copies of agreements for known respondents who wish to worship	Parish/local congregation	Guidance 1.2B Page 52



Type of Record	Where to Store	Template/Guidance Number/Page Number
Hazard assessments for activities carried out by each group involving young people associated with the Church	Parish/local congregation	1.8A Template 1 Page 112
Evidence of complaints made through complaints process, and how they have been dealt with	Diocese/province	1.7A Template 1 Page 109
Records of checks completed on external groups using Church property	Diocese/province & parish/ local congregation	Guidance 1.5A and 1.5B, 1.5F Page 81, 85 and 96
Records of checks completed on Lay Associations	Diocese/province & parish/ local congregation	Guidance 1.5E Pages 88-95
Declaration forms	Parish/local congregation	1.1A Template 3 Page 17
Evidence of checking visiting priests/ religious and lay ecclesial ministers	Diocese/province & parish/ local congregation	Guidance 1.1C, 1.1D, 1.1E, 1.1F and 1.1G Pages 33-49
Media permission forms	Parish/local congregation	1.9A Template 1 Page 116
Written agreements from external organisations/Church bodies, where clerics and religious who are members of the Church body are ministering with children	Diocese/province	Guidance 1.10A Page 129 1.10 Template 1 Page 130

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.1

### 1.1A Guidance on Safe Recruitment Procedures

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

Safe recruitment means that the Church authority will ensure that:

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

#### **Appointment procedures (clerics/religious)**

For clerics/religious who are part of the Church body in which they are ministering, the following procedure must be completed. All priests and religious should have gone through a formation programme that should include safeguarding children. In addition to this, the Church authority must ensure the following takes place prior to any appointment:

- Ensuring the cleric or religious signs the agreement form to following the Church's policy and child safeguarding standards;
- Requiring the cleric/religious to sign a declaration form stating that there is no reason why they would be considered unsuitable to work with children (1.1A Template 3);
- Requiring the cleric/religious to undergo relevant vetting/clearance procedures (Guidance 1.1B);
- Ensuring the volunteer is inducted in the Church's child safeguarding policy (Guidance 5.1A) and that they agree to follow the policy and the procedures of their Church body by signing an agreement form (5.1A Template 1);
- Ensuring the volunteer agrees to work within the Church body's code of behaviour (Guidance 1.2A);
- Ensuring that the cleric/religious attends training, in particular child safeguarding training detailed under Standard 5: Training and Support for Keeping Children Safe.

If a cleric or religious is not part of the Church body and applies for a voluntary or paid role within the Church body, they must follow the recruitment procedures for paid or voluntary staff. If the cleric or religious is visiting the Church body and is seeking to minister, the procedures outlined in Guidance 1.1C must be followed.

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.1

### Recruitment procedures (paid staff)

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

- Use a recruitment and selection checklist to ensure that effective practices are followed (1.1A Template 1).
- Use an application form, including reference requests (1.1A Template 2).
- Interview applicants to discuss their application form. This interview will include applicants being advised of their responsibilities towards children, and assessment of their suitability will include an awareness of child protection and safe care practices.
- Interview boards will be comprised of experienced and qualified personnel with a proven ability to draw out and explore the information that the candidate has included on their application form.
- All paperwork associated with the application process should be kept in accordance with record storage policy (Appendix B). All references, reports and communications in respect of the applicant should be in writing, and access to them will only be available to appropriate personnel within the Church. Candidates will be advised that their application and the follow-up process of recruitment will be dealt with in the strictest confidence.
- The successful applicant will be offered a position subject to:
  - a. Suitable references (1.1A Template 4);
  - b. Signing a declaration form (1.1A Template 3);
  - c. Proof of qualifications, where applicable;
  - d. Relevant vetting/clearance procedures (Guidance 1.1B);
  - e. Positive proof of identification.
- It should be noted that any lay person who is coming to work or volunteer in Ireland, who worked or volunteered in another country for more than one year, must provide a certificate of police clearance from the country or countries in which they have lived for a year or more, prior to coming to Ireland. Advice and support in obtaining a police clearance certificate can be found at [www.fingerscan.ca](http://www.fingerscan.ca) and also at [www.coru.ie/en/registration/police\\_clearance](http://www.coru.ie/en/registration/police_clearance).

Once appointed, the following elements are critical:

- Ensure probationary periods are served, where appropriate;
- Ensure that the member of Church personnel is inducted in the Church's child safeguarding policy (Guidance 5.1A) and that they agree to follow the policy and the procedures of their Church body by signing an agreement form (5.1A Template 1);
- Ensure professional support, supervision and appraisals are offered to Church personnel, where appropriate (Guidance 5.6A);
- Provide ongoing training to Church personnel, in particular child safeguarding training detailed under Standard 5: Training and Support for Keeping Children Safe.

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.1

### **Recruitment procedures (volunteers)**

Reasonable steps should be taken to ensure that all volunteers who work with children in the Church are assessed as 'safe'. This includes conducting the following procedures for all volunteers:

- Vetting through the Garda Vetting Bureau/AccessNI (Guidance 1.1B) if required. It should be noted that any lay person who is coming to work or volunteer in Ireland, who worked or volunteered in another country for more than one year, must provide a certificate of police clearance from the country or countries in which they have lived for a year or more, prior to coming to Ireland. Advice and support in obtaining a police clearance certificate can be found at [www.fingerscan.ca](http://www.fingerscan.ca) and also at [www.coru.ie/en/registration/police\\_clearance](http://www.coru.ie/en/registration/police_clearance);
- If the volunteer does not meet the requirement for vetting then the volunteer must sign a declaration form stating that there is no reason why they would be considered unsuitable to work with children (1.1A Template 3);
- Ensuring the volunteer is inducted in the Church's child safeguarding policy (Guidance 5.1A) and that they agree to follow the policy and the procedures of their Church body by signing an agreement form (5.1A Template 1);
- Ensuring the volunteer agrees to work within the Church body's code of behaviour (Guidance 1.2A);
- Ensuring the volunteer agrees to report all safeguarding concerns to the DLP of the Church body (Guidance 2.1A).
- Considering whether to ask the volunteer to complete an adapted version of the application form (1.1A Template 2) if it is relevant to the role.

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.1

### 1.1A Template 1: Recruitment and Selection Checklist

<b>Contact with children</b>	<ul style="list-style-type: none"><li>• What contact with children will the position involve?</li><li>• Will the position involve unsupervised contact with children, or does it involve a position of trust?</li><li>• What other forms of contact will the person have with children, e.g. email, telephone?</li></ul>	
<b>Defining the role</b>	<ul style="list-style-type: none"><li>• Have the tasks and skills necessary for the position been considered?</li><li>• Does the task description make reference to working with and having responsibility for children?</li></ul>	
<b>Key selection criteria</b>	<ul style="list-style-type: none"><li>• Has a list of essential and desirable qualifications, skills and experience been developed?</li></ul>	
<b>Written application</b>	<ul style="list-style-type: none"><li>• Have all applicants been asked to supply information in writing, including personal details, past and current work/volunteering experience?</li><li>• Have application forms been developed?</li></ul>	
<b>Interview</b>	<ul style="list-style-type: none"><li>• Have at least two representatives been identified to meet with the applicant to explore information contained in their application?</li><li>• Have the applicant and application forms been carefully considered, highlighting points to raise at interview, including:<ul style="list-style-type: none"><li>• The applicant's attitudes towards working with children;</li><li>• Areas you want to explore in more detail;</li><li>• Gaps in employment history;</li><li>• Vague statements of unsubstantiated qualifications;</li><li>• Frequent changes of employment?</li></ul></li></ul>	
<b>Declaration</b>	<ul style="list-style-type: none"><li>• Has the successful applicant been asked to sign a declaration stating that there is no reason why they would be considered unsuitable to work with children?</li><li>• Has the successful applicant been asked to declare any past criminal convictions and cases pending against them?</li></ul>	
<b>Identification</b>	<ul style="list-style-type: none"><li>• Have applicants been asked, where necessary, for photographic documentation to confirm their identity and place of residence?</li><li>• Will documentation relating to the applicant's identity and relevant qualifications be checked at the interview?</li></ul>	

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.1

<b>Qualifications</b>	<ul style="list-style-type: none"> <li>Are applicants asked for documentation to confirm their qualifications?</li> </ul>	
<b>Vetting procedure/ AccessNI</b>	<ul style="list-style-type: none"> <li>Does the position require the applicant to be vetted/AccessNI checked?</li> <li>Has the applicant been informed that they may need to undergo vetting/AccessNI before they take up any appointment? Does this applicant require a certificate of police clearance from other countries in which they have worked/ volunteered?</li> </ul>	
<b>Records</b>	<ul style="list-style-type: none"> <li>Are details of the selection/induction process retained in the personnel file of the successful applicant? Are references kept on file as part of the record of the recruitment process?</li> <li>Are personnel informed that information such as application and declaration forms are held on file?</li> </ul>	
<b>Confidentiality</b>	<ul style="list-style-type: none"> <li>Is information about the applicant only seen by those directly involved in the recruitment process?</li> <li>Are applicants reassured that information about them, including information about convictions, will be treated in confidence and not used against them unlawfully?</li> </ul>	
<b>References</b>	<ul style="list-style-type: none"> <li>Are applicants asked to supply the names of two referees who are not family members, or who are not involved in the recruitment process, and ideally who have first-hand knowledge of the applicant's experience of work/contact with children?</li> <li>Are referees asked specifically to comment on the applicant's suitability to work with children?</li> <li>Are all references provided in writing and verified by a follow-up telephone call?</li> </ul>	
<b>Suggested questions for referees</b>	<ul style="list-style-type: none"> <li>The post involves substantial access to children. We are committed to the welfare and safeguarding of children. Have you any reason at all to be concerned about this applicant being in contact with children?</li> <li>How long have you known this person?</li> <li>In what capacity?</li> <li>Would you have any hesitation in them taking up this position?</li> </ul>	

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.1

### 1.1A Template 2: Application Form

#### Personal

First name \_\_\_\_\_

Surname \_\_\_\_\_

Church body \_\_\_\_\_

Have you been previously known by any other names? \_\_\_\_\_

\_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

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

Email \_\_\_\_\_

#### Work experience

Please detail below the experience you have gained in your professional life.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Have you previously been involved in voluntary work? If yes, please give details.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.1

Why do you want to get involved in this activity?

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Have you previously received any training for working with children or young people? If yes, please give details.

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Do you have any specific needs that we need to be made aware of?

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Please provide any other relevant information below.

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# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.1

### Referees

Please provide the names and contact details of two people whom we could contact for a reference (not relatives).

#### Referee 1

Name \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

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

Email address \_\_\_\_\_

#### Referee 2

Name \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

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

Email address \_\_\_\_\_

### Declaration

I declare that I have completed this form truthfully, and that I agree to abide by and accept the terms and conditions of my involvement, if successful in the application process.

Signed \_\_\_\_\_

Date \_\_\_\_\_

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.1

### 1.1A Template 3: Confidential Declaration Form

The information contained in this form will be kept securely by the \_\_\_\_\_ (insert name of diocese/order). 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.

#### Who should complete this form?

Church bodies ask that everyone working or volunteering for the Church, who will come into contact with children or the personal details of children, abide by good practice by completing and signing 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 binding over order?

☐ 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?

☐ Yes ☐ No

If yes, please provide details including date(s) \_\_\_\_\_

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

Full name (print) \_\_\_\_\_

Any previous surname \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_  
Date of birth \_\_\_\_\_ Place of birth \_\_\_\_\_

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.1

What role/position are you currently applying for?

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### 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 voluntary or paid, without notice. I understand that the information will be kept securely by the \_\_\_\_\_  
(insert name of Church body).

I declare that the information I have provided is accurate.

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

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.1

### 1.1A Template 4: Character and Personal Reference Request

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

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

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

Thank you in advance for your help.

Yours sincerely,

\_\_\_\_\_

(insert signature and date)

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

\_\_\_\_\_

2) In what capacity do you know the applicant?

\_\_\_\_\_

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

\_\_\_\_\_

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

☐ Yes ☐ No

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please include any additional comments below.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signed \_\_\_\_\_

Date \_\_\_\_\_

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.1

### 1.1A Template 5: Confidentiality Declaration

I confirm and declare that all confidential and personal information that is disclosed to me or to which I have access during the course of acting as \_\_\_\_\_ will be kept strictly confidential, and shall:

- a. not be disclosed or otherwise made available by me to any person, except in accordance with the procedures set out in the safeguarding children policy and procedures;
- b. be used by me only for the purpose of the procedures set out in the safeguarding children policy and procedures.

If I am required to disclose confidential or personal information in accordance with law or by virtue of a court or similar order, other than in accordance with the safeguarding policy and procedures, nothing in this declaration prevents me from doing so. However, in those circumstances, I will inform the relevant Church authority without delay.

I acknowledge that some or all of the confidential and personal information may contain 'personal data' and 'sensitive personal data' within the meaning of data protection legislation, and I therefore agree to comply with my obligations under this legislation. In so far as I am the data processor in accordance with the Data Protection Acts,<sup>1</sup> then I agree only to process personal data on, and subject to, the instructions of the relevant data controller, maintain appropriate security measures against all unlawful processing in respect of the personal data, and allow the relevant data controller to monitor and audit my compliance with my obligations in respect of personal data.

My obligations under this declaration continue even after I may cease

to act as a \_\_\_\_\_.

Signed \_\_\_\_\_

Dated \_\_\_\_\_

<sup>1</sup> Data Protection Act 1988 and 2003 (ROI); Data Protection Act 1998 (NI); Data Protection Act 2018 (NI); Data Protection Act 2018 (ROI).

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.1

### 1.1B Guidance on Vetting

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

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

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

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

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

##### 2.1 Legislative basis

In the ROI, vetting is carried out through the National Vetting Bureau under the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016. From the date of commencement of the legislation on 29 April 2016, it is a criminal offence to allow anyone to engage in ministry with children or vulnerable adults, without having them vetted first.

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

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

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

<sup>2</sup> A child is defined as anyone under eighteen years.

<sup>3</sup> Any work or activity that is carried out by a person, a necessary and regular part of which consists mainly of the person having access to, or contact with, children (and/or vulnerable adults).

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

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

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

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

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

Section 13(6) of the Act provides for vetting of persons under 18 years of age. The Act states that if a person in respect of whom an application for a vetting disclosure is made is under 18 years of age, a declaration of consent is completed on his or her behalf by a parent/guardian of the young person.

In other words, anyone who is 18 or over and has necessary and regular (more than 3 days) contact with children (and vulnerable adults) as part of their ministry, must be vetted. Those who are aged under 18 may be vetted, but this can only be carried out with the written consent of their parent/guardian and the young person themselves.

For Church bodies who are active in both Northern Ireland and the Republic of Ireland, they must ensure that Church personnel who meet the legislative requirements in each jurisdiction and are active in both jurisdictions are vetted both in the Republic of Ireland and Northern Ireland.

For other Church personnel who may come into contact but who do not work directly with children (or vulnerable adults) in the Church, vetting is not required.

### 2.2 The legislation provides relevant definitions

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

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

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

- I. employs (whether under contract of employment or otherwise) any person to undertake relevant work or activities;
- II. enters into a contract for services with any person for the provision by that person of services that constitute relevant work or activities;
- III. permits any person (whether or not for commercial or any other consideration) to

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undertake relevant work or activities on the person's behalf;

- IV. is a provider of courses of education or training, including internship schemes, for persons and, as part of such education or training or scheme, places or makes arrangements for the placement of any person in work experience or activities where a necessary part of the placement involves participation in relevant work or activities, but does not include an individual who does any of the matters referred to in *sub-paragraphs (i) to (iv)* in the course of a private arrangement.

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

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

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

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

- a. his or her forename(s), surname and, where appropriate, maiden name;

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



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

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

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

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

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

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

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

- a. harm any child or vulnerable person;

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

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

### 2.5 Catholic Church requirements

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

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

Vetting is carried out in the Republic of Ireland if a member of Church personnel engages in any work or activity, a necessary and regular part of which consists mainly of the person having access to, or contact with children or vulnerable persons. Details of relevant work or activities (Section 2.2) are outlined in part 1 and 2 of Schedule 1 of the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016.

The form that is completed by the applicant gives permission for a vetting disclosure to be obtained and shared with the relevant personnel within the Church body, in line with data protection legislation. The applicant must give their permission for information to be shared with named relevant people (i.e. the employer and the DLP). The application must identify the relevant work to which the application relates, and must be specific about access to children being a necessary and regular component of the role.

Under Section 13 (2) of National Vetting Bureau (Children and Vulnerable Persons) Act 2012:

*'A relevant organisation may submit an application for vetting disclosure under this section on its own behalf or on behalf of another relevant organisation that the organisation represents for the purposes of the vetting procedures under this Act and, where a relevant organisation submits an application on behalf of another relevant organisation, it shall inform the Bureau of that and provide it with the particulars referred to in Section 8 (5).'*

In these circumstances, it is recommended that a Service Level Agreement (1.1B Template 1) is developed between the organisations or Church bodies which sets out the sharing of the disclosure. It must be understood that sharing of such information can only be done with the permission of the subject of the disclosure

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

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

If the applicant wishes to appeal the decision, the Church body must set up a review panel meeting (see Section 7 on appeals).

### 3. Vetting in Northern Ireland (pre-employment)

#### 3.1 Legislative basis

The Police Act 1997 (Criminal Records) (Disclosure) is the legislation that allows for an enhanced criminal record check for those engaged in regulated activities with children and vulnerable adults.

The Safeguarding Vulnerable Groups (Northern Ireland) Order 2007 sets out the activities and work that are 'regulated activities', which a person who has been barred by the Disclosure and Barring Service must not do.

Vetting is carried out in Northern Ireland if a member of Church personnel engages in a **regulated activity** (Section 3.2). An enhanced check can disclose non-conviction information or 'soft intelligence' if the police consider it is relevant to the role. This could be an incident that did not go to court, or information about an ongoing police investigation.

An enhanced check also includes a barred list check for anyone applying to do paid or voluntary work that is a regulated activity. A barred list check involves checking whether the individual is part of barred lists of people who are prevented from doing certain types of work.

#### 3.2 Definitions

A child is defined by the Safeguarding Vulnerable Groups Order (SVGO) as anyone who has not attained the age of eighteen years.

The full, legal definition of regulated activity is set out in Schedule 2 of the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007, as amended (in particular, by the Protection of Freedoms Act 2012).

Regulated activity excludes family arrangements, and personal, non-commercial arrangements.

#### Regulated activity relating to children

The amended definition of regulated activity comprises:

- I. Activities such as teaching, training, instructing, caring for or supervising children, or providing advice/guidance on well-being, or driving a vehicle only for children;
- II. Work for a limited range of establishments ('specified places'), with opportunity for contact:

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e.g. schools, children's homes, childcare premises, a children's hospital. Work under (I) or (II) is regulated activity only if done regularly.

- III. Relevant personal care, e.g. washing or dressing; or healthcare by, or supervised by, a professional;
- IV. Registered childminding and foster care.

### 3.3 Catholic Church requirements

In relation to the Church, those who work (paid or unpaid) in a regulated activity will require vetting. Legislation allows for the Church to carry out vetting checks for those who are in day-to-day line management of those in regulated activities, and who must also be vetted.

As the definition of regulated activity has recently changed, it is current practice within the Church that those falling under the previous definition of regulated activity, who are not included in the new definition listed above, still require vetting. However, the vetting enhanced check will not include the barred list element.

The bishops of Northern Ireland have established a Central Northern Dioceses Vetting Office, which processes all vetting applications to Access NI. The vetting officer acts as the authorised signatory, and makes decisions about fitness for roles based on the returned disclosure. An application is completed by the local safeguarding representative and forwarded to the Central Northern Dioceses Vetting Office for processing. As the requirements in vetting have been amended, staff in the vetting office can provide advice and support in deciding which check is required for Church personnel.

For religious orders, consultation should take place with the Central Northern Dioceses Vetting Office around requirement to vet and the processing of applications.

For Church bodies who are active in both Northern Ireland and the Republic of Ireland, they must ensure that Church personnel who meet the legislative requirements in each jurisdiction and are active in both jurisdictions are vetted both in the Republic of Ireland and Northern Ireland.

### 3.4 How to apply for a vetting check

For a detailed guide and further information on how to apply for a vetting check, please contact the Northern Vetting Office by emailing [vetting@soddc.org](mailto:vetting@soddc.org) or calling 00442890492783.

## 4. Re-Vetting

It is recommended that applicants be re-vetted at least every three years.

## 5. Storage and retention of records

The Church body is responsible for appointing a data protection officer to ensure that all records are retained, stored and destroyed appropriately (see Appendix B). Consideration should be given to the storage of application forms, references and any other records of vetting checks that have been carried out in line with data protection legislation. All records should be retained at least for the length of involvement of the applicant, or until they are re-vetted. Thereafter all documentation gathered during the vetting process (for example identity check) should be returned to the applicant or destroyed. A record that a vetting check has been carried out should

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be retained in line with data protection legislation (Appendix B).

In ROI, the retention of documents is a requirement of the National Vetting Bureau. This requirement is made to assist the National Vetting Bureau with its functions and to ensure compliance with the statutory process of vetting. Advice from the Vetting Bureau is that all data relating to the process should be retained until the individual concerned leaves the Church body in one way or another or is re-vetted for their continuing employment pursuant to the Church bodies re-vetting procedure. All vetting records should be stored securely in line with the Church bodies recording and storage of records procedures.

In Northern Ireland, the Vetting Disclosure Certificate is forwarded by Access NI directly to the applicant. The applicant may decide to share the content of the Vetting Disclosure Certificate with the authorised signatory. The authorised signatory retains a record of the reference number and the date when the Vetting Disclosure Certificate was presented. The only exclusion is if the applicant appeals the decision of the authorised signatory (see Section 6 on appeals, on the next page). In this instance the record should be retained for three months, following completion of the appeal process.

### **6. Assessing the suitability of an applicant following receipt of a vetting disclosure**

It must be emphasised that vetting is a small part of a recruitment process and that all other aspects must be part of the overall assessment of suitability of an applicant. The information below sets out the possible responses following receipt of a vetting disclosure.

Legislation in both jurisdictions (Northern Ireland and the Republic of Ireland) requires the Church body to carry out vetting checks with the relevant body (Access NI or Garda Vetting Bureau) prior to allowing a person to work with children (and/or vulnerable adults).

#### **1.Application stage**

It is essential that all conviction and caution information is shared on the vetting application form; failure to do so following any disclosure by the relevant vetting office may exclude the applicant from the role.

#### **2.Disclosure – nothing of concern**

If the vetting disclosure does not reveal any soft information, cautions or convictions the applicant, on the basis of vetting can be deemed suitable for working with children (and/or vulnerable adults); however all other aspects of the recruitment process must also be considered (Guidance 1.1A).

#### **3.Disclosure – Information not relating to child (vulnerable adult abuse)**

If the vetting disclosure reveals information of a caution or conviction (not of a child or vulnerable adult abuse nature) this must be assessed in line with the requirements of the ministry or work applied for. Issues that should be considered include:

- Was the caution or conviction disclosed by the applicant?
- Is the caution or conviction relevant to the work with children? e.g. if there is a motoring offence and the role does not involve the use of a vehicle is it relevant?
- Is the caution or conviction relating to an offence of theft or dishonesty – while this may not

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appear relevant to the role with children it may reflect an applicant's character.

### 4. Disclosure – Information relating to child (vulnerable adult) abuse

If the vetting disclosure reveals information which includes soft information relating to child or vulnerable adult abuse, careful consideration should be given whether it is appropriate to engaging the applicant in ministry or work with children and or vulnerable adults.

Remember caution or conviction relating to domestic violence is relevant

If the vetting disclosure reveals information of a conviction for abuse of a child or vulnerable adult, the applicant should not be engaged to minister or work with children or vulnerable adults.

### 7. Appeals

It must be noted that any appeal can only be made in relation to the Church decision not to employ the candidate (paid or voluntary), on the grounds that they are not suitable to work with children. The Church has no role in reviewing the contents of the disclosure by the National Vetting Bureau or Access NI. If there is a disagreement about the disclosure, the applicant must appeal directly to the National Vetting Bureau or Access NI.

The employer will assess the information returned from AccessNI or the National Vetting Bureau and decide if there is any reason not to employ the applicant, from a criminal information or specified information perspective. The applicant will be informed that their application cannot proceed based on the information returned through the vetting process.

If the applicant wishes to appeal the Church decision, they should be informed in writing about the process of an appeal.

An appeals panel will be established by the Church authority to hear the appeal. The Church authority will determine if the final decision regarding the appeal rests with the appeals panel or is deferred to the Church authority for a final decision.

The National Vetting Bureau (Children and Vulnerable Persons) Act 2012 states that the information contained in the vetting disclosure made to the organisation shall not be used or disclosed by the relevant organisation other than in accordance with the Act. Any breach of this requirement is an offence. Therefore, prior to engaging in any appeals process, legal advice may be sought.

An applicant will be told that the appeal process will require that information disclosed to either Access NI or the National Vetting Bureau can be shared with the panel members, and that any representations made by him/her may be shared with the statutory authorities. Any detail provided, for example to explain the background to a conviction, will be shared with Access NI or the National Vetting Bureau to ensure it is a realistic representation of the facts.

Representation from the applicant will be requested in writing to offer them the opportunity to explain any circumstances in relation to the information received that might further inform the appeals panel. The panel may permit an oral hearing if it is deemed necessary for the fair and just disposition of the appeal.

The role of the appeals panel is to decide if the original decision was unreasonable or irrational. In the first instance, the panel will communicate its recommendation to the Church authority. The Church authority should take cognisance of the advice of the appeals panel. The applicant will



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then be informed in writing of the final decision following a review by the Church authority, based on the advice of the appeals panel.

### 7.2 Constitution of panel

The Church authority will appoint an appeals panel. The following people should be considered as appropriate members of the panel:

- Chair of the safeguarding committee;
- Priest or religious;
- Lay person with child protection experience.

Advice can be sought from the following: a representative from HR (if the Church body has one); a civil law solicitor; a canon lawyer; and/or an employment lawyer.

### 7.3 Role of panel

- To receive and hear requests for review of decisions not to appoint on the basis of information received through the vetting process:
  - To review the written information provided by the applicant, and to receive oral evidence from the applicant and relevant Church personnel, if deemed appropriate;
- To make a judgement regarding whether the decision not to employ was reasonable:
  - Was the decision to refuse based on a potential risk to children?
  - Was the relevance of the specific role taken into consideration?
- If it is determined that the final decision regarding the appeal rests with the Church authority, the Appeals Panel must report its recommendation to the Church authority for consideration.

### 7.4 Time frame

- An appeal must be lodged with the employer within twenty-eight days of being informed of the decision not to appoint. The applicant will be asked to provide written representation within fourteen days of receipt of correspondence requesting this. Failure to provide this information within the time frame suggested, or failure to seek an extension, will result in the matter being closed and the original decision standing.
- The appeals panel will aim to review all information within fourteen days of receipt of the same, and communicate its recommendation in writing to the Church authority.
- The Church authority will communicate their decision in writing to the applicant.

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### 1.1B Template 1: Service Level Agreement to Share Vetting Information

**(for use only in the Republic of Ireland)**

**This section must be completed by the named Church authorities**

This service level agreement regarding Garda vetting and sharing of disclosures is between:

(A) INSERT NAME OF CHURCH BODY/ORGANISATION WHO WILL CONDUCT VETTING CHECK

And

(B) INSERT NAME OF CHURCH BODY/ORGANISATION WHO WILL BE REPRESENTED FOR THE  
PURPOSE OF VETTING BY THE CHURCH BODY/ORGANISATION NAMED IN A)

This agreement sets out the arrangements for obtaining Garda vetting disclosures and the sharing of information obtained through a vetting disclosure, to enable members B) to minister in INSERT NAME OF CHURCH BODY/ORGANISATION WHERE MINISTRY WILL OCCUR.

Section 12.3(A) allows for such sharing of information as follows:

Where 2 or more relevant organisations jointly agree in writing to the employment, contracting, permitting or placement of a person to undertake relevant work or activities, it shall be a defence in any proceedings brought against a person for an offence under subsection (2) to show that another relevant organisation who was party to the agreement received a vetting disclosure in respect of the employment, contract, permission or placement of the person concerned. (National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016).

1. (A) will act as the relevant organisation, whose responsibility it is to conduct all vetting on behalf of (B), whose members, employees and lay staff are engaged in relevant work with children or vulnerable adults.

2. In addition to the Garda vetting consent requirements, the applicant will fill out a consent form agreeing to the sharing of the disclosure between (A) and (B).

3. Upon receipt of the disclosure the Church body/organisation engaging the applicant, shall be responsible for assessing the suitability of the applicant for the stated relevant work.

4. Records relating to the disclosure and an agreement to share this, should be maintained in line with data protection legislation.

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

Church authority of (A)

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

Church authority of (B)



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#### **1.1B Template 1: Service Level Agreement to Share Vetting Information**

**(for use only in the Republic of Ireland)**

**This section must be completed by each applicant.**

I INSERT NAME OF APPLICANT give my consent for a Garda vetting check to be conducted to enable me to carry out relevant work relating to children and vulnerable adults as defined in the National Vetting Bureau (Children and Vulnerable Persons) Acts 2012 to 2016).

I understand that (A) is conducting the Garda vetting on behalf of (B) and I give my consent for the disclosure to be shared with appropriate representatives of INSERT NAME OF CHURCH BODY/ORGANISATION WHERE MINISTRY WILL OCCUR when considering my application to carry out relevant work.

.....

Signature of applicant

.....

Date

.....

Witness

.....

Date

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### **1.1C Guidance on Visiting Clergy or Visiting Persons in Any Form of Consecrated Life Seeking to Minister in the Catholic Church in Ireland**

All steps must be taken to ensure a safe and nurturing environment within the Church for children. For that reason, it is important that all those who engage in public ministry require confirmation that they are fit for that sacred task. The safeguarding of children within the Irish Catholic Church is of critical importance.

Whilst lay faithful (including lay ministers) are subject to safe recruitment practice (Guidance 1.1A), all clergy (secular or religious, bishop, priest or deacon) who seek to minister in the Catholic Church in Ireland must be incardinated. This means that he must belong to a diocese (or its equivalent in canon law), a personal prelature (such as Opus Dei), an institute of religious life (such as the Franciscans) or a society that has this faculty (such as the Society of African Missions).

Incardination has three main purposes:

1. It is pastoral; a cleric is ordained for the service of a particular Church to which he belongs;
2. It is an effective structure for maintaining discipline, creating a bond between the cleric and his competent superior;
3. It provides the individual cleric with a guarantee that his rights are protected.

Further to this, the cleric must be in good standing and enjoy the faculties necessary to minister. In law, a faculty is the authority, privilege or permission to perform an act or function, for example, regarding the Sacraments of Penance and Marriage. A cleric receives his faculties from the ordinary of the place where he has domicile; however, each local ordinary is responsible for ensuring that clergy who minister within their territory are in good standing.

The Church authority has a responsibility to take measures to ensure the safety and welfare of children. It is therefore important that certain checks are carried out to ensure that all clergy are in good standing prior to faculties being received.

#### **Procedures for visiting clergy within Ireland**

All clergy incardinated into the diocese or religious order will have been Garda/AccessNI vetted as part of safe recruitment (Guidance 1.1A).

Visiting clergy should follow best practice and contact the local parish priest/superior of a religious house before undertaking ministry in that ecclesiastical jurisdiction. If this ministry is considered to be regulated activity, then the guidance regarding the vetting process must be undertaken and a letter of good standing received (1.1C Template 2) from the ordinary of the cleric.

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However, should the cleric be present for one event in a parish or diocese, such as a funeral, baptism or wedding, he should sign the register in the sacristy to declare his presence on a particular time and date. Furthermore, should the cleric not be incardinated in the ecclesiastical jurisdiction that he visits, he must provide his celebret for inspection by the parish priest or duly delegated person, and this should be noted beside the visitor's signature in the register.

### **Procedures to be followed by visiting clergy from outside Ireland<sup>5</sup> wishing to minister on a short-term basis**

When clergy from outside Ireland visit with the intention of being involved in short-term ministry, evidence should be provided that confirms they are priests in good standing and that they are fit for ministry.

Clergy who come from parts of the world where police vetting arrangements are not in existence may seek to minister in Ireland. As a consequence, the statutory route is not always available as a means of confirming that there is no adverse information known about them that would prevent them from carrying out ministry in Ireland.

- a. Prior to visiting Ireland, where there is an intention to engage in public ministry, all visiting priests must write seeking permission of the Church authority, giving details about the duration of the visit, the type of ministry and the location of ministry being considered. The contact details of the Church authority of the visiting priest must be provided in advance;
- b. Upon receipt of a request from visiting clergy to carry out ministry, the Church authority must acknowledge the same, and then make a request in writing to the visitor (1.1C Template 1) for a celebret or confirmation of good standing (1.1C Template 3), signed by their Church authority;
- c. The visiting priest must be asked to complete a declaration of good standing form (1.1C Template 2);
- d. A vetting check must be carried out through the Garda National Vetting Bureau/AccessNI (Guidance 1.1B);
- e. If the Church authority is satisfied that there are no concerns about the visiting religious, permission should be given in writing to the visitor, outlining the specified ministry, including its duration and location (1.1C Template 4);
- f. A copy of this permission (1.1C Template 4) should be forwarded to the parish priest or local superior of the visitor, and also to the parish priest or local superior of the location of the ministry outlined in the letter;
- g. A copy of the permission (1.1C Template 4) should be stored in the offices of the Church authority, in line with confidentiality and storage of information (Appendix B).

<sup>5</sup> Visiting clergy refers to those seeking to minister on a short-term basis, for a special event, during holidays, or as part of mission/retreat or other pastoral activity.

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.1

### **Procedures to be followed by visiting clergy from outside Ireland wishing to minister at a one-off event**

Visiting clergy should follow best practice and contact the local parish priest/superior of a religious house before undertaking ministry in that ecclesiastical jurisdiction. If this ministry is considered to be regulated activity (as defined in Guidance 1.1B), then the guidance regarding the vetting process should be undertaken and a letter of good standing received (1.1C Template 2) from the ordinary of the cleric.

However, should the cleric be present for one event in a parish or diocese, such as a funeral, baptism or wedding, he should sign the register in the sacristy to declare his presence on a particular time and date. Furthermore, should the priest not be incardinated in the ecclesiastical jurisdiction that he visits, he must provide his celebret for inspection by the parish priest or duly delegated person, and this should be noted beside the visitor's signature in the register.

### **Procedures for visiting persons in any form of consecrated life within and outside Ireland**

- a. Prior to their visit, where there is an intention to engage in public ministry, all visiting religious must write seeking permission of the Church authority, giving details about the duration of the visit, the type of ministry and the location of ministry being considered. Contact details of the Church authority of the visiting religious must be provided in advance;
- b. Upon receipt of request from the visiting religious to carry out ministry, the Church authority must acknowledge the same, and then make a request in writing to the visitor (1.1C Template 1) for a confirmation of good standing (1.1C Template 5), signed by their Church authority;
- c. A vetting check must be processed through the Garda National Vetting Bureau/AccessNI (Guidance 1.1B);
- d. If the Church authority is satisfied that there are no concerns about the visiting religious, permission should be given in writing to the visitor, outlining the specified ministry, including its duration and location (1.1C Template 4);
- e. A copy of this permission (1.1C Template 4) should be forwarded to the parish priest or local superior of the visitor, and also to the parish priest or local superior of the location of the ministry outlined in the letter;
- f. A copy of the permission (1.1C Template 4) should be stored in the offices of the Church authority, in line with confidentiality and storage of information (Appendix B).

### **Procedures for seminarians and pastoral students undertaking pastoral placements as part of their formation**

- a. Prior to the placement visit, where there is an intention to engage in public ministry, all seminarians and students must commit to following the child safeguarding policy and standards of the Catholic Church in Ireland (Guidance 5.1A).
- b. The placement organiser must be satisfied that all placements are governed by a child safeguarding policy.

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.1

- c. If the placement is outside the Church, all child safeguarding requirements of the organisation within which the placement takes place must be followed. See guidance on cross-referencing safeguarding policies (Guidance 2.1J).
- d. Where the ministry involves regular and necessary contact with children (and /or vulnerable adults) the student/seminarian must be vetted by the placement provider through the Garda National Vetting Bureau/Access NI (Guidance 1.1B).
- e. Any concerns relating to the student/seminarian of a child safeguarding nature whilst on placement must be shared with the Rector/President and processed in line with the Church's reporting procedures (Guidance 2.1A).
- f. Records must be retained which demonstrate that the required checks have taken place and the student/seminarian has agreed to follow the child safeguarding procedures of the Church and the placement provider. A copy of this record should be stored in the offices of the Seminary in line with confidentiality and storage of information (Appendix B).

## STANDARD 1

### CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.1

#### 1.1C Template 1: Acknowledgement Letter for Request for Ministry

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

I write in response to your letter dated \_\_\_\_\_ (insert date), regarding your wish to minister within this diocese/congregation.

Thank you for your enquiry and your willingness to be of service. Prior to considering any temporary appointment, our procedures require that you contact your local ordinary/superior to inform them of your request.

Please complete the attached forms and forward them to your local ordinary/superior for completion, if they wish to recommend you for ministry in this diocese/congregation.

With every blessing,

\_\_\_\_\_

(Insert signature of Church authority)

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.1

### 1.1C Template 2: Declaration Form of Good Standing

Name:			
Date of birth:	Phone number:	Email:	
Church body to which you are incardinated:			
Name of Church authority:			
Address of Church authority:			
Appointment last held:		Commencement date on which you are seeking to minister in another Church body:	
Has your request to minister in another Church body been approved by your Church authority? Yes <input type="checkbox"/> No <input type="checkbox"/>			
Current appointment:	Date from:	Date to:	
Address 1:			
Previous appointment:	Date from:	Date to:	
Address 2:			
Previous appointment:	Date from:	Date to:	
Address 3:			
Previous appointment:	Date from:	Date to:	
Address 4:			
Previous appointment:	Date from:	Date to:	
Address 5:			
Additional appointments should be detailed on a separate sheet and attached to this form.			
I hereby declare as follows:	Yes	No	Comment
1. I have never been suspended or otherwise canonically disciplined.	<input type="checkbox"/>	<input type="checkbox"/>	_____
2. I have no criminal record or have not had criminal charges brought against me.	<input type="checkbox"/>	<input type="checkbox"/>	_____
3. I have no behavioural problems, either past or present, which would indicate that I might deal with children in an inappropriate manner.	<input type="checkbox"/>	<input type="checkbox"/>	_____
4. I have never been involved in an incident or exhibited behaviour that called into question my fitness or suitability for priestly ministry due to alcohol misuse, substance misuse, sexual misconduct, financial error or any other lapse of judgement.	<input type="checkbox"/>	<input type="checkbox"/>	_____
5. I have no mental or physical needs that would adversely affect performance of my sacred ministry.	<input type="checkbox"/>	<input type="checkbox"/>	_____
I authorise the verification of the information provided on this form as to my previous ministries and personal information.			
Signature _____ Date _____			

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.1

### 1.1C Template 3: Confirmation of Good Standing

Name:			
Date of birth:	Phone number:	Email:	
Church body to which the applicant is incardinated:			
Name of Church authority:			
Address of Church authority:			
Appointment last held:	Commencement date on which the applicant is seeking to minister in another Church body:		
Current appointment:	Date from:	Date to:	
Address 1:			
Previous appointment:	Date from:	Date to:	
Address 2:			
Previous appointment:	Date from:	Date to:	
Address 3:			
Previous appointment:	Date from:	Date to:	
Address 4:			
Previous appointment:	Date from:	Date to:	
Address 5:			
Additional appointments should be detailed on a separate sheet and attached to this form.			
I hereby declare as follows:	Yes	No	Comment
1. The applicant has never been suspended or otherwise canonically disciplined.	<input type="checkbox"/>	<input type="checkbox"/>	_____
2. The applicant has no criminal record or has not had criminal charges brought against them.	<input type="checkbox"/>	<input type="checkbox"/>	_____
3. The applicant has no behavioural problems, either past or present, which would indicate that they might deal with children in an inappropriate manner.	<input type="checkbox"/>	<input type="checkbox"/>	_____
4. The applicant has never been involved in an incident or exhibited behaviour that called into question their fitness or suitability for priestly ministry due to alcohol misuse, substance misuse, sexual misconduct, financial error or any other lapse of judgement.	<input type="checkbox"/>	<input type="checkbox"/>	_____
5. The applicant has no mental or physical needs that would adversely affect performance of their sacred ministry.	<input type="checkbox"/>	<input type="checkbox"/>	_____
I authorise, to the best of my knowledge, the verification of the information provided on this form as to the previous ministries and personal information of the applicant involved.			
Signature _____ Date _____			



# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.1

### 1.1C Template 4: Approval for Ministry

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

I wish to confirm that you are authorised to minister in \_\_\_\_\_  
(insert name of Church body) as follows:

In \_\_\_\_\_ (insert location)

Duration \_\_\_\_\_ (insert start and end date)

Type of ministry \_\_\_\_\_ (insert specified ministry)

I will retain a copy of this letter, and a copy has been forwarded to your own local superior/parish priest and to the local superior/parish priest of the location in which you will be ministering.

With every blessing,

\_\_\_\_\_

(Insert signature of Church authority)

\_\_\_\_\_

(Insert date of Church authority signature)

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.1

### 1.1C Template 5: Confirmation of Good Standing for Non-Ordained Religious

Questionnaire to be completed by the Church authority when a Sister or Brother or other person from the province or region is applying for ministry, including working with children (long term or for a shorter period) in another province or region of the congregation.

Name of person applying for transfer \_\_\_\_\_

Name of his/her province/region \_\_\_\_\_

1. Why does this person want to minister in the province/region of the congregation?

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2. Does he/she seek the transfer with a view to permanence? Yes ☐ No ☐

3. Is he/she coming temporarily? Yes ☐ No ☐

4. If your answer is **yes** above, how long does he/she intend to stay?

5. Have you any specific concerns about the performance of his/her ministry? Yes ☐ No ☐

If yes, please state your reasons below.

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6. Is there any reason why the above-named person should not be given a position that involves working with children and young people? Yes ☐ No ☐

If you answered **yes** above, please give an outline of your concerns below.

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# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.1

7. Please write any additional comments below.

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I testify that \_\_\_\_\_ (name of applicant) who is applying for  
ministry in the \_\_\_\_\_ province/region is a person in good  
standing in the \_\_\_\_\_ province/region.

Name (please print) \_\_\_\_\_

Leadership position in province/region \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

Return this form as soon as possible to the province/regional leader of the province/region  
to which the person has applied for a transfer.

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.1

### 1.1D Guidance on Visiting Clerics or Visiting Persons in Any Form of Consecrated Life Ministering at Shrines, National Shrines and International Shrines

#### Definitions

A Shrine is a Catholic church or other sacred place which with the approval of the local ordinary is by reason of special devotion frequented by the faithful as pilgrims (Canon 1230).

To be considered a National Shrine the approval of the National Episcopal Conference is necessary. For it to be described as International, the approval of the Holy See is necessary (Canon 1231).

#### **For visiting clerics or those in any form of consecrated life, ministering in Shrines and National Shrines in Ireland**

- Prior to the visit, where there is an intention to engage in public ministry, all visiting clerics and those in any form of consecrated life must follow Guidance 1.1C. In particular:
  - If the visiting cleric is ministering at a one-off event which is not considered a regulated activity (as defined in Guidance 1.1B) the cleric must provide his celebret for inspection by the parish priest or duly delegated person and this should be noted beside the visitor's signature in the register.
  - If the ministry is for a short term basis, the visiting cleric must follow the requirements set out in Guidance 1.1C.
  - If the ministry is being carried out by a non-ordained religious then the guidance outlined in Guidance 1.1C must be followed.

#### **Visiting clerics celebrating or concelebrating Mass at Shrines outside Ireland**

- If the Shrine is outside of Ireland all child safeguarding requirements of the organisation within which the ministry takes place must be followed, in accordance with Guidance 2.1J.
- The main celebrant must allocate responsibility for each cleric wishing to concelebrate to have their celebret cards checked to ensure they are in good standing.
- A cleric who is out of ministry due to child safeguarding concerns must not attempt to celebrate any sacrament in public while abroad.

### 1.1E Guidance on Visiting Lay Ecclesial Ministers

#### Definition

Lay Ecclesial Ministry is the term adopted to identify the relatively new category of pastoral ministers in the Catholic Church who are not ordained. Lay ecclesial ministers are co-workers with the Church authority alongside priests, non-ordained religious and deacons. In other contexts, these may be known as number of different terms including 'lay pastoral workers' or 'pastoral assistants'.

All lay ecclesial lay ministers are authorised by a Church authority to serve publicly. Some lay ministers are appointed by a Church authority and undergo a period of training for their role, others belong to other Church bodies/ external organisations and minister in a particular area, such as youth ministry

Lay Ministers can perform a variety of roles including chaplaincy work; parish catechesis and other pastoral work as identified by a Church authority.

Formation is determined the Church authority or leader of the organisation. As yet lay ministers do not hold letters of good standing.

When a lay minister either as a sole worker or as part of an organisation moves between Church Bodies, appropriate checks should be conducted to ensure that they do not present a risk to children.

Where there is contact with children the following requirements must be honoured:

#### Requirements when the lay minister is an individual

The lay minister in this context is considered a member of Church personnel and therefore must be recruited following the safe recruitment guidance including vetting (Guidance 1.1A and Guidance 1.1B).

#### Requirements when the lay minister is part of another Church body/external organisation

- a. Prior to their ministry the lay minister must seek permission or be invited by the Church authority of the Church body in which they are seeking to minister
- b. The Church authority should require the manager/Church authority of the organisation the lay minister belongs to, to complete 1.1E Template 1.
- c. Upon receipt of 1.1E Template 1, the Church authority should grant or deny the lay minister's request in writing, also notifying their manager/Church authority.
- d. A copy of this permission and 1.1E Template 1 should be stored in the offices of the receiving Church authority in line with confidentiality and storage of information (Appendix B).

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.1

### Vetting

If the ministry is a 'once off event' (1-3 days ) and does not meet the requirements for vetting under the legislation, the completion of 1.1E Template 1 ensures that the visiting lay minister understands the requirements to follow the Church's safeguarding policy and procedures.

If the lay minister is visiting from another organisation/Church body outside of Ireland and they meet the requirements for vetting under the legislation, an agreement must be reached with the receiving Church authority in Ireland as to which body will carry out the relevant vetting check.

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.1

### 1.1E Template 1: Form to be completed by the Leader/ Church authority of a visiting lay minister

#### Section 1: To be completed by Manager/Church authority of External Organisation/ Church body

(INSERT NAME OF MEMBER OF CHURCH PERSONNEL) is a member of (INSERT NAME OF EXTERNAL ORGANISATION/CHURCH BODY) as a lay minister.

On behalf of (INSERT NAME OF EXTERNAL ORGANISATION/CHURCH BODY) I am happy to state that we have recruited (INSERT NAME OF CHURCH PERSONNEL) safely and in line with the Child Safeguarding Policy and Procedures of our organisation, they have been vetted and are safe to work with children.

SIGNED : \_\_\_\_\_

POSITION IN EXTERNAL ORGANISATION/CHURCH BODY: \_\_\_\_\_

DATE: \_\_\_\_\_

#### Section 2: To be completed by the lay minister

I, (INSERT NAME OF MEMBER OF CHURCH PERSONNEL) verify that I am aware of the safeguarding policy and procedures of (INSERT NAME OF EXTERNAL ORGANISATION/CHURCH BODY).

But when acting as a lay minister I will abide by the Child Safeguarding Policy and Procedures of (INSERT NAME OF RECEIVING CHURCH BODY).

SIGNED: \_\_\_\_\_

DATE: \_\_\_\_\_

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.1

### 1.1F Overview of Documentation Required for Visiting Clergy, Visiting Persons in Any Form of Consecrated Life, or Lay Ecclesial Ministers Seeking to Minister in the Catholic Church in Ireland

In addition to the detailed guidance produced (Guidance 1.1A, 1.1B, 1.1C, 1.1D, 1.1E and 1.1G) the table below provides an overview of requirements. When considering what checks to carry out consider the frequency of the ministry, level of contact with children and risks. The template provides guidance, but each Church authority must maintain responsibility for ensuring the safety of children and make a decision about appropriate checks in each unique circumstance.

**Table 1: Once Off Cover (1-3 days- Including single events, weekend cover, self-retreat)**

	Irish diocesan cleric	Ordained Religious within Ireland	Non Ordained Religious within Ireland	Diocesan cleric from outside Ireland	Ordained and Non Ordained Religious from outside Ireland	Retired cleric from outside Ireland who assist or have public ministry	Irish lay minister	Lay minister from outside Ireland
Show Celebret/ Letter of Good Standing to Receiving Jurisdiction (Guidance 1.1C)	YES	YES	YES	YES	YES	YES	Letter from their Church Authority/ manager (1.1E Template 1)	Letter from their Church Authority/ manager (1.1E Template 1)
Vetting by own Church body/External Organisation (unless SLA is in place)	YES	YES	YES	IF POSSIBLE	IF POSSIBLE	IF POSSIBLE	YES	IF POSSIBLE
Vetting in Receiving Jurisdiction (Guidance 1.1B)	NO	NO	NO	NO	NO	NO	NO	NO
Approval for Ministry from Receiving Church Authority (1.1C Template 4)	NO	NO	NO	NO	NO	NO	NO	NO
Declaration of Good standing from Cleric/Religious Ordinary (1.1C Template 3)	NO	NO	NO	NO	NO	NO	NO	NO
Declaration of Good standing from Cleric/Religious (1.1C Template 2)	NO	NO	NO	NO	NO	NO	NO	NO
Confidential Declaration Form (1.1A Template 3)	NO	NO	NO	NO	NO	NO	NO	NO
Induction Agreement Form (5.1A Template 1)	NO	NO	NO	NO	NO	NO	NO	NO



# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.1

**Table 2: Short Term Cover (More than 1-3 days- including regular and repeated events)**

	Irish diocesan cleric	Ordained religious within Ireland	Non ordained religious within Ireland	Diocesan cleric from outside Ireland	Ordained religious from outside Ireland	Retired cleric from outside Ireland who assist or have public ministry	Irish lay minister	Lay minister from outside Ireland
Show Celebret/ Letter of Good Standing to Receiving Jurisdiction (Guidance 1.1C)	YES	YES	YES	YES	YES	YES	Letter from their Church Authority/ manager (1.1E Template 1)	Letter from their Church Authority/ manager (1.1E Template 1)
Vetting by own Church body/ External Organisation (Guidance 1.1B)	YES	YES	YES	IF POSSIBLE	IF POSSIBLE	IF POSSIBLE	YES	IF POSSIBLE
Vetting in Receiving Jurisdiction (Unless SLA is in place) (Guidance 1.1B)	YES	YES	YES	YES	YES	YES	YES	YES
Approval for Ministry from Receiving Church Authority (1.1C Template 4)	YES	YES	YES	YES	YES	YES	YES from organisation using (1.1E Template 1)	YES from organisation using (1.1E Template 1)
Declaration of Good standing from Cleric/Religious Ordinary (1.1C Template 3)	YES	YES	YES	YES	YES	YES	N/A	N/A
Declaration of Good standing from Cleric/Religious (1.1C Template 2)	YES	YES	YES	YES	YES	YES	N/A	N/A
Confidential Declaration Form (1.1A Template 3)	YES	YES	YES	YES	YES	YES	N/A	N/A
Induction Agreement Form (5.1A Template 1)	YES	YES	YES	YES	YES	YES	N/A	N/A

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.1

### 1.1G Guidance on Retired Clerics who Seek to Minister and who have no Church Authority in Ireland

A cleric may retire to Ireland following ministry in another jurisdiction where he was incardinated or is a member of a religious order who do not have a presence in Ireland.

#### **Retired clerics who have no public ministry**

If a cleric is retired and has no public ministry there are no requirements for him to be vetted, undergo child safeguarding training or sign up to the child safeguarding policy and standards of the Catholic Church.

#### **Retired clerics who have or assist with public ministry**

If the retired cleric assists with public ministry, in advance of allowing any ministry the receiving Church authority should follow the visiting priest guidance (Guidance 1.1C) and obtain a reference from the cleric's Church authority to ensure that the cleric is in good standing and that there are no concerns of a child safeguarding nature.

The cleric's Church authority should continue to issue a celebret or letter of good standing annually.

The cleric must agree to follow all safeguarding requirements of the Church body in which he ministers. This includes:

- Vetting
- Agreeing to following the safeguarding policy and standards
- Attending full day awareness training every three years
- Informing the Church authority in Ireland if any concerns, suspicions or allegations are made against him.

### 1.2A Guidance on Codes of Behaviour for Adults

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

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

It is very important that everyone in the Church body is clear about what is and is not acceptable behaviour when working with children. It is also important to involve children and parents/guardians in the process of developing a code of behaviour. When considering what sorts of behaviour are appropriate in dealing with children, it is important to bear in mind that the intentions of adults are less important than the impact of their behaviours on children. For this reason, a key aspect of any code of behaviour is the creation of an environment where it is safe for children to ask questions and express their concerns, confident in the knowledge that what they say will be heard, taken seriously and acted upon.

In general, codes of behaviour should contain:

- Positive statements indicating what sorts of behaviours are appropriate, e.g. listening;
- An awareness of the scope of bullying and how to cope with the problem, as it may occur in any group context;
- Prohibitions indicating behaviours that are never acceptable, e.g. hitting a child;
- Good practice guidelines that indicate what is generally acceptable or unacceptable, but that also allow for exceptions, e.g. in a medical emergency; taking a child in your car without a second member of staff/adult if there is no one else around.

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

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.2

### 1.2A Template 1: Sample Code of Behaviour for Adults

#### It is important for all personnel to:

- Treat all children with respect and dignity;
- Treat all children equally;
- Model positive, appropriate behaviour to all children they come into contact with;
- Be aware of the Church's child protection and child safeguarding policy;
- Challenge and report abusive and potentially abusive behaviour (Appendix C);
- Develop a culture of openness, honesty and safety;
- Develop a culture where children have permission to tell and to talk about any concerns or worries that they may have;
- Respect each child's boundaries and support them to develop their own understanding and sense of their rights;
- Be aware of their responsibility for the safety of all children in their care;
- Work in open environments;
- Help children to know what they can do if they have a problem.

#### Adults must never:

- Hit or otherwise physically assault or abuse children;
- Develop sexual relationships with children;
- Develop relationships with children that could in any way be deemed exploitative or abusive;
- Act in any way that may be abusive or may place a child at risk of abuse;
- Use language, make suggestions or offer advice that is inappropriate, offensive or abusive;
- Do things for a child of a personal nature that they can do themselves;
- Watch or supervise a child undressing, or assist a child undressing e.g. in swimming pools or on international Pilgrimages, such as Lourdes baths. (see separate guidance 1.4F Guidance on participation of children with specific needs)
- Condone or participate in behaviour that is illegal, unsafe or abusive;
- Act in any way that is intended to intimidate, shame, humiliate, belittle or degrade;
- Engage in discriminatory behaviour or language in relation to race, culture, age, gender, disability, religion, sexual orientation or political views;
- Consume alcohol, tobacco or illegal drugs while having responsibility for or in the presence of children/ young people.

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

- Take children away or to your own home, especially where they will be alone with you;
- Involve children in one-to-one contact; activities should usually be supervised by at least two adults (Guidance 1.4C). However, there may be two circumstances where this may occur:
  - I. In a **reactive** situation, for example when a young person requests a one-to-one meeting with you without warning, or where a young person has had to be removed from a group as part of a code of behaviour (Guidance 1.3A);
  - II. As part of a planned structured piece of work (for example one-to-one music tuition).

See Guidance 1.4D for safe practices if either of these situations occur.

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.2

### 1.2B Guidance on Situations Where Known Respondents Wish to Worship

Every person has the right to practice their faith, including being able to attend mass; and this right includes people who have harmed children. Given the range of emotions and reactions their offending behaviour may cause, they may feel anxiety in seeking to continue to practice their faith. Also Church personnel may be anxious about enabling worship and having the correct balance between the right to practice faith and the safeguarding of the children who also have a right to practice their faith.

This guidance sets out the process that should be followed to safeguard children and to safeguard the respondents when they are seeking to practice their faith including attending Church. For church respondents who have a permanent or interim management plan in place, inclusion of the management and practical approaches to enabling attendance at Church and at sacraments should be included in that plan. It can also be used for lay people who are made known to Church authorities through organisations such as Probation or Police, and where attendance at Church is part of their covenant of care.

#### 1. Identification of Risk

This process can only apply to situations where there is knowledge that someone has been convicted of child abuse or where there is a finding of fact - through a canonical or disciplinary process, that the respondent has harmed a child. This should never be used in situations of gossip or rumour.

Where someone has been found guilty through a criminal process, an Agreement should be reached between the respondent, relevant statutory authorities and the local Church authority (priest) around the following:

- Acceptance that the respondent has a right to worship, acknowledging the importance of faith, and see this as part of the safety plan and self-identity.
- Acceptance on the part of respondents that they may present a risk or at the least an acceptance of the relevant statutory body's assessment that they pose a risk to children.
- Acceptance on the part of the respondents to have an agreement about how they choose to practice their faith including which Church services they may attend.
- The respondent may be fearful of reprisals and their own safety so this should be addressed

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.2

### 2. Identification of strengths

A discussion should be had with the parties involved (person/respondent, the local Church authority, statutory personnel, the Church authority of the Church body) to establish what strengths are present for the respondent which should be included in The Agreement. These might include:

- Openness and transparency about all alleged / convicted offences
- Evidence of remorse for the harm caused
- Insight into risk triggers including thoughts, behaviours, situations and actions
- An active support network which is non collusive
- An acceptance that they must not have any unsupervised contact with children

### 3. Agreement/Covenant/Management Plan

From the information in steps 1 and 2 above a written Agreement should be put in place which identifies that attendance at Church and at Sacraments has the dual purpose of safeguarding children and safeguarding the respondent and should include the following:

- Church accountabilities (Mass, Sacraments, funerals etc) (exclude outside activities)
- Listing activities or services that the respondent seeks to attend
- Outlining which service/Mass is appropriate to attend – excluding any children's Masses
- Agreeing an appropriate place to sit during the services
- Identification of a friend, support person or advisor, who has full knowledge of the risk posed, to accompany and sit with the respondent
- Outlining how to raise concerns
- Compliance and review of arrangements
- Sharing information and confidentiality – what information should be shared with whom and what consent is sought, this includes consent from the data subject to share information with relevant named Church personnel and for the local Church authority to retain a copy of the agreement.

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.3

### 1.3A Guidance on Creating a Code of Behaviour with Children

Children should be involved in drawing up a code of behaviour for themselves; however, it is important that in working with children, an appropriate adult with relevant skills and competencies participates to support them in developing the code of behaviour.

The methods used in creating a code of behaviour should be age and ability appropriate, with children being encouraged to avoid merely drawing up a list of prohibitions. Instead, the code should be comprised of positive statements about respect, and should consider what consequences ensue if the code is broken.

In developing the code, consideration should be given to the following:

- Treating everyone with respect;
- Treating property with respect;
- Not consuming alcohol, tobacco or illegal drugs;
- Agreeing not to bring any physical item into the Church activity that may cause offence or harm to others;
- Acting as a good role model;
- Attending activities on time;
- Signing in and out;
- Turning off your mobile phone;
- Telling someone you trust if you feel uncomfortable with any situation or individual;
- Not using bad language when communicating by phone or email;
- Never bullying anyone or sending threatening messages.

For an example of a workshop to create a code of behaviour with children, refer to 1.3A Template 1.

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.3

### 1.3A Template 1: Example Workshop on Creating a Code of Behaviour with Children

#### Age group

Six to ten years old.

#### Aim

To create a code of behaviour, and to work on building trust with the group's members.

#### Materials

Flip chart page, paper, blu-tac, pens and a small, soft ball.

#### Method

1. Ask the group to sit in a circle.
2. Say to the group: 'Today I want you all to come up with a list of things you think are important when you're working together: what things help you to work as a team, and what things you like when you come here. But because you all have so many ideas and I'll want to get them all down, only one person can speak at a time. The only person who is allowed to speak is the one who's holding this ball (hold the ball in the air). If you want to speak put your hand up and then I'll pass you the ball. Is everyone clear?'
3. Take the flip chart page and stick it on the wall with blu-tac.
4. Say to the group: 'This page is where we are going to write down the things you think are important to help our group work together. It's called a code of behaviour. Everyone in this group has to agree on what goes into this code, which includes rules for adults and children. But first of all it needs a name. What will the name of this group be?'
5. When the children have agreed on a name, write it on the centre of the page.
6. Say to the group: 'Now we have to come up with some rules about how we'll all behave in the group, so put your hand up if you want to go first and remember you can't speak without the ball.'
7. Continue around the group in this way, each time writing up a rule that the children create, or asking the children to write on the page themselves. The idea is to compromise with the children, and the rules should cover things like signing in, time for breaks, listening to each other, turning mobile phones off, safeguarding, and limits to confidentiality, etc. It should also include discussions about what will happen if an agreed rule is broken.
8. After finishing the previous discussion, say to the group: 'Now that we have established the rules, our agreement isn't complete until we all sign it. If you sign the code you promise to stick to the rules up here. Every time this group meets, this agreement will be stuck up on the wall so that you can see the rules that we have all agreed to. So I'll sign first and then everyone else can come up and sign the page together.'
9. The session ends when everyone in the group has signed the poster. You can develop this further with younger children by letting them decorate the code of behaviour.



## STANDARD 1

### CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.3

#### 1.3B Guidance on Dealing with Breaches of Codes of Behaviour for Children and Adults

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

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

**Sanctions may include:**

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

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.3

### 1.3C Guidance on Anti-Bullying

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

#### What is bullying?

- Bullying is intentional, repeated and aggressive physical, verbal or psychological behaviour directed by an individual or group against others;
- Bullying can occur at any age, in any environment, and can be long or short term;
- Any child/young person can be a victim of bullying;
- Bullying can be perpetrated by adults towards children/young people, as well as children/young people towards their peer group;
- Isolated incidents of aggressive behaviour, which should not be condoned, cannot be described as bullying. However, when the behaviour is systematic and ongoing it is bullying;
- Bullying results in pain and distress to the victim.

#### Bullying can be:

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

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.3

### Prevention

To help prevent bullying, the following strategies are suggested:

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

### Procedures to deal with bullying

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

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.3

### 1.3D Guidance on Boundary Violations

Within the Church body there should be codes of behaviour for adult-to-child (Guidance 1.3A and Guidance 1.3B) interactions which should not be breached. Those ministering with children must be aware of the boundaries, parameters and limits of these relationships, where a child - and their parents or guardians- entrust their welfare and safety to a member of Church personnel. Behaviour which is inappropriate but which does not meet the threshold of abuse must always be taken seriously and addressed.

All concerns relating to the abuse of a child which reach the threshold must be reported to the statutory authorities (Guidance 2.1A).

The following table describes behaviours under a number of headings where children's boundaries are considered to be violated by an adult.

Area	Boundary violating behaviour by an adult involving children
Communication	Uses inappropriate language around children and young people Comments on a child's appearance (positively or negatively) Has sexual conversations with children and young people Uses discriminatory language about a child Has 'pet names' for children Humiliates a child Shares sexual jokes with children Uses obscene gestures or language when addressing children Sends texts or messages of a personal nature using digital media Shares inappropriate images with children Sharing inappropriate personal details with children Photographing, videoing or audio recording a children when not authorised to do so Using personal electronic equipment to communicate with children, when it has been advised against communicating with children in this way. Sharing personal internet sites with children Creating or using personal chat-rooms with children

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.3

<b>Physical Contact</b>	Touching a child inappropriately (See Code of Behaviour for appropriate touch)  Physically punishing a child  Physical restraint of a child , unless in rare circumstance where an adult has to restrain a child to stop them running into traffic, diving into shallow water, hurting themselves or in a medical emergency  Meeting a child in secret
<b>Location</b>	Meeting a child on their own  Inviting a child to Church personnel's home or other location where the child will be on their own  Entering toilet, changing room or shower which are occupied by children and where supervision is not appropriate  Tutoring a child in a location which is inappropriate and where there is a lack of transparency and lack of consent from parents or guardians
<b>Gifts/Favours</b>	Targeting an individual child for special attention  Giving gifts or money to a child  Singling a child out for special duties or responsibilities

Concerning behaviours are those that are considered 'pre-offending behaviours'. Depending on a detectable pattern, these behaviours might also be considered to constitute 'grooming'. Abuse may not have occurred yet, so a conversation with the offending adult may be a good and safe option, and in many cases can help to prevent behaviour becoming abusive (Guidance 1.3B). Prevention efforts are greatly improved when adults are able to recognise suspicious attitudes and patterns of behaviour and to take action. When adults know when and how to safely confront someone who is engaged in pre-offending behaviours, they can help stop abuse before it occurs. It may be that this behaviour is detected via a complaints process (Guidance 1.7A) or through whistleblowing (1.6A).

If the behaviour is abusive, report it. If you are unsure whether the behaviour constitutes abuse, consult the DLP or the statutory authorities.

### Action steps to address Boundary Violations

- Think about what is making you uncomfortable, then write it down
- Discuss your concerns with the DLP or Church authority
- Consider whether it is appropriate to confront the behaviour yourself
- Choose a private time and place where you can talk to the subject without interruption
- Do not accuse or jump to conclusions, but do ask direct questions

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.3

- Describe what you saw or heard, and how it made you feel
- Express concern for all involved
- Separate the behaviour from the person
- Encourage behaviour change in the subject
- Encourage the subject to seek help
- If the behaviour continues, formally report it to the DLP.

### **Action by DLP or Church authority**

- If a boundary violation has been reported, there must be a written record of what the behaviour is.
- A meeting should be arranged to advise the subject to discuss the violations (this meeting should be between the subject and the Church authority)
- A record of the meeting and its outcome should be maintained
- A written reminder should be issued by the Church authority to the subject to follow the Code of Behaviour of the Church body
- If required, appropriate training should be provided to the subject to ensure that the violation is not repeated.
- If the behaviour reoccurs, disciplinary action involving the subject should be considered.

### **Rights of person accused of boundary violation (the subject)**

An individual accused of a boundary violation has a right to know the detail of what boundary is alleged to have been breached by them

If they accept that the breach occurred, they have a right to be given the opportunity to correct the behaviour through support from the Church authority.

At any meetings with the Church authority the subject should be given the opportunity to be accompanied and supported by a colleague or friend of their choice

If training, therapy or counselling for the subject is considered helpful, this should be provided by the Church authority

If the boundary violation leads to disciplinary action, the subject should be advised of their rights to access canon and civil law advice.

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.4

### 1.4A Guidance on Safe Care for Children

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

– Pope Francis (2014)

To build a safe and solid environment for children, each Church authority must strive to be child-centred in their practice and behaviour. In practical terms, this will include clear written procedures outlined in the following templates and guidance documents.





STANDARD 1

CREATING AND MAINTAINING SAFE ENVIRONMENTS  
GUIDANCE FOR INDICATOR 1.4

1.4A Template 2: Attendance Register for Sacristy

ALL CLERGY, ALTAR SERVERS, SACRISTANS AND OTHERS WHO VISIT THE SACRISTY BEFORE OR AFTER LITURGICAL SERVICES ARE REQUESTED TO SIGN THIS SHEET

(Please use new page when date changes. Where date continues from previous page, please re-enter it.)

Date / /

Name	Signature	Ministry	Time in	Time out

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.4

### 1.4A Template 3: Child and Guardian Joint Consent

#### 1.0 Data protection

This form will be held on file, in accordance with the data protection policy of \_\_\_\_\_ (insert name of Church body). The data entered will be used only for the purpose indicated on the form. It may only be accessed by those with responsibility for managing records or group activities.

#### 2.0 Group details (to be completed by organiser)

Name of group \_\_\_\_\_

Duration/frequency of activity from (start date/time) \_\_\_\_\_  
(end date/time) \_\_\_\_\_

Name of organiser \_\_\_\_\_

#### 3.0 Details of the child/young person

Name of young person \_\_\_\_\_

Address \_\_\_\_\_

Date of birth \_\_\_\_\_

Gender(circle as appropriate)

**Male**

**Female**

#### 4.0 Other relevant information

(Please mention any medical conditions, special needs or dietary requirements).

Please note that the organisers cannot administer any medication. Should your child require medication or intimate care, please discuss this with the organisers who will work with you to establish how your child can be accommodated, according to relevant policies and procedures.

#### 5.0 Guardian contact details

Name \_\_\_\_\_

Daytime phone number      Code \_\_\_\_\_ Local no. \_\_\_\_\_

Home phone number      Code \_\_\_\_\_ Local no. \_\_\_\_\_

Mobile number \_\_\_\_\_

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.4

Email \_\_\_\_\_

Contact information for emergency use only (if different from the information given above)

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### 6.0 In cases of a medical emergency

In the event of illness or an accident, I give permission for medical treatment to be administered to my child, where considered necessary, by a suitably qualified medical practitioner and/or hospital. I understand that every effort will be made to contact me as soon as possible. In an emergency I can be contacted at the telephone numbers provided on the previous page:

Signed \_\_\_\_\_

### 7.0 Child's/young person's consent

I \_\_\_\_\_ (insert full name) would like to take part in the event listed on the previous page.

(If relevant please tick the boxes below)

- ☐ I understand that photographs may be taken during the group activities, and I give my permission for these to be used in any hard copy/online (delete as appropriate) publications by the \_\_\_\_\_ (insert name of Church body).
- ☐ I understand that videos (which may include webcam) may be taken during the group activities, and I give my permission for these to be used in any hard copy/online (delete as appropriate) publications by the \_\_\_\_\_ (insert name of Church body).
- ☐ I understand that during group activities I will be appropriately supervised at all times and will agree to abide by the group's code of behaviour.

### 8.0 Guardian's consent

I agree to allow the above-named child/young person to attend meeting(s) of the \_\_\_\_\_ (insert name of group), at the times and dates stipulated in section 2.0 in accordance with the permission granted by \_\_\_\_\_ (insert name of child/young person) above. I understand that there will be suitable supervision and an agreed code of behaviour while the children/young people are in the care of the organisers.

Signed \_\_\_\_\_ Name (block letters) \_\_\_\_\_  
(Guardian) (Guardian)

Relationship to child/young person \_\_\_\_\_

Signed \_\_\_\_\_  
(Child/young person)

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.4

### 1.4B Guidance on Dealing with Accidents

It is essential that all Church personnel (clergy, religious or lay volunteers) are familiar with the procedures outlined below. If a child has an accident and injures himself/herself while attending a Church-run event, these procedures should be followed:

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

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.4

### 1.4B Template 1: Form for Dealing with Accidents/Incidents

#### Group details

Name of group \_\_\_\_\_

Name of group leader \_\_\_\_\_

Names of others present \_\_\_\_\_

#### Accident details

Date and time of accident/incident \_\_\_\_\_

Name of person involved \_\_\_\_\_

Date of birth of person involved \_\_\_\_\_

Emergency contact details for the person involved (usually parent/guardian)

Name \_\_\_\_\_

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

Please describe the accident/incident that occurred (continue on separate sheet if necessary).

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

Action taken during and following the accident incident.

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

People contacted (include dates and times) \_\_\_\_\_

If medical attention was required, please note the name and address of the medical facility and the people who treated the person involved in the accident/incident.

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

Please detail any follow-up action required.

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

Name of person completing this form (print name) \_\_\_\_\_

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

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.4

### 1.4C Guidance on Maintaining Adequate Supervision Ratios

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

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

In addition, the minimum following ratios should be applied, depending on the number of children:

- zero to one year = one member of staff to three children
- one to two years = one member of staff to five children
- two to three years = one member of staff to six children
- three to six years = one member of staff to eight children
- seven to twelve years = one member of staff to eight children
- thirteen to eighteen years = one member of staff to ten children

If it is an overnight activity, additional staff should be considered. If the group is mixed, a gender balance should be maintained.

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.4

### 1.4D Guidance on One-to-One Contact with Children and Young People

In general, Church activities should not involve one-to-one contact, and should usually be supervised by at least two adults (Guidance 1.4C). However, there may be two circumstances where this may occur:

1. In a reactive situation, for example, when a young person requests a one-to-one meeting with you without warning, or where a young person has had to be removed from a group as part of a code of behaviour (Guidance 1.3A);
2. As part of a planned and structured piece of work (for example, one-to-one music tuition).

The points below provide some guidance in relation to these situations.

#### **Reactive situations**

- If you need to talk to a young person alone, try to do so in an open environment, in view of others.
- If this is not possible, try to meet in rooms with visual access, or with the door open, or in a room/area where other people are nearby. You should advise another adult that such a meeting is taking place and the reason for it. A record should be kept of these meetings – including names, dates, times, location, reason for the meeting and outcome – and stored appropriately and securely (Appendix B).
- Avoid meetings with individual children where they are on their own in a building.
- One-to-one meetings should take place at an appropriate time, e.g. not late at night, and in an appropriate venue.

#### **Planned and structured pieces of work**

- The particular activity should have a clear rationale and aims for involving one-to-one work.
- Parents/guardians must be fully informed as to the nature and purpose of this work, and must give written consent (1.4A Template 3).
- A clear code of behaviour must be agreed and adhered to by both parties. This should include limits of confidentiality and safeguarding procedures (Guidance 1.3A).

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.4

### 1.4E Guidance on the Pope John Paul II Award

The Pope John Paul II Award values and encourages the participation of young people in activities that allow them to live their faith in Jesus Christ in their parish and wider community. The award is designed to facilitate involvement in school, parish, religious and community activities.

The majority of activities carried out as part of the award fall within the scope of the safeguarding policy of the Church or school, but there are other activities that do not. Therefore, it is imperative that the protocol below is strictly adhered to, especially when the activities engaged in by the participant in the award fall outside the scope and remit of safeguarding children covered by the diocese or congregation, parish or school policies and procedures.

In addition to what is set out in the Pope John Paul II Award handbook, in particular its code of ethics, the following protocol applies to those who engage in the award:

- Parental/guardian and children's consent is a requirement for all those participating in the award who are under eighteen years of age (Guidance 1.4E Template 1);
- A completed application form must be given to the award leader prior to engagement in the award (Guidance 1.4E Template 1);
- For activities associated with the award that take place within diocesan, congregational, parish or school contexts, the participant must abide by the safeguarding policy and procedures of the relevant location, including its codes of behaviour;
- Specific activities may require additional parental/guardian consent, at the discretion of either or both the Pope John Paul II Award committee/coordinator and the award leader;
- It is highly recommended that participants in the award scheme carry out their parish involvement and social awareness activities in groups of two or more;
- Where activities associated with the award fall outside the scope of the diocesan, congregational, parish or school safeguarding policy, the following procedure applies (if unsure, please contact the Pope John Paul II Award committee/coordinator to verify if diocesan, congregational, parish or school safeguarding policy applies to any particular activity):
  - I. Activities must be approved by the Pope John Paul II Award committee/coordinator. It is the responsibility of the award leader to ensure that this happens using the parish and social activities form (Guidance 1.4E Template 2);
  - II. The external organisation must complete the safeguarding agreement form (Guidance 1.4E Template 3);
  - III. The activity cannot commence until both forms are completed and returned to the award leader.



# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.4

### 1.4E Template 1: Pope John Paul II Award Permission Form

#### APPLICATION & CONSENT FORM POPE JOHN PAUL II AWARD

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#### Safeguarding information for parents/guardians of those participating in the Pope John Paul II Award

The Pope John Paul II Award values and encourages the participation of young people in activities which allow them to live their faith in Jesus Christ in their parish and wider community. The Award is designed to facilitate involvement in school, parish and community activities.

We appreciate that the safety of your child is paramount, and to this effect all activities will be carried out in accordance with the Safeguarding Children Policy and Standards for the Catholic Church in Ireland, the diocesan Safeguarding Policy & Procedures, including Codes of Behaviour for Adults and Code of Behaviour with Children.

When a young person carries out voluntary work with organisations outside the school, parish or diocese, those organisations are to be named on the Parish & Social Activities Form and need to be approved by the Pope John Paul II Award Committee.

The following protocol applies to those who engage in the Award:

1. Parental/guardian consent is a requirement for all those participating in the Award who are under 18 years.
2. Both the completed Application & Consent Form and the Parish & Social Activities Form must be given to the Award Leader or Parish Coordinator prior to engagement in the Award.
3. The parish/school will ensure there is adequate supervision and a safe environment for participants to carry out their chosen activities through school or parish.
4. Specific activities may require additional parental/guardian consent at the discretion of either, the Pope John Paul II Award Committee/Coordinator and Award Leader, or both.
5. Where possible, it is highly recommended that participants of the Award carry out their parish involvement and social awareness activities in groups of two or more.
6. All Award participants who have a role in working with children or vulnerable adults must complete the safeguarding awareness programme. In addition, those participants working with children or vulnerable adults who meet the requirements for vetting in their jurisdiction **MUST** be vetted. Activity leaders must determine which participants need to be vetted.
7. Participants must act in accordance with the diocesan Safeguarding Policy & Procedures, including the Codes of Behaviour for Adults and Code of Behaviour with Children.
8. Award Leaders/Parish Coordinators must be vetted and work in accordance with the Codes of Behaviour for Adults and Code of Behaviour with Children.
9. Photographs may be taken of participants with their consent during Award activities/trips to help promote the Award. Photographs **MUST NOT** be posted on social media websites without the prior consent of the participant, parent and leader.
10. Participants may be asked to provide an email and mobile phone number for communication. These details will only be used by the leaders for Award related activities. Texts and emails may be used to promote Award events. ***If you are unhappy with this please inform the Award Leader/Coordinator.***
11. Participants medical conditions or dietary requirements are the responsibility of the parent/guardian. Please make the Award Leader/Coordinator aware of any medical conditions, special needs or dietary requirements your child may have. **Please Note: Award Leaders/Coordinators cannot administer any medication.**
12. External organisations outside diocese, school and parish will complete the Pope John Paul II Award Safeguarding Agreement Form to state they can provide a safe environment for Award participants and have adequate supervision and insurance in place.
13. The participating diocese only accepts liability or responsibility for an incident caused by the negligence or breach of statutory duty of the diocese, its servants or agents.
14. By signing this Pope John Paul II Award Application & Consent Form, the parent/guardian is taking responsibility for the safety and well-being of the participant during activities that take place outside the scope of the diocesan Safeguarding Policy & Procedures.
15. The Pope John Paul II Award does its best to ensure that your personal information is secure so that your confidentiality is maintained. Your personal information is kept for no longer than is necessary. The Award adheres to the provisions of the Data Protection Act 1998 and the General Data Protection Regulation (GDPR).

Note: Each diocese in Ireland has its own diocesan GDPR Policy, Safeguarding Policy & Procedures including Codes of Behaviour for Adults and Code of Behaviour with Children. Copies can be obtained from your diocesan office or the diocesan website.

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.4

### APPLICATION & CONSENT FORM POPE JOHN PAUL II AWARD

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Parish Attended	<input type="text"/>	Church Name	<input type="text"/>
School	<input type="text"/>		
Select Award:	Gold Award <input type="checkbox"/>	Silver Award <input type="checkbox"/>	Bronze Award <input type="checkbox"/> Papal Cross <input type="checkbox"/>

Participant	<input type="text" value="PRINT Name"/>		Male <input type="checkbox"/>	Female <input type="checkbox"/>
Date of Birth	<input type="text" value="/ /"/>	Address	<input type="text"/>	
<input type="text"/>		Eir/Postcode	<input type="text"/>	
Home/Daytime Telephone	<input type="text"/>	Mobile	<input type="text"/>	
Parent/Guardian Telephone Number in Case of Emergency <input type="text"/>				
Email	<input type="text"/>			

Participant Signature: I \_\_\_\_\_ would like to take part in the Pope John Paul II Award. I will act in accordance with the Award Code of Ethics as I volunteer in my parish and community (See the Code of Ethics on page 10 of the Pope John Paul II Award handbook - view at [www.jp2award.com](http://www.jp2award.com)).

#### Parent/Guardian Consent

X the boxes below if accepted

- ☐ I understand that during voluntary activities, photographs may be taken and I give my permission for these to be used in any hard copy/online (delete as appropriate) publications by the diocese.
- ☐ I understand that during Award activities, videos (which may include webcam) may be taken and I give my permission for these to be used in any hard copy/online (delete as appropriate) publications by the diocese.
- ☐ I have read the Safeguarding Information for parents/guardians overleaf (page 1).
- ☐ Medical Emergency: In the event of illness or accident, I give permission for medical treatment to be administered to my child where considered necessary by a suitably qualified medical practitioner and/or hospital. I understand that every effort will be made to contact me as soon as possible.

Please note: Award Leaders/Coordinators cannot administer any medication. However, should your child require medication or intimate care needs, please discuss this with the Award Leaders/Coordinators who will work with you to establish how your child can be best accommodated in accordance with relevant procedures.

Parent/Guardian Signature: I \_\_\_\_\_ give permission for my child to participate in the Pope John Paul II Award.

Parent/Guardian	<input type="text" value="PRINT Name"/>	Date	<input type="text"/>
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Award Leader/Parish Coordinator	<input type="text" value="PRINT Name"/>			
School/Parish	<input type="text"/>			
Address	<input type="text"/>			
<input type="text"/>	Eir/Postcode	<input type="text"/>	Telephone	<input type="text"/>
Email	<input type="text"/>	Signature	<input type="text"/>	

Please return this completed form along with the enrolment fee to the designated Award Leader in your school/parish.

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.4

### 1.4E Template 2: Pope John Paul II Award Parish and Social Activities Form

#### PARISH & SOCIAL ACTIVITIES POPE JOHN PAUL II AWARD

Published: September 2018

The Pope John Paul II Award has 4 levels: Gold, Silver, Bronze and the Papal Cross. Awards are achieved through Parish Involvement and Social Awareness by volunteering to take part in various parish and community activities. These activities are to be agreed with the Award Leader before the participant starts the Award.

Participant	<input type="text" value="PRINT Name"/>		
Parish Attended	<input type="text"/>	School	<input type="text"/>

Award Activity	Description, Time & Name of Organisation	Location
Reading at Mass	St. Mary's, 10am Sunday Mass	The Town
Scout Leader	Scout Group, Every Wednesday, 8pm	The Town
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

Your Award Leader/Parish Coordinator	<input type="text" value="PRINT Name"/>
--------------------------------------	---

Please return this completed form along with the enrolment fee to the designated Award Leader in your school/parish.

For piece of mind, health and safety and to adhere to the diocese safeguarding standards and best practice, it is important that this form is completed **BEFORE** the participant starts any Award activities.

The Award Leader needs to record:

- each activity to ensure each are suitable and are an approved Pope John Paul II Award activity;
- if the organisation is approved and regulated; and
- where the Award participant will be when completing each Award activity.

Activities and organisations can be changed as the participant progresses through the Award. This form should be updated and reviewed when there is such a change.

Where possible, it is highly recommended that participants of the Award carry out their parish involvement and social awareness activities in groups of two or more.

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.4

### 1.4E Template 3: Pope John Paul II Award Safeguarding Agreement Form

#### SAFEGUARDING AGREEMENT FORM POPE JOHN PAUL II AWARD

PAGE 1 of 2

Published: September 2018

#### **Safeguarding information for organisations outside of diocese and school, helping participants of the Pope John Paul II Award**

The Pope John Paul II Award values and encourages the participation of young people in activities which allow them to live their faith in Jesus Christ in their parish and wider community. The Award is designed to facilitate involvement in school, parish and community activities.

We are grateful to the many clubs, societies, charities and community projects that help Award participants achieve their Award by facilitating voluntary placements/work experience. We hope these organisations will benefit greatly from the generosity and energy of the young volunteers.

We would appreciate the cooperation of all organisations in ensuring the safety and well-being of all young people who engage in this Award, and in turn with your organisation. To this effect, where activities associated with the Award fall outside the scope of the diocesan/school and Parish Safeguarding Policy, organisations will complete this Pope John Paul II Award Safeguarding Agreement Form and the following procedures will apply:

- Activities must be named on the Pope John Paul II Award Application & Consent Form and approved by the Pope John Paul II Award Diocesan Committee/Coordinator.
- Organisations must provide adequate supervision, insurance and a safe environment for Pope John Paul II Award participants. The organisation must be approved by the Pope John Paul II Award Committee and these organisations will be required to complete the Safeguarding Agreement Form verifying that they have adequate safeguarding policies and procedures in place.
- The Pope John Paul II Award Committee and National Safeguarding Officer will endeavour to approve all organisations named by the Award participant on their application. In signing the Application & Consent Form the parent/guardian is taking overall responsibility for the safety and well-being of the participant during activities that take place outside the scope of the diocesan Safeguarding Policy & Procedures.

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.4

### SAFEGUARDING AGREEMENT FORM

POPE JOHN PAUL II AWARD

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Published: September 2018

#### Organisations outside of diocese and school, helping participants of the Pope John Paul II Award

We would like to thank you for helping Pope John Paul II Award participants achieve their Award by allowing them to volunteer within your organisation.

It is the responsibility of your organisation to provide adequate supervision and a safe environment for the Pope John Paul II Award participants. By signing this form you are agreeing that your organisation has a Safeguarding Children Policy and appropriate procedures, including insurance in place. Please see the safeguarding information overleaf.

Name of Organisation			
Address			
Venue/Location of Meetings/Activities			
Contact Name	PRINT Name		
Position			
Signature		Date	
Will you take the responsibility to ensure that the Pope John Paul II Award participant volunteering with your organisation will be supervised at all times.			Yes <input type="checkbox"/>
Do you have a policy statement and procedures on the safeguarding of children and young people?			Yes <input type="checkbox"/> No <input type="checkbox"/>
Do you have appropriate (public liability and/or employers liability and professional indemnity if appropriate) insurance cover for the activity?			Yes <input type="checkbox"/> No <input type="checkbox"/>
Name of Insurance Company			
Policy Number		Period of Cover	
Limit of Indemnity			

For administration

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.4

### 1.4F Guidance on the Participation of Children with Specific Needs

Some children have specific needs<sup>6</sup> that place additional responsibilities on those who care for and work with them. It is often the situational and environmental factors that disable the child, rather than the physical or intellectual difficulty the child experiences. Where possible, the environmental factors should be adapted to the child's needs. Prohibitive attitudes need to be addressed through education and information.

Children who have a disability have the same rights as any other child, in line with the UN Convention on the Rights of the Child.

#### **Points to consider when including a child with specific needs in your group:**

- Work in partnership with the child, parents/guardians and any professionals involved to establish how the child can be included;
- Make sure inclusion is possible before bringing the child into the group;
- Make reasonable adjustments;
- Be interested in the child and build a rapport with them;
- If the child has a communication impairment, acquiring some key skills in their communication method will be useful;
- Some specific training may be useful or required, e.g. the autistic spectrum, epilepsy and others;
- Risk assessments may be necessary to ensure the safety of some children with specific needs;
- Higher staff ratios may be required if the child has additional needs or behavioural problems;
- Intimate care issues: when introducing a child with specific needs into an activity, it is important to establish if they have intimate care needs, and who should provide or assist with this if it is necessary. It is important to remember that not every child with a disability has intimate care needs. Intimate care is, to some extent, individually defined and varies according to personal experience, cultural expectations and gender. It may be described as help with anything of a personal or private nature that the individual is unable to do themselves;
- Children with specific needs may be more likely than other children to be bullied or subjected to other forms of abuse, and they may also be less clear about physical and emotional boundaries;
- It is particularly important that children with specific needs are carefully listened to, in recognition of the fact that they may have difficulty expressing their concerns, and so that the importance of what they say is not underestimated.

<sup>6</sup> Specific needs mean the specific, or unique, out-of-the-ordinary concerns created by a person's medical, physical, mental or developmental condition or disability. Additional services are usually needed to help a person in one or more of the following areas: thinking, communication, movement, getting along with others, and personal care.

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.4

Generally, Church personnel are not expected to be involved in the provision of intimate care of children. This should be undertaken by suitably qualified people. Decisions regarding who provides intimate care for a child should be discussed and agreed by everyone concerned: the child's views should be ascertained; parents/guardians should be consulted and their consent sought; a rota of carers of the same sex as the child should be agreed; and the age, stage of development and ethnicity of the child will need to be considered. Most importantly, it should be agreed in advance who will carry out intimate care and how it should be done. Guidelines to be borne in mind when providing intimate care include: the sensitive nature of such tasks; the need to treat every child with dignity and respect; the need to ensure an appropriate degree of privacy; the need to involve the child as much as possible in their own care; and trying to ensure consistency in who provides care.

If a child appears distressed or unhappy, this should be discussed with parents/guardians, if appropriate, and the activity leader. Any concerns or allegations should be reported following the procedures outlined in the safeguarding policy and procedures document of the Church body.

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.4

### 1.4G Guidance on Trips Away with Young People

#### Introduction

Trips away that involve young people can be an extremely rewarding and fulfilling experience for adults and children/young people involved in them. However, to do this safely and in a way that safeguards all concerned requires careful planning and consideration. Listed below are a number of areas that should be considered in planning a trip away.

#### Considerations for planning trips away

Have you:

- Identified the aim and outcomes of the programme?
- Followed your Church body's child safeguarding policy and procedures?
- Carried out a hazard assessment (Guidance 1.8A)?
- Recruited and selected staff/volunteers using safe practice procedures (Guidance 1.1A)?
- Selected a key staff member who has overall responsibility for the trip?
- Selected staff for the trip who are appropriately trained, qualified and vetted (if appropriate) (Guidance 1.1B)?
- Nominated a staff member who is responsible for first aid (Guidance 1.4B)?
- Ensured that you have adequate and gender-based supervision in line with your safeguarding policies and procedures (Guidance 1.4C)?
- Appointed a contact person at home who has access to all information and contact details?
- Checked your own insurance and ensured that you have coverage for all activities?
- Checked that the transport has appropriate insurance, qualified drivers and seatbelts?
- Carried out an equipment safety check?
- Checked the first aid kit?
- Ensured there is a contingency plan?
- Made provisions for returning home early?
- Allocated a budget and contingency fund?
- Checked out the locations and accommodation of the trip away to ensure they have:
  - Appropriate safeguarding policy, practices and procedures in place?
  - Insurance cover?
  - Appropriately trained and qualified staff?
  - Changing areas for boys and girls (if required)?
  - Disability access (if required)?

Have the young people/participants:

- Been involved as much as possible in the planning of the trip?



# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.4

- Agreed a code of behaviour (Guidance 1.3A)?
- Agreed boundaries around unstructured time?
- Been given information on appropriate clothing, and contact details for leaders?
- Consented to the trip away (Guidance 1.4A Template 3)?

Have parents/carers:

- Met with leaders and been informed of the programme?
- Been given a copy of the Church body's child safeguarding policy and procedures?
- Consented in writing (Guidance 1.4A Template 3)?
- Given contact details, medical details including allergies, illnesses, medications and dietary requirements (Guidance 1.4A Template 3)?
- Been given contact details of the leaders and centre?
- Been given details for pick up and drop off of young people/participants?

Have staff:

- Been trained on the Church body's code of behaviour and child safeguarding policy, on how to deal with a disclosure, and on dealing with challenging behaviour (Guidance 1.2A, Guidance 2.1C, Guidance 1.3B)?
- Been assigned responsibilities and scheduled for breaks?
- Been made aware of how to handle an emergency, and who to contact in an emergency (Guidance 2.1A)?
- Worked with young people to evaluate the success of the activity?

If staying overnight, have you checked:

- If there is 24/7 access to centre staff?
- If there are appropriate sleeping arrangements for young people, i.e. separate provision for boys and girls, and separate provision for leaders (within ear shot of young people)?
- The centre's supervision and security?

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.5

### 1.5A Guidance on External Groups who Use Church Property

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

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

1. It is the responsibility of any group using Church property to run activities involving children to ensure that they comply with all applicable child safeguarding and protection legislation and guidelines.
2. The group should have their own child safeguarding policy and procedures. The group is also responsible for liaising with Tusla/HSCT (Health and Social Care Trust) (as appropriate), to ensure that the policy and procedures meet the statutory requirements.
3. The group should have appropriate insurance for the activity they are running.
4. The Church body should at no stage assist any outside group in developing a child safeguarding policy.
5. The Church body should have confirmation in writing from the group that they have a child safeguarding policy in place. It is not the role of the Church body to validate the adequacy of the policy; that is the responsibility of Tusla/HSCT.
6. If the group does not have a child safeguarding policy then it is up to the Church authority to decide whether to let the group use the property. If the Church authority thinks it is appropriate they should issue a letter to the leader of the visiting group stating that while on their property full responsibility and liability for ensuring the safety of the children rests with the leader.
7. The Church body should have confirmation in writing from the group that they have appropriate insurance in place, which includes the following:
  - The name of their insurers;
  - The policy number;
  - The period of cover of the policy;
  - The limit of indemnity.

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.5

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

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

#### **Republic of Ireland**

- Tusla Information and Advice Officers <http://www.tusla.ie/children-first/roles-and-responsibilities/organisations/children-first-training>
- Barnardos <http://www.barnardos.ie/what-we-do/training/training-and-consultancy.html>
- National Youth Council of Ireland <http://www.nycitraining.org>
- Dublin Rape Crisis Centre <http://www.drcc.ie/training-and-development/>

#### **Northern Ireland**

- Children in Northern Ireland <http://www.ci-ni.org.uk/training-schedule>
- Youth Action Northern Ireland <http://www.youthaction.org/dynamic/programmemain.aspx?Author=TR&prog=101&ParCat=22&pid=5>
- NSPCC <http://www.nspcc.org.uk/what-you-can-do/get-expert-training/introduction-child-protection-training/>

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.5

### 1.5A Template 1: Form for Use of Church Property by External Groups

As \_\_\_\_\_ (insert name of Church body), we welcome other organisations/groups/individuals within the community using our facilities. While using the diocesan/order's facilities, we want to be assured that all reasonable steps have been taken to safeguard children<sup>7</sup> and young people. The responsibility for complying with good safeguarding practice (including safe recruitment and vetting) rests with the group using Church property and not with the Church body.

The \_\_\_\_\_ (insert name of Church body) has its own policies and procedures in relation to safeguarding children. Any group operating under the name/auspice of the Church body will comply with these requirements.

As an outside body, the Church body requires detailed information in respect of your application to ensure that the safety and well-being of the children, young people and adults that work with them are maintained at all times.

Conditions of use of Church property by outside bodies:

1. It is the responsibility of any group using Church property to run activities involving children to ensure that they comply with all applicable child safeguarding and protection legislation and guidelines.
2. The group should have their own child safeguarding policy and procedures. The group is also responsible for liaising with Tusla/HSCT to ensure that the policy and procedures meet the statutory requirements. The Church body cannot assist any outside group in developing a child safeguarding policy.
3. The Church body should obtain confirmation in writing from the group that they have a child safeguarding policy and appropriate insurance.

We would ask that you complete the following questionnaire. If any response is not applicable (N/A), please provide details of why this does not apply to your organisation.

If you feel your application requires further information, please attach on an additional page. Please indicate when additional information is provided in support of your application.

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<sup>7</sup> The term 'child' refers to a person under the age of eighteen years.

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.5

Name of group/organisation \_\_\_\_\_

Purpose or proposed activities \_\_\_\_\_

User group, e.g. children, adults \_\_\_\_\_

Facilities required \_\_\_\_\_

Date of commencement of use \_\_\_\_\_

Date of completion of use \_\_\_\_\_

Frequency of use \_\_\_\_\_

Hours of use:

(1) Commence at \_\_\_\_\_ (a.m./p.m.)

(2) Finish at \_\_\_\_\_ (a.m./p.m.)

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

(1) \_\_\_\_\_

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

(2) \_\_\_\_\_

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

Do you have your own child safeguarding policy and procedures? Yes ☐ No ☐

Do you have appropriate (public liability and/or employer's liability and professional indemnity if appropriate) insurance cover for the activity? Yes ☐ No ☐

Name of insurance company \_\_\_\_\_

Policy number \_\_\_\_\_

Period of cover \_\_\_\_\_

Limit of indemnity \_\_\_\_\_

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

Signed \_\_\_\_\_

Print name \_\_\_\_\_

Position \_\_\_\_\_

Date \_\_\_\_\_

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.5

### **1.5B Guidance on Requests by Individuals for Use of Church Property for One Off Private Functions**

Church property is primarily for use for Church sponsored activities and as such has insurance to cover the property and the activities organised by the Church body.

Such activities include:

- Ministry with children that is organised by the Church body as part of sacramental celebrations (for example a Communion or Confirmation celebration involving a number of children). In these situations, the responsibility for safeguarding rests with the Church body;
- Parish or religious order related events that are under the direction and control of the parish priest/local superior. In these situations, the responsibility for safeguarding rests with the Church body;
- Parish or religious order school activities. In these situations, it is advisable that the school and the Church body agree who is responsible for safeguarding using Guidance 2.1J.

Individual adults (parents/guardians/family members) may approach the parish priest/local superior to seek use of Church property for a private function with children outside of the activities listed above. Such activities will not be covered under the Church's child safeguarding procedures and may not be covered under the Church's insurance cover. Inherently there will be risks associated with such activities that the Church should not accept responsibility for and therefore letting the property for such one off events should be discouraged.

## STANDARD 1

### CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.5

#### **1.5C Guidance for Religious (who do not have Ministry with Children or are not Managing Allegations) whose Church is Used for Public Masses**

Where a religious order/congregation facilitates Mass on its property, which may be attended by members of the public, including children, the following safeguards are required:

- The Church authority of the religious order ensures that the visiting priest shows his celebrat/ letter of good standing, and a record is kept to this effect (Guidance 1.1C);
- The priest agrees to follow his own diocesan/religious order's child safeguarding procedures.

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.5

### 1.5D Guidance on Religious (who do not have Ministry with Children or are not Managing Allegations) who Facilitate Groups of Children on Church Property

Some religious orders, for example, enclosed communities, may open their property to groups of children as part of their faith development. Responsibility for the children rests with the organisers of the visit (the school, those involved with sacramental preparation, etc.).

If a member of the Church body **is directly involved with the children, this is classed as ministry with children**, and the applicable indicators in Table 1 of the policy apply.

If a member of the Church **body is not directly involved with the children, this is not classed as ministry with children**, and the Church body is only required to fulfil the indicators contained in Table 3 of the safeguarding policy. In this situation, as part of Indicator 1.5, the following safeguards must be in place:

- The adult leader organising the visit is advised that the safeguarding procedures of the Church body/school to which they belong apply during the period of the visit;
- The organiser is asked to complete a form for use of Church property by external groups (Guidance 1.5A Template 1), and this is retained by the Church body as part of record-keeping requirements (Appendix B).



# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.5

### 1.5E Guidance on Safeguarding Support for Associations of the Faithful

#### 1. What do we mean by an Association of the Faithful?

Canons 298-329 provide guidance on such associations. Canon 298 defines these as

‘...associations distinct from institutes of consecrated life and societies of apostolic life; in these associations the Christian faithful, whether clerics, lay persons, or clerics and lay persons together, strive in a common endeavour to foster a more perfect life, to promote public worship or Christian doctrine, or to exercise other works of the apostolate such as initiatives of evangelisation, works of piety or charity, and those which animate the temporal order with a Christian spirit’.

The canons further define the differences between public associations of the faithful, (Canon 312-320) and private associations of the faithful (321-326).

For the purposes of this guidance and relevance to child safeguarding, these associations can be broken down as follows.

#### **(A) Public Associations of the Faithful that intend to establish themselves as an Institute of Consecrated Life or Society of Apostolic Life**

In order to access safeguarding support from the National Board, those that fall into this category should apply to be a member of AMRI. If they are accepted, they can automatically receive support and review services from the National Board.

#### **(B) Other public Associations of the Faithful which have ministry with children**

Certain public associations can apply to become an associate member of the National Board, if they fit the criteria set out under Section 3.

If the association does not want to become an associate member, see Section 4.

#### **(C) Private Associations of the Faithful<sup>1</sup>**

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<sup>1</sup> Private associations are not included in this guidance unless their statutes have at least been recognised by a competent ecclesiastical authority. Canon 300 and canon 312.

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.5

### 2. General Principles

A Church authority should be aware of and be responsible for giving or denying permission to all groups who seek to minister with children within a diocese or within any house or other institution directly dependent on the religious institute (i.e., congregation or order or society). Such permission should be subject to the Church authority being satisfied that all necessary child safeguards and adequate insurance are in place.

The general principle is that the obligation to comply with requirements relating to child safeguarding and insurance rests with the group ministering within a diocese or within any house or other institution directly dependent on the religious institute (i.e., congregation or order or society), and not with the diocese or religious institute.

In order for the Church authority to be satisfied that appropriate child safeguarding policy, practice and adequate insurance are in place, the safeguarding committee, as part of the annual audit (Guidance 7.1C), should establish what agencies and associations are ministering with children in or on behalf of the Church body and compile a register with details including:

- Name of the association
- Ethos of the association
- Is this an association of the faithful and under the governance of the Church authority?
- Is this association an associate member of the National Board?
- Whether this association is affiliated to a national organisation
- Name of lead person
- Whether the association has a child safeguarding policy in place
- Whether the association has appropriate insurance in place; if yes the following details are required:
  - The name of their insurers;
  - The policy number;
  - The period of cover of the policy;
  - The limit of indemnity.

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.5

### 3. Associations of the Faithful who wish to become associate members of the National Board

The National Board offers the following advice and services to associate members:

- Guidance documents
- Advice on implementing best practice
- Advice on case management
- Training

In order for Associations of the Faithful to become associate members of the National Board, there must be agreement by the sponsoring bodies and the National Board. The application process requires the following:

- The Lead person within the Association of the Faithful should write to the appropriate sponsoring body (IEC or AMRI) outlining how they fulfil the following criteria:
- How the ministry follows the ethos of the Church or the charism of a Religious Institute or Society of Apostolic Life that is a member of AMRI.
- Hold statutes, which are approved, or at least recognised by a competent ecclesiastical authority.<sup>2</sup>
- Hold statutes that include governance and accountability mechanisms.
- Have insurance for children's activities including personal indemnity insurance
- If the sponsoring body is satisfied that the criteria have been met, they will write to the National Board with a recommendation of approval for associate membership of the National Board for that Association of the Faithful.
- The sponsoring body should advise the Association of the Faithful of its recommendation
- The National Board will consider the application and recommendation from the sponsoring body and inform the Association of the outcome of their application.
- Commitment must then be made by the associate member to commit to following the safeguarding policy of the Catholic Church in Ireland.

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2. Only three ecclesiastical authorities may establish or recognise an association of the lay faithful: The Holy See, the Bishops' Conference, or a local ordinary (bishop). According to canon 298, clerics and lay people are free to form private associations within the Church.

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.5

### **4. Associations of the Faithful who have their own safeguarding policy and procedures**

Some associations, in particular private associations, may feel that it is not necessary for them to be associate members of the National Board, especially if they do not have a public ministry, or a ministry involving children. Such associations must seek the advice of the ecclesiastical authority that has established them or given them recognition<sup>3</sup> to see if the Church authority requires them to be associate members of the National Board. The National Board is available to advise ecclesiastical authorities as to whether or not associations ought to be associate members of the National Board.

If the association of the faithful is not part of a national organisation and has its own safeguarding policy and insurance in place, then they should complete 1.5E Template 1, which provides all the necessary information for the Church authority to consider. Based on this information the Church authority decides whether to grant them permission to minister. This permission will also require signing an agreement that when ministering in the Church body the members of the association follow the policy and procedures of the Church body including attendance at National Board training.

### **5. Associations of the Faithful which are not part of a national organisation and do not have their own safeguarding policy and procedures**

If the association of the faithful is not part of a national organisation and does not have a child safeguarding policy in place, the Church authority then has three choices:

- The Safeguarding Committee could recommend to the Church authority whether the ministry is appropriate, and whether the Church authority should consider including the organisation as part of the ministry of the Church body. This means the Association would follow the safeguarding policy and procedure of the Church body, including reporting allegations, suspicions, concerns and knowledge through the reporting process of the Church body. It also means that the Association's ministry would be covered under the Church body's insurance. If the committee has any concerns about the ministry, but believes that the Church authority should include them within diocesan ministry, then the leader of the group should be contacted to establish if through training and support, the standard of child safeguarding practice can be improved.
- The Safeguarding Committee could recommend to the group leader that they develop their own safeguarding policy and procedures and complete 1.5E Template 1. Once this happens the group becomes an Association of the Faithful with their own safeguarding policy and procedures, and follow the steps outlined in Section 4 above.
- The Safeguarding Committee determine that the ministry is not in line with the ethos of the Church body and/or the practice falls short of the expected child safeguarding standards, they should recommend to the Church authority that a letter is written to the leader asking them to cease all child related ministry in the Church body.

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3. Public associations are established (canon 312), while private associations are simply recognised/approved (canon 299) by competent ecclesiastical authorities.

### **6. Management of allegations, suspicions, concerns and knowledge for Associations of the Faithful with their own safeguarding policy and procedures.**

An Association of the Faithful ministers within a diocese or within any house or other institution directly dependent on the religious institute (i.e., congregation, order, or society) with the permission of the Church authority. In order for everyone to be satisfied that child safeguarding remains a priority, there are some obligations on the Association to inform the Church authority of allegations of abuse and of how it is addressing these.

From a governance perspective, the bishop of a diocese must be advised of allegations against personnel ministering within the diocese. The following situations must be governed by written agreements, which set out the legal basis for sharing information

In line with data protection legislation, there should be a written agreement between the Association lead, the bishop and if appropriate a religious leader, which confirms what information can be shared when an allegation is made.

The following sets out the types of ministry within which an allegation can be made and how these may be dealt with:

#### **a) Allegations made against an Association member who is ministering on behalf of a diocese**

In these situations, the member of the Association is accountable to the diocese as well as the Association.

- The DLP of the Association should therefore make a joint report to the statutory authorities with the DLP of the diocese.
- The bishop, who has overall responsibility for the ministry, must be consulted by the Association lead and a joint decision reached about whether the respondent should be withdrawn from ministry.
- An agreement should be reached between the bishop and the lead of the Association about safeguarding action that needs to be taken in the short, medium and long term.
- The Association lead should confirm in writing to the bishop the restrictions on the Associate's ministry that have been applied, and the canonical /disciplinary action that has been taken.
- The Lay Association lead should advise the bishop of the details of pastoral care offered to the complainant.
- Any return to ministry by the respondent can only take place with the agreement of the bishop.

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## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.5

### **b) Allegations made against a member of an Association of the Faithful who is ministering within a religious house**

- At the outset, a written agreement should be made as to who is responsible for the ministry and for all aspects of safeguarding.
- A written agreement should be put in place setting out who is to be informed if an allegation is made. This must include notifying the House Superior and the bishop of the diocese.
- Where the allegation relates to a member who is a priest or religious, a joint report should be made between the DLP of the Association and the DLP of the Diocese or religious institute
- Safeguarding action and pastoral care must be agreed between the relevant leaders (bishop, religious leader and association leader)

### **c) Where the allegation against an Association of the Faithful relates to an activity which is external to the Church ministry**

- In these situations, the member of the Association is accountable to the Association; however, there will also be a requirement to advise the bishop or religious leader so that information relating to potential risk to children is shared appropriately across organisations, who have staff or volunteers in common.
- In order to share relevant information, the Association should establish the legal basis and method of sharing the information with any relevant organisations in which its member is ministering, in order to reduce risk and safeguard children.
- If the allegation relates to an activity outside the diocese or order, then it should be reported to the civil authorities through the DLP of the Association and the bishop should be informed the time and date of the report.
- The bishop should be advised what action to safeguard children has been taken.
- Any return to ministry by the respondent can only take place with the agreement of the bishop.

### **d) Allegations made to a member of an Association of the Faithful ministering on behalf of a Church body about a member of the public**

- The member of the Association should report these allegations. The Association can seek the advice of the Church body's DLP, without providing identifying information.
- Notification without identifying information should be made to the Church body confirming the date of report to the statutory authorities and to whom it was reported.

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS

### GUIDANCE FOR INDICATOR 1.5

#### 1.5E Template 1: Form for Use with Associations of the Faithful

As [INSERT NAME OF CHURCH BODY], we welcome other organisations/groups/ who seek to minister with children and promote good child safeguarding practice within the Catholic Church in Ireland. We need to be assured that all reasonable steps have been taken to safeguard children and young people. The responsibility for complying with good safeguarding practice (including safe recruitment and vetting) rests with you [INSERT NAME OF ASSOCIATION] and not with the Church body.

The [INSERT NAME OF CHURCH BODY] has its own policies and procedures in relation to safeguarding children. Any group operating under the name or auspice of the Church body will comply with these requirements.

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

The general principle is that the obligation to comply with requirements relating to insurance and child safeguarding rests with the apostolate, and not with the Church body.

It is the responsibility of the apostolate ministering with children to ensure that they comply with all applicable child safeguarding and protection legislation and guidelines.

As an Association you must have your own child safeguarding policy and procedures. You are also responsible for liaising with Tusla/HSCT (Health and Social Care Trust) (as appropriate), to ensure that the policy and procedures meet the statutory requirements.

As an Association you must have appropriate insurance for the ministry you are engaged in.

The Church body must have confirmation in writing from you that you have a child safeguarding policy in place. It is not the role of the Church body to validate the adequacy of the policy; that is the responsibility of Tusla/HSCT.

[INSERT NAME OF CHURCH BODY] requires confirmation in writing that you have appropriate insurance in place, which includes the following:

- The name of your insurers;
- The policy number;
- The period of cover of the policy;
- The limit of indemnity.

We would ask that you complete the following questionnaire. If any response is not applicable (N/A), please provide details of why this does not apply to your organisation.

If you feel your application requires further information, please attach on an additional page. Please indicate when additional information is provided in support of your application.

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.5

Name of Association \_\_\_\_\_

Purpose or proposed activities \_\_\_\_\_

User group, e.g. children, adults \_\_\_\_\_

Date of commencement of ministry \_\_\_\_\_

Date of completion of ministry \_\_\_\_\_

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

(1) \_\_\_\_\_

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

(2) \_\_\_\_\_

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

Do you have your own child safeguarding policy and procedures? Yes ☐ No ☐

Do you have appropriate (public liability and/or employer's liability and professional indemnity if appropriate) insurance cover for the activity? Yes ☐ No ☐

Name of insurance company \_\_\_\_\_

Policy number \_\_\_\_\_

Period of cover \_\_\_\_\_

Limit of indemnity \_\_\_\_\_

**To be signed by official/coordinator of the Association.**

Signed \_\_\_\_\_

Print name \_\_\_\_\_

Position \_\_\_\_\_

Date \_\_\_\_\_



# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.5

### **1.5F Guidance on Facilitating Community Service Orders on Church Property (ROI Only)**

The Probation Service, an Agency of the Department of Justice & Equality has responsibility for managing Community Service Orders imposed by the Courts. Community Service is a reciprocal arrangement where work undertaken is of benefit to the host organisation (in this case the Church) and may include gardening, painting, environmental clearance and ground work, and of benefit to the Probation Service as it facilitates the completion of Community Service Orders imposed by the Courts.

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

The Probation Service does not work with children in the context of Church based Community Service sites. Adults undertaking Community Service may be placed on Community Service sites that are hosted in Church property. In these instances it is possible that contact with children may occur as an incidental part of the Community Service placement.

Whilst the Church body is the host organisation for Community Service, the general principle is that the obligation to comply with requirements relating to insurance and child safeguarding rests with the Probation Service who are using Church property, and not with the Church body.

1. It is the responsibility of the Probation Service who is using Church property to ensure that it complies with all applicable child safeguarding and protection legislation and guidelines.
2. The Probation Service has its own child safeguarding policy and procedures and is responsible for liaising with Tusla, to ensure that the policy and procedures meet the statutory requirements.
3. The Church body should at no stage assist the Probation Service in developing a child safeguarding policy.
4. The Church body should have confirmation in writing from the Probation Service that it has a child safeguarding policy in place. It is not the role of the Church body to validate the adequacy of the policy; that is the responsibility of Tusla.
5. The Probation Service assesses people in relation to their suitability to undertake Community Service. This assessment includes receipt of criminal record/conviction information from An Garda Síochána. If in the course of a Community Service Order new information comes to light the suitability of the person's placement in the Church will be reassessed in line with information received and this guidance document.
6. The management of the Community Service Order rests with the Probation Service. People undertaking Community Service will be supervised by the Probation Service (Community Service Supervisor) whilst on site undertaking Community Service.
7. The Probation Service will not place persons on Church Sites were they know that the person has been convicted of crimes relating to the abuse of children.

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8. Based on information available, the Probation Service will do its utmost to ensure that persons convicted of crimes related to the abuse of vulnerable adults will not be placed on Church Sites.
9. The Church will have property owners liability insurance at the Community Service site, to ensure the property is safe for use.
10. The Probation Service is a Delegated State Authority and operates under State Indemnity. Community Service is an activity of the Probation Service and the activity and those performing it i.e. people undertaking community service and Community Service Supervisors operate under this indemnity. Should a Church Site require further details in relation to this the local Senior Probation Officer can arrange for the details to be issued by the Health & Safety Unit in the Probation Service.

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### CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.5

#### **1.5F Template 1: Form for Use of Church Property as a Community Service Site**

As [INSERT NAME OF CHURCH BODY], we welcome the Probation Service using our facilities as a community service site. While using our facilities, we want to be assured that all reasonable steps have been taken to safeguard children<sup>1</sup> and young people. The responsibility for complying with good safeguarding practice (including safe recruitment and vetting) rests with the group using Church property and not with the Church body.

The [INSERT NAME OF CHURCH BODY] has its own policies and procedures in relation to safeguarding children. Any group operating under the name/auspice of the Church body will comply with these requirements.

As an outside body, the Church body requires detailed information in respect of your application to ensure that the safety and well-being of the children, young people and adults that work with them are maintained at all times.

Conditions of use of Church property by outside bodies:

1. It is the responsibility of the Probation Service who is using Church property to ensure that it complies with all applicable child safeguarding and protection legislation and guidelines.
2. The Probation Service has its own child safeguarding policy and procedures and is responsible for liaising with Tusla to ensure that the policy and procedures meet the statutory requirements.
3. The Church body should obtain confirmation in writing from the Probation Service that it has a child safeguarding policy and appropriate insurance using this template.

We would ask that you complete the following questionnaire. If any response is not applicable (N/A), please provide details of why this does not apply.

If you feel your application requires further information, please attach on an additional page. Please indicate when additional information is provided in support of your application.

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<sup>1</sup> The term 'child' refers to a person under the age of eighteen years.

Name of group/organisation \_\_\_\_\_

Purpose or proposed activities \_\_\_\_\_

User group, e.g. children, adults \_\_\_\_\_

Facilities required \_\_\_\_\_

Date of commencement of use \_\_\_\_\_

Date of completion of use \_\_\_\_\_

Frequency of use \_\_\_\_\_

Hours of use:

(1) Commence at \_\_\_\_\_ (a.m./p.m.)

(2) Finish at \_\_\_\_\_ (a.m./p.m.)

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

(1) \_\_\_\_\_

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

(2) \_\_\_\_\_

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

Do you have your own child safeguarding policy and procedures? Yes ☐ No ☐

Do you have appropriate (public liability and/or employer's liability and professional indemnity if appropriate) insurance cover for the activity? Yes ☐ No ☐

The Probation Service is a Delegated State Authority and operates under State Indemnity. Community Service is an activity of the Probation Service and the activity and those performing it i.e. people undertaking community service and Community Service Supervisors operate under this indemnity

The Probation Service has undertaken an assessment of suitability of each Community Service participant. All persons undertaking Community Service will be supervised by the Probation Service (Community Service Supervisor) at all times when on site for the purposes of Community Service. Based on the information available and to the best of its knowledge, the Probation Service will not place persons with convictions related to the abuse of children/vulnerable adults on this site.

**To be signed by the Senior Probation Officer/Community Service Supervisor on behalf of the Probation Service**

Signed \_\_\_\_\_

Print name \_\_\_\_\_

Position \_\_\_\_\_

Date \_\_\_\_\_

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.6

### 1.6A Guidance on Whistle-Blowing

#### 1. Introduction

Allegations, suspicions, knowledge and concerns about the abuse of a child which meet the threshold must be reported to statutory authorities and Church authority (if the allegation related to a cleric or religious) (see guidance 2.1A).

This guidance relates to concerns about malpractice in child safeguarding.

All staff and volunteers ministering or volunteering within the Catholic Church in Ireland have an individual responsibility to bring matters of concern about any dereliction of duty to safeguard children, to the attention of the appropriate person within the Church or statutory authorities. This could be the parish priest, religious superior, bishop, provincial and/or relevant agency managers. Although this can be difficult to do, it is particularly important where the welfare of children may be at risk.

You may be the first to recognise that something is wrong, but you may not feel able to express your concerns out of a feeling that this would be disloyal to colleagues, or you may fear harassment or victimisation. These feelings, however natural, must never result in a child or young person continuing to be unnecessarily at risk. Children need an advocate to safeguard their welfare.

**Don't think, 'what if I'm wrong?' Think, 'what if I'm right!'**

#### 2. What is whistleblowing?

Whistleblowing can be defined as 'raising concerns about wrong-doing or misconduct within an organisation or within an independent structure associated with it'. It differs from raising concerns about allegations of abuse.

The concern could relate to:

- a breach of the Church Body's child safeguarding procedures
- practice which falls below the standards set out in "Safeguarding Children, Policy and Standards for the Catholic Church in Ireland 2016"
- a breach of the law
- failure to comply with legal obligations
- a possible miscarriage of justice
- a Health & Safety risk
- misuse of public money
- corruption or unethical conduct
- deliberate concealment of any of these matters

Those in ministry within the Church have certain common law confidentiality obligations to their Church authority. However, in a limited set of circumstances, whistleblowing may override these obligations if a person has information which they believe will not be addressed properly within the Church.

This guidance sets out the circumstances under which these disclosures may lawfully be made.

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## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.6

### 3. Legislation underpinning whistleblowing

There is legislation in both jurisdictions related to whistleblowing; and this applies to clerics, religious, and employees of Church bodies, as well as to agency workers in certain circumstances; to contractors and consultants engaged on contract by the Church body; and to trainees, temporary workers and those on work experience with the Church body. In the Republic of Ireland this definition also includes volunteers.

#### Republic of Ireland

In the Republic of Ireland the legislation is called the Protected Disclosures Act 2014, which has been amended by the Protected Disclosures Amendment Act 2022.

The Protected Disclosures Act 2014 and the Amendment Act of 2022 aims to protect people who raise concerns about possible wrongdoing in the workplace. These Acts, are often called the whistleblower legislation. They provide for redress for those defined as ‘workers’ who are penalised for having reported possible wrongdoing in the workplace.

‘Worker’ means an individual working in the private or public sector who acquired information on relevant wrongdoings in a work-related context and includes—

- (a) an individual who is or was an employee,
- (b) an individual who entered into or works or worked under any other contract, whether express or implied and (if it is express) whether oral or in writing, whereby the individual undertook to do or perform (whether personally or otherwise) any work or services for another party to the contract for the purposes of that party’s business,
- (c) an individual who works or worked for a person in circumstances in which—
  - (i) the individual is introduced or supplied to do the work by a third person, and
  - (ii) the terms on which the individual is engaged to do the work are or were in practice substantially determined not by the individual but by the person for whom the individual works or worked, by the third person or by both of them,
- (d) an individual who is or was provided with work experience pursuant to a training course or programme or with training for employment (or with both) otherwise than under a contract of employment,
- (e) an individual who is or was a shareholder of an undertaking,
- (f) an individual who is or was a member of the administrative, management or supervisory body of an undertaking, including non-executive members,
- (g) an individual who is or was a volunteer,
- (h) an individual who acquires information on a relevant wrongdoing during a recruitment process,
- (i) an individual who acquires information on a relevant wrongdoing during pre-contractual negotiations (other than a recruitment process referred to in paragraph (h)), and
- (j) an individual who is deemed to be a worker by virtue of subsection (2)(b), and any reference to a worker being employed or to employment shall be construed accordingly.”

Under the Acts, a protected disclosure is made by church personnel (identified as worker above) who discloses relevant information in a particular way. Information is relevant if it came to the Church personnel’s attention in connection with their ministry, volunteer role, employment or recruitment process and they reasonably believe that it tends to show wrongdoing.

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Wrongdoing is widely defined in the Act and includes bullet points below:

- Criminal offences
- Failure to comply with a legal obligation (other than a workers contract of employment)
- Miscarriage of justice
- Endangerment of health and safety
- Damage to the environment
- Unlawful or improper use of public funds
- Oppressive, discriminatory or negligent behaviour by a public body
- Breaches of EU law
- Concealing or destroying evidence of wrongdoing

### Northern Ireland

In Northern Ireland the law that covers whistleblowing is The Public Interest Disclosure (Northern Ireland) Order 1998, (as amended in October 2017). Blowing the whistle is more formally known as 'making a disclosure in the public interest'. The law states the importance of disclosing concerns, knowing that you are protected from losing your job and/ or being victimised as a result of what you have uncovered and made public.

An easy-to-read guide to the effect of this legislation is available to download from [www.economy-ni.gov.uk/sites/default/files/publications/economy/public-interest-disclosure-guidance.pdf](http://www.economy-ni.gov.uk/sites/default/files/publications/economy/public-interest-disclosure-guidance.pdf).

### Canon Law

Vos estis lux mundi includes specific provisions in relation to protecting adults who report abuse under Article 4 which states:

§ 1. Making a report under Article 3 shall not constitute a breach of official secrecy.

§ 2. Except as provided in canon 1390 CIC and canons 1452 and 1454 CCEO, prejudice, retaliation, or discrimination for filing a report is prohibited and may constitute conduct under Article 1 § 1(b).

§ 3. No constraint of silence may be imposed on the person making a report, the person claiming to have been offended, and witnesses regarding the content of the report, subject to the provisions of Article 5 § 2.

### 4. Raising a concern of malpractice (In law this is called a disclosure)

For Church personnel and employees raising a concern/disclosure of malpractice, to be protected by the law, the concern/disclosure must be made to the right person and in the right way. If someone makes a qualifying disclosure in good faith to a Church Authority, or through Church procedures which the Church Authority has authorised, the law protects that person.

It is important to:

- Voice any concerns, suspicions or uneasiness as soon as possible. The earlier a concern is expressed the sooner and easier action can be taken;

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.6

- Try to pinpoint exactly what practice is concerning and why;
- Approach your immediate superior/supervisor/manager;
- If your concern is about your immediate superior/supervisor/manager, please contact your DLP, the statutory services or the National Board;
- Confirm your concerns with factual information (dates, times details, history, giving names, dates, locations and any other relevant information) in writing;
- You are not expected to prove the truth of your disclosure, but you need to demonstrate sufficient grounds for concern.
- Seek a satisfactory response in writing; do not let matters rest, if you do not receive a response within a reasonable timeframe, write again seeking a written response. A failure to respond should be included in any further disclosure to the statutory authorities or the National Board.
- Follow up if the person to whom you reported has not responded within a reasonable period of time, and if that follow up is not acted upon, report the matter to the relevant statutory authorities.

### 5. Required response by relevant Church authority

#### Reporting Mechanisms for Church bodies(ROI only)

All Church bodies with 250 or more employees must establish internal channels for their workers to report wrongdoing. From 17 December 2023, this requirement will apply to all Church bodies with 50 or more employees.

- The internal channel should be designed and operated in a secure, GDPR compliant, manner that ensures the confidentiality of the reporting person and any other person(s) named in the report.
- Designation of a person or function to operate the channel, who will maintain communication with the reporting person, follow-up on the report and provide feedback to the reporting person.
- This person or function should have sufficient independence and authority within the organisation to carry out the functions specified in the Act.
- Persons operating the internal channel should be adequately trained in the handling of reports.
- The Church body must promote the existence of the internal channel and ensure workers have access to the procedures under which it operates.
- Church bodies can outsource the internal channel function, if they wish.

#### Response by the Church authority

- The Church person to whom the disclosure is made should acknowledge receipt in writing within 7 days of receiving it.
- Diligent follow up must then be taken by the Church body.
- Relevant information (including feedback on actions taken or planned to be taken) on the nature and progress of any enquiries resulting from the concern must be shared with the person who made the disclosure after 3 months and further feedback provided if requested every 3 months. It is acknowledged that confidential sensitive data cannot be shared so the response should include general information about internal inquiries and statutory referrals made.
- The Church person to whom the disclosure is made should keep detailed notes of the disclosure, action taken, who was consulted and the outcome of the inquiries.



### 6. Protection of whistleblower

- Anyone who raises a concern through these whistleblowing procedures in good faith must be protected from harassment or victimisation.
- Whilst reporting may remain confidential, in most instances this cannot be guaranteed. Everyone has the right to know who makes a complaint against them. This should not deter one from raising the concern, but is a reminder of the importance of providing evidence to support the concern.
- No action will be taken against the whistleblower if the concern proves to be unfounded and was raised in good faith.
- Any act of penalisation that causes detriment to a reporting person is prohibited. Penalisation includes dismissal and also any other form of unfair treatment, such as suspension, reduction in wages or hours, demotion and transfer of duties as well as intimidation and harassment.
- Penalising a reporting person is a criminal offence.
- Reporting persons who suffer detriment can seek compensation at the Workplace Relations Commission (ROI) or the courts.
- Reporting persons are protected from any civil or criminal liability for reporting confidential information, provided it is done so in accordance with the law.
- Non-disclosure agreements cannot be used to prevent a person reporting a wrongdoing.
- Employers and regulators must keep the identity of the reporting person confidential.

### 7. Self-reporting

There may be occasions when a member of staff or a volunteer has a personal difficulty, perhaps a physical or mental health problem, which they know to be impinging on their professional competence. Staff and volunteers have a responsibility to discuss such a situation with their line supervisor/superior/manager so that professional and personal support can be offered to the member concerned.

### 8. Disclosure to an external person, other than statutory bodies, government officials or the National Board.

A disclosure made to an external person, for example, a journalist, may be a protected disclosure if it meets a number of conditions:

- You must reasonably believe that the information disclosed, and any allegation contained in it, are substantially true
- You must not make the disclosure for personal gain
- For making of the disclosure in public in all the circumstances, to be reasonable, at least one of these conditions must be met:
  - At the time you make the disclosure you must reasonably believe that you will be penalised if you make the disclosure to the Church authority, statutory personnel or a government minister, or National Board.
  - Where you reasonably believe that it is likely that the evidence will be concealed or destroyed if you make the disclosure directly to the Church authority, statutory body or National Board
  - You have previously made a disclosure of substantially the same information to the Church authority, statutory personnel, government minister or National Board.

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## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.6

- The wrongdoing is of an exceptionally serious nature

The assessment of what is reasonable, takes account of, among other things: the person the disclosure is made to, the seriousness of the wrongdoing; and whether any action was taken in cases where a previous disclosure was made. In the Republic of Ireland if a person feels that they do not want to report to their employer or reporting to their employer has no't worked, they can report to a regulator, known as a "prescribed person".

A list of prescribed persons can be found at: [www.gov.ie/prescribed-persons](http://www.gov.ie/prescribed-persons).

They can also report to the Protected Disclosures Commissioner who will refer the report to a suitable prescribed person. See: [www.opdc.ie](http://www.opdc.ie) Public disclosure.

If all other options fail, workers can make a public disclosure. Such disclosures are subject to more stringent conditions to qualify for protection however.

## STANDARD 1

### CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.6

#### 1.6A Template 1: Whistle-Blowing Record

<b>Section 1 – to be completed by person raising a concern of malpractice</b>	
Name of Person raising Concern	
Name of Person and Church body against whom the Concern is being raised	
Brief Details (factual) of the Concern	
Date and person to whom the concern was raised	
<b>Section 2 – Response by recipient of Concern</b>	
Date Concern was reviewed and assessment of facts <ul style="list-style-type: none"><li>• Concern requires further inquiry</li><li>• No further action (state reasons)</li></ul>	
Details of action taken Include: <ul style="list-style-type: none"><li>• Any referral to statutory agency</li><li>• Consultation with National Board</li><li>• Restrictions on ministry</li><li>• Report to Holy See</li></ul>	
Date and details of response given to person who raised concern	

# STANDARD 1

## CREATING AND MAINTAINING SAFE ENVIRONMENTS GUIDANCE FOR INDICATOR 1.7

### **1.7A Guidance on Complaints Procedure for Safeguarding Concerns that are not Allegations of Abuse**

#### **Introduction**

A complaint is defined as a grievance and/or the raising of a concern about breaches of codes of behaviour. Allegations or suspicions of child abuse do not fall into this category of general complaints, and should always be dealt with in accordance with Guidance 2.1H. This complaints procedure is not for use by Church personnel who would use the whistle-blowing procedure to raise their complaint (Guidance 1.6A).

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

Parents/guardians, young people/children, volunteers, members of staff and clergy will be made aware that there is a complaints procedure. A copy of the complaints form is available in Guidance 1.7A Template 1.

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

#### **First step**

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

#### **Second step**

1. The Church authority should be contacted by completing a complaints form (Guidance 1.7A Template 1). The Church authority has eight weeks to consider the complaint.
2. A letter acknowledging receipt of the complaint should be sent within seven calendar days, enclosing a copy of the complaints procedure.
3. All complaints must be thoroughly investigated.
4. The Church authority may organise a meeting to discuss and hopefully resolve the complaint. This communication may also take place by telephone if a meeting is not possible. They will do this within fourteen calendar days of sending the acknowledgement letter to the complainant.
5. Within seven days of the meeting or discussion, the Church authority will write to the complainant to confirm what took place and to set out any solutions that were agreed upon.
6. If a meeting is not agreeable or possible, the Church authority will issue a detailed written reply to the complainant, setting out their suggestions for resolving the matter within twenty-

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one calendar days of sending the acknowledgement letter to them.

7. If the complainant is still not satisfied at this point, they should contact the Church authority again.

At the conclusion of this step, the Church authority may decide to take further action on the complaint. If, however, the Church authority decides not to take further action, the process is completed.

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All complaints arising during a Church-related activity (with the exception of complaints about child abuse) should attempt to be resolved by discussion between the parties involved. If this is not possible, this form should be completed and sent to the Church authority.

Address

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

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

Date \_\_\_\_\_

### 1.8A Guidance on Hazard Assessment of Activities with Children

#### Introduction

Risk assessment is an important part of working with children. It assists with managing both health and safety issues, and the welfare of children. Part 2, Article 11 of the Children First Act 2015 requires all services who work with children to have a child safeguarding statement. The core component of this statement is risk assessment. This should focus on any risks of harm to a child that could occur while availing of or in attendance in your service. As adults we assess risks throughout our lives, but when working with children it is important to consider potential hazards that may lead to risk to children and to the adults who work with them.

Consideration of how to control or manage risks is critical. It is important to identify acceptable levels of risk, as it may not be possible to eliminate all risk, however every effort must be made to mitigate against its adverse effects. If you do not feel equipped to identify or address a risk locally consult with the Safeguarding Committee. Whilst this guidance is concerned primarily with risks associated with failure to follow effective safeguarding practice, it must be understood alongside the health and safety regulation and policy of the Church body.

Whilst the focus on risk assessment should be on groups of children with whom you are working, as opposed to the physical venue, if a problem with the venue is discovered during the course of assessing (e.g. broken glass, electrical cabling) this needs to be raised with the appropriate authority in charge of health and safety for the Church body.

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

A risk is a potential source of harm or adverse health effect on a person or persons. In the Republic of Ireland 'Risk' in the context of this risk assessment is the risk of harm to children as defined in the Children First Act (2015) – (a) assault, ill-treatment, or neglect of the child in a manner that seriously affects or is likely to seriously affect the child's health, development or

welfare, or (b) the sexual abuse of a child whether by a single act, omission, or circumstance or by a series or combination acts, omissions or circumstances, or otherwise.

In Northern Ireland, Co-Operating to Safeguard Children and Young People in NI takes its definition from the Children (NI) Order 1995 which defines 'harm' as ill-treatment or the impairment of health or development. It states that 'ill-treatment' includes sexual abuse, forms of ill-treatment which are physical and forms of ill-treatment which are not physical; 'health' means physical and / or mental health; and 'development' means physical, intellectual, emotional, social or behavioural development.

In the context of the Church related activities involving children may include the following examples

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

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### Assessing risks

For each activity that involves ministry with children, those involved in leading the ministry should meet with the parish priest/local superior (face to face or virtually) and any relevant safeguarding personnel and complete the following steps:

1. Identify and list the risks: look for hazards in the nature of the activity, and in the place where you are holding the activity. Areas to be considered include:

- Have all staff and volunteers been recruited properly? (including vetting reference checks etc).
- Have all staff and volunteers been trained in safeguarding and in working with children?
- Does everyone understand their role?
- Does everyone know what to do if they are concerned about a child?
- Have appropriate supervision ratios been put in place?
- Have children and their carers been informed of rules for the activity and given their consent to participate?
- Have practical considerations been assessed for risk – e.g. where are toilets, washing and changing facilities?
- What security measures have been considered – e.g. access to the venue by non- participants?
- Will ICT be used in the activity? Who has access and how is it monitored?
- Has consideration been given to the safe collection of children after the activity?
- Has everyone been briefed on the content of the risk assessment and what policies to follow in the event that a concern is identified?
- Does everyone know who the DLP is and how to contact them?

It may be helpful to consider these risks in stages of the activity, for example, what are the risks in advance of the activity, on arrival, during the activity and after.

2. Identify the controls that need to be put in place to limit the risk.

3. Identify who is responsible for managing the risk and the correct implementation of the associated procedures. This should include those directly responsible for the children's ministry and those with specific responsibilities for child safeguarding in the Church body.

4. These steps should be used to complete the risk assessment form (Guidance 1.8A Template 1).

The leaders of each local activity involving children's ministry are required to identify risks and procedures relevant to its own situation. Some examples are given in the following template.

Given the similarities that exist across certain activities, whatever the location, it is likely that these examples may be appropriate to many situations. However, it is important that those completing a risk assessment keep the focus on their own situation and even where identified risks are the same as those in the example template (1.8A Template 1), consider whether the needed controls may differ based on the local context of the activity. The risk assessment must be available to all. Leaders of activities with children must have a copy and be aware of its contents.

### Reviews

Risk should be periodically reviewed, especially in circumstances when a venue changes, a new activity takes place or the members of the group change. If no new risks are present, a review of the risk assessment should take place at least annually.



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1.8A Template 1: Example Hazard Assessment Form

This form will be held in accordance with the data protection policy of [INSERT NAME OF CHURCH BODY]. The data entered will be used only for the purposes indicated on the form. This hazard assessment is part of the child safeguarding statement which can be accessed here [INSERT DETAIL].

- This risk assessment seeks to identify any potential for harm, as defined in the Children First Act 2015/Co-operating to Safeguard Children in Northern Ireland (delete as appropriate), to a child while participating in activities organised by [INSERT NAME OF ACTIVITY OR CHURCH BODY] and to ensure that adequate procedures are in place to manage identified risks.
- It will be reviewed at least annually or as soon as practicable after there has been a new risk identified or any other relevant change.
- ‘Risk’ in the context of this risk assessment is the risk of harm to children as defined in the Children First Act (2015)/Co-operating to Safeguard Children in Northern Ireland (delete as appropriate).

Name of group/activity \_\_\_\_\_ Date of risk assessment \_\_\_\_\_ Date of review \_\_\_\_\_

Person completing the hazard assessment \_\_\_\_\_ Role \_\_\_\_\_

Others attending planning meeting: \_\_\_\_\_

Identified Risks	Controls/procedures in place to manage risk	Persons responsible
Supervision  Failure to provide for appropriate supervision of children during arrival, during activity or on departure from the group/activity, may expose children to harm from adults, other children or environmental factors.	Safe care procedures including joint consent; adequate supervision ratios; children and adults signing in; Codes of Behaviour for children and adults; training for personnel; dealing with accidents.	Group Leader Volunteer Parent volunteer Responsible for: Supervision, ensuring consent forms signed and logged, sign-in and sign out book, agreeing Code of Behaviour, checking appropriate training completed.
Risk of harm from leaders	Safe recruitment procedures, codes of behaviour, vetting.	Group Leader Safeguarding Committee Vetting Coordinator Parish Priest/Local Superior Responsible for: Ensuring recruitment procedures are followed including vetting and appropriate procedures are in place.

<p><b>Shared Facilities</b></p> <p>Children may be exposed to risk of inappropriate behaviour which could cause them harm from visitors or other adults or bullying by other children in shared facilities eg changing area, toilets.</p>	<p>Code of behaviour for adults including guidance on 1:1 contact with children; Complaints procedure; Anti-bullying policy; Safe recruitment procedures.</p>	<p>Group Leader Ensuring recruitment procedures followed/supervision etc Local Safeguarding Rep Parish Priest/Local Superior.</p>
<p><b>Accidental Injury</b></p> <p>Risk of injury in setting up, clearing items, from fire or wet areas eg possibility of slips/trips, possibility of burns.</p>	<p>Adequate supervision; Instruction for children; Health and Safety policy in place; First Aid provision; Accident procedure.</p>	<p>Group Leader First Aider Check for H+S issues/First Aid training/ Supervision.</p>
<p><b>Children's Behaviour</b></p> <p>Harm to children from disruptive behaviour.</p>	<p>Code of behaviour for children; Dealing with Breaches of the Code of Behaviour; Anti-bullying policy; Appropriate supervision; Training for relevant adults; Adequate supervision ratio.</p>	<p>Group Leader Agree a code of behaviour and anti-bullying policy with children/implementation of code of behaviour.</p>
<p><b>Communicating and training concerns</b></p> <p>Children experiencing harm or on-going harm as a result of not being aware of who to speak to if they experience inappropriate behaviour or have concerns re safeguarding.</p> <p>Risk of harm caused by leaders not recognising the indicators of abuse or being unfamiliar with responsibilities and procedures for reporting child protection concerns.</p>	<p>Communications policy; Children advised of who to speak to; Information leaflet provided regarding concerns or complainants; Guidance provided to adult personnel on responding to a child and reporting allegations or concerns; Information displayed in Church properties.</p> <p>Training plan in place and relevant training delivered to relevant Church personnel, including record keeping, reporting procedures, indicators of abuse etc.</p>	<p>Group Leader/PSR Safeguarding Committee. Providing information to children and parents/ ensuring relevant posters displayed/ ensuring all personnel have completed relevant training.</p> <p>Safeguarding Committee Trainers.</p>
<p><b>ICT</b></p> <p>Access to use of ICT in venue resulting in possibility of inappropriate contacts/accessing inappropriate content/online bullying resulting in harm to the child.</p>	<p>Children not allowed to use their phones, email or other ICT applications while participating in activities. Procedures in place re use of ICT by personnel in contacting children.</p>	<p>Group Leader Ensure personnel are aware of policy and procedures re ICT use/ agree protocol with children</p>

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### 1.9A Guidance on Use of Technology

Church authorities need to assess the benefits of technology and how this can be used safely and effectively, in line with rules that respect the dignity and rights of all users, particularly children.

Detailed policies and procedures should be provided on the use of technology, including digital and online systems such as:

- Conducting Ministry with children using digital media (Guidance 1.9B);
- Texting and emailing (Guidance 1.9C);
- Photography (Guidance 1.9D);
- CCTV and webcams (Guidance 1.9E).

The majority of occasions when people use mobile phones, computers or take photographs of children do not provide any cause for concern. However, there are occasions when this is not the case.

At the outset it is important to identify the risks associated with the use of technology, and then to minimise the risks by putting in place measures outlined below. GAP Paper 1 on Child Safeguarding and Digital Media may be useful to assist with this.

#### Consent

The consent of parents/guardians and children should always be sought prior to engaging in any activity that involves the use of IT equipment, such as those outlined above.

A Church body may seek overall consent from its members/group leaders (1.4A Template 3), or it may ask for permission for set occasions (1.9A Template 1).

When seeking consent for the use of images or videos for Church purposes such as First Communion or Confirmation, the following should be considered:

- The issue of consent for photography/videoing for Church purposes should be addressed with parents/guardians and children prior to the sacramental day, and the policy should be explained to all families who will be attending;
- In seeking consent for photography/videos, children and families should be reminded about the rights to privacy and data protection of other children, their families and the wider community;
- Those organising an event for Church purposes, and who are seeking consent for photography/video usage, should be sensitive to the fact that many parents/guardians are reluctant to allow the general viewing of their children, or of children in their care, on sites such as YouTube, Facebook, etc.

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### Purpose

Guidelines should be clear as to the reason and purpose of the use of the particular form of technology:

- Provide a clear brief about what is considered appropriate in terms of content and behaviour and use of equipment;
- Provide guidance on acceptable language;
- Provide guidance on storage of information;
- Provide guidance on use of photography: if using an external photographer/videographer, seek confirmation about any publications that will be made by them after the event, and ensure that they have been vetted, have identification and do not have any unsupervised access to children or one-to-one photo sessions at events;
- Images of children should never be taken that capture them in what are commonly understood as 'non-public' activities. Children should be fully and appropriately dressed and related images should always be about the activity and not focused on any individual child;
- Images should not allow the identification of a child or their whereabouts. The full name of a child should not be used;
- Children in vulnerable circumstances (e.g. those in care or victims of any type of abuse) should not be photographed without the consent of those who hold parental responsibility;
- Provide guidance on the use of mobile phones, and especially on the use of mobile phone cameras, which can be easily used for offensive actions without the subject being aware of their use;
- Provide guidance on how to communicate this policy with parents/guardians and young people.

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### 1.9A Template 1: Media Permission Form

#### Data protection

This form will be held on file in accordance with the data protection policy of \_\_\_\_\_ (insert name of Church body). The data entered will be used only for the purpose indicated on this form. It may only be accessed by those who have responsibility for managing files or activities.

#### Child's/young person's consent

I \_\_\_\_\_ (insert first name and surname) would like to take part in \_\_\_\_\_ (name of event) on \_\_\_\_\_ (date of event).

(If relevant please tick the boxes below)

- ☐ I understand that photographs may be taken during the event, and I give my permission for these to be used in any hard copy/online (delete as appropriate) publications by the Church body.
- ☐ I understand that videos may be taken during the event, and I give my permission for these to be used in any hard copy/online (delete as appropriate) publications by the Church body.
- ☐ I understand that updates may be posted on the Church body website and/or social network sites during the event, and I give my permission for my images/videos of me (delete as appropriate) to be used.

#### Guardian's consent

I agree to allow the above-named child/young person to attend this event during the period \_\_\_\_\_ (insert start date and time) to \_\_\_\_\_ (insert end date and time), in accordance with the permission granted by \_\_\_\_\_ (insert name of child/young person).

Signed \_\_\_\_\_ Name (block letters) \_\_\_\_\_  
(Guardian) (Guardian)

Relationship to child/young person \_\_\_\_\_

Signed \_\_\_\_\_  
(Child/young person)

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### 1.9B Guidance on Conducting Ministry with Children Using Digital Media

#### 1. Introduction to use of the internet and other forms of digital media

It is recognised that the internet, and other forms of digital media (whatsapp, texting etc) are valuable and widely used. Within the Church context, clear guidelines must be developed and inserted into the code of behaviour for each Church activity involving children (Guidance 1.3A).

**The following are deemed unacceptable behaviours, and must be avoided in every situation:**

- Visiting internet sites that contain offensive, obscene, pornographic or illegal material;
- Using a computer to perpetrate any form of fraud or piracy;
- Using the internet or email systems to send offensive and harassing material to others;
- Using obscene or racist language in computer-assisted communications;
- Publishing defamatory or otherwise false material generated by oneself or by others through social networking;
- Introducing any form of malicious software into the used network;
- Intentionally damaging any information communication technology equipment;
- Using another user's password, or giving that password to a third party.

**It is important that the following are made clear to all who use the internet:**

- All Church personnel/volunteers/group leaders must be made aware of their responsibility, and sign up to appropriate use of the internet as part of a code of behaviour (Guidance 1.3A);
- Responsibility is about safeguarding children, taking care of oneself, one's co-workers and group leaders;
- Anyone using a shared computer requires their own individual password;
- Training in appropriate and responsible internet and computer use is imperative in order to follow best practice in all activities that concern children, co-workers and volunteers.

#### 2. Use of digital platforms for online ministry

The use of "digital" or "online" platforms enables Church personnel to communicate and engage with others as part of a range of approaches to ministry. Children and young people, in particular, may be more familiar with electronic communication as a medium to engage with others. In order to ensure the safety and dignity of children online, measures need to be put in place which recognise and mitigate potential risks to children.

There are a number of data protection requirements that must be met in relation to broadcasting on the internet; these must be adhered to and appropriate consent and data retention guidelines

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followed e.g. recording people via a web camera, and the subsequent displaying of such images over the internet, is regarded as the processing of personal data.

For further detailed information please refer to GAP Paper 1- Child Safeguarding and Digital Media.

### 3. Principles

All ministry conducted online with children should be guided by:

- Gospel values.
- Children's Rights.
- International and national law (child care, criminal and data protection).

### 4. Initial planning

The following should be considered to communicate or engage with children and young people in Church ministry:

- Overall responsibility for ensuring the safety of children, including online, rests with the Church authority. It is important therefore that the Church authority should make a decision about whether Church personnel can communicate with children, using digital media. This decision should be based on the purpose of the communication, the safety approaches to be adopted, and an examination of data protection requirements. Consultation with the Data Protection Officer and the Safeguarding Co-ordinator should form part of the decision making process.
- If personal sensitive data is being shared, the Church authority must ensure the legal basis for sharing the data and must ensure safeguards are in place to protect this data.
- The Safeguarding Committee in consultation with the Data Protection Officer should draft guidance which identifies:
  - Purpose and method of online communication;
  - What social media platform will be used?
  - Risks to children and how these will be managed;
  - Consent requirements;
  - A clear code of online behaviour for both adults and children involved;
  - How the engagement will be monitored, from a child safeguarding perspective;
  - Storage and destruction of records.



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### 5. Guidelines for online meetings

#### • Risks

When considering what the risks might be to children and the adults leading the ministry, it is important to consider what are the possibilities or likelihood that something harmful might happen to children. Like all ministries with children a localised risk assessment should be completed (see Guidance 1.8A).

Here are some possible risks:

- Adults may pose as children to lure children into sexual contact.
- Children may be exposed to indecent language, images and content online.
- Children may be bullied online.
- Children may be groomed online.

Many of these risks equally apply in face to face contact; and protections can be put in place to reduce the risks.

#### • Ways of managing risks

As part of the risk assessment process there must be clear procedures in place that can be shared with any children who are participating and their parents or carers that set out how risks will be managed. These should include:

- Guidance on the use of technology which ensures privacy and security settings
- A clear code of behaviour for online activity which sets out –
  - Use of language;
  - Content that never crosses boundaries;
  - No sexual content;
  - How information including private e-mail and contact information will be stored, retained and destroyed;
  - Appropriate behaviour from the adults who are overseeing or supervising the ministry - Requirement to always model positive behaviour;
  - If using video, the appropriate location in the home to ensure privacy and allow appropriate oversight from parents/carers.
- Written consent from children and their parents or carers for online ministry.
- Guidance on what system will be used for monitoring the ministry.
- Guidance which ensures proper use of personal or profile information (do not expose personal information or allow a child to post personal information, as this may place them at risk, for example home address; personal feelings; relationships etc).
- A requirement that the content is pre-planned and approved to ensure the content is appropriate.



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- An anti-bullying procedure in line with the online code of conduct. This should provide the child with an easy to use mechanism to alert the facilitator that they are being bullied.
- **Technology - Media Platforms must be assessed and considered safe for online engagement**
- There are a wide range of platforms available. Each platform should be assessed for suitability for the planned activity, as well as for potential risk to children.
- Potential for risk of breach of data should be assessed, using the Data Protection Impact Assessment procedure of the Church body. Guidance on developing this is available on the website of the Information Commissioner (Northern Ireland) here <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/data-protection-impact-assessments-dpias/> or from the Data Protection Commission (ROI) here <https://www.dataprotection.ie/en/organisations/know-your-obligations/data-protection-impact-assessments>).

- **Equity issues to consider**

All Church ministries should be available irrespective of class, gender, ethnicity or ability. It is important therefore to consider if online ministry could exclude any group of children – for example, some children may not have access to online technology or parents/carers may be reluctant to allow participation.

- **Online etiquette (Netiquette)**

Ensure that the ministry is conducted in line with the agreed code of behaviour including location and dress code is appropriate – for example, the online ministry will not be facilitated in bedrooms or where cameras can see other people who are not part of the ministry. Other areas for agreement may include e.g. disabling chat function; no food; remain seated.

- **Organisation**

When planning the ministry, it is important to send the link close to scheduled time to avoid danger of intrusion or interference by third parties; ask participants not to share link; use an ID for link; ensure the meeting room has a system which does not allow anyone to enter; have a welcome message at the front and any disclaimers e.g. 'Meeting in progress'.

- **Training for online use**

All those who seek to engage in electronic communication must be trained on the use of technology, the risks and the protections needed to keep children safe.

Children should also be offered advice and guidance on safe use of technology, how to keep themselves safe online and how to raise a concern if they are worried.

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### 1.9B Template 1 : Sample Online Procedure

[INSERT NAME OF CHURCH BODY] encourages ministry with children and young people online, if it is safe for children and the adults who work with them. Our paramount concern is the safety and welfare of children. We will put in place all measures to ensure that children are not placed at risk whilst participating in ministry online. We want this ministry to be fruitful and beneficial, not challenging or dangerous. The Church ministry at all times will respect the dignity of children.

[INSERT NAME OF MONITOR (this person is appointed by the Church Authority on an event basis)] has been appointed to oversee this ministry online.

Any intention to engage with children online must be discussed with [INSERT NAME OF SAFEGUARDING COORDINATOR] before approval from the Church authority is sought on an event by event basis.

[INSERT NAME OF CHURCH AUTHORITY] will determine if the purpose of the online ministry is safe, and in line with the ethos of the Church body.

In order for us to create a safe environment online the following will be adhered to:

- All adults engaging online will have been recruited in line with [INSERT NAME OF CHURCH BODY] procedures to meet indicator 1.1 of the Church's Child Safeguarding Policy.
- All adults will have read, understood and agreed to follow our online code of behaviour (use of language; boundaries; use of personal computers etc).
- Specific consent will be sought in writing from children and their parents/carers for participating in online ministry; this cannot be general consent but specifically for the purposes of a specified ministry.
- Children will be informed who to talk to if they are worried about anything which they have seen or been exposed to online.
- Personal information about the adults and children who are involved in this ministry will be stored in line with the Church body's data protection policy.
- The Ministry lead, in consultation with the safeguarding co-ordinator, will ensure that content, including photography and imaging, is in line with best child safeguarding advice.
- The Ministry lead will ensure that the location and dress code is appropriate: the online ministry should take place in a location which is private but safe for the child and appropriate clothing is worn; it will not be facilitated in bedrooms or where cameras can see other people who are not part of the ministry.
- In line with the Church body's risk assessment procedures and data protection procedures, all technology and social media platforms will be assessed prior to their use in online ministry.
- Any allegation, suspicion, concern or knowledge of child abuse will be reported in line with the Church body's reporting procedures.
- The lead person in the ministry should check on a regular basis that children feel comfortable during the meeting online.
- Upon conclusion of the online ministry, a review should take place to ensure that at all times risks were identified and managed and to evaluate whether the social media platform used, was fit for purpose.

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### 1.9B Template 2: Checklist for Online Ministry

Issue	Completed By and Date	Approved By and Date
<b>Step 1- Initial Approval</b>		
Written rationale for using this format		
Hazard assessment carried out (Guidance 1.8A)		
Consultation/survey conducted with the proposed participants and their parents, on their views, using paper and online formats		
Which technology/platform will be used?		
<b>Step 2 - Planning</b>		
Practical details completed and shared with participants: <ul style="list-style-type: none"> <li>Consent forms signed by child and parent and copy returned to group leader. (1.9A Template 1)</li> <li>Codes of behaviour Guidance 1.2A and Guidance 1.3A</li> <li>Draft online etiquette to be observed</li> </ul>		
Training for leaders		
Plan for session- including timings, alternative facilitation skills, resources etc		
Supervision (at least two leaders) Guidance 1.4C		
<b>Step 3- Running the Ministry</b>		
<ul style="list-style-type: none"> <li>Send link close to scheduled time to avoid danger of interference or intrusion;</li> <li>Ask participants not to share link;</li> <li>Use an ID for link;</li> <li>Turn on privacy settings</li> <li>Lock the room when meeting starts;</li> </ul>		
Draft and place a welcome message at the front and any disclaimers e.g. 'starting shortly'.		
Attendance record – Guidance 1.4A Template 1		
Will there be parental/carers oversight?		
<b>Step 4 - Evaluation</b>		
Ministry leaders debrief following session.		
Post evaluation with children		
Seek views of parents/carers on ministry, effectiveness and safety		
Report prepared for Church authority		

### 1.9C Guidance on Use of Texting and Email

Texting and email are very quick and effective methods of communication for those involved in Church activities. Usually this does not include adult members of Church personnel contacting young people directly, as contact is usually made via their parents/guardians. However there are certain circumstances where contacting young people directly may be necessary (i.e. in an emergency or on a trip away), any members of Church personnel using this method of communication with young people should ensure appropriate safeguards are in place as there are certain risks associated with the safe and appropriate use of texting and email, which must be managed.

#### **The risks of text and email messaging for children and young people are:**

- Inappropriate access to, use of, or sharing of personal details (names, numbers, email addresses);
- Unwanted contact with children/young people from adults text bullying by peers etc.;
- Being sent offensive or otherwise inappropriate materials;
- Grooming for sexual abuse;
- Direct contact and actual abuse.

#### **The risks for adults include:**

- Misinterpretation of their communication with young people;
- Potential investigation (internal or by statutory authorities);
- Potential disciplinary action.

#### **Using bulk (or bundled) text and email messaging**

A way to minimise the risks above is to use bulk text messages. This is where the same text or email message is sent to several young people involved with a particular activity or group. The advantage of this approach is that it presents fewer opportunities for misuse and abuse than personal, one-to-one texting or emailing arrangements between staff or volunteers and children/young people. Therefore, one-to-one texting or emailing should be strongly discouraged and should only occur in exceptional circumstances. The same applies to emailing young people.

The following guidance is provided to minimise risk to all:

- Consent must be obtained from young people and their parents/guardians prior to sending young people text or email messages. Parents/guardians should be offered the option to be copied on texts and emails that their child will be sent.
- The young people's mobile phone numbers or email addresses should be stored safely and securely (Appendix B), with access only available to the specific identified members of Church personnel. The numbers or details should not be shared with anyone else, and should only be used for the purposes of the text and email messaging system regarding the Church activity;

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All text and email messages must be sent via a bundle to a group of young people, i.e. the same standard text message is sent to every member of the group. The text and email messaging system should never be used to send text or email messages on an individual basis (i.e. to just one person);

All text and email messages sent must make it clear to the young people receiving them who has sent the message;

Young people should not be given the opportunity to text or email back to the system. It should only be used as a one-way communication channel;

The text and email messages that are sent must never contain any offensive, abusive or inappropriate language;

When this guidance is being provided in relation to Church-related activities, all of the text or email messages sent must be directly related to Church activities. The text or email messaging system and mobile phone numbers must never be used for any other reason or in any other way;

All of the text and email messages sent should include a sentence at the bottom that provides young people with the opportunity to unsubscribe from receiving further text and email messages.

### 1.9D Guidance on Use of Photography

The use of photos on websites and in other online/hard copy publications can pose direct and indirect risks to children and young people. The Church authority wishing to use images of the children they work with, or are otherwise in contact with, should consider these guidelines.

The Church only has responsibility for safeguarding and the use of photography if it plans to use the photographs for Church purposes. Photographs taken at events organised by family and schools such as Communion, weddings or Confirmations (including when the photographer is employed by the school or family for these occasions) do not fall under the responsibility of the Church, unless they are being taken for Church purposes.

#### Risks to children

Even if the child's personal identity (full name, address) is kept confidential, other details accompanying the photo can make them identifiable and therefore vulnerable to individuals looking to groom children for abuse. There is also a risk that the photo itself will be used inappropriately by others. Photos can easily be copied and adapted, perhaps to create images of child abuse, which can then find their way on to other websites.

#### How to minimise risks

- Establish the type of images that appropriately represent the activity and think carefully about any images showing children and young people on the Church website or publication;
- Never supply the full name(s) of the child or children along with the image(s);
- Only use images of children in suitable dress and focused on the activity, rather than one particular child;
- Obtain permission: the permission of parents/guardians and children should always be sought when using an image of a young person. Parents/guardians should be aware of the Church's policy on using children's images and of the way these represent the Church or activity. This must be recorded on a joint consent form for use of images of children. The child's permission to use their image must also be recorded if they are less than eighteen years of age. This ensures that they are aware of the way the image is to be used to represent the activity (1.9A Template 1).

#### Using photographers to take photographs for Church purposes

The Church often employs photographers, or Church personnel may be asked as part of their role (e.g. Sacramental preparation team or pastoral assistant) to take photographs for certain sacramental or Church activities.

When using a photographer, it is important to do the following:

- Provide a clear brief about what is considered appropriate in terms of content and behaviour;

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- Ascertain if the photographer requires vetting and, if they do, put them through the process;
- Provide the photographer with a form of identification that must be worn at all times;
- Do not allow unsupervised access to children or one-to-one photo sessions at events;
- Do not allow photo sessions to take place away from the event, for instance, at a young person's home;
- Inform parents/guardians and children that a photographer will be in attendance, and ensure that they consent to both the taking and publication of photos or films;
- Seek confirmation from the photographer that they will only reproduce the photographs, in publications where he has consent to do so from the parents/guardians of the child;
- Clarify in writing who owns the images taken by the photographer and how they will be edited, used, stored and destroyed.

If parents/guardians and parishioners are intending to photograph or video at an organised event, they should also be made aware of what is permitted and what is not.

### **Responding to concerns**

Children and parents/guardians should be informed that if they have any concerns regarding inappropriate or intrusive photography, these should be reported to the Church authority to ensure that any reported concerns are dealt with in the same way as any other child protection or child safeguarding issue.

### 1.9E Guidance on Use of CCTV and Webcams

The increasing use of CCTV and the internet has wide implications, and unless such systems are used with proper care and consideration they can give rise to concern that the individual's 'private space' is being unreasonably invaded or eroded. Each Church body must have an appropriate data protection policy in place that covers the use of webcam and CCTV images.

Section 2 (1) c (iii) of the Data Protection Act requires that data is 'adequate, relevant and not excessive' and fit for purpose for which it is collected.

If a data controller is satisfied that it can justify the installation of a CCTV system, they must carefully consider what it will be used for and if these uses are deemed reasonable in the circumstances.

Security of premises or other property is probably the most common use of a CCTV system and, as such, will typically be intended to capture images of intruders, or of individuals damaging property or removing goods without permission.

Using a CCTV to constantly monitor employees is highly intrusive and would need to be justified by reference to special circumstances. The retail sector is one example where there is evidence to suggest that money or goods could be removed without authorisation.

The location of CCTV is a key consideration, and its use within areas where individuals would have a reasonable expectation of privacy, e.g. toilets and changing rooms, would be difficult to justify.

Cameras placed so as to record external areas should be positioned in such a way as to prevent or minimise recording of passers-by, or of another person's private property.

Having acknowledged the positive and sometimes negative aspect of CCTV, each Church body should draw up a policy and guidelines in order to maximise the benefit of such installations and minimise the possibility of a person's privacy being infringed.

The following should be considered:

- If CCTV cameras are in place, it is important to have very obvious signs informing Church personnel, parishioners, volunteers and the public that this is the case;
- All uses of CCTV must be appropriate and fit for a specific purpose. As CCTV infringes the privacy of persons captured in the images, there must be a genuine reason for installing such a system;
- If installing such a system, the purpose for doing so must be displayed in a prominent place and preferably behind a locked noticeboard where it will not be damaged or removed. In a church, an obvious place would be within the porch and at all entrances;
- The length of time for the storage of images captured, access and security should be outlined in the Data Protection policy of the Church body.



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### Web broadcasting

There are a number of data protection issues that must be met in relation to broadcasting on the internet. The policy should be reflective of these:

- Recording people via a web camera, and the subsequent displaying of such images over the internet, is regarded as the processing of personal data. It is imperative that it must be done with the consent of the individual;
- Camera shots (images) of the congregation should be wide shots, minimising the possibility of easily identifying individuals with close-up images;
- Signs should be placed at all entrances to the church and in other prominent locations, informing those attending ceremonies or visiting the church that web cameras are in operation and allowing someone the opportunity to sit in a place which isn't captured by the webcam if they choose;
- If the Church activity being recorded involves children (for example as altar servers, ministers of the word, choirs etc) then their written consent and that of their parents/guardians is required. While in most instances written consent can be done in advance, there are times when the gaining of consent must be handled sensitively. In the case of a funeral where a child is involved in the liturgy the member of Church personnel who is managing the funeral service should:
  - Seek confirmation from the family that they wish the webcam to be used;
  - Inform the parents of any children who are taking part in the liturgy and can be identified on the webcam, that it will be on and live streaming on the internet. The parents along with the child can then make an informed decision as to whether the child wishes to take part in the liturgy.
- It is imperative that live broadcasts can be terminated to stop transmission. This should be done by accessing the control panel of the system. If this is not accessible by the priest from the altar, someone should be delegated to break transmission if required.

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#### **1.10A Guidance on Ensuring All Clerics/ Religious, who are Members of the Church Body and are Ministering with Children in an External Organisation/Church Body, Agree to Follow Effective Safeguarding Practice**

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

To do this, the Church authority should have written agreements in place for every cleric/religious who is ministering with children in an external organisation or Church body (1.10A Template 1). This agreement should include:

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

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### 1.10A Template 1: Form for Clerics/Religious who have Ministry With Children in an External Organisation/Church Body

#### Section 1: To be completed by representative of external organisation/Church body

(INSERT NAME OF MEMBER OF CHURCH PERSONNEL) has ministry with children in (INSERT NAME OF EXTERNAL ORGANISATION/CHURCH BODY) as a (INSERT ROLE HELD).

On behalf of (INSERT NAME OF EXTERNAL ORGANISATION/CHURCH BODY) I am happy to state that we have Safeguarding Policies and Procedures in place and that (INSERT NAME OF CHURCH PERSONNEL) is fully aware of and compliant with these.

SIGNED :

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POSITION IN EXTERNAL ORGANISATION/CHURCH BODY:

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DATE:

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#### Section 2: To be completed by member of Church personnel ministering with children in external organisation/Church body

I, (INSERT NAME OF MEMBER OF CHURCH PERSONNEL) verify that I am aware of the Safeguarding Policies and Procedures in (INSERT NAME OF EXTERNAL ORGANISATION/CHURCH BODY) and undertake to adhere fully to these Policies and Procedures.

SIGNED: \_\_\_\_\_

DATE: \_\_\_\_\_

### 1.10B Guidance on International Child Safeguarding Policy and Procedures

This guidance provides an overview of the main principles that should be contained in a child safeguarding policy, for those Church bodies working in other countries outside of Ireland. The broad principles are outlined in this guidance which are then replicated in 1.10B Template 1.

#### **1. Begin the Child Safeguarding Policy by stating your commitment to safeguarding children which will be based on agreed principles.**

There are a number of principles which should underpin a child safeguarding policy, irrespective of geographic boundaries. These are :

- Gospel Values – Children had a special place in the heart of Jesus (Luke 18:17) and therefore there is a sacred obligation on the Church to ensure that children are welcomed, cherished and protected in a manner consistent with Gospel values and children's central place in the life of the Church. It would be helpful if reference to the charism of the Church body is included here.
- Children's Rights, National and Canon Law – The UNCRC outlines the 42 rights to be implemented by those who have signed and ratified the convention (including the Holy See and most countries across the world). This section should also include reference to local and legislation which safeguards children; and canon law requirements of the Holy See including reference to grave delicts against children and norms issued by the Holy See.

#### **2. Identify what is abuse**

- In line with canon and civil law of the country

#### **3. Outline the commitments Church personnel should honour**

In Ireland the following commitments are included:

- Caring for children by creating environments which are safe (this includes codes of behaviour and the safety of children in the physical planning and development of projects (e.g. open spaces, etc.)
- Reporting allegations of abuse to the statutory authorities (police and social services). This may include information on what to do, if it is unsafe to report to equivalent authorities in each country.
- Caring for complaints of abuse through pastoral support and counselling.
- Caring for those who have been accused through offering counselling, but also by ensuring that risk is assessed and managed including taking appropriate canonical action if necessary to restrict the respondent's ministry.
- Caring for others affected by providing training for all members in relation to good safeguarding practice; offering support; having good communication about your policy and procedures (newsletters, resources etc).

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### **4. Set Safeguarding Standards**

- These will largely be based on the commitments above. The standards of Ireland can be used as an example. These can be viewed at [www.safeguarding.ie](http://www.safeguarding.ie)
- If there are two or more Church bodies ministering, identify who is accountable and what policies will be followed.

### **5. Get agreement from all members to follow standards**

It is important that all members read and understand the policy of the Church body. There should be a personal commitment to following these through the signing of an agreement similar to Guidance 5.1A Template 1.

### **6. Put Training and induction in place**

All Church personnel must have an understanding of what constitutes child abuse and what to do to prevent abuse as well as how to respond if there is a concern.

There must be clear statements about what is acceptable and not acceptable when ministering with children within the congregation.

### **7. Set out Governance arrangements**

- Superior General accountabilities
- Local Leader responsibilities
- Review and evaluation
- State how often you will do refresher training with staff
- Ensure that safeguarding practice is mainstreamed across all project, programme and organisational reviews

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#### 1.10B Template 1: Example International Child Safeguarding Policy

##### **Child Safeguarding Policy Statement of [INSERT NAME OF CHURCH BODY] ministering in [INSERT NAME OF COUNTRY]**

The [INSERT NAME OF CHURCH BODY] ministering in [INSERT COUNTRY] are involved with the following ministry with children [INSERT TYPE OF CHILDREN'S MINISTRY].

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

All our members and those who volunteer and work with us under our authority (including clergy, religious, staff and volunteers) have a responsibility to safeguard children through promoting their welfare, health and development in a safe and caring environment that supports their best interests and prevents abuse.

Details of person to contact if you are concerned about the welfare and safety of a child.

Identified person within the Church body:

Police (if safe and appropriate):

Child protection and welfare Service:

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### Principles

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

#### 1. Gospel

Children have a key place in the heart of Jesus who said: 'Whoever does not receive the kingdom of God like a child shall not enter it' (Luke 18:17). This places a sacred obligation on the Church to ensure that children are welcomed, cherished and protected in a manner consistent with their central place in the life of the Church.

#### 2. Children's Rights, National Law and Canon Law

The United Nations Convention on the Rights of the Child (UNCRC) outlines the forty-two fundamental rights to be implemented in national law by signatories to the Convention (this includes the Holy See and [INSERT NAME OF COUNTRY OF MINISTRY]). Full realisation of these rights will ensure that children will be 'brought up in a spirit of peace, dignity, tolerance, freedom, equality and solidarity', whilst respecting the cultural identity of each child.

[INSERT NAME OF CHURCH BODY] as part of our charism [INSERT REFERENCE TO CHARISM OF THE CHURCH BODY] commits to upholding our obligations under the following:

[INSERT RELEVANT CHILD CARE LEGISLATION, VETTING LEGISLATION, CRIMINAL JUSTICE LEGISLATION AND ASSOCIATED GUIDANCE OF COUNTRY OF MINISTRY].

[INSERT NAME OF CHURCH BODY] also recognises the requirements under canon law which states [INSERT RELEVANT CANON LAW INFORMATION].

### Commitments

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

#### 1. Mandatory reporting

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

- physically
- emotionally
- sexually
- through neglect

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

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### **2. Caring for the welfare of all children and the adults who work with them**

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

### **3. Responding appropriately to child protection suspicions, concerns, knowledge or allegations**

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

All suspicions, concerns, knowledge or allegations that reach the threshold for reporting to the civil authorities (apart from those received in the Sacrament of Reconciliation<sup>1</sup>) will be reported through the appointed Church representative. This will be done irrespective of the status of the person (lay, cleric or religious) who is suspected of having been abusive to a child. If the allegation relates to a lay member of [INSERT NAME OF CHURCH BODY], in addition to notifying the statutory authorities, the allegation must be reported to the lead person in the [INSERT NAME OF CONGREGATION].

If the allegation relates to a cleric or religious from Ireland, in addition to notifying the statutory authorities, the allegation must also be reported to the Church authority and the National Board for Safeguarding Children in the Catholic Church in Ireland.

All Church personnel will co-operate with the statutory authorities in all cases.

### **4. Caring pastorally for complainants and other affected persons**

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

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

Caring pastorally for respondents and other affected persons.

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1. The sacramental seal is inviolable; therefore it is absolutely forbidden for a confessor to betray in any way a penitent in words or in any manner and for any reason, Code of Canon Law, c.983.1, in Catholic Church (1983), The Code of Canon Law: Latin-English Edition (Washington, DC: Canon Law Society of America).



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### 5. Caring pastorally for respondents and other affected persons

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

The [INSERT TITLE OF CHURCH AUTHORITY] will take responsibility for ensuring that any cleric or religious who is considered to constitute a danger to children is managed according to a risk management plan.

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

Respondents belong to families and diocesan or religious communities. The [INSERT TITLE OF CHURCH AUTHORITY] will be mindful of the need to provide support to members of families and communities affected by the respondent's changed situation.

### Scope of the Policy

This policy applies to all members, and those who work with [INSERT NAME OF CHURCH BODY] (lay staff and volunteers) who are required to comply with it. Full understanding of and adherence to this policy should lead to a deepening in the understanding of, and respect for, the rights of children and young people to participate as people of faith in the life of the Church.

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

### Putting the Policy into Action

The [INSERT NAME OF CHURCH BODY] will implement this policy by ensuring that all our ministry and activities comply with the following:

1. Creating and Maintaining Safe Environments.
2. Procedures for Responding to Child Protection Suspicions, Concerns, Knowledge or Allegations.
3. Care and Support for the Complainant.
4. Care and Management of the Respondent.
5. Care and Support for others.
6. Implementation of the Policy

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#### **Commitment by the Church Authority**

On behalf of [INSERT NAME OF CHURCH BODY] in [INSERT COUNTRY OF MINISTRY], I commit to safeguarding children by agreeing to follow this Child Safeguarding Policy.

I will abide by and uphold the standards listed above in our entire ministry and contacts with children.

Church Authority Signature

Date

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### Standards

#### 1. Creating environments that are safe for children

The [INSERT NAME OF CHURCH BODY] recognises that children are precious and may be vulnerable in our care and that it is essential that safeguards are put in place to ensure they are not placed at risk. The following approach will be adopted by all our ministries:

- Clear codes of behaviour when conducting ministry with children which sets out that it is never acceptable to touch a child in a sexual way; to engage a child in inappropriate conversation; to view child pornography; to physically assault a child etc.
- Guidance on the vetting of priests, religious, paid staff and volunteers
- Guidance on one to one contact with a child
- Guidance on the use of IT and online communication
- [INSERT ADDITIONAL PROCEDURES HERE]

#### 2. Procedures for Responding to Child Protection Allegations

In line with canon law, a child is defined as anyone under the age of eighteen for the purposes of any ministry provided by [INSERT NAME OF CHURCH BODY].

Children can be abused in the following ways:

(INSERT LOCAL DEFINITIONS OF ABUSE)

Any form of sexual behaviour with a minor, whether child or adolescent, is always sexual abuse. It is both immoral and criminal in both civil and canon law. This includes abuse of children through digital media.

When ministering with [INSERT NAME OF CHURCH BODY ] any abuse of a child will not be tolerated and will be responded to by reporting to the statutory authorities and disciplinary action.

Physical abuse will not be used to discipline a child while the child is in the care of [INSERT NAME OF CHURCH BODY].

The paramount consideration in all matters relating to children is their safety and protection from all forms of abuse.

To create and maintain a safe environment, [INSERT NAME OF CHURCH BODY] must respond effectively to ensure all allegations and suspicions of abuse are reported, both within the Church and to statutory authorities. This responsibility to report is mandatory, and the only exception to this rule is the receipt of any information by a cleric under what is termed as the sacramental Seal of Confession. If it is not possible or safe to report to the Police, internal Church action must be transparent and have at its core a focus on the safety of children. Abuse of children is a crime in civil and in canon law and must not be covered up in any way, but addressed through a senior member who has the authority to ensure that the alleged perpetrator does not have access to children.

The following action should be taken when an allegation is received:

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A report is made to the Ordinary who will:

- ensure it is reported to the statutory authorities
- ensure allegations involving child sexual abuse where the respondent is a cleric are reported to the CDF
- make a decision about removing the accused from public ministry
- ensure support is offered to the complainant
- ensure support is offered to the accused

Following police inquiry, if the matter relates to a cleric or religious an inquiry under canon law should be initiated. If there is a case to answer in canon law, the case should be referred to the CDF (ordained clerics) or to the Superior General (non ordained religious).

Following inquiries by the statutory authorities, if the matter relates to a lay person a disciplinary inquiry should be activated. If there is a finding against the lay person, consideration should be given to dismissing the person.

### 3. Care of Complainants

We [INSERT NAME OF CHURCH BODY] wish to respond with compassion and understanding attitude to anyone who informs us of an allegation of child abuse against any of our members, staff or volunteers. We know that it takes courage and confidence to come forward. We are aware that the experiences and responses of victims can vary and that cultural values need to be given consideration here.

Complainants may often find it difficult to trust those in positions of authority or pastoral care and even to believe or trust in God. They may go through a long period of silence, denial and repression. Others may even refuse to believe the victims, thereby reinforcing the sense of guilt and shame.

The intensity of the effects of abuse on the victims will vary. Some of the factors involved are the age and personality of the victim, the relationship with the offender, the duration and frequency of the abuse, the particular form of the abuse, the degree of force used and the threats used to compel secrecy.

A compassionate response to the alleged victim - the one bringing the complaint - must be the first priority in all cases of abuse. If the victim is a child, make sure you meet them with a trusted adult (parent/guardian). Take care when meeting with children who disclose abuse as you may not have the appropriate skills to respond. Consider consulting with social services.

You should:

- Treat the victim with respect.
- Listen to the victim.
- Treat each case as unique.
- It is advisable to have another person present and invite the victim to have a support person for his or her assistance during the initial interview.
- Offer pastoral support and spiritual assistance.
- Make a record of what the victim tells you advise what you will do with the information (report to [INSERT TITLE OF CHURCH AUTHORITY], statutory authorities etc).

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If you are unsure of how to proceed, seek advice from the Conference of Major Superiors in your area.

### 4. Care and Management of Respondents

Those who have been accused of abusing a child are presumed innocent until guilt is either admitted or determined by due process. However, a member of [INSERT NAME OF CHURCH BODY] (or staff or volunteer) accused of abuse must step aside from external ministry while the matter is pending in order to avoid minimising the accusation. Nonetheless, it is to be clearly understood that the person is on leave and that no admission of guilt is implied by this fact.

Any investigation by the statutory authorities must be allowed to proceed prior to any internal Church or disciplinary investigation. Following conclusion of the statutory authorities' investigation the following will be initiated by the [INSERT TITLE OF THE CHURCH AUTHORITY]:

- If the allegation is against a cleric or religious the preliminary investigation under canon law will proceed. This will include:
  - The appointment of an independent person to interview the respondent; the victim and gather any corroborating evidence.
  - A report will be drafted for the Ordinary who will determine if there is a case to answer. The Ordinary may seek external advice.
  - If there is no case to answer the respondent will be returned to ministry.
  - If there is a case to answer further canonical action will proceed:
    - For ordained clerics the CDF will be informed
    - For Vowed Religious the Superior General will be informed
    - Action in relation to restricting the respondents ministry on a permanent basis will be determined by the canonical process in consultation with the CDF/Superior General
- In the case of allegations against members who are deceased it may not be possible to establish the credibility of the allegations. However, in all cases pastoral care, counselling and support will be offered to the person who makes the allegation to the extent possible.
- In the case of allegations against former members although the congregation is no longer responsible for them, the allegations will be reported to the statutory authorities and efforts will be made to provide records to establish if there is any information that can be corroborate them. In all cases pastoral care, counselling and support will be offered to the person who makes the allegation to the extent possible.
- The accused has a right to legal advice.
- Remind the accused to have no contact with the alleged victim.
- Therapy should be offered to the member
- If there is a case to answer a safety plan should be put in place which seeks to reduce risk to children. Care needs to be given to the placement of the respondent (in a safe place, not near a school or near a place where minors congregate). In most cases, some type of supervision will be required.

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- Offer the accused spiritual assistance.
- Determine who information should be shared with e.g. if the respondent is in ministry in a diocese it may be required that the bishop be informed of the allegation. Have due regard to data protection legislation.
- Put in writing the restrictions on the member.

### 5. Care for Others

We acknowledge that the wider community is also affected by sexual abuse. We should strive to offer pastoral care and support in providing psychological and spiritual healing of those persons who, as well as the victims, have been seriously affected by incidents of abuse. The effect on the family of the victim can be profound. Disclosure can be very difficult for the victim and the wider family/community and we should guard against any rejection of the victim rather than facing reality. Parents can feel guilty that they did not protect their child more effectively.

Therefore, we recommend as far as possible that truthful explanation is given to families affected, communities affected, confreres and co-workers of the place where the respondent ministered. A meeting between the [INSERT TITLE OF THE CHURCH AUTHORITY] and those affected can be of great healing to all concerned.

There will be times when it is essential to share information e.g. in relation to a safety plan so as to reduce risk to children. Each case should be considered on its own merits.

It is possible that in sharing information that other allegations might emerge.

At all stages, whilst respecting an individual's right to privacy and their good name, you must avoid any appearance of a cover-up or any type of mitigation or denial of truth. In all cases be mindful of the data protection rights and confidentiality of all parties concerned: follow civil laws regarding what can or cannot be divulged and what must be divulged.

### 6. Implementation of Safeguarding Policy

[INSERT NAME OF CHURCH BODY] has the following governance structure in place:

The [INSERT TITLE OF CHURCH AUTHORITY] has overall responsibility for Child Safeguarding, but has appointed the following to manage all aspects of child safeguarding [INSERT NAME AND ROLE]

To ensure the implementation of safeguarding policies in the [INSERT NAME OF CHURCH BODY], training and support will be provided in the following ways:

- Superiors are to provide training on the prevention of all forms of abuse through their initial and on-going formation programmes.

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- Workshops will be delivered on:
  - What is abuse
  - How to create safe environments for children
  - Responding to allegations
  - Caring for all affected
- Supervision will be offered to all who have roles in child safeguarding
- Members will sign a document stating that they have read and understood the safeguarding policy.
- Annually a report will be written for the [INSERT TITLE OF CHURCH AUTHORITY] on implementation of this policy [INSERT DETAIL OF ROLE HOLDER].