



CATHOLIC DIOCESE OF CLOYNE

Safeguarding Children in the Diocese of Cloyne

Policy Statement, Definitions, Procedures, Guidelines, Codes of Behaviour, Information and Resources for Catholics in the Diocese of Cloyne, for Church personnel, staff and volunteers in particular and for the public in general.

November 2014

DIOCESE OF CLOYNE

Policy on Safeguarding Children

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Safeguarding Children in the Diocese of Cloyne (November 2014)



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www.cloynediocese.ie

Dear Parishioners,

I am happy to welcome this new updated policy document with regard to the safeguarding processes in the Diocese of Cloyne. This policy document builds on previous publications and enhances their efforts to ensure all the children in our care are safeguarded. I am grateful to the Safeguarding Committee for their efforts in this regard especially the work of our outgoing Chairperson Mr. Con Lynch and our Training Coordinator Ms. Rosarie O’Riordan. This committee has met regularly over the last five years, and in consultation with the National Safeguarding Board, have sought to ensure the designated standards are being applied assiduously in the Diocese of Cloyne.

This work of safeguarding, we now know, is a continuous task to which we must apply ourselves. I am grateful too for those parish safeguarding committees who have embraced their task with enthusiasm and commitment. This policy document will itself require updating later in the year with the inclusion of some additional recommendations from the National Safeguarding Board.

I congratulate all involved in compiling this policy document, and pray God’s blessing on all who work to ensure the safety of children in the Diocese of Cloyne.

With every good wish,

+William Crean,
Bishop of Cloyne

Safeguarding Children in the Diocese of Cloyne (November 2014)

Introduction

The safeguarding obligations of Catholics do not arise solely from contact with children and vulnerable persons, but from the living out of their baptismal vocation and from the gospel imperative of Matthew (19:14).

With the safety and welfare of children as the ultimate goal, this document *Safeguarding Children in The Diocese Of Cloyne* (Nov. 2014) outlines the safeguarding guidelines and procedures which are to be adhered to by all Church organisations, Church personnel, staff and volunteers in the Diocese of Cloyne. The prescribed safeguarding structures are described, roles and responsibilities outlined and resources and information provided to facilitate implementation.

This policy document is designed to be comprehensive and informative. It is user friendly with detailed contents tables and is broadly divided into two parts followed by an Appendices section..

The main policy document (Part 1) is divided into eight sections with clearly defined subsections.

Part 2 contains a number of policies on single issues that may be subject to frequent change and updating due to volatile and changing circumstances. Additional new policies will be included in part 2 as soon as circumstances permit or require them.

The detailed table of contents is designed to assist the readers as they ‘dip into’ the document in search of specific information, guidance, and procedures that will help them in their safeguarding roles.

Safeguarding Children in The Diocese Of Cloyne (Nov. 2014) is a revised edition of *Safeguarding Children in the Diocese of Cloyne* (Nov. 2014) (Nov 2013)- a document that was the subject of favourable comment by the Review into Safeguarding Practices in the Diocese of Cloyne Dec. 2013. It conforms to the requirements of relevant government guidance and legislation, to the criteria prescribed by the NBSCCI'S *Standards and Guidance Document for the Catholic Church in Ireland and with the recommendations of the Review of Safeguarding Practice in the Diocese of Cloyne* (Dec 2013). It replaces the policy document *Safeguarding Children In The Diocese Of Cloyne* (Oct. 2010), which in turn replaced an earlier policy document *Child Protection in the Diocese of Cloyne* (2007).

Significant changes were necessitated by the *Children First 2011* document, by the *National Vetting Bureau (Children and Vulnerable Persons) Act 2012* and many changes resulted from the consultation processes via meetings with priests at diocesan and deanery level, meetings with the Vicars Forane, with the Designated Liaison Persons, parish information meetings, feedback from the Biennial Safeguarding Children Conferences, from discussions with parish safeguarding representatives and from discussion and feedback at training and consultation with children. Additional policy items arising from the *Review of Safeguarding Practice in the Diocese of Cloyne* (Dec 2013) include *The Whistleblowing Policy* and *The Established Communications Policy*.

Safeguarding Children in the Diocese of Cloyne (November 2014)

A notable feature of this policy document is the extensive information that it provides aimed at better equipping everyone to competently contribute to the creation of a safe environment for children and vulnerable persons in all areas of Church life and activity.

We acknowledge the support of Bishop William Crean, the support and effective implementation by many committed Priests, Parish Safeguarding Representatives, Parish Safeguarding Committees and we acknowledge the professionalism and dedication of *all* of the Church personnel, staff and volunteers that constitute a very comprehensive safeguarding structure of the Diocese of Cloyne.

This policy will be reviewed annually and in response to changing circumstances.

It should be noted that the status of elements of this policy which arise from the The National Vetting Bureau (Children and Vulnerable Persons) Act 2012, will be subject to the date on which that act is commenced by signature of the relevant minister.

- *Cloyne Diocesan Safeguarding Children Committee (CDSCC)*
- *November 2014*

CONTACT DETAILS FOR CHILD SAFEGUARDING AND COUNSELLING SERVICES

If you, or anyone you know, has a child protection concern, or wishes to report an allegation of child abuse directly to Church Authorities, please contact the Designated Liaison Person (DLP).

Designated Liaison Person (DLP):

Phone Number: 086 0368999

Deputy Designated Liaison Person (DDL):

If you, or anyone you know, has a child protection concern or, wishes to report an allegation directly to the Statutory Authorities, please contact the Garda or Tusla (Child and Family Agency) and ask to speak to the Duty Social Worker.

Tusla (Child and Family Agency)

Mallow / Fermoy

Phone Number: 022 – 54100

Cobh / Middleton / Macroom

Phone Number: 021 – 4927000

Local Garda Station

Phone Number: _____

In cases of emergency please contact An Garda Síochána.

HSE HELPLINES

[HSE Information Helpline](#) Open Monday to Saturday, 8am - 8pm ; **1850 24 1850**

If you are concerned about Elder Abuse you can also contact your [GP](#) or a [Senior Case Worker for the Protection of Older People](#).

Safeguarding Children in the Diocese of Cloyne (November 2014)

[Open your Eyes to Elder Abuse](#) - Please click on this link if you would like answers to some common questions about elder abuse; information on seeking help; or further resources for viewing and listening.

Website: <http://www.hse.ie> Email: info@hse.ie

[Senior Help Line](#) - For the price of a local call, Senior Help Line offers a confidential listening service anywhere in Ireland for older people by older people.

Open daily, 10am - 10pm, 365 days a year: **1850 440 444**

For further HSE services see www.hse.ie

AN GARDA SÍOCHÁNA – DIVISIONAL OFFICES WITHIN THE DIOCESE:

Cobh Garda Station	Tel: 021-4908530
Mallow Garda Station	Tel: 022-31450
Midleton Garda Station	Tel: 021-4621550
Macroom Garda Station	Tel: 026-20590
Kanturk Garda Station	Tel: 029-20680
Youghal Garda Station	Tel: 024 92200
Fermoy Garda Station	Tel: 025-82100

For further information on local Garda stations – www.garda.ie

NATIONAL OFFICE FOR SAFEGUARDING CHILDREN

All Church organisations and personnel can access specialist advice about safeguarding children issues through the National Board (NBSCCCI) by contacting:

National Office for Safeguarding Children in the Catholic Church in Ireland
New House
Saint Patrick's College
Maynooth, Co.Kildare
Tel: 01 505 3124
Fax: 01 505 3026
Website: www.safeguarding.ie

TOWARDS HEALING

A FREE AND CONFIDENTIAL HELPLINE AND COUNSELLING REFERRAL
SERVICE FOR SURVIVORS OF CLERICAL AND RELIGIOUS ABUSE .

Safeguarding Children in the Diocese of Cloyne (November 2014)

Towards Healing, which has replaced Faoiseamh, will provide a more enhanced service for survivors of clerical and religious abuse, irrespective of where they are currently living. The enhanced service will include telephone counselling, a psychotherapy referral service, healing meetings, groupwork, practical workshops and a bridging service designed to link clients to services relevant to their needs.

Contact will be provided with accredited psychotherapists in your area for face to face psychotherapy, with the fees arising being paid directly to your psychotherapist by Towards Healing. Towards Healing can provide and pay for counselling for spouses/partners, parents and children of survivors of clerical/religious abuse.

Helpline Hours

Mondays & Wednesdays **11.00 am – 8.00pm**

Fridays **11.00am – 4.00pm**

Freephone (Ire) **1800-303416**

Or contact:

info@towardshealing.ie

<http://www.towardshealing.ie>

Towards Healing is a Catholic Church response to Clerical/Religious abuse

CONNECT

Connect is a free phone counselling service for any adult who has experienced abuse, trauma or neglect in childhood. The service is also available to partners or relatives of people with these experiences. With Connect you can talk in confidence with a trained counsellor who can listen or help with questions you have. Connect is an out of hours service available Wednesday to Sunday, from 6-10pm.

To speak to a counsellor call: **1800 477 477 - Freephone counselling and support service**

Website: www.connectcounselling.ie

NATIONAL COUNSELLING SERVICE (NCS)

The **HSE National Counselling** service is in place to listen to, value and understand those who have been abused in childhood. The service is a professional, confidential counselling and psychotherapy service and is available free of charge in all regions of the country (see www.hse-ncs.ie/en). The service can be accessed either through healthcare professionals or by way of self-referral (**Freephone 1800 477477**)

CHILDLINE

Provides a 24 hour listening service for all children up to the age of 18.

Tel: 1800 66 66 66

Text talk 501 01

www.childline.ie

BARNARDOS **1850 222 300**

ISPCC

The Irish Society for the Prevention of Cruelty to Children Tel: 01 67 67 960 www.ispcc.ie

PART 1

- Section 1: Cloyne Diocesan Policy Statement key messages and guiding principles
- Section 2: Procedures - The 3 R's: Recognising, Responding and Reporting
- Section 3: Prevention
- Section 4: Training
- Section 5: Communicating the Church's Safeguarding Message
- Section 6: Access to advice and support
- Section 7: Implementing and monitoring
- Section 8: Structures for safeguarding children and descriptions of roles and responsibilities

Section 1

DIOCESE OF CLOYNE

1.1 Policy statement on safeguarding children and vulnerable persons

The Diocese of Cloyne recognises and upholds the dignity of all children and vulnerable adults and is committed to ensuring their safety and wellbeing. Each child shall be cherished and affirmed as a gift from God with an inherent right to dignity of life and bodily integrity which shall be respected, nurtured and protected by all. Everyone in the Church has an obligation to ensure that the fundamental rights of children are respected.

The diocese values and encourages the participation of young people in all parish liturgies and in all activities that enhance their spiritual, physical, emotional, intellectual and social development.

Above all, the diocese recognises the need to safeguard children and young people. It aims to do this in a way that promotes their human dignity, integrity and worth as children of God.

The diocese recognises that, while safeguarding children is primarily the responsibility of parents it is indeed everyone's responsibility. In particular, all involved in working with children and young people have a special duty of care towards them. The diocese has committed itself to putting procedures in place through which this care is put into effect. All Church personnel, staff and volunteers must comply with the safeguarding children policy and procedures of this diocese.

1.2 A GOSPEL IMPERATIVE FOR CATHOLICS

SAFEGUARDING CHILDREN AND VULNERABLE PERSONS IS A PRACTICAL LIVING OUT OF THE BAPTISMAL VOCATION OF EVERY INDIVIDUAL MEMBER OF THE CATHOLIC CHURCH.

1.3 Declaration regarding this policy document: All priests and all other personnel involved in diocesan and parish activities that involve children in any way will sign and return to the Safeguarding Office a declaration that they have received, read a copy of the diocesan safeguarding children policy and will abide with the requirements of that document.

In addition the bishop must ensure that appropriate training and induction is provided to those in safeguarding roles on the new policy document - **Recommendation 1 of Review of Safeguarding Practice in the Diocese of Cloyne Dec 2013**

1.4 Guiding Principles

1. That all children have a fundamental right to be respected, nurtured, cared for and safeguarded.
2. That this right is embedded in Gospel values, best practice guidelines and international and domestic laws.
3. That in the light of the teaching of the Church, civil legislation and guidance, every part of the Church must be committed to taking the necessary steps to:
 - Demonstrate that the right of the child to protection from harm is paramount.
 - Cherish and safeguard children and young people.
 - Foster best practice.
 - Demonstrate accountability through establishing effective structures.
 - Support Church organisations¹ and personnel in safeguarding children.
 - Establish clear recruitment and selection procedures for all Church staff and volunteers – aimed at preventing those who pose a risk to children from holding positions of trust.
 - Maintain codes of behaviour – having clear guidelines that set out what is and is not acceptable behaviour as an essential part of keeping children safe.
 - Operate safe activities for children – helping ensure they can play and learn in a safe environment.
 - Report safeguarding concerns to the civil authorities without delay.

1.5 The commitment of the Diocese of Cloyne

The diocese has committed itself to ensuring that all aspects of safeguarding children are managed professionally, promptly and justly and in the light of Church teaching, civil legislation and guidance. In keeping with this commitment, the diocese will provide:

- Information, structures and mechanisms to facilitate recognition of, responding to and reporting of child abuse and procedures and guidelines to ensure appropriate responses to reports of alleged abuse.
- Comprehensive, effective verifiable procedures, strategies and mechanisms for prevention of child abuse including safe recruitment, Garda vetting, running safe activities for children and complaints procedures and other guidance.
- Training and education to equip Church personnel staff and volunteers for their roles, with particular reference to the requirements of the safeguarding policy of the diocese.
- Communications policies that commit the diocese to openness and transparency and that outline strategies to help make the diocesan safeguarding message widely known and understood while also giving due consideration to the needs of those with visual, aural or literacy limitations.
- Access to advice and support for complainants and respondents.
- Safeguarding structures, mechanisms and personnel to facilitate full implementation of diocesan safeguarding policy and procedures and to regularly monitor and report on the extent and effectiveness of compliance.

¹ 'Organisation' is used as a generic term to cover a wide range of agencies, clubs or groups where activities or services are provided for children. Some of these might include: youth groups, faith based organisations, pre-school groups, out of school groups, day care agencies, leisure groups, recreational groups, drama and arts activities, holiday/play schemes, services provided by international development or aid agencies, and any other groups working with children or young people. It includes sports organisations but these are not covered by this publication.

Safeguarding Children in the Diocese of Cloyne (November 2014)

The diocese is committed to working in partnership with the statutory authorities. The diocese will adhere to statutory policy, National Guidelines for the Protection and Welfare of Children² and to instructions, guidelines and procedures issued by the National Board for Safeguarding Children in the Catholic Church in Ireland (NBSCCCI).

A policy summary in the form of the structures *For Safeguarding Children And Descriptions Of Roles And Responsibilities* is provided in Section 8 of Part 1. The summary is designed to provide you, the user with a broad overview.

1.6 The obligation of Catholics to safeguard children

The safeguarding obligations of Catholics do not arise solely from contact with children, but arise from:

- (i) The gospel imperative of Matthew (19:14).
- (ii) The living out of their baptismal vocation.
- (iii) The requirement to adhere to the policy of the Diocese of Cloyne.

² *Children first* National Guidelines For The Protection Of Children (1999) and subsequent guidelines.

Section 2

DEFINITIONS, RECOGNISING, RESPONDING AND REPORTING

Aim: Provision of comprehensive information, structures and mechanisms to facilitate recognition of, responding to and reporting of child abuse and procedures and guidelines to ensure appropriate responses to reports of alleged abuse.

This section defines the principal types of child abuse and offers guidance on how to **recognise** such abuse, how to **respond** to concerns/allegations of abuse and how to **report** them.

Child abuse can be categorised into four different types: neglect, emotional abuse, physical abuse and sexual abuse. A child may be subjected to one or more forms of abuse at any given time.

2.1 Definitions

A child³ means a person under the age of 18 years, excluding a person who is or has been married³.

“Vulnerable person”⁴ means person, other than a child who-

- (a) is suffering from a disorder of the mind, whether as a result of mental illness or dementia,
- (b) has an intellectual disability,
- (c) is suffering from a physical impairment, whether as a result of injury, illness or age, or
- (d) has a physical disability, which is of such a nature or degree –
 - (i) as to restrict the capacity of the person to guard himself or herself against harm by another person, or
 - (ii) that results in the person requiring assistance with activities of daily living including dressing, eating, walking, washing and bathing.

2.1.1 Definition of ‘neglect’⁵

Child neglect is the most frequent category of abuse, both in Ireland and internationally. In addition to being the most frequently reported type of abuse; neglect is also recognised as

³ The Children First National Guidance for the Protection and Welfare of Children 2011.

⁴ Definition taken from the *National Vetting Bureau (Children and Vulnerable Persons) Act 2012*

⁵ These definitions of the forms of abuse are taken from Children First: National Guidance for the Protection and Welfare of Children 2011

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being the most harmful. Not only does neglect generally last throughout a childhood, it also has long-term consequences into adult life (Children First 2011)

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

Harm can be defined as the ill-treatment or the impairment of the health or development of a child. Whether it is significant is determined by the child's health and development as compared to that which could reasonably be expected of a child of similar age.

Neglect generally becomes apparent in different ways over a period of time rather than at one specific point. For example, a child who suffers a series of minor injuries may not be having his or her needs met in terms of necessary supervision and safety. A child whose height or weight is significantly below average may be being deprived of adequate nutrition. A child who consistently misses school may be being deprived of intellectual stimulation.

The threshold of significant harm is reached when the child's needs are neglected to the extent that his or her well-being and/or development are severely affected.

2.1.2 Definition of 'emotional abuse'

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

- (i) the imposition of negative attributes on a child, expressed by persistent criticism, sarcasm, hostility or blaming;
- (ii) conditional parenting in which the level of care shown to a child is made contingent on his or her behaviours or actions;
- (iii) emotional unavailability of the child's parent/carer;
- (iv) unresponsiveness of the parent/carer and/or inconsistent or inappropriate expectations of the child;
- (v) premature imposition of responsibility on the child;
- (vi) unrealistic or inappropriate expectations of the child's capacity to understand something or to behave and control himself or herself in a certain way;
- (vii) under- or over-protection of the child;
- (viii) failure to show interest in, or provide age-appropriate opportunities for, the child's cognitive and emotional development;
- (ix) use of unreasonable or over-harsh disciplinary measures;
- (x) exposure to domestic violence;
- (xi) exposure to inappropriate or abusive material through new technology.

Emotional abuse can be manifested in terms of the child's behavioural, cognitive, affective or physical functioning. Examples of these include insecure attachment, unhappiness, low self-esteem, educational and developmental underachievement, and oppositional behaviour.

The threshold of significant harm is reached when abusive interactions dominate and become typical of the relationship between the child and the parent/carer.

2.1.3 Definition of ‘physical abuse’

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

Physical abuse can involve:

- (i) severe physical punishment;
- (ii) beating, slapping, hitting or kicking;
- (iii) pushing, shaking or throwing;
- (iv) pinching, biting, choking or hair-pulling;
- (v) terrorising with threats;
- (vi) observing violence;
- (vii) use of excessive force in handling;
- (viii) deliberate poisoning;
- (ix) suffocation;
- (x) fabricated/induced illness
- (xi) allowing or creating a substantial risk of significant harm to a child.

2.1.4 Definition of ‘sexual abuse’

Sexual abuse occurs when a child is used by another person for his or her gratification or sexual arousal, or for that of others. Examples of child sexual abuse include:

- (i) exposure of the sexual organs or any sexual act intentionally performed in the presence of the child;
- (ii) intentional touching or molesting of the body of a child whether by a person or object for the purpose of sexual arousal or gratification;
- (iii) sexual activity in the presence of the child or the involvement of the child in an act of sexual activity;
- (iv) any form of sexual intercourse with the child.
- (v) sexual exploitation of a child, which includes inciting, encouraging, propositioning, requiring or permitting a child to solicit for, or to engage in, prostitution or other sexual acts. Sexual exploitation also occurs when a child is involved in the exhibition, modeling or posing for the purpose of sexual arousal, gratification or sexual act, including its recording (on film, video tape or other media) or the manipulation, for those purposes, of the image by computer or other means. It may also include showing sexually explicit material to children, which is often a feature of the ‘grooming’ process by perpetrators of abuse.
- (vi) consensual sexual activity involving an adult and an underage person. **In relation to child sexual abuse, it should be noted that, for the purposes of the criminal law, the age of consent to sexual intercourse is 17 years for both boys and girls.** An Garda Síochána will deal with the criminal aspects of the case under the relevant legislation.

It should be noted that the definition of child sexual abuse presented in this section is not a legal definition and is not intended to be a description of the criminal offence of sexual assault.

RECOGNISING

2.2 General Guidance on Recognising Child Abuse –

Recognising child abuse is not easy, and it is not your responsibility to decide whether or not child abuse has taken place. You do however have a responsibility and duty to act in order that the statutory agencies can investigate and take any necessary action to protect a child. The following information should help you to be more alert to the signs of possible abuse.

Child neglect or abuse can often be difficult to identify and may present in many forms. No one indicator should be seen as conclusive in itself of abuse. It may indicate conditions other than child abuse. All signs and symptoms must be examined in the context of the child's situation and family circumstances. (A list of indicators of child abuse is contained in Appendix 1 Children First: National Guidance for the Protection and Welfare of Children 2011).

Guidelines for recognition

The ability to recognise child abuse can depend as much on a person's willingness to accept the possibility of its existence as it does on their knowledge and information.

There are commonly three stages in the identification of child neglect or abuse:

- (i) Considering the possibility;
- (ii) Looking out for signs of neglect or abuse;
- (iii) Recording of information.

Stage 1: Considering the possibility

The possibility of child abuse should be considered if the child:

- Appears to have suffered a suspicious injury for which no reasonable explanation can be offered.
- Seems distressed without obvious reason.
- Displays persistent or new behavioural problems.
- Displays unusual or fearful responses to parents/carers or older children

A pattern of ongoing neglect should also be considered even when there are short periods of improvement.

Stage 2: Looking out for signs of neglect or abuse

- Signs of neglect or abuse can be physical, behavioural or developmental.
- They can exist in the relationships between children and parents/carers or between children and other family members/other persons.
- A cluster or pattern of signs is more likely to be indicative of neglect or abuse.
- Children who are being abused may hint that they are being harmed and sometimes make direct disclosures.
- Disclosures should always be taken very seriously and should be acted upon, for example, by informing the Tusla (The Child and Family Agency).
- The child should not be interviewed in detail about the alleged abuse without first consulting with the Tusla (The Child and Family Agency). This may be more appropriately carried out by a social worker or An Garda Síochána.
- Less obvious signs could be gently explored with the child, without direct questioning.

Some signs are more indicative of abuse than others. These include:

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- (i) disclosure of abuse by a child or young person;
- (ii) age-inappropriate or abnormal sexual play or knowledge;
- (iii) specific injuries or patterns of injuries;
- (iv) absconding from home or a care situation;
- (v) attempted suicide;
- (vi) underage pregnancy or sexually transmitted disease;
- (vii) signs in one or more categories at the same time. For example, signs of developmental delay, physical injury and behavioural signs may together indicate a pattern of abuse.

Many signs of abuse are non-specific and must be considered in the child's social and family context.

It is important to be open to alternative explanations for physical or behavioural signs of abuse.

Stage 3: Recording of information

If neglect or abuse is suspected and acted upon, for example, by informing the Designated Liaison Person or Tusla (The Child and Family Agency), it is important to:

- Establish the grounds for concern by obtaining as much information as possible.
- Accurately record observations and include dates, times, names, locations, context and any other information that may be relevant.
- Take care as to how such information is stored and to whom it is made available.

2.2.1 Recognising Neglect

How to recognise neglect

Neglect can be a difficult form of abuse to recognise, yet have some of the most lasting and damaging effects on children.

(i) Child neglect should be suspected in cases of:

- abandonment or desertion;
- children persistently being left alone without adequate care and supervision
- malnourishment, lacking food, inappropriate food or erratic feeding;
- lack of warmth;
- lack of adequate clothing;
- inattention to basic hygiene;
- lack of protection and exposure to danger, including moral danger or lack of supervision appropriate to the child's age;
- persistent failure to attend school;
- non-organic failure to thrive, i.e. child not gaining weight due not only to malnutrition but also to emotional deprivation;
- failure to provide adequate care for the child's medical and developmental problems;
- exploited, overworked.

(ii) The physical signs of neglect may include:

- constant hunger, sometimes stealing food from other children
- constantly dirty or 'smelly'
- loss of weight, or being constantly underweight

- inappropriate dress for the conditions

(iii) Changes in behaviour which can also indicate neglect may include:

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

These definitions and indicators are not meant to be definitive but only to serve as a guide to assist you. It is important too, to remember that many children and young people will exhibit some of these indicators at some time, and that the presence of one or more should not be taken as proof that abuse is occurring. There may well be other reasons for changes in behaviour such as a death or the birth of a new baby in their family or relationship problems between their parents/carers etc.

2.2.2 Recognising Emotional Abuse (i.e. emotional neglect and emotional abuse)

How to recognise emotional abuse

Emotional abuse can be difficult to measure, and often children who appear well cared for may be emotionally abused by being taunted, put down or belittled. They may receive little or no love, affection or attention from their parents or carers. Emotional abuse can also take the form of children not being allowed to mix/play with other children.

(i) Signs and symptoms of emotional neglect and abuse

Emotional neglect and abuse is found typically in a home lacking in emotional warmth. It is not necessarily associated with physical deprivation. The emotional needs of the children are not met; the parent's relationship to the child may be without empathy and devoid of emotional responsiveness.

Emotional neglect and abuse occurs when adults responsible for taking care of children are unaware of and unable (for a range of reasons) to meet their children's emotional and developmental needs. Emotional neglect and abuse is not easy to recognise because the effects are not easily observable. Skuse (1989) states that 'emotional abuse refers to the habitual verbal harassment of a child by disparagement, criticism, threat and ridicule, and the inversion of love, whereby verbal and non-verbal means of rejection and withdrawal are substituted'.

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

- rejection;
- lack of comfort and love;
- lack of attachment;
- lack of proper stimulation (e.g. fun and play);
- lack of continuity of care (e.g. frequent moves, particularly unplanned);
- continuous lack of praise and encouragement;
- serious over-protectiveness;

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- inappropriate non-physical punishment (e.g. locking in bedrooms);
- family conflicts and/or violence;
- every child who is abused sexually, physically or neglected is also emotionally abused;
- inappropriate expectations of a child relative to his/her age and stage of development.

(ii) The physical signs of emotional abuse may include:

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

(iii) Changes in behaviour which can also indicate emotional abuse include:

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

Children who are physically and sexually abused and neglected also suffer from emotional abuse

2.2.3 Recognising Physical Abuse

Most children will collect cuts and bruises in their daily life. These are likely to be in places where there are bony parts of their body, like elbows, knees and shins. Some children, however, will have bruising which can almost only have been caused non-accidentally.

An important indicator of physical abuse is where bruises or injuries are unexplained or the explanation does not fit the injury or when it appears on parts of the body where accidental injuries are unlikely, e.g., on the cheeks or thighs.

A delay in seeking medical treatment when it is obviously necessary is also a cause for concern. Bruising may be more or less noticeable on children with different skin tones or from different racial groups and specialist advice may need to be taken.

(i) Signs and symptoms of physical abuse

Unsatisfactory explanations, varying explanations, frequency and clustering for the following events are high indices for concern regarding physical abuse:

- bruises (see (ii) below for detail)
- fractures;
- swollen joints;
- burns/scalds
- abrasions/lacerations;
- haemorrhages (retinal, subdural);
- damage to body organs;
- poisonings – repeated (prescribed drugs, alcohol);
- failure to thrive;

- coma/unconsciousness;
- death.
- unexplained bruising, marks or injuries on any part of the body
- bruises which reflect hand marks or fingertips (from slapping or pinching)
- cigarette burns
- bite marks
- broken bones

There are many different forms of physical abuse, but skin, mouth and bone injuries are the most common.

(ii) Changes in behaviour which can also indicate physical abuse:

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

2.2.4 Recognising Sexual Abuse

How to recognise sexual abuse

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

Child sexual abuse often covers a wide spectrum of abusive activities. It rarely involves just a single incident and usually occurs over a number of years. Child sexual abuse most commonly happens within the family.

(i) Signs and symptoms of sexual abuse

Carers and professionals should be alert to the following physical and behavioural signs:

- bleeding;
- sexually transmitted disease
- an infection may occur secondary to sexual abuse, which may or may not be a definitive sexually transmitted disease.
- pain or itching in the genital area
- bruising or bleeding near genital area
- vaginal discharge or infection
- Professionals should be informed if a child has a persistent vaginal discharge or has warts/rash in genital area;
- stomach pains
- discomfort when walking or sitting down
- pregnancy
- noticeable and uncharacteristic change of behaviour;
- hints about sexual activity;

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- age-inappropriate understanding of sexual behaviour;
- inappropriate seductive behaviour;
- sexually aggressive behaviour with others;
- uncharacteristic sexual play with peers/toys;
- unusual reluctance to join in normal activities that involve undressing, e.g. games/swimming.

(ii) Changes in behaviour which can also indicate sexual abuse include:

- sudden or unexplained changes in behaviour e.g. becoming aggressive or withdrawn
- fear of being left with a specific person or group of people
- having nightmares
- running away from home
- sexual knowledge which is beyond their age, or developmental level
- sexual drawings or language
- bedwetting
- eating problems such as overeating or anorexia
- self harm or mutilation, sometimes leading to suicide attempts
- saying they have secrets they cannot tell anyone about
- substance or drug abuse
- suddenly having unexplained sources of money
- not allowed to have friends (particularly in adolescence)
- acting in a sexually explicit way towards adults

All signs/indicators need careful assessment relative to the child's circumstances.

It is important to note that physical signs may not be evident in cases of sexual abuse due to the nature of the abuse and/or the fact that the disclosure was made some time after the abuse took place.

Particular behavioural signs and emotional problems suggestive of child abuse in young children (aged 0-10 years) include:

- mood change where the child becomes withdrawn, fearful, acting out;
- lack of concentration, especially in an educational setting;
- bed wetting, soiling;
- pains, tummy aches, headaches with no evident physical cause;
- skin disorders;
- reluctance to go to bed, nightmares, changes in sleep patterns;
- school refusal;
- separation anxiety;
- loss of appetite, overeating, hiding food.

Particular behavioural signs and emotional problems suggestive of child abuse in older children (aged 10+ years) include:
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- depression, isolation, anger;
- running away;
- drug, alcohol, solvent abuse;
- self-harm;
- suicide attempts;
- missing school or early school leaving;

- eating disorders.

2.2.5 Children with additional vulnerabilities

Certain children are more vulnerable to abuse than others. Such children include those with disabilities, children who are homeless and those who, for one reason or another, are separated from their parents or other family members and who depend on others for their care and protection. The same categories of abuse – neglect, emotional abuse, physical abuse and sexual abuse – are applicable, but may take a slightly different form. For example, abuse may take the form of deprivation of basic rights, harsh disciplinary regimes or the inappropriate use of medications or physical restraints

2.2.6 Points to remember

(i) The severity of a sign does not necessarily equate with the severity of the abuse.

Severe and potentially fatal injuries are not always visible. Neglect and emotional and/or psychological abuse tend to be cumulative and effects may only be observable in the longer term. Explanations that are inconsistent with the signs should constitute a cause for concern.

(ii) Neglect is as potentially fatal as physical abuse.

It can cause delayed physical, psychological and emotional development, chronic ill-health and significant long-term damage. It may place children at serious risk of harm. It may also precede, or co-exist with, other forms of abuse and must be acted upon.

(iii) Experiencing recurring low-level abuse may cause serious and long-term harm.

Cumulative harm refers to the effects of multiple adverse circumstances and events in a child's life. The unremitting daily impact of these circumstances on the child can be profound and exponential, and diminish a child's sense of safety and well-being.

(iv) Child abuse is not restricted to any socio-economic group, gender or culture.

All signs must be considered in the wider social and family context. Serious deficits in child safety and welfare transcend cultural, social and ethnic norms, and must elicit a response.

(v) Challenging behaviour by a child or young person should not render them liable to abuse

Children in certain circumstances may present management problems. This should not leave them vulnerable to harsh disciplinary measures or neglect of care.

(vi) Exposure to domestic violence is detrimental to children's physical, emotional and psychological well-being.

The adverse effects of domestic violence have been well established.

(vii) While the impact of neglect is most profound on young children, it also adversely affects adolescents.

Neglect renders young people liable to risk-taking behaviors, such as running away, early school leaving, anti-social behavior, mental health and addiction problems, including the risk of suicide.

(viii) It is sometimes difficult to distinguish between indicators of child abuse and other adversities suffered by children and families.

Deprivation, stress, addiction or mental health problems should not be used as a justification for omissions of care or commissions of harm by parents/carers. The child's welfare must be the primary consideration.

(ix) Neglectful families may be difficult to engage.

Research shows that families may be reluctant to seek help in response to experiencing the factors associated with neglect.

2.2.7 Important for professionals/social workers

(i) Families where neglect and abuse are prevalent may go to considerable lengths to deceive professionals.

It is important for professionals to approach cases with a wary trustfulness, seek evidence to substantiate claims of improvement and speak with the children concerned individually.

(ii) Social workers need good observation and analytical skills in order to be able to understand the nature of the relationship between a parent and child, to understand signs of non-compliance, to work alongside a family and to come to safe and evidence-based judgements about the best course of action.

(iii) Working in the area of child abuse and neglect is dealing with uncertainty.

Social workers and other professionals should adopt a 'respectful uncertainty' on parental reporting of improvement until supported by clear evidence

2.2.8 Fatal child abuse

In the tragic circumstances where a child dies as a result of abuse or neglect, there are **four important aspects to be considered**: criminal, child protection, bereavement and notification.

(i) Criminal aspects:

This is the responsibility of An Garda Síochána and they must be notified immediately. The Coroner must also be notified and his or her instructions complied with in relation to post-mortems and other relevant matters.

(ii) Child protection aspects:

These will be particularly relevant if there are other children in the family/ in the same situation, and will therefore require immediate intervention by the HSE Children and Family Services to assess risk.

(iii) Bereavement aspects:

The bereavement needs of the family must be respected and provided for and all family members should be given an opportunity to grieve and say goodbye to the deceased child.

(iv) Notification aspects:

The HSE should notify the death of a child to the National Review Panel and to the Health Information and Quality Authority in accordance with the HIQA's Guidance for the Health Service Executive for the Review of Serious Incidents, including deaths of children in care (HIQA, 2010):

- all deaths of children in care, including natural causes;
- all deaths of children known to the child protection system;
- serious incidents involving a child in care or known to the child protection services.

Managers and staff should cooperate fully with any review undertaken to establish the facts of the case and any actions that should be taken, to identify learning that will improve services in the future and to provide assurance to the public.

2.3 RESPONDING

2.3.1 Responding to concerns, suspicions, allegations and disclosures of abuse involving Church personnel, staff and volunteers

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

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

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

This procedure applies to all Church staff and volunteers.

2.3.2 Initial contact

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

Remember! It is not your role to investigate.

(i) If you receive a concern, suspicion, disclosure or allegation of abuse, you must act immediately and refer the matter to your Designated Liaison Person (DLP) or Deputy Designated Liaison Person (DDL) as soon as possible.

The Designated Liaison Person (DLP) will refer the complaint to the HSE / An Garda Síochána.

(ii) Whenever possible and practical, take notes during the conversation. Always ask permission to do this and explain the importance of recording all information. Where it is not appropriate to make notes at the time, make a written record as soon as possible afterwards and in any case before the end of the day.

(iii) Record the time, date, location (or if the matter has been communicated by letter or telephone), and persons present. The record should be signed and dated by the author. The record would also normally include:

- a. accurate identifying information as far as it is known. This should include the name and address of the person who has raised a concern (as well as their date of birth, and parents'/carers' names and addresses where the person who has raised a concern/allegation is a child)
- b. the name of the individual against whom the concern/allegation is being raised and any other identifying information
- c. as much information as possible about the circumstances that led to the concern/allegation being raised, why is the person worried about the welfare and safety of the child or children
- d. dates when the concern arose, or when the incident(s) occurred
- e. circumstances in which the concern arose, or the incident(s) occurred

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- f. any explanation offered to account for the risk, injury or concern
- g. the child's own statement using the words they used to describe the events or incident(s), if possible. Do not make assumptions about the intended meaning of words used
- h. details of any action already taken about the incident/concern/allegation
- i. any views expressed by the child's parent(s) or guardian(s) about the matter.

(iv) Do not be selective. Include detail which to you may seem irrelevant. It may prove invaluable at a later stage in an investigation.

(v). Use the official form for this purpose. This initial recording will form the first entry in a file of information about the case which will be retained by the relevant Designated Liaison Person (DLP).

Forms are available for download from the dedicated safeguarding children website: www.safeguardingchildrenclayne.ie

(vi) All original records, including rough notes, must be passed immediately to the relevant Designated Liaison Person. Any copies of records retained must be kept secure and confidential.

(vii) See Section 2.4 Reporting for comprehensive information on how to report concerns/allegations.

Various reporting options are outlined but nonetheless information about the existence of a potential allegation **must** always be communicated to the Designated Liaison Person.

(viii) In cases of emergency, where a child appears to be at immediate and serious risk, an immediate report should be made to the TUSLA Child and Family Agency as well as to the relevant Designated Liaison Person (DLP). Where the appropriate TUSLA Child and Family Agency staff are not available, An Garda Síochána should be contacted to ensure that **under no circumstances a child is left in a dangerous situation pending TUSLA Child and Family Agency intervention.**

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

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

(x) **Confidentiality:** It is important not to discuss the incident/concern with anyone other than those detailed in these procedures.

2.3.3 Guidance on how to respond to people making an allegation

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

(i) People may tell you about:

- abuse that's happened to them now – current abuse
- abuse that happened to them some time ago – historical
- something they've been told by someone else and that they strongly believe is true

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- seeing signs of abuse, such as physical injuries on a child
- something that they have witnessed, such as the behaviour of an adult to a child that made them feel uncomfortable.

(ii) Where information is given in person, consider the following.

- Listen carefully to that person, but do not ask intrusive or leading questions.
- Stay calm, take what the person raising the concern says seriously, and reassure them.
- Allow the person to continue at his/her own pace.
- Check with the person to make sure that you have understood what they actually said. Do not suggest words, but use theirs.
- Make no promises that cannot be kept, particularly in relation to secrecy, but listen carefully to what is being sought.
- Explain these procedures and the referral procedures to the person.
- Offer to accompany the person to the Support Person.
- Do not make any comments about the respondent, make assumptions or speculate.
- Be aware that a person's ability to recount his or her concern or allegation will depend on age, culture, nationality and upon any disability which may affect use of language and range of vocabulary.
- Adopt a listening style which is compassionate, calm and reassuring. If the information given to you shocks, disgusts or distresses you, do not allow these feelings to show. If you do, you may inadvertently dissuade the person from giving any further information
- Avoid statements about your belief or otherwise, of the information given.
- Do not question beyond checking what has been said. It is the job of the Health and Social Services / An Garda Síochána to investigate. There must be no probing for detail beyond that which has been freely given.

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

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

2.3.4 Responding to a child making an allegation of abuse

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

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

Do:

- stay calm
- listen carefully and take them seriously
- ask questions for clarification only if you are unclear what the child is saying
- allow the child to continue at his/ her own pace
- reassure the child that, in disclosing the abuse, they have done the right thing
- tell them they are not to blame for the abuse

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- let them know you will do what you can to help
- report the child's disclosure to your manager or the designated person immediately (or in the absence of the designated, or if the disclosure in any way involves the designated person, then seek advice from the National Safeguarding Board Support Team).

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

Do not:

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

Find an opportunity to explain that it is likely that this information will need to be shared with others and at the end of the discussion tell them what you plan to do next and with whom this information will be shared.

Remember: It is important that everyone in the organisation is aware that the person who first encounters a case of alleged or suspected abuse is **not** responsible for deciding whether or not abuse has occurred. That is a task for the professional safeguarding children agencies following a referral to them of the concerns about the child.

2.3.5 Listening to a person who admits abusing a child

It is necessary to tell a person who admits an offence against a child or young person that such information cannot be kept confidential. If such an admission is made to you, even where the admission relates to something which happened a long time ago, you must refer the matter to the Designated Liaison Person (DLP) as soon as possible who will follow the procedures for referral to the HSE / An Garda Síochána.

2.3.6 Anonymous allegations or concerns

Anonymous complaints are to be treated carefully. Anxiety and fear may persuade some people not to reveal their identity immediately. It is sometimes difficult to act on information under these procedures unless at some point the name of the person raising the concern/making an allegation becomes known. The person raising the concern should be informed that anonymity might restrict the ability of professionals to access information or to intervene to protect a child. As much openness as possible should be encouraged.

2.3.7 An appropriate and deliberate response to victims:

(i) The bishop will ensure that an appropriate and deliberate response to victims is established, including recruiting and training at least two lay people, a woman and a man, to act in a victim support role. (**Recommendation 3 of the Review into Safeguarding Practice in the Diocese of Cloyne Dec 2013**)

(See Section 6 Access to advice and support - including information on Towards Healing's help for survivors of abuse)

2.4 REPORTING

Key principles, responsibilities and reporting procedures

2.4.1 Key Principles

- The safety of the child is always paramount and must take priority
- Reports should be made without delay
- It is diocesan policy to report all concerns of a child protection nature to the civil authorities without delay.
- Investigation is a task for the professional Safeguarding Children agencies, following a referral to them of the concerns about the child. It is important that everyone in the organisation is aware that the person who first encounters a case of alleged or suspected abuse is not responsible for deciding whether abuse has occurred.

It is important to maintain confidentiality –you only reveal the details to those to whom you are making the report. Please refer to Confidentiality Statement

2.4.2 Responsibility to report child abuse or neglect

(i) Responsibility of the diocese: It is diocesan policy to report all concerns of a child protection nature to the civil authorities without delay. There are structures in place to enable reporting within the church context. (See reporting diagram).

(ii) Responsibilities of all agencies working with children: It is the responsibility of all agencies working with children and for the public to recognise child protection concerns and share these with the agencies responsible for assessing or investigating them, not to determine whether the child protection concerns are evidenced or not.

(iii) Responsibility of each individual: Everyone must be alert to the possibility that children with whom they are in contact may be suffering from abuse or neglect. This responsibility is particularly relevant for professionals including religious/faith sector and other organisations catering for children.

(iv) Responsibility of the Designated Liaison Person to notify civil authorities: Within the Church reporting structure, the mandatory notification of the civil authorities is usually done by the Designated Liaison Person (DLP) or Deputy Designated Liaison Person (DDLDP) in respect of concerns that are reported to them. (See reporting flow chart)

The TUSLA Child and Family Agency should always be informed when a person has reasonable grounds for concern that a child may have been, is being or is at risk of being abused or neglected.

Child protection concerns should be supported by evidence that indicates the possibility of abuse or neglect.

A concern about a potential risk to children posed by a specific person, even if the children are unidentifiable, should also be communicated to the TUSLA Child and Family Agency.

The duty to act

Safeguarding Children in the Diocese of Cloyne (November 2014)

(i) Any reasonable concern or suspicion of abuse or neglect must elicit a response. Ignoring the signals or failing to intervene may result in ongoing or further harm to the child.

(ii) **Reckless endangerment of children:** Section 176 of the Criminal Justice Act 2006 introduced the criminal charge of reckless endangerment of children. It states:

‘A person, having authority or control over a child or abuser, who intentionally or recklessly endangers a child by –

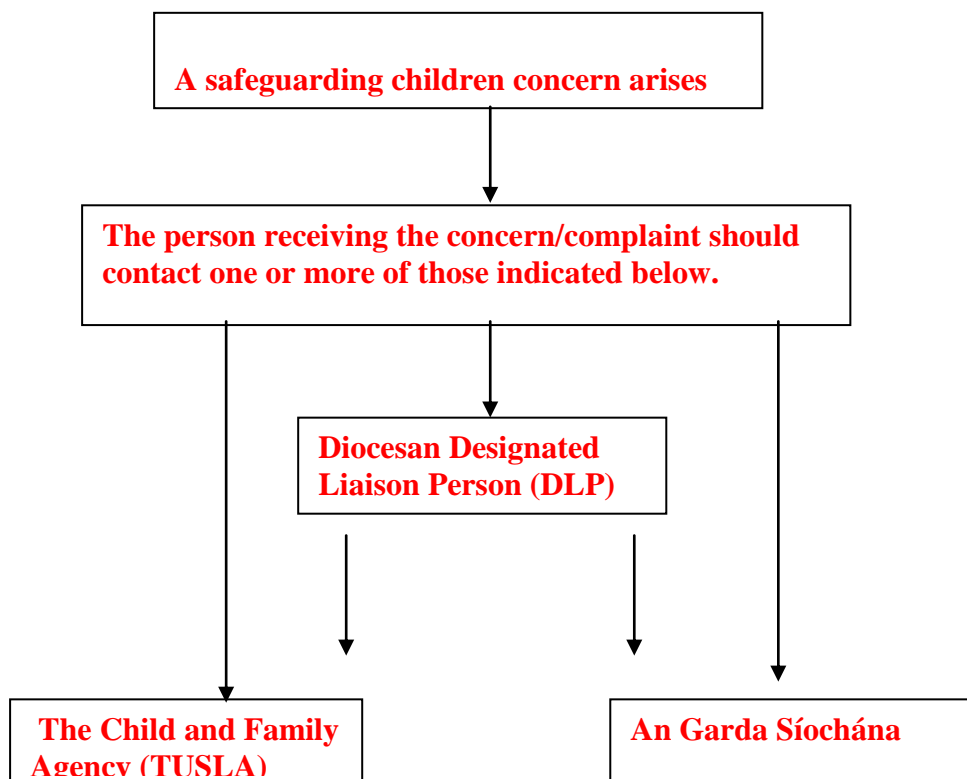
- causing or permitting any child to be placed or left in a situation which creates a substantial risk to the child of being a victim of serious harm or sexual abuse,
or
- failing to take reasonable steps to protect a child from such a risk while knowing that the child is in such a situation, is guilty of an offence.’

The penalty for a person found guilty of this offence is a fine (no upper limit) and/or imprisonment for a term not exceeding 10 years.

2.4.4 Reporting Procedures

These procedures set out the action that must be taken by a Church staff/volunteer if any concern, allegation, suspicion or disclosure, relating to safeguarding children is made.

The flow chart outlines the overall reporting picture. More detailed guidance on reporting is provided in Example A and Example B.



Procedures to follow for all Church staff and volunteers, and anyone else wishing to raise a concern, in which a member of Church staff or volunteer is the person against whom the allegation is being made.

Reporting Procedures -Example A

All Church staff and volunteers who wish to raise a concern, in which any member of Church staff or volunteer is the person against whom the allegation is being made, will normally:

**1. Report the concern to the
Designated Liaison Person (DLP)**

2 Designated Liaison Person (DLP) will

- (a) Pass on the information, as appropriate to the Gardai, The Child and Family Agency (TUSLA), and s/he will:
- (b) Notify, as appropriate the Bishop and Congregational Leader
- (c) Confirm in writing to the referrer of the information that the concern has been passed to the civil authorities, and if not why not

OR

All Church staff and volunteers and anyone else who wishes to raise a concern, in which any member of Church staff or volunteer is the person against whom the allegation is being made, may report the matter, as appropriate to the Gardai, The Child and Family Agency (TUSLA),.

*Please refer also to the Reporting Procedures - Example B outlined below.

Reporting Procedures –Example B

All Church staff and volunteers, and anyone else who wishes to raise a concern, in which a member of Church staff or volunteer is not the person against whom the allegation is being made, will normally:

Report the matter, as appropriate to the Gardai, The Child and Family Agency (TUSLA).

*The Whistleblowing policy is available in Part 2 of this document.

2.4.5 Reporting procedures: information for people who wish to raise a child safeguarding concern

(i) Ways that you might become aware of actual or likely occurrence of abuse.

There are a number of ways that you might become aware of actual or likely occurrence of abuse.

- You might be or have experienced it yourself
- Someone might tell you
- You might see physical injuries that have no satisfactory explanation
- A child's behaviour may indicate that s/he might be being abused
- Something about the behaviour of an adult in the Church, perhaps in the way they relate to a child, makes you feel uncomfortable in some way
- You might observe abuse

(ii) To whom should I talk?

If you wish to talk to someone about a concern or suspicion of abuse it is important to do so as soon as possible. You will be listened to and what you say will be taken seriously.

If you have suffered abuse in the past, again, please tell someone about the abuse. You will be listened to and what you have to say will be taken seriously.

Understandably, many people find it difficult to tell anyone about the abuse they have suffered.

It may be many years after the event before a disclosure is made, perhaps when the victim is an adult. Even then, the Church will act.

If you want to raise a concern or voice your suspicions, or make an allegation or disclosure, you can choose who to talk to. You may choose to contact the HSE or local Garda Síochána.

There are some people in the Church who have special safeguarding jobs; they are called Local or Parish Safeguarding Representatives (at least one in every parish) and Designated Liaison Person (DLP)s (at least one in every diocese and religious congregation). Details of your Diocesan/ Congregational Safeguarding Team can be found at the back of your local Church or via the relevant Diocesan or Congregation website. Alternatively, please contact the National Office for Safeguarding Children in the Catholic Church, and we will be able to give you the contact details.

Alternatively, you may prefer to tell someone in the Church that you already know, such as a priest or a youth leader. They will refer you to sources of support and also let the Designated Liaison Person (DLP) know that they need to address a child protection matter.

(iii) What happens next?

The Designated Liaison Person (DLP) will contact you to listen further to what you have to say. They will also explain to you what will happen next.

It will be necessary to give details of the matter you are raising, to certain other people externally, including the HSE and An Garda Síochána for their investigation. Once the civil authorities have looked into your concerns, there will be an internal Church Inquiry, the aim of which is to ensure the safety of other children.

All allegations or disclosures will be addressed sensitively, and in a timely manner.

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You will also be offered a Support Person to help and advise you of the process as any inquiry progresses.

If you are a child or you are raising a concern about a child, the Designated Liaison Person (DLP) will not interview a child, as he/she will not be trained to do so.

The Designated Liaison Person (DLP) will talk with the HSE / An Garda Síochána about what to do next.

In cases of emergency, where a child appears to be at an immediate and serious risk of harm, the Designated Liaison Person (DLP) will make an immediate referral to the / An Garda Síochána. You can also contact the Gardai and HSE if you are concerned about a child.

If your concern is about the behaviour or actions of an adult in the Church, then that person will be informed. He or she will be allowed to respond, unless to do so would put the child and others at greater risk. The person may also be asked to stand aside from his or her role while the matter is being investigated.

If the concern relates to abuse that has occurred to you in the past, following the civil authority investigation, the Designated Liaison Person (DLP) will ask you to provide a description of what happened, including the background and circumstances. You will be given plenty of time to do this.

The Designated Liaison Person (DLP) is not involved with the statutory investigation, but will keep in contact with the HSE / An Garda Síochána. The Designated Liaison Person (DLP) will normally be informed when the statutory investigation has concluded. The Church inquiry process will then continue.

What happens next may vary depending on whether the concern raised is about a priest or religious, or a lay employee or volunteer. This is because each is subject to their own internal procedures.

As the process unfolds, you will be regularly informed about what is happening.

For more details regarding the process, please refer to the – *Standards and Guidance Document for the Catholic Church in Ireland*. You can obtain this by contacting the National Office or visiting www.safeguarding.ie

2.4.6 Additional important information on reporting

(i) Professionals: Any professional who suspects child abuse or neglect should inform the parents/carers if a report is to be submitted to the TUSLA Child and Family Agency or to An Garda Síochána, unless doing so is likely to endanger the child.

(ii) Non-professionals: The TUSLA Child and Family Agency will respect the wishes of non-professionals reporting concerns in good faith who ask to remain anonymous in as much as possible, but cannot give a guarantee that the information would not be sought and given within judicial proceedings. (The Data Protection Acts offer protection under privacy, but should the information be sought directly within legal proceedings, there is no guarantee.)

(iii) Standard Reporting Procedure

Any person reporting a child abuse or neglect concern should do so without delay to the TUSLA Child and Family Agency. A report can be made in person, by telephone or in writing.

Before deciding whether or not to make a formal report, you may wish to discuss your concerns with a health professional or directly with the TUSLA Child and Family Agency. (See Contact Details for Child Safeguarding and Counselling Services – at the beginning of this policy document)

Under no circumstances should a child be left in a situation that exposes him or her to harm or to risk of harm pending TUSLA Child and Family Agency intervention. In the event of an emergency where you think a child is in immediate danger and you cannot get in contact with the TUSLA Child and Family Agency, you should contact the Gardaí. This may be done through any Garda station.

The Standard Report Form for reporting child welfare and protection concerns to the should be used by professionals, **staff and volunteers in organisations working with or in contact with children, or providing services to children** when reporting child protection and welfare concerns to the HSE Children and Family Services. If a report is made by telephone, this form should be completed and forwarded subsequently to the TUSLA Child and Family Agency.

The TUSLA Child and Family Agency will follow up on all referrals, even if the Standard Report Form has not been used.

Information to be included when making a report

The ability of the TUSLA Child and Family Agency or An Garda Síochána to assess and investigate suspicions or allegations of child abuse or neglect will depend on the amount and quality of information conveyed to them by the people reporting concerns. As much as possible of the following detail should be provided:

- (i) the name, address and age of the child (or children) for whom the report is being made;
- (ii) the name of the child's school;
- (iii) the name and contact details of the person reporting concerns;
- (iv) whether the person reporting is a professional, a person working with children or a member of the public;
- (v) the relationship to the child of the person making the report;
- (vi) a full account of what constitutes the grounds for concern in relation to the protection and welfare of the child or children, e.g. details of the allegation, incident, dates, description of any injuries, etc;
- (vii) the names and addresses of the parents/carers of the child or children;
- (viii) the names of other children in the household;
- (ix) the name, address and details of the person allegedly causing concern in relation to the child or children;
- (x) the child's and/or parents/carers' own views, if known and relevant;
- (xi) the names and addresses of other personnel or agencies involved with the child or children, e.g. GP, social worker, public health nurse, Gardaí, etc;
- (xii) any other relevant information.

2.4.7 Retrospective disclosures by adults

An increasing number of adults are disclosing abuse that took place during their childhoods. Such disclosures often come to light when adults attend counselling.

It is essential to establish whether there is any current risk to any child who may be in contact with the alleged abuser revealed in such disclosures.

If any risk is deemed to exist to a child who may be in contact with an alleged abuser, the counsellor/health professional should report the allegation to the TUSLA Child and Family Agency without delay.

The **HSE National Counselling** service is in place to listen to, value and understand those who have been abused in childhood. The service is a professional, confidential counselling and psychotherapy service and is available free of charge in all regions of the country (see www.hse-ncs.ie/en). The service can be accessed either through healthcare professionals or by way of self-referral.

2.4.8 Cases not reported to the Child and Family Agency (TUSLA) or An Garda Síochána

In those cases where an organisation decides not to report concerns to the HSE or An Garda Síochána, the individual employee or volunteer who raised the concern should be given a clear written statement of the reasons why the organisation is not taking such action. The employee or volunteer should be advised that if they remain concerned about the situation, they are free as individuals to consult with, or report to, the HSE or An Garda Síochána. **The provisions of the Protections for Persons Reporting Child Abuse Act 1998 apply once they communicate ‘reasonably and in good faith.’**

2.4.9 Confidentiality

(i) Exchange of relevant information: The effective protection of a child often depends on the willingness of the staff in statutory and voluntary organisations involved with children to share and exchange relevant information. It is therefore critical that there is a clear understanding of professional and legal responsibilities with regard to confidentiality and the exchange of information.

(ii) Information shared on ‘a need to know’ basis: All information regarding concern or assessment of child abuse or neglect should be shared on ‘a need to know’ basis in the interests of the child with the relevant statutory authorities.

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

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

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

The issue of confidentiality should be part of the training necessary for staff who work in the area of child protection and welfare and the general training of staff in organisations that work with children. Each organisation should have a written policy in this regard.

2.4.10 Legal protection

(i) The **Protections for Persons Reporting Child Abuse Act 1998** makes provision for the protection from civil liability of persons who have communicated child abuse ‘reasonably and in good faith’ to Designated Liaison Person (DLP)s of the Child and Family Agency (TUSLA) or to any member of An Garda Síochána. This protection applies to organisations as well as to individuals. This means that even if a communicated suspicion of child abuse proves unfounded, a plaintiff who took an action would have to prove that the person who communicated the concern had not acted reasonably and in good faith in making the report.

(ii) **Qualified Privilege:** A person who makes a report in good faith and in the child’s best interests may also be protected under common law by the defence of qualified privilege.

2.4.11 Freedom of information and data protection

(i) **Freedom of information Acts 1997 and 2003:** Notwithstanding the requirement of all professionals involved in child protection and welfare cases to share relevant information, records are nevertheless confidential. They do not belong to individuals (except for independent practitioners) and are the property of the organisations that keep them. Under the **Freedom of information Acts 1997 and 2003**, members of the public have a right of access to records concerning them held by any public body and a right to have official information about themselves amended where it is incorrect, incomplete or misleading.

Members of the public also have a right to be given reasons for decisions made concerning themselves. Requests to see records are processed in the first instance through the public body that holds the records. In the event of refusal of access, the decision may be appealed and the ultimate arbiter is the Information Commissioner. At present, these Acts apply to the HSE, but not to An Garda Síochána.

(ii) **The Data Protection Acts 1988 and 2003** afford similar rights to individuals to access personal data held about them by any entity whether in the public or private sector. The right to access applies to records held by the HSE and An Garda Síochána. However, the right to access does not apply in a range of circumstances that may be relevant in a child welfare context. Equally, the right of access does not extend to any information that identifies a third party where that third party had an expectation of confidence. Accordingly, it would not be necessary to provide any information that would identify a person making a child welfare report in response to a request under the Data Protection Acts.

2.4.12 : Other Reporting Pathways/Procedures

Other reporting pathways and mechanisms are outlined in Part 2 of this policy document :

Complaints procedures for individuals who are unhappy with the way their concerns have been dealt with – independent reviews in section 2.6

Whistleblowing for concerns regarding practices or personnel that are thought to be detrimental in Section 2.9

Complaints procedure for breaches of policy or procedure

For more information regarding the roles and responsibilities of organisations and personnel working with children, refer to: **Children First: National Guidance for the Protection and Welfare of Children 2011 (Chapter 4)**

2.5 Disciplinary Processes

2.5.1 When a member of staff or volunteer is the subject of an allegation

If the allegation/disclosure/suspicion raised concerns about a current employee or volunteer of a Church organisation, the Designated Liaison Person will refer the matter to be dealt with under the grievance and disciplinary procedures of the body concerned, to be investigated in accordance with the applicable procedures of employment law and any other relevant laws. (When a priest is the subject of an allegation, disciplinary procedures are the responsibility of the bishop).

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

Disciplinary Procedures will operate at the same time as and in parallel with the Reporting Procedures. In general it is recommended that the same person should not have responsibility for dealing with both the reporting issues and the employment issues. It is preferable to separate these issues and manage them independently.

There will be consultation with the Child and Family Agency (TUSLA) and Gardai regarding protective measures for child/children, always aware that the safety of children is paramount.

Those who are the subject of an investigation may be asked to step aside from their ministry and duties for the duration of the investigation. While the matter is pending the respondent enjoys the presumption of innocence and the right to his or her good name.

Staff/volunteers may be subjected to erroneous or malicious allegations. Therefore any allegation of abuse should be dealt with sensitively and support should be made available. The primary goal is to protect the child while taking care to treat the employee fairly.

A narrative account for the respondent

The Designated Liaison Person will ensure that a narrative account of the response given by the respondent priest is recorded on each case management file - **Recommendation 2 of the Review of Safeguarding Practice in the Diocese of Cloyne Dec 2013.**

Additional information on disciplinary procedures is available in Procedures for Dealing With Individuals Who Pose a Risk to Children - in Part 2

2.7 Confidentiality statement and guidelines (Available in Part 2)

2.8 Record keeping and storage of information (Available in Part 2)

2.9 Whistleblowing policy - See Part 2 of this policy document

Section 3

PREVENTION

Aim: Provision of comprehensive, effective verifiable procedures, strategies and mechanisms for prevention of child abuse including safe recruitment, Garda vetting, running safe activities for children and complaints procedures and other guidance.

3.1 Preventing harm to children

The diocese is committed to developing a culture of safety that minimises risk to children and to adhering to best practice in regard to:

(i) Safe recruitment and vetting practices – helping prevent those who pose a risk to children from holding positions of trust

(ii) Provision of appropriate induction, training and education - Providing appropriate induction, training and education for all Church personnel, staff and volunteers.

(iii) Codes of behaviour – having clear guidelines that set out what is and is not acceptable behaviour as an essential part of keeping children safe.

(iv) Running safe activities for children – helping to ensure a safe environment for children

3.1.1 Responsibility for prevention of harm at parish level

Responsibilities of the Parish Priest

At parish level, the Parish Priest/Administrator has overall responsibility for ensuring that all processes are in place in order to prevent harm to children. He is responsible for:

- Ensuring that any activities that are run under the auspices of the parish are provided in a manner that ensures the safety and security both of the children and of the leaders involved.
- Ensuring that the parish has a written Parish Safeguarding Children Policy Statement, Guidelines, Roles and Responsibilities.
- The provision of appropriate induction, training and education for Church personnel, staff and volunteers.
- Ensuring full implementation of diocesan policy.
- Cooperating fully with the monitoring mechanisms of the diocese including the annual audits.

He may be assisted by the Parish Safeguarding Representatives, the Parish Safeguarding Committee(PSC) and by Church personnel staff and volunteers and parish groups.

(See Section 8 Structures and Descriptions of Roles and Responsibilities.)

Responsibilities of the person or people who manage the parish facilities that are being loaned to groups, or rented

It is a condition for groups using the facility that they have a child safeguarding policy and procedures and that they have insurance.

Responsibilities of group leaders for record keeping and storage of information

Each parish group will be responsible for ensuring adherence to codes of behaviour for staff and volunteers and children, for adherence to best practice and for storing in a confidential way an accurate record for each activity involving children.

3.2 Codes of behaviour

3.2.1 Code of behaviour for staff and volunteers

A code of behaviour, which respects the dignity and rights of the child, will be drawn up for Church personnel, staff and volunteers in regard to their work with children. It should state that corporal punishment of children is never permitted and that discipline problems should be handled in a positive way, in partnership with parents and guardians.

This code should include a disciplinary procedure to be used in the event of a worker or volunteer breaching the code. It should be read, understood and signed by every worker and volunteer before starting in their role.

All relevant Church personnel, staff and volunteers will be required to sign a declaration confirming that they have read and understood the code and agree to adhere fully to its provisions. This declaration must be returned to the parish priest or to someone nominated by him.

3.2.2 Code of behaviour for children

A code of behaviour for children involved in parish-related activities should be drawn up, in consultation with children and parents/guardians.

The issue of the appropriate response to breaches of discipline and to disruptive behaviour should be covered in the code. A copy of the code will be made available to all children and young people participating in activities and to their parents or guardians. The code should be read, understood and signed by every child.

3.3 Recruitment and selection

3.3.1 Recruitment and selection procedures

When situations become vacant those responsible for filling them should be aware of **best practice** in recruiting employees and volunteers – this will include:

- Submitting completed application and declaration forms.
- Providing the names of referees and references (which are verbally checked).
- Attending at interview.
- Submitting to garda vetting if required under the relevant diocesan guidelines as outlined in the "*List of Who should be garda vetted 2014*" (See www.safeguardingchildrenclayne.ie).

See Recruitment and selection procedures for all Church personnel, staff and volunteers below.

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Recruitment and selection procedures for all Church personnel, staff and volunteers
(Compacted forms are available on www.safeguardingchildrenclayne.ie)

- (i) **Clear job descriptions:** Develop clear job descriptions, skills descriptions and person specifications for all paid and voluntary posts.
- (ii) **Advertising remunerated posts:** All remunerated vacancies must be openly advertised.
- (iii) **Application Forms** should be used for recruitment to all posts, including those to be filled by volunteers. Application forms should include a **Declaration Form** which applicants should be required to sign stating that they do not have criminal charges, cautions or convictions against them, or any other reason why it may be inappropriate for them to work with children.
- (iv) **Garda vetting:** The diocesan policy and procedures for garda vetting must be applied.
- (v) **Names of referees:** Applicants should be required to provide the names of two referees who can attest to their suitability for working with children and young people.
- (vi) **Written references** should be obtained in respect of all candidates being considered for part time paid, full - time paid or voluntary appointment.
- (vii) **Check references:** References must be checked by the parish priest or by someone designated by him.
- (viii) **Verbal contact with referees:** All written references must be followed up by verbal contact with referees.
- (ix) **Interviewed by an interview panel:** Suitable applicants should be interviewed by an interview panel of at least two people with appropriate competence and authority.

The parish priest may be advised and assisted by the parish safeguarding committee with regard to effecting safe recruitment and selection.

(Official forms for recruitment and selection may be downloaded from the dedicated website www.safeguardingchildrenclayne.ie).

Garda vetting is mandatory before undertaking specific roles within the Catholic Church.

For detailed information See Section 3.4 Application for a vetting disclosure in Part 2..

****For detailed information on Garda Vetting, including the List of who should be garda vetted refer to the Part 2 of this document or to www.safeguardingchildrenclayne.ie For The Garda Vetting Process and Appeals Procedure in the Diocese of Cloyne - See Appendix 2**

3.3.2 Legal responsibility

Legal responsibility for employment and duty of care remains with the organization that enters into a contract of employment or engages an applicant in a voluntary capacity.

3.4 - 3.8 Garda Vetting - see Part 2

3.9 Recruitment and selection – visiting priests and temporary solemnisers

(i) Visiting priests

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It is a diocesan regulation that before priests from outside the diocese can be allowed to minister in this diocese, it must be clearly established that they are in 'good standing,' and that there are no child protection concerns.

Before a parish makes any arrangement with a visiting priest, the priest must confirm his 'good standing', by showing his 'celebrate.' If there are any doubts, the parish is obliged to contact bishop's office, Cloyne. The diocesan office will contact the priest's own bishop or local superior/provincial directly to confirm the priest's 'good standing' and to confirm that there aren't any safeguarding children concerns.

Parishes are required to inform bishops/diocesan office if a non-incardinated priest takes up residence in the parish (excluding in a religious community).

(ii) Temporary solemnisers

Under legislation effective since November 2007, in order to officiate at a marriage that will be civilly registered, priests must be on the 'List of Solemnisers' submitted by their local bishop to the Registrar-General.

Priests from overseas can be added to this list as temporary solemnisers – this meets the legal requirements for the specific marriage(s) at which they are officiating here in Ireland.

The bishop of the diocese in which the marriage is taking place has the responsibility, once notified, of submitting the name, overseas address and date of birth of the visiting priest to the registrar-general so that they can be listed as a temporary solemniser. Before doing so, the Bishop's office will contact the priest's own bishop or local superior/provincial directly to confirm the priest's 'good standing' and to confirm that there are no safeguarding children concerns.

(iii) Celebret notice in sacristy

A notice regarding the requirement to present a *celebret* will be displayed in every sacristy.

3.10 Prevention and codes of behaviour

3.10.1 Code of behaviour for staff and volunteers -basics for working with children (see website www.safeguardingchildrenclayne.ie)

See Code of behaviour in Appendix 1

Section 4

TRAINING

Aim : To provide training and education to equip Church personnel staff and volunteers for their roles, with particular reference to the requirements of the safeguarding policy of the diocese.

4.1 The safeguarding obligations of Catholics

The safeguarding obligations of Catholics do not arise solely from contact with children and vulnerable persons, but arise from the gospel imperative of Matthew (19:14), from the living out of their baptismal vocation and from the requirement to adhere to the key messages of the policy statement of the Diocese of Cloyne.

4.1.1 The need to be trained

In equipping Catholics to comply with the gospel imperative, it is essential that **all** Church personnel, staff and volunteers will be trained in the Church's policy and procedures on safeguarding children and vulnerable persons, before they begin working within the Church organisation and that re-training, and retrospective training is provided as needed.

4.1.2 Re-training (up-skilling) will be provided to meet the needs of changing circumstances.

4.1.3 Retrospective training will be provided for those who are already employed/engaged but who were not appropriately trained.

4.1.4 Review of training and education procedures: All Training and Education procedures will be reviewed on a regular basis or as required by the annual training plan.

4.2 Aims of training programmes

The aims of the training programmes are: (i) to advise **all** Church personnel, staff and volunteers regarding their safeguarding obligations as Catholics in the Diocese of Cloyne, and (ii) to adequately equip them with knowledge and skills so that they can deal competently with any issues that they might encounter, regarding safeguarding children and vulnerable persons.

All training, education and induction programmes should reflect these aims.

4.3 Who should be trained?

4.3.1 Annual training needs and analysis and skills audit: The bishop in conjunction with CDSCC will arrange for an *Annual Training Needs And Analysis And Skills Audit* to be conducted in the diocese to identify the training requirements of all safeguarding personnel on the basis of which a training plan will be developed and implemented - **as per Recommendation 5 of the Review into Safeguarding Practice in the Diocese of Cloyne Dec 2013.**

4.3.2 Who should be trained at diocesan level and who is responsible?

(a) Identified Church personnel e.g. priests, parish safeguarding representatives, members of CDSCC will be provided with appropriate training for keeping children and vulnerable persons safe and opportunities will be provided to update their skills.

The format and content of this training must be approved by the National Board for Safeguarding Children.

Certificates will be issued to all who complete these courses.

(b) Responsibility at diocesan level: Responsibility for provision of this training rests with Cloyne Diocesan Safeguarding Children Committee (CDSCC). The responsibility includes keeping a record of relevant documentation including attendance records.

This training/information will be in accordance with procedures specified by the National Board which *inter alia* will involve:

- A power point approved by the National Board and CDSCC
- Guidance regarding who should attend
- Documentation for distribution
- Completion of evaluation sheets

4.3.3 Who should be trained at parish level and who is responsible?

(a) All Church personnel, staff and volunteers, including those whose role does not involve directly working with children or vulnerable persons, will be trained and inducted into the Church's policy and procedures on safeguarding children and vulnerable persons, before they begin working within the Church organisation.

The format and content of this training must be approved by CDSCC.

(b) Responsibility at parish level: Responsibility for provision of this training rests ultimately with the parish but the parish may be assisted by CDSCC. Principally, the parish priest and parish representatives (assisted as appropriate by the Parish Safeguarding Committee) have responsibility for provision of information/induction at parish level and for keeping a record of relevant documentation including attendance records.

This training/information will be in accordance with procedures specified by CDSCC which *inter alia* will involve:

- At least one power point approved by CDSCC and presented by a CDSCC team which must include one approved nationally trained trainer.
- A power point approved by CDSCC and presented by a parish safeguarding representative who has received approved training and certification from CDSCC.
- Guidance regarding who should attend
- Documentation for distribution

- Completion and return of evaluation sheets

4.3.4 Who should be trained at national level and who is responsible?

Those with additional responsibilities: Training/information will be provided for those with additional responsibilities –trainers, those managing complaints/disciplinary processes, Designated Liaison Person (DLP)s, etc.

Responsibility at national level: Responsibility for this rests with the bishop and with the National Board for Safeguarding Children in the Catholic Church in Ireland.

4.3.5 Training for seminarians and religious - and who is responsible?

Seminarians and religious: The bishop will ensure that there are systemic ongoing formation programmes for safeguarding children and vulnerable persons in seminaries and houses of religion.

Responsibility for training seminarians and religious: Responsibility for this rests with the bishop and religious authorities

4.4 Data Base

(a) Cloyne Diocesan Safeguarding Children Committee (CDSCC) will, in accordance with its responsibility, maintain an up to date data base of the training, certification and garda vetting status of all Church personnel, staff and volunteers including.

- Records of course attendance
- Induction documentation A copy of training programmes including, application forms, references and other relevant documentation.
- Garda vetting status in accordance with the guidance associated therewith (See Garda Vetting Policy in Part 2 and The Garda Vetting Process and Appeals Procedure in the Diocese of Cloyne in Appendix 2)

(b)Each parish will maintain an up to date data base of the training, certification and garda vetting status of all Church personnel to whom these apply, including .

- Records of course attendance
- Induction documentation
- A copy of training programmes including, application forms, references and other relevant documentation.
- an annually updated list of all Church personnel, staff and volunteers.

4.5 Trainers

The diocese, in conjunction with the Cloyne Diocesan Safeguarding Children Committee (CDSCC) and the National Board for Safeguarding Children in the Catholic Church, will ensure that an adequate number of approved ‘trained trainers’ are available in order to deliver the approved training courses throughout the diocese.

Section 5

COMMUNICATING THE CHURCH'S SAFEGUARDING MESSAGE

Aim: To provide communications policies that commit the diocese to openness and transparency and that outline strategies to help make the diocesan safeguarding message widely known and understood while also giving due consideration to the needs of those with visual, aural or literacy limitations.

5.1 Overview of Communications Policy

Part 1 outlines the "established communications policy of the diocese" in compliance criterion 5.6 of the Standards and Guidance Document of the NBSCCCI).

The key elements of the "established policy" are outlined in the policy statement and the communication tasks associated with each element of the policy statement are listed in the subsequent sections of Part1.

Part 2 outlines the strategies, methods and resources to be applied by the Diocese of Cloyne to fully meet the remaining communication criteria listed in Standard 5 of the S&G document i.e. 5.1,5.2, 5.3, 5.4 and 5.5

Part 1

The Established Communications Policy of the Diocese of Cloyne

5.2 Communications Policy Statement

The Diocese of Cloyne is committed to ensuring that its safeguarding children communication policy is:

- (i) Open and transparent and committed to inclusiveness – through appropriately sharing essential information.
- (ii) Fit for purpose i.e. effectively communicating the Church's safeguarding message to individuals including children, parents, vulnerable persons, groups, committees and agencies at National, Regional, Diocesan, and Parish levels and with the general public.
- (iii) Comprehensive and structured.
- (iv) Clearly defined with clear aims, mechanisms and strategies for each safeguarding criterion and each relevant agent and agency.
- (v) Binding on all Church personnel, staff, volunteers, and committees and groups to carry out their communication obligations.
- (vi) Adequately resourced.

(vii) Regularly upgraded with modern communications developments and informed by feedback from consultation, audits and evaluations.

*These elements are expanded in the following paragraphs.

5.3 Tasks arising from the elements of the policy statement

5.3.1 Commitment to openness, transparency and inclusiveness – through appropriately sharing essential information.

The Diocese commits itself to openness, transparency and inclusiveness in its safeguarding children communications and commits to accurately reflecting the current status of safeguarding provision and implementation in diocese and parish in its reports, with particular reference to Annual Reports and Audit Reports.

5.3.2 Fit for purpose

Communicating the Church's safeguarding message relating to all standards of the NBSCCCI effectively demands:

(i) Communication with *individuals* which involves communication with:

- Individuals or groups of individuals per se.
- Children - individually or in groups.
- Those with aural, oral or other communication difficulties
- Communication with vulnerable persons and those with visual, aural or literacy limitations.

(ii) Communication with *national* level which involves:

Communication with the National Board for Safeguarding Children in the Catholic Church in Ireland (NBSCCCI) via its national office, its various coordinators e.g. training coordinator, its chief executive and other personnel.

Communication with the hierarchy is facilitated through the bishop of the diocese who will raise specific issues at meetings of the hierarchy.

Communication with relevant state agencies including *inter alia* the Dept for Children and Youth Affairs, Tusla (The Child and Family Agency).

(iii) Communication at *regional* level which involves:

Attendance at meetings organised at regional level, communicating with regional organisers and communicating with safeguarding personnel from other dioceses.

(iv) Communication at *diocesan* level which involves:

Communicating with the bishop, parish priests, diocesan meetings of priests and with diocesan groups, specific safeguarding personnel (e.g. Designated Liaison Persons, Training Coordinator, Garda Vetting Signatory) and/or religious orders with involvement in the Diocese of Cloyne and with all others who require information/assistance at diocesan level. Communicating with and establishing linkage with other child care agencies (Tusla), Garda Síochána, and other groups involved with children.

Communication with the general public

(v) Communication at and with *parish* level which involves:

Communication with Church personnel, staff and volunteers.

Communication with children, parents, vulnerable persons, persons with communication difficulties and with the general public.

Communication with parish and diocesan safeguarding personnel agencies e.g. parish safeguarding committees (PSC's).

Communication with others who are involved with children.

Safeguarding Children in the Diocese of Cloyne (November 2014)

Communication with and between priests, parish safeguarding representatives and parish safeguarding committees.

(vi) Communication with the *general public* which involves:

Communicating the Church's safeguarding message widely by using mechanisms such as parish information meetings, information and communication facilities, publications (Annual Reports, Newsletters, Audit Reports), regular electronic bulletins and a Biennial Diocesan Safeguarding Children Conference.

5.3.3 A comprehensive safeguarding communication structure

The is committed to maintaining and developing a comprehensive safeguarding communication structure consisting of:

Safeguarding Office: Dedicated Diocesan Safeguarding Children Office appropriately based in Mallow Community Youth Centre.

Staff: Staff based in the diocesan safeguarding office Mallow, frequently supported by personnel from Mallow Community Youth Centre and by the chairperson of CDSCC.

Equipment: I.T equipment including computers, projection equipment, filing systems and augmented by equipment such as high speed copiers from Mallow Community Youth Centre.

Database: Database of contact details of relevant Church personnel, staff, volunteers, offices, agencies at parish, diocesan, regional and national level.

Dedicated Safeguarding Children Website: www.safeguardingchildrenclayne.ie which includes Diocesan Policy Statement, Diocesan Safeguarding Children Policy Document, Codes of Conduct, Safeguarding Children Posters, Child Friendly Poster, Information Leaflet for Children, comprehensive resources for recruitment and selection including garda vetting, Frequently Asked Questions, Latest News and Publications including Annual Reports, Reports of Annual Audits, Conferences etc.

5.3.4 A policy of provision of accurate information through provision of written answers to queries and approved power point presentations for education and training at diocesan level and at parish level.

5.3.5 Diocesan training personnel: diocesan personnel who are trained and who deliver training and education to safeguarding personnel and information to staff, volunteers and the general public.

5.3.6 CDSCC is central to regulation and effective safeguarding communication in the diocese.

5.3.7 Cloyne Diocesan Centre Cobh: The Diocesan Centre in Cobh facilitates communication, particularly communication with priests of the diocese..

5.4 A Clearly defined communication policy with clear aims

Aims: To communicate the Church's safeguarding effectively to:

individuals including children, parents, vulnerable persons, individuals who have visual, aural or literacy limitations, groups, committees and agencies at National, Regional, Diocesan, and Parish levels and to the general public.

5.5 The obligation on all Church personnel, staff, volunteers, and committees and groups to comply with diocesan policy and honour their communication obligations.

Safeguarding Children in the Diocese of Cloyne (November 2014)

Since communication is essentially a partnership process and since each parish is a part of the diocese, successful implementation of diocesan safeguarding policy demands that all Church personnel, staff and volunteers carry out their obligations to be open to accept safeguarding communications, to act on them and to reply to them in timely fashion.

5.6 Adequately resourced communication infrastructure

The diocese will ensure that resources are provided that are commensurate with the requirements of this communication policy.

5.7 Regularly upgraded with modern communications developments.

Review of communication, including mechanisms and methodology will be ongoing via the regular meetings of Cloyne Diocesan Safeguarding Children Committee - having regard to modern communication development and to feedback from consultation, audits, evaluations and experience.

Communications Policy Part 2

Part 2 outlines the strategies, methods and resources to be applied by the Diocese of Cloyne to fully meet the remaining communication criteria listed in Standard 5 of the S&G document i.e. 5.1, 5.2, 5.3, 5.4 and 5.5

5.8 Strategies, methods and resources to be applied to achieve the clearly defined aims :

To communicate the Church's safeguarding message effectively to:
individuals including children, parents, vulnerable persons, , individuals who have visual, aural or literacy limitations, groups, committees and agencies at National, Regional, Diocesan, and Parish levels and to the general public.

The communication procedures appropriate to compliance with S&G standards 1,2,3,4 and 5 are described hereunder:

5.8.1 Making procedures and *contact details* widely known

The Diocese of Cloyne is committed to making its safeguarding procedures widely known and understood.

The names and contact details of Cloyne diocesan safeguarding children personnel and counselling services will be disseminated to Church personnel, parishioners and agencies.

5.8.2 Making policy document available

- (i) The latest edition of the policy document *Safeguarding Children in the Diocese of Cloyne (Nov. 2014)* will be available on the dedicated diocesan website – **www.safeguardingchildrenclayne.ie**
- (ii) Copies of the policy will be distributed to each parish for distribution to personnel as required by diocesan policy.
- (iii) Parishes will provide a copy for inspection, on request to parishioners.

5.8.3 Use of a variety communications mechanisms

Safeguarding Children in the Diocese of Cloyne (November 2014)

CDSCC will utilise a variety of mechanisms to communicate the Church's safeguarding message:

- (i) Display of information in printed form
- (ii) Display of information on www.safeguardingchildrenclayne.ie
- (iii) Direct contact via written or electronic communication with individuals or groups of priests.
- (iv) Direct contact via written or electronic communication with individuals or groups of parish representatives
- (v) Contact via the diocesan office and its mechanisms for communicating with priests
- (vi) Dissemination of information via parish communications systems e.g. newsletters and mass announcements etc
- (vii) An annual Newsletter: Safeguarding Children and Vulnerable Persons
- (viii) Biennial Conferences
- (ix) Reports including Annual Reports
- (x) Print media, including local publications
- (xi) Local radio
- (xii) Television if possible
- (xiii) Power point presentation at parish information meetings
- (xiv) Quarterly Electronic Bulletins
- (xv) Child Friendly Posters
- (xvi) Information Leaflets for children.

5.8.4 Making children aware of their right to be safe and giving them the confidence to speak out

At parish level, children should be made aware that:

- they have the right to be safe
- they can raise concerns with specific individuals within the parish church organisation.
- if they feel uncomfortable about raising concerns with the named individual(s) within the Church organisation, they should tell someone they can trust and keep telling them until they are listened to.
- they can contact the Diocesan Designated Liaison Person (DLP), Gardaí, H.S.E. and that these contact details are on display
- there are contact details for other agencies that they can contact e.g. child safeguarding and children's help-lines
- the Children's Code of Behaviour will be on display
- The Code of behaviour for Church personnel, staff and volunteers - basics for working with children will be displayed
- Child Friendly Posters will be on display
- Information Leaflets for Children will be made available

CDSCC will produce printed child safeguarding information materials, including some that will be particularly developed for and by children and young people, for general circulation within the diocese - **as per Recommendation 6 of the Review of Safeguarding Practice in the Diocese of Cloyne Dec. 2013**

5.8.5 Consideration should be given to how disabled children can communicate their complaints especially if they have verbal, visual or aural communication difficulties. Remember how vulnerable disabled children are to abuse.

5.8.6 Additionally, children will be aware of:

- The code of behaviour and of the safeguarding procedures, they will also be advised regarding whom they can speak to if they have a concern, and, made aware of the basic rules of the Stay Safe Programme i.e. "Say No! Get away! Tell someone you can trust and keep telling them until you are listened to!"
- Children should be made aware of these guidelines particularly during training/induction.
- Parish Safeguarding Children Policy Statement, Guidelines Roles and Responsibilities(Section 1).

5.8.7 Display of information at parish level

(a) In the church porches in a dedicated lockable notice board:

- (i) The Diocesan Safeguarding Children Policy Statement
- (iii) Contact details for *the Designated Liaison Person (DLP)*, Tusla (The Child and Family Agency and An Garda Síochána,

(b) In the church sacristy display:

- (i) The Diocesan Safeguarding Children Policy Statement.
- (ii) The Child Friendly Poster
- (iii) Contact details for the Designated Liaison Person (DLP), Tusla and An Garda Síochána
- (iv) The Code of Conduct agreed by the altar servers
- (v) The Code of behavior for Church personnel staff and volunteers – basics for working with children and vulnerable persons.
- (vi) A notice advising visiting priests regarding providing their *celebret*
- (vii) A notice regarding signing the sacristy register.

(c) In parish halls, and any other parish locations where parish events with and/or for children are run, display in a dedicated lockable notice board:

- (i) The Diocesan Safeguarding Children Policy Statement
- (ii) The Child Friendly Poster
- (iii) Contact details for the Designated Liaison Person (DLP), Tusla (The Child and Family Agency) and An Garda Síochána.

5.8.8 Giving information to Church personnel at parish level: All Church personnel, staff and volunteers who work for or on behalf of the parish will:

- (i) Be provided with clear definitions of child abuse, with particular reference to its four main forms – physical, emotional, sexual and neglect.
- (ii) Be provided with written advice outlining the signs and symptoms in its four main forms
- (iii) Be provided with the procedures for responding to, and reporting alleged incidents of abuse.
- (iv) Be made aware of contact numbers for Diocesan Support, the HSE, An Garda Síochána, and the Designated Liaison Person (DLP).
- (v) Be given the Code of behaviour for Church personnel, staff and volunteers – basics for working with children and vulnerable persons.
- (vii) Be given the diocesan safeguarding policy: *Safeguarding Children in the Diocese of Cloyne (Nov. 2014)*

Safeguarding Children in the Diocese of Cloyne (November 2014)

(viii) Be given the *Parish Safeguarding Policy Statement, Guidelines, Roles and Responsibilities*

5.8.9 Establishing links

(i) Establishing links with statutory authorities

Diocesan child safeguarding bodies within the Church will establish links with statutory child protection agencies to develop good working relationships in order to keep children safe.

(ii) Establishing and maintaining links within the diocesan safeguarding structure

Establishing and maintaining links within the diocesan safeguarding structure through:

- An annual meeting the diocesan safeguarding team.
- Quarterly meetings between CDSCC, the DLP's and the bishop.
- Attendance of a representative CDSCC - chairman, secretary or other chosen by the committee, at diocesan meetings of priests.
- Provision of regular updates to bishop.

5.8.10 Communications policy of Cloyne

The Established Communications Policy of the Diocese of Cloyne is outlined in Part 1.

5.8.11 Mechanisms for dissemination of clear definitions of child abuse

Dissemination of clear definitions of child abuse, with particular reference to its four main forms- physical abuse, emotional abuse, sexual abuse and neglect, will be provided and disseminated variously through:

- Training courses at diocesan level
- Training and induction sessions at parish level via Parish Information Meetings
- Training of Parish Safeguarding Committees (PSC's)
- Parish policy documents
- The diocesan website
- Newsletters
- Quarterly electronic bulletins
- The diocesan communication structures
- The diocesan policy document *Safeguarding Children in the Diocese of Cloyne (Nov. 2014)*
- Written advice outlining the signs and symptoms of child abuse in its four main forms will also be provided through these channels. (See sub-section 5.3 of this chapter).

Section 6

ACCESS TO ADVICE AND SUPPORT

Aim: To provide access to advice and support to:

Complainants and survivors of child abuse and respondents,

Church personnel, staff, volunteers, apostolic groups, safeguarding committees and all others involved in the work of safeguarding children within the Church context including support persons and or advisers appointed by the bishop for victims and respondents.

6.1 Access to advice and support - for those who have suffered child abuse

(i) Those who have suffered child abuse will receive a compassionate and just response and be offered appropriate pastoral care to rebuild their lives.

(ii) Anyone who has suffered child abuse will be assisted and supported in seeking help.

(iii) Children will be given information about where and how to get help and advice if they have a concern.

6.1.1 Support for those who have been abused

(i) **Support persons:** The bishop will ensure that an appropriate and deliberate response to victims is established, including the recruiting and training of at least two lay people a woman and a man, to act in a victim support role (Recommendation 3 of Review into Safeguarding Practice in the Diocese of Cloyne Dec 2013)

The person making the allegations (which can be a child or an adult), will be offered a choice between a male or female support person.

(ii) **Towards Healing** - Helpline and counselling referral service for survivors of clerical and religious abuse irrespective of where they are currently living.

6.1.2 The role of the Support Person

The role of the Support Person is to assist, where appropriate, with communication with the *Designated Liaison Person (DLP)*, to facilitate access to information and to represent the needs and concerns of complainants during the inquiry process.

6.1.3 Working with survivors of abuse

The diocese will continue to assist survivors of abuse by application of appropriate approved programmes e.g. programmes approved by Towards Healing.

6.1.4 The role of Towards Healing

Towards Healing is a free and confidential helpline and counselling referral service for survivors of clerical and religious abuse

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Towards Healing will provide a more enhanced service for survivors of clerical and religious abuse, irrespective of where they are currently living. The enhanced service will include telephone counselling, a psychotherapy referral service, healing meetings, group work, practical workshops and a bridging service designed to link clients to services relevant to their needs.

Contact will be provided with accredited psychotherapists in your area for face to face psychotherapy, with the fees arising being paid directly to your psychotherapist by Towards Healing. Towards Healing can provide and pay for counselling for spouses/partners, parents and children of survivors of clerical/religious abuse.

6.2 Risk assessment and risk management

The bishop will engage with the diocesan DLP and D/DLP in planning a suitable risk assessment and risk management protocol for respondent priests in the diocese. The risk management system will be developed to the point where a clear system of risk assessment and risk management plans, with assigned responsibilities to named safeguarding personnel will be achieved.

6.2.1 Access to advice and support – for individuals who have abused

(i) **Help to face up to the reality of abuse:** Those who have harmed others will be helped to face up to the reality of abuse, as well as being assisted in healing in a manner which does not compromise children's safety.

(ii) **Planning a suitable risk assessment and risk management protocol for respondent priests:** The Diocesan DLP and D/DLP will engage with the bishop in planning a suitable risk assessment and risk management protocol for respondent priests in the Diocese of Cloyne - **as per Recommendation 2 of Review into Safeguarding Practice in the Diocese of Cloyne conducted in Dec 2013.**

The Designated Liaison Person will ensure that a narrative account of the response given by the respondent priest is recorded in each case management file **-as per Recommendation 2 of Review into Safeguarding Practice in the Diocese of Cloyne conducted in Dec 2013.**

6.2.2 Support Persons (Advisers) - for individuals who have abused

(i) **Support Persons/Advisers:** Appointed by the Bishop, these support persons are to be available to the person about whom a safeguarding children concern, suspicion, disclosure or allegation has been made. The role of the Adviser is to represent their needs and assist, where appropriate, with communication with the Designated Liaison Person (DLP) and the diocese. Support persons will also be involved with priests who are out of ministry.

(ii) **Practical and emotional support for current and future support persons:** CDSCC will consider and put in place practical and emotional support for current and future support persons - **as per Recommendation 7 of Review into Safeguarding Practice in the Diocese of Cloyne conducted in Dec 2013.**

In this regard the support people will be offered an option to meet with CDSCC as a linking up exercise. Basically the ultimate decision regarding putting in place practical and emotional support for the support people is a matter for the bishop.

6.3 Access to advice and support - for Church personnel

Child abuse is distressing and can be difficult to deal with. The diocese recognises that it has a duty to ensure advice and support is available to help Church personnel and volunteers play their part in protecting children.

Remember all Church organisations and personnel can access specialist advice about safeguarding children issues from:

The National Board for Safeguarding Children in the Catholic Church.

The National Office for Safeguarding Children.

Cloyne Diocesan Safeguarding Children Office

The diocesan DLP and D/DLP

6.4 Contacts with relevant child protection agencies and help-lines

Contacts will be established, both informally and in a planned and structured way with relevant child protection agencies and help-lines and their contact details will be made available.

6.5 Guidance on how to respond to and support a child who is suspected to have been abused, whether that abuse is by someone within the Church or in the community, including family members

This guidance is provided in Section 2 and Section 8.

6.6 Information on how to seek support is provided to those who have experienced abuse.

Information on how to seek support is provided to those who have experienced abuse: Contact details are displayed in every church porch, every sacristy, every building with which the Church has a property involvement, and in the diocesan website www.safeguardingchildrenclayne.ie

See also Section 2 and Section 8

6.7 Access to advice and support relating for safeguarding personnel within the diocese

Advice and support for priests, parish representatives, parish safeguarding committees, diocesan groups, and other safeguarding personnel.

This advice will be provided via:

Cloyne Diocesan Safeguarding Children Office – including an out of office hours contact number for urgent inquiries relating to policy.

Written answers will be provided to questions relating to policy – this to ensure accuracy, consistency and record.

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Section 7

IMPLEMENTING AND MONITORING

7.1 Implementing and monitoring agreed policy

To keep children safe, agreed policies, procedures and plans have to be implemented. Checks are needed both at diocesan and parish level to ensure this is happening consistently.

7.1.1 Responsibility for Implementation and Monitoring

The implementation responsibilities of safeguarding committees, safeguarding personnel, Church personnel, staff volunteers and all Catholics will be clearly outlined e.g.in

Parish Safeguarding Policy Statement, Guidelines, Roles and Responsibilities

Safeguarding Children in the Diocese of Cloyne November 2014

Code of behaviour for Church personnel, staff and volunteers ..

Policy Summary - Structures, Roles and Responsibilities - Section 8.

(i) The diocesan authorities are responsible for ensuring that the policy and procedures as set out in the latest edition of *Safeguarding Children in the Diocese of Cloyne November 2014* are implemented.

(ii) In practice, the parish priest has overall responsibility for implementation at parish level. (See Section 8: Structures and Description of Roles and Responsibilities).

(iii) CDSCC has an overall supportive and directional role in relation to implementation and a direct role in monitoring the extent and effectiveness of the implementation.

(iv) Annual audit of implementation at parish level: CDSCC will arrange for an annual audit of implementation levels in all parishes in the diocese each year - such audit to while substantively based on the template provided by NBSCCCI, will also include questions on issues of particular relevance to the safeguarding children policy and procedures of the Diocese of Cloyne.

7.1.2 Minds and hearts – essential ingredients for implementation

A good understanding on the part of the parish priest of the essential necessity of safeguarding procedures coupled with a positive practical approach to implementing them are essential to successfully creating a safe environment for children and vulnerable persons.

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Similarly, the perceptions of all Church personnel, staff and volunteers and all those involved inside and outside of Church organisations can help or hinder the effectiveness of implementation initiatives.

7.2 An appropriate policy document

The policy document *Safeguarding Children in the Diocese of Cloyne November 2014*, is closely based on the draft policy document *Safeguarding Children and Vulnerable Persons in the Diocese of Cloyne November 2013* and reflects recommendations from the *Review into Safeguarding Practice in the Diocese of Cloyne* (conducted in Dec 2013). It is the third policy document of the diocese since 2007 and it complies with the guidance and legislation of government and with the guidance of the National Board for Safeguarding Children in the Catholic Church.

It outlines the procedures and guidance that are essential to creating a safe environment for children and vulnerable persons in all areas of Church life and activity, but these will remain ineffective unless they are comprehensively implemented – hence the need for an implementation plan which is informed by clear aims and a clear vision..

7.3 Implementation plan

7.3.1 Implementation within the policy document

The implementation plan for diocesan policy- *Safeguarding Children in the Diocese of Cloyne November 2014* is partially, an integral part of the policy itself and is reflected across all sections e.g.

Sections 3 deals with Prevention, Recruitment and Selection, Running Safe Activities.

Section 4 deals with Training and Education

Section 5 deals with Communicating the Church's Safeguarding Message and Implementation and Monitoring.

Section 6 seals with Access to Advice and Support

7.3.2 Resources for implementation

Implementation will be facilitated through provision of resources and documentation e.g.

Code of behaviour for Church personnel staff and volunteers –

Parish Safeguarding Policy Statement, Guidelines, Roles and Responsibilities

Cloyne Diocesan Safeguarding Children Committee will make all essential resources available on its dedicated website and will ensure that all parishes have a written plan i.e. document containing, policy statement, guidelines and procedures e.g.

- steps will be taken to keep children safe
- clearly defined roles and responsibilities
- display of information including contact details
- information or induction for Church personnel
- use of sacristy registers and group attendance registers etc
- display of child friendly posters
- provision of flyers containing safeguarding information for children
- Celebret Notice.

7.3.3 Implementation structure -committees and personnel

The committees and personnel with specific responsibilities for implementation include:

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The Bishop of the Diocese of Cloyne

Cloyne Diocesan Safeguarding Children Committee, and its members with individual roles including, its chairman, secretary/ training coordinator/garda vetting signatory

Parish priests

Parish safeguarding representatives

Parish Safeguarding Committees

All Church personnel, staff and volunteers

Diocesan Safeguarding personnel with specific functions including designated liaison persons, support people and advisers and Garda Vetting Approved Liaison Person.

7.3.4 Administrative Infrastructure

The administrative infrastructure for implementation include:

Cloyne Diocesan Safeguarding Children Office (in Mallow)

Cloyne Diocesan Office (in Cobh)

Office facilities provided by specific safeguarding personnel

Parish Offices

Appropriate office communication mechanisms including telephone, texting, e-mail and other I.T. facilities.

Adequate storage facilities.

Meeting room facility – at CDYS Mallow

Additional help and support from CDYS Mallow.

7.3.5 Developing new approaches

Implementation will be facilitated through developing new approaches in response to new challenges or to changing circumstances e.g

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7.3.6 Winning minds and hearts

Achieving this through communication strategies (See Section 5)

Attendance of a representative CDSCC - chairman, secretary or other chosen by the committee, at diocesan meetings of priests.

Establishing and maintaining links within the diocesan safeguarding structure through:

An annual meeting the diocesan safeguarding team.

- Quarterly meetings between CDSCC, an early warning system by which weaknesses in the safeguarding policy will be brought to the attention of CDSCC.

A concern about a potential risk to children posed by a specific person, even if the children are unidentifiable, should also be communicated to the Child and Family Agency (Tusla) as required by Children First 2011 the DLP, the D/DLP and the bishop.

Provision of regular updates to bishop.

7.3.7 Presentations at parish information meetings

CDSCC members will make power point presentations on all aspects of safeguarding and will aim to do at least one such presentation in each parish before handing over the task to the parish representatives.

7.4 Monitoring

7.4.1 Annual audit of implementation at parish level: CDSCC will arrange for an annual audit of implementation levels in all parishes in the diocese each year - such audit to while substantively based on the template provided by NBSCCCI, will also include questions on issues of particular relevance to the safeguarding children policy and procedures of the Diocese of Cloyne.

Auditing combined with deadlines

Implementation will be progressed through mechanisms and strategies which have already been successfully applied e.g.

Identification of areas needing attention through *inter alia*, the use of audits and then setting deadlines by which loopholes must be closed.

Further communication followed by further auditing until full implementation is achieved.

Where problems arise in a specific area or parish, the chairman of CDSCC will write to the parish priest/administrator asking him to address the outstanding issue(s). If the problem is addressed, the matter will be referred to the bishop.

7.4.2 Certificates of Full Compliance

The annual renewal of Certificates of Full Compliance in December each year will be dependent

on the results of the annual audit of parishes completed by 30th November each year.

7.4.3 Withdrawal of a Certificate of Full Compliance

CDSCC may agree the withdrawal of a certificate of full compliance and will notify the relevant parish in this regard.

7.4.4 Inquiries regarding instances where there was evidence of a possible danger to the safety of children.

(i) The purpose of such an inquiry is:

- To identify where there were systems failure if any.
- To inform action to prevent similar occurrences thereafter.

(ii) CDSCC will agree and devise questions for answer in regard to serious issues e.g. where there was evidence of a possible danger to the safety of children. The questions will be given to the bishop, who will facilitate the inquiry and maintain confidentiality regarding the identity of the parish or individuals where this is appropriate.

(iii) Recommendations: Based on the outcome of the inquiry, the bishop may make recommendations to prevent similar situations arising thereafter.

7.4.5 Parish audits by visitation

CDSCC will use visitation type audits in a number of parishes each year in order to:

- establish face to face contact with the parishes personnel and get feedback
- confirm that standards are in place in each parish
- assist with any difficulties, gaps or questions that parishes might have

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- confirm that they are on the right track and meeting the standards required by the national guidelines
- Win minds and hearts

7.4.6 Feedback from parishes

Completed checklist documents and evaluations will be analysed to identify areas which require further attention.

Issues raised at parish level and elsewhere will be discussed with a view to resolution.

7.5 Annual self audit

The Diocesan Safeguarding Children Committee will carry out an annual self audit, and review of the diocesan policy (for information on self audit see Audit Process and Procedures, Section 7.9).

7.6 National audits

The Diocese of Cloyne will co-operate fully with the planned audits by the National Board for Safeguarding Children in the Catholic Church (for information see Audit Process and Procedures, Section 7.9)

7.7 Procedures for the secure storage and retention of documents

Procedures for the secure storage and retention of documents with particular reference to all incidents, allegations/suspensions of abuse are outlined in this document.

7.8 Audit process and procedures

The audit procedures are a systematic method of monitoring the extent to which the *Safeguarding Children – Standards and Guidance Document for the Catholic Church in Ireland* is being implemented by and in Church organisations. This is an important method of ensuring that a process of continuous improvement takes place, and of demonstrating accountability and transparency.

Auditing will take by means of: (i) Annual Parish Audit (ii) Self audit (iii) Audits/Reviews by the NBSCCCI

7.8.1 Annual self-audit scheme

1. The primary method of ensuring compliance with the *Safeguarding Children Standards and Guidance Document for the Catholic Church in Ireland* is by means of self-audit and the document has primarily been prepared with self-audit in mind. Each standard contains a list of criteria, which give details of the steps that a Church organisation needs to take to meet the standard and ways of providing evidence that the standard has been met.

2. Section 2 of the *Safeguarding Children – Standards and Guidance Document for the Catholic Church in Ireland* contains checklists for each of the Standards. These have been prepared on the basis that each Church organisation must complete the checklists and return them to the National Office by 31 December each year.

3. Where the completed checklists returned by a Church organisation give rise to any significant issues, the National Office will discuss this with the relevant Church authority in order to establish what additional help or support may be needed.

4. The results of self-audits will be collated by the National Board and will be contained in the annual report for the relevant year. However, no individual Church organisation will be named in the collated information.

7.8.2 Audits by the National Board

5. The National Board, through the National Office, will conduct a limited number of audits throughout the year. These will be carried out on a planned discretionary basis. It is anticipated that each Church organisation will be subject to an audit at least once every five years. Twenty-eight days notice will be given to the Church authority and Church organization of the proposed audit. The details of these procedures are set out below.

6. The National Board, in consultation with the National Office, may authorise appropriate people to be auditors for the purposes of these procedures.

7. The primary focus of an auditor is a preventative one, which is to raise the awareness among Church organisations and Church personnel of their responsibilities under the *Safeguarding Children – Standards and Guidance Document for the Catholic Church in Ireland*.

8. With this in mind, an auditor will look at the level of compliance of Church organisations with the *Safeguarding Children – Standards and Guidance Document for the Catholic Church in Ireland* and, in particular, the preparation and implementation of the various policies required by the standards and the management of child protection procedures.

9. The aim of any audit is to:

- a. confirm compliance with the Standards set out in the *Safeguarding Children – Standards and Guidance Document for the Catholic Church in Ireland*
- b. identify any risks arising from a failure to comply with the *Safeguarding Children – Standards and Guidance Document for the Catholic Church in Ireland*
- c. educate and guide the Church organisation and Church personnel to help bring about any improvements by identifying strengths and weaknesses and highlighting good and poor practice in matters relating to the safeguarding of children; and
- d. to focus attention on the safeguarding of children in the Church organisation.

10. During an audit the auditor will meet the appropriate personnel, such as the priest or religious superior, and outline the nature of the audit. (The national office audits will be at Diocesan level and will rely on the safeguarding committee feeding information about parish activities).

11. An auditor shall, subject to paragraph 12, have the power to have access to and examine any documents which he or she believes would assist him or her in assessing the Church organisation's compliance with the standards set out in the *Safeguarding Children – Standards and Guidance Document for the Catholic Church in Ireland*, including, but not limited to, the following:

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- a. the Church organisation's child protection policy
- b. the Church organisation's child protection concerns/allegations files and documents
- c. the Church organisation's safe recruitment and vetting policy
- d. the Church organisation's codes of behaviour of adults towards children
- e. the Church organisation's guidance on operating safe activities for children; and
- f. details of the Church organisation's training programme in safeguarding children for those working with children.

12. Some information and documentation may be given, or access afforded, to the Auditor may be legally privileged material.⁶ This will be done to ensure that the auditors have all they need to properly, fully and effectively carry out their role. It will also ensure full transparency, openness and cooperation, and so foster confidence and trust in the child protection process as a whole, and assist in facilitating the best possible handling of child protection concerns generally. Any such material will be disclosed on the following bases:

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

13. The audit will only relate to the implementation of the *Safeguarding Children – Standards and Guidance Document for the Catholic Church in Ireland* and to concerns raised since the adoption of these procedures by the Church organisation. However, in considering the adequacy of compliance of any investigation with the managing a child protection

⁶ . Such material, which is exempt from disclosure in court, and other relevant proceedings, comprises the following types of written and/or oral communications:

- confidential communications between a client and his professional legal adviser, which communications are made in the course of a professional legal relationship between them for the purpose of either seeking or giving legal advice (not other advice, and not mere legal 'assistance'); and
- confidential communications between a client and his professional legal adviser, or between the client and a third party, or between his professional legal adviser and a third party, the dominant purpose for which was preparation for pending, contemplated or reasonably apprehended litigation.

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procedure, the auditor may consider the existence of allegations made prior to the adoption of these procedures.

14. If, at any stage during the course of an audit, the auditor has reasonable grounds for concern that a child may have been abused, or is being abused, or is at risk of abuse, he/she shall inform the HSE or An Garda Síochána of same, if this has not already occurred.

15. Following the conclusion of the audit, a meeting will then be held with the Church authority and such others as may be appropriate in order to give a verbal report of the audit.

16. The Auditor will then issue a written report to the Church authority on his audit, in relation to the Church organisation's compliance with the *Safeguarding Children* –

Standards and Guidance Document for the Catholic Church in Ireland and, if appropriate, giving recommendations as to how improvements could be achieved.

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

18. Except as required by law, an auditor shall not disclose confidential information obtained by the person while performing or as a result of performing any functions as an auditor.

7.9 Referral to the bishop

Where problems relating to implementation arise in a specific parish, the chairman of CDSCC will write to the parish priest/administrator asking him to address the outstanding issue(s). If the problem is not addressed, the matter will be referred to the bishop.

Section 8

STRUCTURES FOR SAFEGUARDING CHILDREN AND DESCRIPTIONS OF ROLES AND RESPONSIBILITIES

8.1 Safeguarding Structure at National Level

- (i) The National Board for Safeguarding Children in the Catholic Church (NBSCCC or National Board)
- (ii) The National Office for Safeguarding Children (The National Office)
- (iii) Coimirce –

8.1.1 The national board for safeguarding children in the Catholic Church (NBSCCC or National Board)

The first National Board was established by the Irish Bishops' Conference, the Conference of Religious of Ireland and the Irish Missionary Union to provide independent advice and to monitor safeguarding practices in the Church.

The National Board is independent in order to allow it to undertake independent Advisery, audit and inspection functions. The National Board will produce an annual report, which provides data and commentary on the practice of the Church organisations regarding the safeguarding of children. In particular, the annual report will contain summaries of the learning gained from reviews and audits carried out during the year to which the annual report relates.

8.1.2 The National Office for Safeguarding Children

The National Office for Safeguarding Children was established by the National Board. Its main purpose is to:

- implement the policies and decisions of the National Board
- undertake Advisery and audit tasks

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- act as a resource for Church organisations and be accessible to all such bodies for advice, or guidance and to support the diocesan/congregational Designated Liaison Person (DLP)s
- monitor practice within the Church organisations regarding adherence to the standards set down within this guidance, both through the self-audit process and through its auditors.

8.1.3 Coimirce

Coimirce (“The Company”) is a company limited by guarantee and not having any share capital which was incorporated in December 2008. Its founding members (“The Members”) comprise each of the Archbishops and the Episcopal Secretary of the Irish Episcopal Conference with the Director of C.O.R.I., the Executive Secretary of the I.M.U. and a nominee of the Executive Board of the I.M.U.

The main object for which the Company was established is to provide advice services and assistance in furtherance of the development of the safeguarding children within the Roman Catholic Church in the island of Ireland and to monitor compliance with legislation, policy and best practice and to report on these activities annually....

8.2 Safeguarding Children Structure at Diocesan Level

The Structure for safeguarding children in the diocese consists of:

- (i) The Bishop or Administrator, who has overall responsibility for safeguarding children in the diocese.
- (ii) *The Designated Liaison Person (DLP)*
- (iii) The Cloyne Diocesan Safeguarding Children Committee, which *inter alia*, monitors the effectiveness of the structure
- (iv) *The National Case Management Reference Group.*
- (v) The Support Person(s) who is available to assist the child or adult making an allegation of abuse.
- (vi) The Advisers who are available to help the respondent
- (vii) The Diocesan Garda Vetting Approved Liaison Person

8.2.1 The Bishop or Administrator

The bishop or administrator, has overall responsibility for safeguarding children in the diocese

8.2.2 The -Designated Liaison Person (DLP) – Role and responsibilities

The Designated Liaison Person (DLP) will be located at the level of a diocese or religious congregation and appointed by the bishop or religious superior.

The role of the Designated Liaison Person (DLP) or D/DLP

- to hear any concerns relating to safeguarding, including any disclosures or allegations of abuse, and take responsibility for managing the response to that concern or disclosure, from start to finish. This would include the preliminary internal inquiry and referral to the Health and Social Services / An Garda Síochána, and any subsequent internal investigations
- to ensure that the person raising a concern, disclosing abuse, or making an allegation and anyone who is implicated by that are regularly informed about the progress of the inquiry process

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- to liaise with the National Office and have an overview of all matters dealt with under these procedures within their diocese / congregation
- to carefully record all steps undertaken as part of these procedures.

Each diocese / religious congregation must also appoint a deputy Designated Liaison Person (DLP), who can act in the event that the Designated Liaison Person (DLP) is not able to deal with a concern/allegation, where there may be a conflict of interest, or where the Designated Liaison Person (DLP) is unavailable due to absence or incapacity. (See also pp 55, 84, 85, 86 *Standards and Guidance Document for the Catholic Church in Ireland*).

Procedure to be followed by the Designated Liaison Person (DLP)

1. Receive information about a concern or allegation.
2. Ensure that the procedures for responding to concerns, suspicions, allegations and disclosures of abuse involving Church staff and volunteers in Section 2 have been followed, and to ensure a referral has been made to the statutory authority where appropriate if this has not already happened⁷.
3. Create a child protection case file for every referral that includes a log of actions, events and information received using the dedicated form for this purpose. Entries should be made as soon as possible after the event but before the end of the day. They must be timed, dated and signed by the author.
4. Take possession of any written records made by any person in connection with the case and place them on the Child Protection Case File.
5. Explain the procedures for addressing the concern, allegation or disclosure to the person who has raised the concern and ensure that they (including the child's parent or guardian where appropriate) sign the data protection declaration of consent. This consent relates to this child protection concerns process only – consent is **not** required for the making of a referral to the Health and Social Services / An Garda Síochána.
6. To contact emergency or appropriate services where a child appears to be at immediate and serious risk of harm. An immediate referral in accordance with **appendix 3**(Resource 16 of The Standards and Guidance Document), should be made to the Health and Social Services. Where appropriate, if Health and Social Services staff are not available, An Garda Síochána should be contacted to ensure that **under no circumstances is a child left in a dangerous situation pending Health and Social Services intervention**. Consideration should, in all cases, also be given to whether an immediate referral is necessary in order to preserve, and safeguard against the possibility of any loss, deterioration or destruction of potential evidence or forensic evidence.
7. Inform the Church authority that a complaint has been made and make a recommendation to the Church authority about any immediate action(s) that may need to be taken in order to ensure the safety of children.
8. Make enquiries to identify the present and previous appointments of the respondent in order to establish whether there are any previous concerns about his/her practice, or any current grounds for concern in relation to the safety and wellbeing of children. (Again, in cases of emergency, where a child appears to be at immediate or possible risk, an immediate referral (in accordance with **Section 2 Procedures for responding to concerns, suspicions, allegations and disclosures of abuse involving Church staff and volunteers** should be made to the Health and Social Services. Where appropriate, if Health and Social Services staff are not available, An Garda Síochána should be contacted so as to ensure that **under no**

⁷ Note: where an allegation or suspicion is made against the Designated Liaison Person (DLP), the information must be passed to the deputy Designated Liaison Person (DLP) and the process as outlined should be carried out by the deputy Designated Liaison Person (DLP)

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circumstances is a child left in a dangerous situation pending Health and Social Services intervention.

9. Alert the adviser to be on standby, without identifying the respondent.

10. Conduct an initial interview with the respondent as soon as possible, unless (where an earlier referral has been made) the Health and Social Services / An Garda Síochána have requested that such an interview be deferred. The respondent shall be given information about his or her entitlement to seek legal advice (both civil and, where appropriate, canonical) and about the child protection process. The respondent should be informed that he/she is not obliged, in law, to respond or to furnish evidence, but that any statement provided will be taken into account in the investigation. The Designated Liaison Person (DLP) and the Church authority should then inform the respondent of the nature and detail of the allegation/concern and the name of the person raising it. The purpose of the interview is to inform the respondent of the existence of the allegation and of the process being followed. The respondent needs to be given enough detail about the disclosure/allegation/concern, and the person raising it, to be able to offer a response. The respondent shall be offered the services of an Adviser. A written record of the interview must be prepared, agreed with the respondent, signed and dated

11. Implement the referral policy as outlined in **Section 2 Procedure – How to respond to concerns, suspicions, allegations and disclosures of abuse involving Church staff and volunteers**

12. In cases where a Designated Liaison Person has a concern about a child but is not sure whether to make a referral, he or she should seek appropriate advice. He or she may consult the National Office, the HSE and/or An Garda Síochána on the appropriate steps to be taken. The Designated Liaison Person must keep a written record of the outcome of the consultation with the Health and Social Services / An Garda Síochána on the Child Protection Case File. Decisions not to refer a matter must always be in consultation with the National Office.

13. Contact and seek advice from The National Case Management Reference Group, if required.

14. Follow the advice given by HSE / An Garda Síochána where a child protection concern has been referred to them. Allow the HSE/Garda Síochána to conduct their enquiries unimpeded. Do not visit the family or contact family members without prior discussion with investigators.

15. Maintain a dialogue with the Investigating Officer or Social Worker to monitor the progress of the case and act on any advice given. Details of contacts made should be recorded chronologically on the Child Protection Case File.

16. Ask for an update from the Health and Social Services / An Garda Síochána about the outcome of their investigations; this request should be made in writing.

17. Conduct an internal investigation at the conclusion any external investigation or where no such investigation takes place. Any internal investigation will be initiated in cases where child protection concerns remain or where disciplinary action needs to be considered.

Such an investigation will gather and assess available information from all sources and witnesses. Every effort should be made, in consultation with the HSE/ An Garda Síochána to avoid the necessity to interview child witnesses for the purposes of disciplinary inquiries. This investigation (which takes place after the statutory enquiries have been completed) should be conducted expeditiously, taking no longer than three months, wherever possible. In cases where there is a delay, and particularly where a Priest or religious has been temporarily removed from active ministry or a lay person suspended from duties, it is important to keep everyone informed of the progress of the investigation and to maintain records of such communications.

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There can be no excuse for a respondent to be left uninformed and 'in limbo' indefinitely. Where an investigation concerns Clergy or religious, the requirements of Canon Law will be observed.

18. The Diocesan DLP and D/DLP will engage with the bishop in planning a suitable risk assessment and risk management protocol for respondent priests in the Diocese of Cloyne - **as per Recommendation 2 of Review into Safeguarding Practice in the Diocese of Cloyne conducted in Dec 2013.**

19. The Designated Liaison Person will ensure that a narrative account of the response given by the respondent priest is recorded in each case management file **-as per Recommendation 2 of Review into Safeguarding Practice in the Diocese of Cloyne conducted in Dec 2013.**

8.2.3 Cloyne Diocesan Safeguarding Children Committee

The role of the Safeguarding Committee is supportive and developmental. Its role is not related in any way to the management of individual cases of suspected or alleged abuse. The committee is responsible for provision of training, safe recruitment of volunteers and staff within their service area. This committee is to be primarily focused on creating, maintaining and monitoring a safe environment for children in all aspects of Church life and activity and for advising on the human resources required for implementing best safeguarding practice across services. (See also pp 55, *Standards and Guidance Document for the Catholic Church in Ireland*).

8.2.4 National Case Management Reference Group

The National Board for Safeguarding Children in the Catholic Church in Ireland (NBSCCCI) following extensive consultation established a National Case Management Reference Group (NCMRG) in 2011 on an interim basis for one year. The need arose from a view that consistent quality advices should be available to diocese and religious congregations.

8.2.5 Support Person(s)

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

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

Under no circumstances should the same Support Person be provided for the child or adult making the allegation/disclosure of abuse and for the respondent. (See also pp 56 and 57 *Standards and Guidance Document for the Catholic Church in Ireland*.)

8.2.6 Advisers/ support Perssons

The Bishop or Religious Superior will appoint an Adviser to be available to the respondent. Advisers shall represent the needs of the respondent to the Church Authority and assist, where appropriate, with the care of the respondent and with communication between the

respondent, the Designated Liaison Person (DLP) and the Church authority / Church organisation. The respondent's adviser shall not be the respondent's therapist or spiritual adviser.

Under no circumstances should the same Support Person or Adviser be provided for the child or adult making the allegation/ disclosure of abuse and for the respondent. (See also pp 58-59 *Standards and Guidance Document for the Catholic Church in Ireland*).

8.2.7 The Diocesan Garda Vetting Approved Liaison Person

The Diocesan Garda Vetting Approved Liaison Person handles garda vetting applications on behalf of the Diocese of Cloyne.

8.3 Safeguarding Structure at Parish Level

- (i) The Parish Priest/Administrator has overall responsibility at parish level
- (ii) The Parish Safeguarding Representatives also known as Local Safeguarding Representatives (See also pp 54, *Standards and Guidance Document for the Catholic Church in Ireland*)
- (iii) The Parish Safeguarding Committee
- (iv) All Church personnel including employees, volunteers, group leaders are obliged to abide by the prescribed safeguarding rules, procedures, guidelines

8.3.1 Responsibilities of the Parish Priest/Administrator

At parish level, the overall responsibility for safeguarding children in any Church organisation remains with the relevant Church authority, such as the Parish Priest or Administrator.

All parishes are required to issue and display a **Parish Safeguarding Children Statement** that confirms the parish will adhere to the diocesan policy and procedures as set out in the latest edition of '*Safeguarding Children and Vulnerable Persons in the Diocese of Cloyne*'.

8.3.2 Responsibilities of the Parish / Local Safeguarding Representative

It is expected that one or two people within each Church organisation will be identified to act as Local Safeguarding Representatives to work alongside the relevant Church authority.

The position is voluntary, but Local Safeguarding Representatives will be provided with induction, support and regular training. Their role will be to promote the safeguarding of children within that Church organisation by:

- raising awareness of what safeguarding is
- disseminating information on *Safeguarding Children – the Standards and Guidelines Document for the Catholic Church*, and circulating information widely to the public especially among Church counseling agencies and parishes
- ensuring that any activities run within that Church organisation are provided in a manner which ensures the safety and well-being of the children involved (e.g. appropriate level of supervision is in place for the activity, or that insurance has been provided, and so on)
- ensuring that the contact details of the relevant Designated Liaison Person (DLP) are widely publicised.

The Role of the Parish/Local Safeguarding Representative (LSR)

1. The Parish Safeguarding Representative will inform the Designated Liaison Person, upon receipt or notification of an allegation, suspicion or concern about abuse of a child, current or historical, from any person and to follow the guidelines (See Section 2 Responding and Reporting)
2. Co-operate, contribute to, and assist any investigation being undertaken by the HSE / An Garda Síochána and/or Designated Liaison Person with any practical matters.
3. The LSR in a religious congregation will refer child protection concerns to the Designated Liaison Person to act for that congregation.
4. The Parish Safeguarding Representative, has the same obligation as all other Church personnel, staff and volunteers to refer child protection concerns to the Designated Liaison Person DLP).
5. The Parish Safeguarding Representative must not take on the role of Support Person to the person raising a concern/making an allegation or disclosure, nor should they take on the role of Adviser to the respondent.

Any safeguarding concerns raised with a Parish Safeguarding Representative or other Church personnel, staff and volunteer should be dealt with in accordance with the Initial Contact procedures (See Section 2 Responding and Responding.)

8.3.3 Responsibilities of the parish safeguarding committee

There is an obligation on every parish to establish a Safeguarding Committee before 30th November 2013. The Parish Safeguarding Committee is to be established and operated in accordance with a standard template.

*The committee will elect a chairperson, a secretary, will meet at least once every three months or as often as it deems necessary to deal effectively with issues which concern it. It will convene once a year to carry out a review of the parish policy and will assist the parish priest with:

- Revision of safeguarding policy and policy issues generally within the parish.
- Implementation and monitoring of safeguarding policy in the parish through, inclusion on the agenda of each committee meeting and through application of monitoring and implementation checklists.

The minutes will be the property of the committee and will be retained in accordance with parish policy.

*See _____ Parish Safeguarding Children Policy Statement, Guidelines, Roles and Responsibilities (Dec 2010).

8.3.4 Responsibilities of Church personnel, group leaders and parish groups working with children

Ensuring adherence to the diocesan and parish guidelines and to the codes of conduct.

Keeping the parish representatives informed regarding their activities.

Ensuring that adequate insurance is in place for their activities.

Attending at information sessions when requested, by the parish and/or diocese.

Comply with the requirements of the diocesan policy and parish policy.

8.3.5 Responsibilities of children

Adhere to codes of behaviour, guidelines and procedures etc of the diocesan policy and of the parish policy.

8.3.6 Responsibilities of specific individuals

Specific individuals should be allocated responsibilities for specific tasks e.g. replenishing First Aid Boxes, managing the parish facilities that are being loaned to groups, or rented etc.

8.3.7 Responsibility of all Church personnel

All Church personnel including, employees, volunteers, group leaders are obliged to abide by the prescribed safeguarding rules, procedures and guidelines.



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PART 2

The policies in Part 2 are essentially supplementary to individual sections in Part 1. Hence: the numbering generally reflects the section of Part 1 to which each belongs and this is also the reason for occasional apparent lack of continuity in the numbering.

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www.safeguardingchildrenclayne.ie

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3.7 Sharing information

3.7.1 Confidentiality requirements of diocesan policy and legislation

3.7.2 Breaches of confidentiality of vetting information

3.7.3 Handing over of securely held information to the successor of the Parish Priest

3.7.4 Access to information by the data subject

3.8.1 Data definitions

3.10.10 Prevention: photography

Consent and Permission

Reason and purpose

Appropriateness of Images

Safeguarding Children in the Diocese of Cloyne (November 2014)

Identification of subjects

Photography for Public Display

Using images/photographs of children

The underlying principles that should be addressed in relation to use of photography include:

3.10.11 Policy and guidelines on the use of mobile phones.

Mobile Phones - guidance on use

3.10.12 Guidelines on Internet Safety

Introduction

Background to this policy

Practice Guidelines for Parishes on the Safe Use of Social Media.

Assess your needs and readiness

Safeguarding Checklist

Reporting breaches of terms of service.

Decide how your webpage/profile will be managed within your parish group.

Management of the profile.

Vetting and training

Registration or 'signing up' your parish group.

Accept 'friends' setting and minimum user age

"Accept comment" setting

Links to safety and help organisations

Uploading Content

A GUIDE TO INTERNET SAFETY FOR CHILDREN AND TEENAGERS.

Potential risks can include, but are not limited to

Ok , so when I'm online I like to

Use Instant Messaging

Use of Chat Rooms.

Use of Social Networking Sites.

If you're being bullied online

Blogging

Online Gaming

P2P Sharing

Harmful Material –

REPORT IT!

What kind of material might be illegal?

TALK TO SOMEONE!

Finally, To Sum Up. Staying Safe Online.

3.13 Prevention: Complaints Procedure

Resolving conflict

(i) The approach to resolving conflict.

(ii) Parish Procedures

(iii) Making a complaint



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2.5 Procedures for management of those individuals who pose a risk to children

The bishop will engage with the DLP and D/DLP in planning a suitable risk assessment and risk management protocol for respondent priests in the Diocese of Cloyne -

Recommendation 8 of the Review of Safeguarding Practice in the Diocese of Cloyne Dec 2103

2.5 Disciplinary Processes

2.5.1 When a member of staff or volunteer is the subject of an allegation

If the allegation/disclosure/suspicion raised concerns about a current employee or volunteer of a Church organisation, the Designated Liaison Person will refer the matter to be dealt with under the grievance and disciplinary procedures of the body concerned, to be investigated in accordance with the applicable procedures of employment law and any other relevant laws. (When a priest is the subject of an allegation, disciplinary procedures are the responsibility of the bishop).

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

Disciplinary Procedures will operate at the same time as and in parallel with the Reporting Procedures. In general it is recommended that the same person should not have responsibility for dealing with both the reporting issues and the employment issues. It is preferable to separate these issues and manage them independently.

There will be consultation with the Child and Family Agency (TUSLA) and Gardai regarding protective measures for child/children, always aware that the safety of children is paramount.

Those who are the subject of an investigation may be asked to step aside from their ministry and duties for the duration of the investigation. While the matter is pending the respondent enjoys the presumption of innocence and the right to his or her good name.

Staff/volunteers may be subjected to erroneous or malicious allegations. Therefore any allegation of abuse should be dealt with sensitively and support should be made available. The primary goal is to protect the child while taking care to treat the employee fairly.

A narrative account for the respondent

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The Designated Liaison Person will ensure that a narrative account of the response given by the respondent priest is recorded on each case management file - **Recommendation 2 of the Review of Safeguarding Practice in the Diocese of Cloyne Dec 2013.**

Procedure to be followed by the Designated Liaison Person (DLP) in regard to management of those who may pose a risk to children (following on receipt of a report)

- Inform the Church authority that a complaint has been made and make a recommendation to the Church authority about any immediate action(s) that may need to be taken in order to ensure the safety of children.
- . Make enquiries to identify the present and previous appointments of the respondent in order to establish whether there are any previous concerns about his/her practice, or any current grounds for concern in relation to the safety and wellbeing of children. (Again, in cases of emergency, where a child appears to be at immediate or possible risk, an immediate referral (in accordance with **Section 2 Procedures for responding to concerns, suspicions, allegations and disclosures of abuse involving Church staff and volunteers** should be made to the Health and Social Services. Where appropriate, if Health and Social Services staff are not available, An Garda Síochána should be contacted so as to ensure that **under no circumstances is a child left in a dangerous situation pending Health and Social Services intervention.**
- Alert the adviser to be on standby, without identifying the respondent.
- Conduct an initial interview with the respondent as soon as possible, unless (where an earlier referral has been made) the Health and Social Services / An Garda Síochána have
- requested that such an interview be deferred. The respondent shall be given information
- about his or her entitlement to seek legal advice (both civil and, where appropriate, canonical) and about the child protection process. The respondent should be informed that he/she is not obliged, in law, to respond or to furnish evidence, but that any statement provided will be taken into account in the investigation. The Designated Liaison Person (DLP) and the Church authority should then inform the respondent of the nature and detail of the allegation/concern and the name of the person raising it. The purpose of the interview is to inform the respondent of the existence of the allegation and of the process being followed. The respondent needs to be given enough detail about the disclosure/allegation/concern, and the person raising it, to be able to offer a response. The respondent shall be offered the services of an Adviser. A written record of the interview must be prepared, agreed with the respondent, signed and dated
- Implement the referral policy as outlined in **Section 2 Procedure – How to respond to concerns, suspicions, allegations and disclosures of abuse involving Church staff and volunteers**
- Conduct an internal investigation at the conclusion any external investigation or where no such investigation takes place. Any internal investigation will be initiated in cases where child protection concerns remain or where disciplinary action needs to be considered.
- Such an investigation will gather and assess available information from all sources and witnesses. Every effort should be made, in consultation with the HSE/ An Garda Síochána to avoid the necessity to interview child witnesses for the purposes of disciplinary inquiries. This investigation (which takes place after the statutory enquiries have been completed) should be conducted expeditiously, taking no longer than three months, wherever possible. In cases where there is a delay, and particularly where a Priest or religious has been temporarily removed from active ministry or a lay person suspended from duties, it is important to keep everyone informed of the progress of the investigation and to maintain records of such communications.
- There can be no excuse for a respondent to be left uninformed and ‘in limbo’ indefinitely.
- Where an investigation concerns Clergy or religious, the requirements of Canon Law will be observed.

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The Diocesan DLP and D/DLP will engage with the bishop in planning a suitable risk assessment and risk management protocol for respondent priests in the Diocese of Cloyne - **as per Recommendation 2 of Review into Safeguarding Practice in the Diocese of Cloyne conducted in Dec 2013.**

19. The Designated Liaison Person will ensure that a narrative account of the response given by the respondent priest is recorded in each case management file **-as per Recommendation 2 of Review into Safeguarding Practice in the Diocese of Cloyne conducted in Dec 2013.**

Under no circumstances should the same Support Person be provided for the child or adult making the allegation/disclosure of abuse and for the respondent. (See also pp 56 and 57 *Standards and Guidance Document for the Catholic Church in Ireland.*)

Advisers

The Bishop or Religious Superior will appoint an Adviser to be available to the respondent. Advisers shall represent the needs of the respondent to the Church Authority and assist, where appropriate, with the care of the respondent and with communication between the respondent, the Designated Liaison Person (DLP) and the Church authority / Church organisation. The respondent's adviser shall not be the respondent's therapist or spiritual adviser.

Under no circumstances should the same Support Person or Adviser be provided for the child or adult making the allegation/ disclosure of abuse and for the respondent. (See also pp 58-59 *Standards and Guidance Document for the Catholic Church in Ireland.*)



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2.6 Complaints procedures for individuals who are unhappy with the way their concerns have been dealt with – independent reviews

2.6.1 What if I am unhappy with the way my concerns were dealt with?

If you are unhappy with the way that the Church dealt with your concerns, you can ask for it to be independently reviewed. You cannot ask for the matter to be re-investigated but you can ask for the process (i.e. how it was dealt with) to be reviewed.

You must ask for a review within three months after the Church's investigative process has finished, but this timeframe can be extended in certain circumstances.

You should write to The National Board (St. Patrick's College, Maynooth, Co. Kildare), setting out the reasons why you are unhappy with the process. If you have any difficulty in doing this, please contact the National Office to discuss other ways they may be able to help you to ask for a review.

The review will be conducted by an independent review panel of three persons with specialist expertise.

The Review Panel cannot review the outcome of the process, but will look at the manner in which the process was conducted and ensure that all the required steps were followed.

At the end of the review the Review Panel will then make a recommendation.

The person who your concern/allegation was about is also entitled to seek such a review if he or she is unhappy with the way the process was conducted.

For further details of the review process, please see the procedures outlined in p80 *Standards and Guidance Document for the Catholic Church in Ireland* or contact the National Office for further information.

2.6.2 Procedures for independent reviews

1. If the person who raised a child protection concern/made an allegation or the person they raised the concern about (the respondent) is unhappy with the way in which the concern/allegation was managed they can ask for this process to be reviewed.

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2. The person requesting a review will normally be required to provide written reasons for his or her dissatisfaction with the process. There may be circumstances where this is not possible for example, where the person making the allegation is a child or has an impairment. In these situations their request will be accepted verbally and assistance will be offered to enable them to access a review.

3. The person's written request for a review should be forwarded to the National Board within three calendar months of the conclusion of the investigation of the matter. However, the National Board can accept requests for review outside this timeframe if it feels it is appropriate.

4. The Review of Process is an independent evaluation, not only of whether the child protection procedures have been properly observed, but also of whether the Standards established in the *Safeguarding Children – Standards and Guidance Document for the Catholic Church in Ireland* have been adhered to. This review of process shall not, however, include or extend to a review of the outcomes determined under the child protection procedures.

5. A review under these procedures is to be conducted otherwise than in public and, save as appears below, in confidence. The review will be carried out with respect to similar confidentiality guidelines as the initial inquiry.

6. The National Board will appoint three Reviewers from the National Review Panel, who will arrange for a review to take place. The Reviewers will be independent and they will decide how best to conduct the review in line with these procedures.

7. The National Board will inform the Church authority concerned that a review of process has been requested and approved. The National Board will also ensure that both the complainant and/or respondent are informed that a review has been requested and will take place.

8. The Reviewers can use their discretion after looking at the information and decide not to carry out a review or to discontinue a review if they consider the request to be inappropriate.

9. In any case where a request is made to the National Board for a review and the Reviewers, having been appointed, decide not to carry out a review they will write to the person who has requested the review and the National Board outlining their decision.

have all they need to properly, fully and effectively carry out their role. It will also ensure full transparency, openness and cooperation, and so foster confidence and trust in the child protection process as a whole, and assist in facilitating the best possible handling of child protection concerns generally.

11. If, at any stage during the course of a review, the Reviewers have reasonable grounds for concern that a child may have been abused, or is being abused, or is at risk of abuse, they will inform the Child and Family Agency (TUSLA) or An Garda Síochána if this has not already occurred.

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

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

14. The Reviewers shall check for factual accuracy in the report and to this end, the Reviewers shall provide excerpts of the draft report, containing those parts of the report which refer to or

10. The Reviewers can ask to interview any person concerned (other than a child), and will, in the case of a Church organisation or Church authority, be given, and have access to, all such information and documentation relating to the matter in the possession of the body or authority. Some information and documentation may be given, or access afforded, to the Reviewers may be legally privileged material⁸⁹ This will be done to ensure that the Reviewers affect the person who has raised a concern/made an allegation, the respondent and the Church authority respectively, to each of those persons, for their checking of the facts.

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

⁹ Such material, which is exempt from disclosure in court, and other relevant proceedings, comprises the following types of written and/or oral communications - confidential communications between a client and his professional legal adviser, which communications are made in the course of a professional legal relationship between them for the purpose of either seeking or giving legal advice (not other advice, and not mere legal 'assistance'); and confidential communications between a client and his professional legal adviser, or between the client and a third party, or between his professional legal adviser and a third party, the dominant purpose for which was preparation for pending, contemplated or reasonably apprehended litigation.

Any such material will be disclosed on the following bases:

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

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

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

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

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



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2.7 Confidentiality statement and guidelines

2.7.1 Recognising people's rights to confidentiality: The Diocese of Cloyne recognises the importance of ensuring people's rights to confidentiality and is committed to keeping confidential all personal information about children and their families. The only exception may be when safeguarding children or welfare concerns arise in relation to a child. In this situation, information will be shared on a need to know basis, in the best interest of the child as follows: Giving information to an appropriately designated person and/or statutory authority for the protection of a child/young person is not a breach of confidentiality.

2.7.2 Exchange of relevant information:

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

(ii) Information shared on 'a need to know' basis: All information regarding concern or assessment of child abuse or neglect should be shared on 'a need to know' basis in the interests of the child with the relevant statutory authorities.

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

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

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

The issue of confidentiality should be part of the training necessary for staff who work in the area of child protection and welfare and the general training of staff in organisations that work with children. Each organisation should have a written policy in this regard.

2.7.3 Legal protection

(i) The **Protections for Persons Reporting Child Abuse Act 1998** makes provision for the protection from civil liability of persons who have communicated child abuse 'reasonably

and in good faith' to Designated Liaison Person (DLP)s of the Child and Family Agency (TUSLA) or to any member of An Garda Síochána. This protection applies to organisations as well as to individuals. This means that even if a communicated suspicion of child abuse proves unfounded, a plaintiff who took an action would have to prove that the person who communicated the concern had not acted reasonably and in good faith in making the report.

(ii) **Qualified Privilege:** A person who makes a report in good faith and in the child's best interests may also be protected under common law by the defence of qualified privilege.

2.7.4 Freedom of information and data protection

(i) **Freedom of information Acts 1997 and 2003:** Notwithstanding the requirement of all professionals involved in child protection and welfare cases to share relevant information, records are nevertheless confidential. They do not belong to individuals (except for independent practitioners) and are the property of the organisations that keep them. Under the **Freedom of information Acts 1997 and 2003**, members of the public have a right of access to records concerning them held by any public body and a right to have official information about themselves amended where it is incorrect, incomplete or misleading.

Members of the public also have a right to be given reasons for decisions made concerning themselves. Requests to see records are processed in the first instance through the public body that holds the records. In the event of refusal of access, the decision may be appealed and the ultimate arbiter is the Information Commissioner. At present, these Acts apply to the HSE, but not to An Garda Síochána.

2.7.5 The Data Protection Acts 1988 and 2003 afford similar rights to individuals to access personal data held about them by any entity whether in the public or private sector. The right to access applies to records held by the HSE and An Garda Síochána. However, the right to access does not apply in a range of circumstances that may be relevant in a child welfare context. Equally, the right of access does not extend to any information that identifies a third party where that third party had an expectation of confidence. Accordingly, it would not be necessary to provide any information that would identify a person making a child welfare report in response to a request under the Data Protection Acts.

Primary carers have a right to know if personal information is being shared and a report is being made to the HSE, unless informing them could put the child at further risk

We cannot guarantee total confidentiality where the best interests of the child are at risk.

2.8 Record keeping and storage of information

(See Section 3.5: Recording, storage and destruction of files)

Record keeping and storage of information will be in accordance with:

- Diocesan policy on storage of completed documents **Section 3**
- Confidentiality statement and guidelines

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- Data protection legislation including data protection rules as outlined in the European Communities (Data Protection) Regulations 2001, (See www.dataprotection.ie)
- The guidelines of the National Board for Safeguarding Children in the Catholic Church



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2.9 Whistleblowing Policy

2.9.1 Introduction

The numbering in this policy reflects Section 2 (Recognising, Responding and Reporting) of *Safeguarding Children in the Diocese of Cloyne (Nov. 2014)*, due to its relevance to that Section.

The whistleblowing policy outlined below is an organisational procedure that can be used by anyone involved to raise concerns about any practice or personnel that they feel is detrimental.

Depending on the nature of the concern raised through whistleblowing, this policy is designed to work alongside other reporting/complaints procedures outlined in the diocesan policy document - *Safeguarding Children in the Diocese of Cloyne (Nov 2014)* e.g. **Section 2 generally and Section 2.4:** regarding: procedures that set out the action that must be taken by a Church staff/volunteer if any concern, allegation, suspicion or disclosure, relating to safeguarding children is made.

Section 2 generally and Sections 2.6 - 2.8: regarding: the complaints procedures and independent reviews about how an allegation of abuse was handled.

Section 3 generally and sections 3.13 - 3.15: regarding the complaints procedure for concerns which do not involve allegations of abuse (for example breach of code of behaviour)

2.9.2 Aims of this whistleblowing policy:

- (i) To encourage and facilitate reporting by individuals of concerns about any practice or personnel that they feel is detrimental.
- (ii) To complement other reporting/complaints procedures outlined in the diocesan policy document - *Safeguarding Children in the Diocese of Cloyne (Nov. 2014)* having regard at all times to the paramount importance of the safety of the child.
- (iii) To point out the various reporting pathways open to them to make the reports.

The Diocese of Cloyne encourages any person who has a concern about people or practices in the diocese and its services to contact our safeguarding service or alternately, you may contact Tusla (The Child and Family Agency) or the Gardai).

-See contact details at subsection 2.9.12 below.

2.9.3 The scope of this policy

The scope of this policy encompasses the reporting or raising of concerns by anyone about any practice or personnel that they feel is detrimental including concerns about the

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safeguarding role of the Diocese of Cloyne including its procedures, the application thereof and the levels of implementation of diocesan policy at any level in diocese or parish.

Any concern about any aspect of the safeguarding practice or personnel relevant to children and/or vulnerable persons can be reported under this policy.

2.9.4 Guidance for Church personnel staff and volunteers in the Diocese of Cloyne

This guidance is written for staff/volunteers (Staff/Volunteers includes any adult, paid or voluntary, who works directly with young people/children) within parish contexts and agencies under the auspices of the Diocese of Cloyne.

2.9.5 Acknowledging individual responsibility

Staff/Volunteers must acknowledge their individual responsibility to bring matters of concern to the attention of their supervisor/superior/manager. These could be the Parish Priest/Priest in Charge/Bishop and/or relevant agency managers. Although this can be difficult this is particularly important where the welfare of children may be at risk.

You may be the first to recognise that something is wrong but may not feel able to express your concerns out of a feeling that this would be disloyal to colleagues or you may fear harassment or victimisation. These feelings, however natural, must never result in a child or young person continuing to be unnecessarily at risk. Remember it is often the most vulnerable children or young person who are targeted. These children need someone like you to safeguard their welfare.

2.9.6 Reasons for whistleblowing

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

2.9.7 Managing your fears

What stops people from whistleblowing?

- Fear of starting a chain of events which spirals out of control
- Disrupting the work or project
- Fear of getting it wrong
- Fear of repercussions or damaging careers
- Fear of not being believed.
- Don't think 'what if I'm wrong?' - think 'what if I'm right?' .

2.9.8 How to raise a concern

- You should voice your concerns, suspicions or uneasiness as soon as you feel you can. The earlier a concern is expressed the easier and sooner action can be taken.
- Try to pinpoint exactly what practice is concerning you and why.
- Approach your immediate superior/supervisor/manager.
- If your concern is about your immediate superior/supervisor/manager then please contact the diocesan Designated Liaison Person or The National Office for Safeguarding Children in the

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Catholic Church in Ireland.(See Reporting Pathways at 2.9.12 below)

- Make sure you get a satisfactory response - don't let matters rest.
- Ideally, you should put your concerns in writing, outlining the background and history, giving names, dates and places wherever you can.
- A member of Church personnel, staff or volunteer is not expected to prove the truth of an allegation but will need to demonstrate sufficient grounds for the concern.

2.9.9 What happens next

- You should be given information on the nature and progress of any enquiries.
- Your supervisor/superior/manager has a responsibility to protect you from harassment or victimisation.
- No action will be taken against you if the concern proves to be unfounded and was raised in good faith. This is in line with the PROTECTION FOR PERSON REPORTING CHILD ABUSE ACT, 1998.
- Malicious allegations may be considered as a disciplinary offence. This is also in line with the PROTECTION FOR PERSON REPORTING CHILD ABUSE ACT, 1998

2.9.10 Self reporting

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

2.9.11 Advice and support

This policy is intended to encourage and enable anyone with a concern to raise that concern without fear of victimization or subsequent discrimination.

It is recognised that whistleblowing can be difficult and stressful, advice and support is available from the Diocesan Designated Liaison Person and/or The National Office for Safeguarding Children in the Catholic Church in Ireland (Contact details are below).

The Diocese of Cloyne recognises that the decision to report a concern can be a difficult one to make due to the fears of subsequent harassment or victimization. In this regard, the Diocese of Cloyne gives its assurance that it will take appropriate action to protect the whistleblower who raises a concern in good faith. Any investigation into such concern will be treated on its merits.

2.9.12 Reporting Pathways

Contact details:

Designated Liaison Person (DLP) or Deputy Designated Liaison Person (DDLDP)

Phone Number: 086 0368999

**National Office for Safeguarding Children in the Catholic Church in Ireland
(NBSCCCI)**

Phone Number 01 5053124

Other reporting options for whistleblowing

Alternatively you may contact your local Tusla (Child & Family Agency):

Mallow/Fermoy 022 54100

Cobh/Macroon/Midleton 021 4927000

or

An Garda Siochana.

2.9.13 Encouragement

The Diocese of Cloyne is committed to the highest possible standards of openness and accountability. In line with that commitment, we encourage anyone who has concerns about any practice or personnel that they feel is detrimental in the diocese to come forward to voice and share these concerns.

We encourage whistleblowing because it is essential to best practice in the safeguarding work of diocese and parish.

We encourage you to identify yourself but if you are not able or prepared to do this, we will still receive and act on your concern. Providing us with your name helps us to understand your concern, and not having this information may limit how well we can respond. However, we will receive and act on your concerns.

2.9.14 Confidentiality

All concerns will be treated in confidence. It may happen that, eventually, the whistleblower may be invited to come forward as a witness, in order to bring the matter to a conclusion.

Please refer to the main policy document - *Safeguarding Children in the Diocese of Cloyne (Nov. 2014)* - for information regarding guidance and legislation relating to confidentiality and freedom of information.

2.9.15 How the Diocese will respond.

Inquires will be made to determine whether an investigation is appropriate and, if so, what form it should take. The matters raised may be subject to:

- Internal investigation.
- Referral to statutory authorities
- Consideration under Canon Law

The diocese will act without delay on any recommendations which may ensue.

2.9.16 Reviewing the policy

This whistleblowing policy will be reviewed to ensure compliance with government legislation, guidance from the Child and Family Agency and from the National Board for Safeguarding Children in the Catholic Church in Ireland (NBSCCCI) and in the light of new information and developments. It will also be reviewed as part of the overall triennial review of diocesan policy.

Reporting concerns regarding vulnerable persons

The Protection For Persons Reporting Child Abuse Act 1998 provides protection for individuals who make a report in good faith regarding the safeguarding of children.

BUT

Currently, there is no such protection for reporting concerns about vulnerable persons.



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3.4 Garda Vetting

(See also: THE GARDA VETTING PROCESS AND APPEALS PROCEDURE IN THE CATHOLIC DIOCESE OF CLOYNE)

3.4 Application for a vetting disclosure (garda vetting)

3.4.1 One component of good practice

Application for a vetting disclosure is one component of ‘a recruitment and selection good practice framework,’ which *inter alia* includes practices such as verification of identity, gathering of personal details, interview and references.

3.4.2 Legal responsibility

Legal responsibility for employment and duty of care remains with the organisation (parish or diocese or other) that enters into a contract of employment or engages an applicant in a voluntary capacity.

3.4.3 Who to vet? -In respect of whom should application(s) for a vetting disclosure be made?

(a) In compliance with the National Vetting Bureau (Children and Vulnerable Persons) Act 2012, clergy, seminarians and religious within the diocesan setting, full-time or part-time staff and/or volunteers/voluntary lay faithful in diocesan offices, agencies and parishes, and ancillary staff in schools **may not be employed**, whether under contract or otherwise to undertake relevant work or activities, a necessary and regular part of which consists mainly of the person having access to, or contact with children and/or vulnerable persons, unless the organisation¹⁰ has received a vetting disclosure from the Vetting Bureau in respect of that person.

(b) Whereas the criteria “a necessary and regular part of which consists mainly of the person having access to, or contact with children and/or vulnerable persons,” outlined in subsection 3.2.1 apply generally to volunteers with direct access to children and vulnerable persons, the parish, religious order or Church body must be satisfied that all Church personnel, staff and volunteers are suitable. If, having applied the other recruitment procedures of application/declaration forms and checking of references and identity, there is still a doubt or uncertainty, the option to apply for a vetting disclosure should be made. **IF IN DOUBT – APPLY FOR A VETTING DISCLOSURE**

(c) Notwithstanding the provisions of subsection of 3.2.1 (a) the requirement to apply for a vetting disclosure will apply to the following and to any other(s) to be so designated by the Diocese of Cloyne:

The list outlined below is provided for guidance within parishes only and should not be interpreted as definitive or excluding other individuals or categories from a requirement of garda vetting.

¹⁰ Organisation means the parish, religious order or Church body – including the diocese itself – which has required that Garda Vetting be sought and to which the applicant is directly accountable.

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List of who should be garda vetted in the Diocese of Cloyne.

This list is provided for guidance within parishes only and should not be interpreted as definitive or excluding other individuals or categories from a requirement of garda vetting.

- Clergy, seminarians and religious who are available for ministry.
- Sacristans Parish safeguarding representatives. Members of the Parish Safeguarding Children Committee.
- Leaders of Church activities/groups that involve children: e.g. choir leaders, prayer groups and distinct apostolic groups such as The Legion of Mary, Pioneers etc
- All adult members of groups comprised of adults and children (under 18's) including choirs, prayer groups, and other such groups including distinct apostolic groups such as The Legion of Mary, Pioneers etc
- All church personnel/ staff and volunteers who work with children in the You Shall Be My Witnesses Programme.
- Ministers of the Eucharist and/or others who minister to the sick or to vulnerable persons at venues outside of the church.
- Full-time or part-time staff and/or volunteers/voluntary lay faithful in parishes with direct access to children or vulnerable persons

3.4.4 Retrospective Vetting

Applications will be made for retrospective vetting disclosures in respect of persons for whom application for vetting disclosure is required by the diocese and who were employed under contract or otherwise immediately before the commencement of the relevant legislation and who were not previously the subject of an application for vetting disclosure.

3.4.5 Re-vetting

Applications shall be made for a re-vetting disclosure in respect of persons for whom application for vetting disclosure is required by the diocese, after the expiration of five years from the issue of the previous vetting disclosure or at any time or times within the said 5 year periods as deemed necessary.

3.4.6 Application for a vetting disclosure -best practice in recruitment and selection

In accordance with best practice, an application for a vetting disclosure should be made in respect of each applicant prior to the offer of employment/engagement and subsequently after the expiration of five years from the issue of the previous vetting disclosure or at any time or times within each of the said 5 year period as deemed necessary

3.4.7 Applicants should be informed early of the requirement for a vetting disclosure

Applicants should be informed early of the requirement for a vetting disclosure - ideally at the time of advertising.

3.4.8 Best Practice in the vetting process

Best Practice will be observed in all processes, including observance of best practice relating to communication of the diocesan policy to those involved in the vetting process, the

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recording and storage of information and confidentiality in accordance with diocesan policy and with Data Protection legislation in the Republic of Ireland, principally with The Data Protection Act 1988 and the Data Protection (Amendment) Act 2003.

3.4.9 Responsibility for employment and duty of care.

Legal responsibility for employment and duty of care remains with the organisation (parish, diocese etc) that enters into a contract of employment or engages an applicant in a voluntary capacity.

3.4.10 Appeals

(a) An appeal against the determination of the Chief Bureau Officer

There is an appeals procedure available for individuals who feel aggrieved by the determination of the Chief Bureau Officer in accordance with Section 18 of the National Vetting Bureau (Children and Vulnerable Persons) Act 2012.

(b) An appeal against the Church's decision not to employ

An appeal may be pursued against the Church's decision not to employ in a paid or unpaid capacity, on the grounds of information contained in a vetting disclosure.

3.5 IMPORTANT INFORMATION

3.5.1 Offences:

It is an offence not to comply with the requirements of the National Vetting Bureau (Children and Vulnerable Persons) Act 2012 regarding:

Applying to the Vetting Bureau to be registered in the register of relevant organisations -Section 8 of the Act.

Engaging any person under contract of employment or otherwise without first receiving a vetting disclosure from the Bureau –Section 12

Using or disclosing information contained in a vetting disclosure otherwise than in accordance with the Act – Section 16

Notifying the Vetting Bureau regarding specified information - Section 19 of the Act).

Re-vetting in accordance with Section 20

Retrospective vetting in accordance with Section 21

Impeding the performance of the compliance officers appointed by the Chief Bureau Officer or a member of the Garda Síochána - Section 24 of the Act

Falsification of vetting disclosures - Section 26

3.5.2, Guidance regarding the process for vetting disclosures

Advice, guidance regarding the process for vetting disclosures and official vetting forms are available from, Cloyne Diocesan Safeguarding Children Office, Mallow Community Youth Centre, New Road, Mallow. Tel. 02221009.

3.5.3The complete policy, process and appeals procedures relating to applications for vetting disclosures are outlined in the dedicated website

www.safeguardingchildrenclayne.ie

3.5.4 It is a requirement that all parishes would establish a Parish safeguarding Committee before 30th November 2013.



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3.6 Recording, storage, retention and destruction of records

3.6.1 Factors governing storage and record keeping

Storage and record keeping will be in accordance with diocesan policy, with data protection legislation and with the principles of good record keeping.

Storage of data must comply with the requirements of the **Data Protection Act 1998 and the Data Protection (Amendment) Act 2003**. The provisions of these Acts in relation to storage are as follows:

It is important that all sensitive or confidential materials are retained in a case file and stored securely in a place designated by the data controller i.e. the bishop.

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

Access to the files needs to be limited to the people in named roles i.e. the Parish Priest or Pastoral Coordinator (as appropriate) who have responsibility to manage the records/files.

Any information of a sensitive/confidential nature if stored electronically must always be password-protected.

Information regarding the location and storage arrangements will be passed from outgoing data controllers to their successors in accordance with the guidance in the manual provided by the diocese for passing on safeguarding children information.

Other records with identifying personal information, e.g. records on recruitment and vetting; activity attendance records; consent forms; accident forms etc must be stored in a secure locked cabinet in the Parish Priest office or in the office of the Diocesan Secretary (or other appointed by the bishop as appropriate).

3.6.2 Retention and destruction of records: Guidance published by the Data Protection Commissioner in relation to compliance with the *Data Protection Acts 1998-2003*, is a useful reference for organisations to consider as it represents what can be regarded as best practice. The guidance states, *inter alia*, that:

- Where no legal requirement to retain information beyond the closure of the record exists, the authority will need to establish its own retention periods. Diocesan policy *Safeguarding Children in the Diocese of Cloyne*, states:
- “The Church should retain all case management files and safeguarding records for a period of 100 years. All other records pertaining to safeguarding should be stored for a period of 20 years. (See ‘Record Keeping’ at the National Board’s website www.safeguarding.ie).”

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3.6.3 Storage:

(a) Application forms, references and the fact that the vetting checks have been carried out, as well as the vetting disclosure record must be stored securely by the Parish Priest or Diocesan Secretary (or other appointed by the bishop as appropriate), in a locked cabinet in their respective office - (Vetting Guidance April 2011 issued by The National Board for Safeguarding Children in the Catholic Church)

(b) The Parish Priest will keep all information returned from the National Vetting Bureau relating volunteers and local employees in a secure cupboard/document file/safe in the Parish Priest's office and no copies thereof will be retained elsewhere by the Church.

(c) The Diocesan Secretary (or other appointed by the bishop as appropriate), will securely retain all information returned from the GCVU in relation to priests of the diocese and any diocesan employees and volunteers and any visiting priests, missionaries etc. if they have been vetted by the diocese and no copies thereof will be retained elsewhere by the Church.

(d) All personal details which are stored electronically must be protected by secure password.

3.6.4 Principles of Good Record Keeping

All records should be legible, preferably typed or word processed.

All entries should be signed. In the case of written records, the person's name and job title should be printed alongside the entry.

All records should be dated and timed. This should be in real time and chronological order.

A narrative should be constructed which sets out a chronology of events and references any correspondence.

Records should be accurate and presented in such a way that the meaning is clear.

Records should be factual and not include unnecessary abbreviations, jargon, opinion or irrelevant speculation.

3.6.5 Data protection

Information on the vetting outcomes must be:

- stored securely – in a locked cabinet in the Priest's Office in cases where the parish is the organization requiring the garda vetting to be done and in the office of the Diocesan Secretary (or other appointed by the bishop as appropriate), in cases where the diocese is the organization requiring the vetting to be done.
- retained in line with data protection laws
- retained only for as long as is reasonably necessary

3.6.6 Data Protection Legislation

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

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

3.6.7 The eight principles state that the data should be:

- (i) Fairly and lawfully processed
- (ii) Processed for limited purposes
- (iii) Adequate, relevant and not excessive
- (iv) Accurate
- (v) Not kept for longer than is necessary
- (vi) Processed in line with subject's rights
- (vii) Secure
- (viii) Not transferred to countries without adequate protection

3.7 Sharing information

3.7.1 Confidentiality requirements of diocesan policy and legislation “All information passed to other appropriate and relevant staff must only be done on a basis required by the recruitment process and in keeping with confidentiality requirements of diocesan policy and legislation.

3.7.2 Breaches of confidentiality of vetting information

Any member of staff of the diocese who breaches confidentiality in the management of vetting information may face disciplinary action up to and including dismissal. Other serious sanctions may apply in respect of non-staff members. All organisations that avail of this service from the diocese are required to be vigilant about confidentiality and will be expected to treat breaches of confidentiality on the part of any member of their staff in similar fashion to the diocese”

Information on the data base regarding the *vetting status* of parish staff/volunteers will be shared as required with the Parish Priest.

Information on the data base regarding the *vetting status* of diocesan staff/volunteers will be shared as required with the Diocesan Secretary (or other appointed by the bishop as appropriate).

3.7.3 Handing over of securely held information to the successor of the Parish Priest

The handing over of securely held information to the successor of the Parish Priest, Diocesan Secretary (or other appointed by the bishop as appropriate), or other Data Protection Controllers will be in accordance with the manual provided by the diocese for passing on safeguarding children information.

3.7.4 Access to information by the data subject

People have a right to know what personal information is held about them, by whom it is held and for what purpose. However, these rights do not mean that in certain circumstances such information can't be shared with others.

The data subject must be made aware of the creation of a safeguarding record and permission must be sought to share appropriate information with those who need to know in order to safeguard children. If the data subject is unwilling to give consent to sharing the information and if this information is necessary to protect children, the data subject's consent can be overridden only in limited circumstances. (Specific advice and guidance must be sought from the data protection officer(s).

3.8.1 Data definitions

Data means information.

Personal data is data that relates to a living individual who can be identified from those data.

A Data Controller refers to the person or persons who determines the purpose for which and the manner in which personal data is processed.

A Data Processor is a person who processes data on behalf of a Data Controller.

A Data Subject is an individual who is the subject of the personal data which is being processed.

A Data Protection Officer is the designated person within an organization to take responsibility for training of staff to enable them to meet their responsibilities under legislation.



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3.10.10 Prevention: photography

3.10 Guidelines regarding photography

(i) **Children will be made aware of the guidelines** regarding photography, video, film outlined below.

Children will be clearly advised of the relevance of the guidelines to pictures taken **by any type of camera including mobile phone cameras.**

(ii) The underlying principles that should be addressed in relation to use of photography include:

Consent and Permission

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

Reason and purpose

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

Appropriateness of Images

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

Identification of subjects

A photograph should not allow an unauthorised person to identify a child or their whereabouts. If the full name of a child or young person is used, there should be no photograph; if a photograph is being used the full name should not be given. Children in vulnerable circumstances, e.g., those in care should not be photographed at all unless there is clear consent of their legal guardian.

Photography for Public Display

You can decide whether you will allow publicity photographs and if so you should inform the press of your policies before they arrive. It is worth noting that it is not illegal to take photographs at a public event even if asked not to do so, but if your event is private then you can insist that your own policy is followed. Photographs of children in activities should try to include groups of children, and not show them in breach of rules, or behaving in a reckless or dangerous fashion. Images should never be stored on personal computers.

(iii) Using images/photographs of children

Ensure that:

- Parents and children consent to the use of an image and that this is recorded.
- Uploading of photographs or video/film onto the web or social networking sites without the consent of parents and children is strictly forbidden
- Photographs/ images likely to be published in press or on the Internet and for which the consent of parents and children has been given are not used in conjunction with the children's full names (first name and surname) and detailed addresses
- Parents and children are aware of the way the image will be used to represent the Church group, organisation or activity
- Images of a child will not be used for any other reason without the consent of the parent/carer.

(iv) We cannot guarantee that cameras/videos will not be used at public liturgies/events (For further information refer to Section 3 -Photographs and Film Section of the Code of Conduct for Staff and Volunteers).

Always ensure that:

The content of the photo/ film is appropriate.

One-to-one photo sessions with children are supervised.

Parents and children consent to the use of an image and that this is recorded.

Photographs/images likely to be published in press or on the Internet are not accompanied by children's full names (first name and surname) and detailed addresses.

Parents and children are aware of the way the image will be used to represent the Church group, organisation or activity.



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3.10.11 Policy and guidelines on the use of mobile phones.

Mobile Phones - guidance on use

- Many mobile phones have a facility to take photographs and videos which can be immediately uploaded onto the web or social networking sites without permission. Therefore, group leaders should discourage the use of mobile phones during church activities. Each particular group may wish to produce its own mobile phone code of conduct to ensure safe usage.
- Mobile phones with photographic and video facilities are not to be used in changing facilities or residential accommodation.
- Contacting children by phone or text should never be undertaken without parental knowledge or consent. Additional communication should be directed to the child's parent/guardian.
- Other than in agreed exceptional circumstances, phones must be switched off/put on silent and calls and texts must not be taken or made during gatherings of children and young people within the church context.
- Any child or young person who uses vulgar, derogatory, or obscene language while using a mobile phone will face appropriate sanctions as pre-determined by the particular activity code of conduct.
- It should be noted that it is a criminal offence to use a mobile phone to menace, harass or offend another person. As such, if action as sanctioned by the group leader is deemed ineffective, as with all such incidents, the particular group leader may consider it appropriate to involve the Gardaí. Hence, children/young people with mobile phones must not engage in personal attacks, harass another person, or post private information about another person, via SMS messages/chat rooms/social network sites, taking/sending/uploading photos, phone calls.
- Circulating objectionable images will also be treated as a serious disciplinary issue.
- Children/young people using mobile phones to bully others will face appropriate sanctions as pre-determined by the particular activity code of conduct.
- Appropriate sanctions for breaking with code of conduct will include confiscation of mobile phone until group activity is completed and informing the parent/guardian. Illegal activity will result in the matter being referred to the Gardaí.



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3.10.12 Guidelines on Internet Safety

Introduction

The overall responsibility of the diocese regarding safeguarding children on the internet may be subdivided into three specific sections –

- (i) Guidance for parishes/groups with ownership of the internet facility e.g. website/facebook
- (ii) Guidance for the users of the facility with specific reference to guidance for the children and teenagers who use it
- (iii) Guidance for parents

This draft discussion document draws on the advice of the National Office for Safeguarding Children, on sources of reference recommended by them and on research carried out by CDSCC members.

Background to this policy:

CDSCC has amassed research reflecting a broad spectrum of internet and cyber-bullying issues, individual members have carried out research on behalf of the committee and oral reports have been made to diocesan authorities and to the recent review of safeguarding procedures by the NBSCCC appointed auditors.

CDSCC has also consulted the NBSCCC for guidance and based on this guidance has issued limited advice.

Good Practice Guidelines for Parishes on the Safe Use of Social Media.

The following guidelines contain practical safety measures for Diocesan bodies and Parish groups and provide a useful starting point for the development of group online safeguarding strategy.

Assess your needs and readiness.

Consider what your objectives for use are e.g. interaction with users, publishing or a mixture of both.

Consider the medium you wish to use.

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If a Parish decides to use social networking services then the following safeguarding checklist may be useful.

Safeguarding Checklist

Understand the safety aspects including what is acceptable and unacceptable behaviour on a social networking service.

Become familiar with user interactive services before setting up your parish group's presence on a social networking or other interactive service.

This should specifically include privacy and safety tools, the terms of service (what is acceptable and unacceptable behaviour), and how users can contact the service if they have a concern or complaint.

Review your existing safeguarding policies and procedures to ensure that they address online safeguarding issues, including the potential risks to children and young people online, e.g. sexual exploitation, online grooming and cyber bullying. Remember that personal and group disputes can easily overspill from the offline to the online world. .

Reporting breaches of terms of service.

Concerns about inappropriate content or behaviour which potentially breaches the terms of service should be reported to the service provider. The terms of service set out the legal conditions concerning use of the service including the minimum age requirement. An acceptable use policy is usually included and this makes clear what behaviour is and is not acceptable on the service i.e. harassment, defamation, obscene or abusive language, the uploading of material which is libellous, defamatory, obscene, illegal, violent etc.

Decide how your webpage/profile will be managed within your parish group.

Management of the profile.

Decide who will have responsibility for the setting up, management and moderation (overseeing/reviewing/responding to posted content) of the webpage/profile. This includes the content you upload to appear, what you accept to be linked to your webpage/profile, and the communication or interaction with users. This person is most likely to have online contact with younger users, interacting with the webpage.

Vetting and training

This person should be appropriately vetted and receive recognised safeguarding or child protection training. Training should also address online safeguarding issues, including what warning signs to look out for.

Registration or 'signing up' your parish group.

Choose an appropriate email address to register/set up a profile/account

Use an official parish email address rather than a personal email address. This will reduce the risk of the establishment of imposter or fake profiles, and is important in relation to any liability or risk for an individual/employee required to set up the profile on behalf of the organisation.

Similarly ensure that only diocesan/ parish rather than personal email addresses are made available on or through a profile.

Accept ‘friends’ setting and minimum user age

You may wish to check a user profile before accepting them. Do not accept friend request from children under the minimum age for the service (usually 13 years).

“Accept comment” setting

Ensure that all messages are checked before they appear on your parish group webpage/profile

to ensure that any inappropriate messages are blocked and if necessary reported to the service provider. This may not be possible with all social networking services.

You may wish to contact the prospective service provider to establish if steps could be taken to adjust the privacy and safety settings for your needs.

Consider promoting safe and responsible use of social networking to all children and young people who access parish related activities online. If you do not yet have a safe and responsible use policy or safety tips for your parish, there is a considerable amount of safety material available.

Links to safety and help organisations

Provide links to safety and support organisations or better still, accept these organisations as ‘Friends’ so that they appear on the parish webpage/profile in the ‘Friends’ section.

Uploading Content

‘Think twice before you post!’

Consider any messages, photos, videos or information.

Do they comply with existing policies within the Diocese /parish? E.g. use of photographs of children.

Is the content e.g. photographs and text, appropriate to the audience?

Always seek young person/parental permission to use the photos of those featured before adding to the parish webpage/ profile

.

Remember.

Setting up a presence on social media involves providing interactive content which engages and connects with people. It requires a continuous interaction with your audience or they may become bored with a ‘static’ webpage/profile.

(Adapted from NSPCC Guidance on Social Networking and Social Media Use)

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A GUIDE TO INTERNET SAFETY FOR CHILDREN AND TEENAGERS.

The Internet is a marvelous invention and a wonderful resource, as is the entire field of Social Media. It can however have a darker side. But with some basic rules and careful management, young people can use and enjoy it in safety.

Potential risks can include, but are not limited to:

Bullying by peers and people they consider ‘friends’;
Posting personal information that can identify and locate a child offline;
Sexual grooming, luring, exploitation and abuse contact with strangers;
Exposure to inappropriate content;
Involvement in making or distributing illegal or inappropriate content;
Theft of personal information;
Exposure to information and interaction with others who encourage self harm;
Exposure to racist or hate material;
Encouragement of violent behaviour, such as ‘happy slapping’;
Glorifying activities such as drug taking or excessive drinking;
Physical harm to young people in making video content, such as enacting and imitating stunts and risk taking activities;
Leaving and running away from home as a result of contacts made online.

Ok , so when I’m online I like to

Use Instant Messaging

IM is great for chatting to your friends, It’s quick, you can set up contact lists so can see when your friends are on line at the same time as you and you can talk to more than one of them at the same time.

Be Careful

- **People aren’t always what they seem, make sure that the people on your contact list are people that you know in the real world.;**
- If people add you to their contact list and you don’t know them, use your blocking function to stop them from seeing you online and then they won’t be able to contact you.
- If you have a profile on IM, don’t put too much personal information like your contact details, addresses or where you go to school. Use a cartoon character or symbol instead of a photo.

Use of Chat Rooms.

Chat rooms can be a great way to stay in touch or to meet new people. Often these chat rooms can be set up based around particular topics or themes in which you might have a particular interest.

Be Careful.....

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- **Remember** the anonymous nature of the internet makes it easy for people to pretend to be something that they are not. **Always** be careful about the kind of information that you give out in chat rooms.
- **Report** instances where you feel something is suspicious or not quite right. Tell an adult or someone you trust. Try and keep copies of any material that you think might help.
- Never arrange to meet up with people you don't know, that you have met in a chat room, without an adult or guardian present.

Use of Social Networking Sites.

Social Networking Sites such as Bebo, Twitter, Facebook, MySpace and Nimble amongst others are great for creating your own profiles, linking to your friends profiles, creating blogs and commenting on other peoples profiles and sharing photos.

Be Careful.....

- Of giving out too much personal information. **Remember** that the information that you put on your profile can be seen by everybody. Once you place the information /photos on the Internet it can be seen and copied/used by others, **i.e. you lose control over it, people may attempt to use it ways that you never intended.** Use your privacy settings to protect yourself and limit what people, other than your friends, can see and do with your information.
- **Remember**, People aren't always what they seem, You cannot assume that the information supplied by other users on their profiles is authentic. Be careful of accepting people into your chat areas. Think about the material you are going to share with them.
- Of Cyberbullying. Be aware that people may use these sites to carryout bullying and harassment. They may attempt to use material from your profile in malicious ways, post nasty comments etc. **Remember**, it is relatively easy to trace online bullies. Keep the evidence and bring it to the attention of someone you trust.

If you're being bullied online

- **Save the evidence**
- **Don't respond in any shape or form to any provocation**
- **Tell an adult that you trust**

Blogging

Blogging can be a great way for you to share your thoughts and opinions on a whole wide range of things. But it's important to remember that because blogs are on the internet, anyone may be able to look at it. It's important to remember this so you think long and hard about what kind of information you really want to put out there for people to see.

Be Careful.....

- Try to limit the amount of personal information that you give out. People aren't always what they seem and such individuals may use information gleaned from your blogs to befriend you for their own reasons which may place you in danger.
- **Be aware of what you say.** While it is all well and good to have opinions on certain matters, it is important to be aware of the impact on others of what you say. Posting inappropriate comments/pictures on blogs can be a particularly insidious form of cyberbullying. **Always think before you ink!**

Online Gaming

Online Gaming can be a great way to interact and befriend new people while playing with or against them. Many people enjoy the challenge of competing with others or sharing their knowledge and experience to improve their skills and learn ways to beat the system.

Be Careful.....

- **Don't give out any personal information. Remember when gaming online, other players don't need to know your real name, address or other personal contact details or information. Be wary of any other players who are looking for such information. They may not be who they seem to be.**
- **Never arrange to meet with someone you get to know through online gaming unless you have a parent or guardian with you. People aren't always who they say they are and you could be putting yourself in danger by doing this.**

P2P Sharing

'Peer to Peer' File Swapping or File sharing can be a great way to swap files that you are interested in- like music and movies for example- with friends and other users on the internet..

Be Careful.....

- **Harmful Material** – Be aware of the fact that on many P2P file sharing systems, files will often be misnamed to hide their actual content or even to entice people to open them. This is particularly true in relation to some types of pornographic material, especially child pornography. **If you have any doubt about what a file may contain, don't open it!**
- **Using File-sharing software can at times compromise your privacy and security,** leaving you at risk from Spyware. It can sometimes lead to breaches of your privacy if you inadvertently share more of your computer files with other file-sharers than you intended to. Finally, in some cases it can leave your computer more susceptible to the viruses infecting other machines on the P2P networks and to people trying to control computers remotely.
- **Illegal Usage** - Much of the material available on file-sharing sites is protected by copyright. Infringement of this copyright may lead to legal action being taken against

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people who upload or download such materials and do not pay the appropriate charges levied by the owners. A significant number of cases have been taken by the music and film industries against individuals who have breached this copyright, resulting in awards of thousands of euro against individuals, including children

Ok, so I know what the risks are but what do I do if I find if I find some material that might be illegal, or I have an experience that seems strange or wrong or makes me feel uncomfortable?

If you find material that you think might be illegal, or if you're having experiences on the internet that don't seem right, then you should do the following:

REPORT IT!

If you come across material that you think may be illegal, then you should report it to www.hotline.ie. Note that this is an anonymous service and you do not have to give your name or any personal information.

What kind of material might be illegal?

- Any material involving child pornography , child trafficking or child grooming
- Any racist or xenophobic material, i.e.. anything designed to incite hatred or discrimination.

www.hotline.ie exists to combat illegal material on the Internet. All reports are assessed and where content is found to be illegal action is taken

You may report content, which you suspect to be illegal, encountered when using any of the following services:

- Websites (including sites for mobile WAP or equivalent)
- Unsolicited email (spam advertising illegal content)
- Peer-to-peer file sharing networks
- Online forums, bulletin boards, blogs, social networking sites
- Newsgroups (NTTP)
- Online chat rooms or instant messaging

Remember!

- If you are not sure if the material is illegal or not, it does not matter, report it to the Hotline and it will be assessed.
- The Hotline only deals with reports about content on the Internet. This service must not be used to report crime or suspected criminal activities taking place in the "real world". Any such reports should be made directly to An Garda Síochána, either at your local Garda station or by using the free Garda Confidential telephone 1800 666 111.
- Reporting to the Hotline is not a substitute for notifying An Garda Síochána. Urgent situations where persons may be in immediate danger should always be reported to An Garda Síochána directly.

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TALK TO SOMEONE!

- If you have a bad experience on the Internet, or if you feel uncomfortable with any situation don't be afraid to tell some. Talk to parents, friends or a trusted adult.
- **ISPCC** (www.ispcc.ie) - (01) 6767960
- **Childline** (www.childline.ie) - **Freefone** 1800 66 66 66
- **Barnardos** (www.barnardos.ie) - (01) 453 0355/**Lo Call:** 1850 222

Contact Details

The Office for Internet Safety
Department of Justice and Equality
51 St. Stephen's Green
Dublin 2
Ph: (01) 602 8258
Email: internetsafety@justice.ie

Finally, To Sum Up. Staying Safe Online.

- Don't trust! If an online friend sounds more convincing than your own mother...
- Be very wary of people who seem desperate to meet you or nag you for your phone number.
- Use a nickname or just your first name when chatting online.
- Never give out personal details online like your surname, phone number or where you live.
- Don't tell people where you go to school, college or work
- Don't send photos of yourself, friends or family.
- When someone asks where you're from, tell them the region, (saying Munster instead of Kerry etc.)
- Only give your email address to people that you know well and trust not to pass it on.



DIOCESE OF CLOYNE

3.13 Prevention: Complaints Procedure Resolving conflict

(i) The approach to resolving conflict should always be one of open dialogue in a safe space and in a friendly and informal atmosphere.

(ii) Parish Procedures

Develop a clear and transparent complaints procedure and appeals process to be used by children, staff, workers, volunteers, or by parents who are dissatisfied with any aspect of activities or services provided. (See Complaints procedure in Part 2 of this document)

- Make sure that a copy of the complaints procedure is available to children, their parents or guardians and to all staff and volunteers.
- All complaints should be recorded.

(iii) Making a complaint

What to do if you have a complaint about someone, working on behalf of the parish, at parish activities for children

Communicate immediately with the person in charge of the project /event.

- Once a communication is received, the leader will try to resolve the issue promptly and fairly.
- Should the matter not be resolved to the complainant's satisfaction the complainant may discuss the issue with the parish priest who will, similarly, try to resolve the issue promptly and fairly.
- If a satisfactory resolution cannot be arrived at, an external mediator will be invited by the parish priest/administrator to dialogue with all concerned. In this regard advice will be sought from the National Board for Safeguarding Children, should this be deemed necessary.
- The determination of the external mediator, proposed after discussions with all parties, will be final.

(iv) Should the issue relate to the parish's safeguarding children procedures, the leader, upon receiving the communication, must contact the Parish Priest to deal with the matter.

CATHOLIC DIOCESE OF CLOYNE

APPENDICES

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Appendix 1

Code of behaviour for Church personnel, staff and volunteers - basics for working with children.

This document, which includes a code of behaviour, complaints procedure and advice on empowering children to speak out, should be read, understood and signed by every worker and volunteer before commencing their role.

The page containing the signature should be copied and retained in the parish files.

Cloyne Diocesan Safeguarding Children Committee

Updated November 2014

The numbering in this document reflects Chapter 3 of the diocesan policy Safeguarding Children in the Diocese of Cloyne, from which these codes of conduct and basics for working with children are taken.

3.2.1 Code of behaviour for staff and volunteers -basics for working with children

In order to support the Diocesan Policy and Procedures, it is necessary that the following code of conduct be applied as a minimum standard for all those who work with children.

Avoid spending time alone with a child. Should circumstances arise where this is unavoidable, immediately inform another responsible adult -by telephone if necessary. Make a diary note that the meeting with the child took place, including the reasons it took place.

It is inappropriate to spend excessive amounts of time with children away from others or to take a child to your own home.

Observe best practice in relation to travel with children. Workers and volunteers should not undertake any car or minibus journey alone with a child. If, in certain circumstances, only one adult is available there should be a minimum of two children present for the entire journey. In the event of an emergency where it is necessary to make a journey alone with a child, make a record of this and inform the child's parents or guardians as soon as possible. Inform a colleague at the time if the parents/guardians are not available.

Safeguarding Children in the Diocese of Cloyne (November 2014)

Avoid permitting children to work or remain in churches and parish property unless there are at least two adults present.

Care should be taken to ensure that leaders of mixed gender will work with mixed gender groups. Leaders should treat each other and children with courtesy, respect and dignity.

- Leaders will provide good example of the type of behaviour they wish others to follow.
- Never act in ways intended to shame, humiliate, belittle or degrade.
- Treat all children and adults with equal courtesy, respect and dignity.
- Always engage with children in an open manner.
- Do not show favouritism.
- Be cognisant of the imbalance in power inherent in adult-child relationships.
- Do not engage in, or tolerate any behaviour – verbal, psychological or physical – that could be construed as bullying.
- Do not spend a disproportionate amount of time with any particular child or group of children.
- Challenge and report potentially abusive behaviour.
- Develop a culture where children can talk about their contacts with staff and others openly.
- Respect each child's boundaries and help children to develop a sense of their rights as well as helping them to know what they can do if they feel that there is a problem.
- Appoint a clearly designated leader within each group with whom children and other leaders can raise concerns.
- Do not use inappropriate language or make sexually suggestive comments, either to each other or to children.
- Physical contact between leaders and children will be of an appropriate nature at all times.
- Do not engage in rough play with each other or with children.
- Leaders should not undertake any task of a personal nature with/for children except in cases of medical necessity or when the welfare of the child depends on it.
- Do not, under any circumstances, give alcohol, tobacco or drugs to children.
- Do not use alcohol, tobacco or illegal drugs when supervising or working with children.
- Use only age-appropriate language, media products and activities when working with children. Sexually explicit or pornographic material is never appropriate.
- Personal details of children should be held only in accordance with diocesan and parish policy.
- Leaders should not give their own personal details to children unless absolutely necessary.
- Children should be contacted via their parents/guardians/carers, except in emergencies, where such contact may not be possible.

The diocese has a specific code of conduct for all away - trips, including pilgrimages, day trips and incentive events. See:

Prevention: Running Safe Activities for Children Section 3.

The Diocesan Code of Conduct, including an anti-bullying policy specific to children will apply (Section 3.7)

Safeguarding Children in the Diocese of Cloyne (November 2014)

The diocese has a Diocesan Designated Officer, to whose immediate attention all concerns and/or complaints should be brought. The diocesan designated officer will respond promptly to all child protection concerns and liaise with the required civil and Church authorities in accordance with established guidelines. All concerns and/or complaints will be followed through in a timely and efficient manner in accordance with the guidelines.

3.2.2 Prevention: code for meetings with children.

If the pastoral care of a child necessitates the arrangement of a meeting alone with them, do not meet in isolated environments.

Schedule meetings at times and at designated locations that allow for transparency and accountability for example, rooms that have a clear glass panel or window, an open door, and in buildings where other people are present.

Scheduling meetings by text messaging should be done by texting parents/carers.

Limit both the length and number of meetings.

Inform parents or guardians that the meeting(s) is/are taking place, except in circumstances where doing so might place the child in danger. In that case, inform a colleague and fill in an incident form.

Do not encourage visits to, or conduct meetings in, private homes or personal living quarters. When the need for a visit to the home of a child arises, professional boundaries must be observed at all times.

3.2.3 Prevention: discipline

Corporal punishment of children is never permitted.

Discipline problems should be handled in partnership with parents and guardians and in a positive way. (See Dealing with Bullying and Complaints Procedure Section 3.)

3.2.4 Prevention: respect for physical integrity

Respect the physical integrity of children and young people at all times.

Do not engage in inappropriate physical contact of any kind, including rough physical play, physical reprimand and horseplay (tickling, wrestling, etc).

This should not prevent appropriate contact, with the permission of the child, in situations where it is necessary to ensure the safety and wellbeing of a child, but where the child expresses discomfort or resistance, then this contact should cease.

3.2.5 Prevention: respect for privacy

Respect the privacy of children and young people at all times.

Particular care regarding privacy must be taken when young people are in locations such as, changing areas, swimming pools, showers and toilets.

Never take photographs of children or young people while they are in changing areas (e.g. in a locker room or bathing facility).

Never do things of a personal nature (for example, helping with toileting, washing or changing clothing) for children that they can do themselves.

3.2.6 Prevention - guidance re. personal/intimate care of children with disabilities

Safeguarding Children in the Diocese of Cloyne (November 2014)

Don't be rushed into taking on intimate care tasks- never take responsibility without the permission of parent and child.

Treat every child with dignity and respect.

Ensure that the degree of privacy is appropriate.

Involve the child as far as possible in his/her own intimate care.

Make sure intimate care is as consistent as possible.

If you are concerned about anything during intimate care, report it.

Intimate care - definition

Intimate care is defined as any procedure involving touching, or carrying out what could be described as an invasive procedure. Apart from helping someone to eat and drink, the following list contains the major areas of intimate care:

- Dressing or undressing.
- Assisting a disabled child to use toilet facilities.
- Cleaning up after a child has soiled.
- Washing, bathing or showering.
- Invasive procedures, e.g. colostomy bags or administering medication via the rectum.

For all types of intimate care the main points to consider are:

Intimate care - staff issues

- only staff who have been vetted and trained are to be assigned
- the child should be involved in selecting the carer where possible
- in cases where a substitute carer needs to be brought in, only properly vetted and trained staff should be used
- the carer should be the same sex as the child to ensure the dignity of child is respected
- particularly for toileting, one person of the same sex will attend the child unless two persons are needed and then reasons must be clearly documented
- staff will be monitored and proper records kept

Intimate care - best practice

- prior permission should be gained after discussion with both parent and child and agreement reached on how the specific tasks will be conducted
- an intimate care plan needs to be drawn up explaining in detail how specific tasks will be conducted
- roles and expectations are clearly understood by all concerned (parents, child and carer)
- the child's reaction to a situation needs to be accepted as the guide to the child's wishes

- only appropriate terminology is acceptable to be used to name private parts
- where there are speech, language, hearing or cognitive difficulties, an agreed method of communication is arrived at beforehand and time taken to familiarise the child with the method
- built into the inmate care plan should be the aim of working towards independence for the child, as far as is possible
- the child's attempts to help with tasks should be encouraged and they should be allowed to do any task that they are capable of doing
- if drugs are to be administered by any method, a medical plan must be drawn up and directed by a physician and written consent given. Strict attention must be paid to doctors' directions and proper records kept

The points above are not exhaustive, however if adhered to and the paramountcy of the child principle is observed, then the intimate care needs of the child should be met appropriately.

Intimate care – appropriate and inappropriate touch

Touching should always be appropriate to the type of care being administered.

3.2.7 Prevention: photography, film and use of I.T. equipment

3.10.10 Prevention: photography, video, film mobile phones and use of I.T. equipment

(i) Children will be made aware of the guidelines regarding photography, video, film outlined below.

Children will be clearly advised of the relevance of the guidelines to pictures taken **by any type of camera including mobile phone cameras.**

(ii) The underlying principles that should be addressed in relation to use of photography include:

6.1 Consent and Permission

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

6.2 Reason and Purpose

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

6.3 Appropriateness of Images

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

6.4 Identification of Subjects

A photograph should not allow an unauthorised person to identify a child or their whereabouts. If the full name of a child or young person is used, there should be no photograph; if a photograph is being used the full name should not be given. Children in vulnerable circumstances, e.g., those in care should not be photographed at all unless there is clear consent of their legal guardian.

6.5. Photography for Public Display

You can decide whether you will allow publicity photographs and if so you should inform the press of your policies before they arrive. It is worth noting that it is not illegal to take photographs at a public event even if asked not to do so, but if your event is private then you can insist that your own policy is followed. Photographs of children in activities should try to include groups of children, and not show them in breach of rules, or behaving in a reckless or dangerous fashion. Images should never be stored on personal computers.

(iii) Using images/photographs of children

Ensure that:

- Parents and children consent to the use of an image and that this is recorded.
- Uploading of photographs or video/film onto the web or social networking sites without the consent of parents and children is strictly forbidden
- Photographs/ images likely to be published in press or on the Internet and for which the consent of parents and children has been given are not used in conjunction with the children's full names (first name and surname) and detailed addresses
- Parents and children are aware of the way the image will be used to represent the Church group, organisation or activity
- Images of a child will not be used for any other reason without the consent of the parent/carer.

(iv) We cannot guarantee that cameras/videos will not be used at public liturgies/events

Safeguarding Children in the Diocese of Cloyne (November 2014)

(For further information refer to Section 3 -Photographs and Film Section of the Code of Conduct for Staff and Volunteers).

Always ensure that:

The content of the photo/ film is appropriate.

One-to-one photo sessions with children are supervised.

Parents and children consent to the use of an image and that this is recorded.

Photographs/images likely to be published in press or on the Internet are not accompanied by children's full names (first name and surname) and detailed addresses.

Parents and children are aware of the way the image will be used to represent the Church group, organisation or activity.

3.10.11 Policy and guidelines on the use of mobile phones.

Mobile Phones - guidance on use

- Many mobile phones have a facility to take photographs and videos which can be immediately uploaded onto the web or social networking sites without permission. Therefore, group leaders should discourage the use of mobile phones during church activities. Each particular group may wish to produce its own mobile phone code of conduct to ensure safe usage.
- Mobile phones with photographic and video facilities are not to be used in changing facilities or residential accommodation.
- Contacting children by phone or text should never be undertaken without parental knowledge or consent. Additional communication should be directed to the child's parent/guardian.
- Other than in agreed exceptional circumstances, phones must be switched off/put on silent and calls and texts must not be taken or made during gatherings of children and young people within the church context.
- Any child or young person who uses vulgar, derogatory, or obscene language while using a mobile phone will face appropriate sanctions as pre-determined by the particular activity code of conduct.
- It should be noted that it is a criminal offence to use a mobile phone to menace, harass or offend another person. As such, if action as sanctioned by the group leader is deemed ineffective, as with all such incidents, the particular group leader may consider it appropriate to involve the Gardaí. Hence, children/young people with mobile phones must not engage in personal attacks, harass another person, or post private information about another person, via SMS messages/chat rooms/social network sites, taking/sending/uploading photos, phone calls.
- Circulating objectionable images will also be treated as a serious disciplinary issue.

Safeguarding Children in the Diocese of Cloyne (November 2014)

- Children/young people using mobile phones to bully others will face appropriate sanctions as pre-determined by the particular activity code of conduct.
- Appropriate sanctions for breaking with code of conduct will include confiscation of mobile phone until group activity is completed and informing the parent/guardian. Illegal activity will result in the matter being referred to the Gardaí.

(3.10.12) Online activity: (See Part 2 of this document for extensive guidance on I.T.)

The diocese will assess the possible ways that children communicate with Church personnel, volunteers and each other using digital and online systems such as via the internet, mobile phones, and email.

It is important to develop guidance to reduce the risk to children associated with online activity when they are involved in an activity, group or event to prevent them:

- being groomed online by paedophiles
- experiencing online bullying
- accessing or being exposed to inappropriate or harmful material
- personal contact details not being secure
- personal images being uploaded and used without consent.

3.3 Running safe activities for children

Parental consent

Signed consent must be obtained from parents or guardians of each child prior to their participation in events, activities and groups. The normal routine activities of the group, altar servers, choir, etc. should be specified in the application form, which should include a Parental Consent Section.

It should only be necessary to obtain separate Parental Consent for specific activities, outside of the routine activities e.g. a tour.

Establish from parents or guardians whether the child has any specific dietary requirements or medical or special needs.

3.3.1 Prevention: trips away from home

(All trips must be risk assessed in advance)

Trips away from home include but are not limited to pilgrimages, day trips, overnight stays and holidays.

All trips need careful advance planning including adequate provision for safety in regard to transport, facilities, activities, and emergencies. Adequate insurance should be in place.

Training must be provided for all leaders.

Written parental consent specifically for each trip and related activities must be obtained well in advance. Contact details for the duration of the trip are necessary. Written permission for leaders to make decisions of an emergency nature should be obtained in case of accidents.

A copy of the itinerary and contact telephone numbers should be made available to parents or guardians.

Safeguarding Children in the Diocese of Cloyne (November 2014)

There must be adequate, gender-appropriate, supervision for boys and girls.

Arrangements and procedures must be put in place to ensure that rules and appropriate boundaries are maintained in the relaxed environment of trips away. These rules and boundaries must be clearly outlined to all leaders during preparation/training for the event.

Particular attention should be given to ensuring that the privacy of young people is respected when they are away on trips.

Sleeping areas for boys and girls should be separate and supervised by two adults of the same sex as the group being supervised.

Under no circumstances should an adult leader share a bedroom with a young person.

If, in an emergency situation, an adult considers it necessary to be alone in a children's dormitory or bedroom without another adult they should (a) immediately inform another adult in a position of responsibility and (b) make a diary note of the circumstances and fill in an incident report form.

Other ways to make sure individuals do not get the opportunity to harm children

- Try to use open plan venues/ spaces, where individuals cannot take children away on their own and adults are in sight of other adults.
- Maintain a culture of awareness amongst the adults and children present by ensuring everyone is clear about their roles and responsibilities, and people are encouraged to challenge and report any inappropriate conduct with children.
- Inform children how to report concerns.
- Make sure there is good supervision of Church personnel and volunteers.
- Make sure you take feedback and debrief after the event.

Health and safety

Some questions to ask yourself when planning an activity or event:

- How does the venue measure up in terms of health and safety (e.g. fire)?
- Do you have adequate changing areas and toilet facilities?
- Do you have first aid supplies to deal with minor accidents?
- Are all trips away carefully planned, including adequate provision of safe transport?
- Do you have appropriate and adequate sleeping arrangements for all overnight trips?
- Is there adequate insurance in place?

Also:

- Adequate and appropriate supervision must be provided in relation to all events and activities organised for children and young people (see below for recommended ratios).
- In places such as changing areas, toilets and showers, separate provision must be made for boys and girls.
- There must be adequate and gender-appropriate supervision of boys and girls in such areas.
- Ensure that buildings and/or facilities used for events and activities are suitable.
- Make sure that fire precautions are in place and that fire extinguishers are checked regularly.
- Make sure a first aid kit is readily available. This should be regularly checked and replenished. It is advisable that first aid training be provided for workers and volunteers.
- Be alert to the risk of injury involved in some contact sports, paying particular attention to the child's age and to any medical condition or disability.
- Access to a telephone at all times is essential in case of emergency.

Safeguarding Children in the Diocese of Cloyne (November 2014)

- Adequate insurance must be obtained to cover all activities. In cases of uncertainty about the level of cover, check with the relevant insurance provider.
- Where transport is being provided by the parish or parish activity, make sure that drivers and vehicles meet legal requirements. Where transport is being hired, check with the service provider that drivers and vehicles conform to legal requirements. Always inform parents/guardians about transport being used.
- A clear policy should be agreed with parents and guardians regarding taking photographs and the making of video recordings of children involved in parish-related activities or events.
- There should be regular health and safety reviews of facilities, procedures and practices.

3.3.2 Prevention: Recommended Supervision Ratios

0-2 years 1 member of staff to 3 children

2-3 years 1 member of staff to 4 children

3-7 years 1 member of staff to 8 children

8 years and over: 2 members of staff (ideally 1 of each gender) for up to 20 children.

There should be one additional staff member for every ten extra children. The ratio of staff and volunteers to children with disabilities is dependent on the individual needs.

3.4 Prevention: record keeping – activities

The group leader has overall responsibility for the record keeping of the group and activities. Each Parish Group will be responsible for storing in a confidential way an accurate record for each activity involving children in accordance with parish policy and in compliance with the confidentiality and record keeping of the diocese. (See Section 2).

This record should include a copy of the signed parental/guardian consent form with contact details for parents/guardians and should include necessary medical information.

A written record of organisers and supervisors in attendance at events should also be kept.

Ensure that an Accident/Incident Report Form is completed in the event of any accident or incident relating to a child or young person. Complete an attendance register for each group where children are involved.

Make records available to the Parish Priest/Administrator, upon the winding up of the group or when requested.

3.5 Prevention: Complaints Procedure

Resolving conflict

The approach to resolving conflict should always be one of open dialogue in a safe space and in a friendly and informal atmosphere.

Parish Procedures

- Develop a clear and transparent complaints procedure and appeals process to be used by children, staff, workers, volunteers, or by parents who are dissatisfied with any aspect of activities or services provided.
- Make sure that a copy of the complaints procedure is available to children, their parents or guardians and to all staff and volunteers.
- All complaints should be recorded.

Safeguarding Children in the Diocese of Cloyne (November 2014)

Making a complaint

What to do if you have a complaint about someone, working on behalf of the parish, at parish activities for children

Communicate immediately with the person in charge of the project /event and complete the General Complaints Form (Form 10).

- Once a communication is received, the leader will try to resolve the issue promptly and fairly.
- Should the matter not be resolved to the complainant's satisfaction the complainant may discuss the issue with the parish priest who will, similarly, try to resolve the issue promptly and fairly.
- If a satisfactory resolution cannot be arrived at, an external mediator will be invited by the parish priest/administrator to dialogue with all concerned. In this regard advice will be sought from the National Board for Safeguarding Children, should this be deemed necessary.
- The determination of the external mediator, proposed after discussions with all parties, will be final.

Should the issue relate to the parish's safeguarding children procedures, the leader, upon receiving the communication, must contact the Parish Priest to deal with the matter.

All Church personnel, staff and volunteers must adhere to the the parish Safeguarding Children Policy Statement, Guidelines, Roles and Responsibilities.

3.6 Code of behaviour for children and dealing with bullying

Code of behaviour for children

A code of conduct, specific to children, should be drawn up in direct consultation with children. While it is important that each group of children directly contributes to the formation of their code of conduct, the following basics should be included:

- Children will be aware that leaders also have a code of conduct.
- Children will understand that leaders will not work alone with children.
- Children will treat each other and their leaders with courtesy, respect and dignity, taking care to avoid discrimination involving race, culture, age, gender, disability, religion, sexuality or political views.
- Children will not be permitted to engage in substance abuse, to consume alcohol or to smoke, in keeping with Civil Law.
- Inappropriate language or sexually suggestive comments will not be permitted by children.
- Physical contact between children will be of an appropriate nature at all times.
- Rough play will not be permitted at any time.

Children are to be consulted about drawing up an all-inclusive anti-bullying policy.

The following are some examples of bullying. However, this list is not exhaustive and the children will have many other points to list.

Name calling

Fighting/kicking/punching

Making suggestive comments

Intimidation
Threatening
Ignoring/excluding
Damaging property
Spreading rumours
Sending abusive text messages
Internet bullying

3.7 Dealing with bullying

Information regarding bullying is listed in the Diocesan Policy (Section 3.6). Alleged incidents of bullying, will be recorded on the accident/incident forms. With regard to alleged bullying involving children, group leaders will inform parents of perpetrators and victims orally regarding serious instances of bullying or, where a pattern emerges involving less serious incidents by one or more individuals.

With regard to alleged bullying involving adults bullying adults or adults bullying children, the following may be applied as appropriate:

- The Procedures for Responding to Child Protection Concerns in Section 2.
- Complaints Procedure in 3.5

Empowering children to speak out **(Child Friendly Posters and Child Friendly Information Leaflet** **are on www.safeguardingchildrenclayne.ie)**

Q. When I am making children aware of their right to be safe and giving them the confidence to speak out – What should I tell them?

A. Section 5.3 of the diocesan policy *Safeguarding Children in the Diocese of Cloyne*, provides specific guidance on this issue -

“At parish level, children should be made aware that:

- they have the right to be safe
- they can raise concerns with specific individuals within the parish church organisation.
- they can contact Diocesan Support, the Diocesan Designated Officer, Gardaí, H.S.E. and that these contact details are on display
- there are contact details for other agencies that they can contact e.g. child safeguarding and children’s help-lines
- the codes of behaviour are on display -

Consideration should be given to how disabled children can communicate their complaints especially if they have verbal communication difficulties.

Remember how vulnerable disabled children are to abuse.”

Additionally, children should be aware of the codes of behaviour including Sections 3.6 & 3.7 of the diocesan policy.

Safeguarding Children in the Diocese of Cloyne (November 2014)

Section 1 of The Parish *Safeguarding Children Policy Statement, Guidelines Roles and Responsibilities* (Dec.2010), is also relevant –

“Children will be made aware of the code of behaviour and of the safeguarding procedures, they will also be advised of whom they can speak to if they have a concern, and, made aware of the basic rules of the Stay Safe Programme i.e. **“Say No! Get away! Tell someone you can trust and keep telling them until you are listened to.”**

“

Signed _____ P.P./Administrator

Date_____

I have read and understood the Code of behaviour for Church personnel, staff and volunteers -basics for working with children and I agree to adhere fully to all its provisions.

Name of volunteer/staff member _____

Signature of volunteer/staff member _____

Date_____

Appendix 2



DIOCESE OF CLOYNE

THE GARDA VETTING PROCESS AND APPEALS PROCEDURE IN THE CATHOLIC DIOCESE OF CLOYNE

Amended November 2014

Under new legislation The Garda Central Vetting Unit will be renamed The National Vetting Bureau.

The Diocesan Garda Vetting Signatory will be renamed The Diocesan Garda Vetting Approved Liaison Person

CLOYNE DIOCESAN SAFEGUARDING CHILDREN COMMITTEE (CDSCC)

3.2 Recruitment and selection – garda vetting

3.2.1 Garda Vetting is one component of ‘a recruitment and selection good practice framework,’ which *inter alia* includes practices such as verification of identity, gathering of personal details, interview and references.

Safeguarding Children in the Diocese of Cloyne (November 2014)

Legal responsibility for employment and duty of care remains with the organization that enters into a contract of employment or engages an applicant in a voluntary capacity.

3.2.2 Who should be vetted?

Clergy, seminarians and religious within the diocesan setting, full-time or part-time staff and/or volunteers/voluntary lay faithful in diocesan offices, agencies and parishes, and ancillary staff in schools who have direct access to children or vulnerable adults must be vetted.

The list outlined below is provided for guidance within parishes only and should not be interpreted as definitive or excluding other individuals or categories from a requirement of garda vetting.

3.2.3 List of who should be garda vetted in the Diocese of Cloyne.

This list is provided for guidance within parishes only and should not be interpreted as definitive or excluding other individuals or categories from a requirement of garda vetting.

- Clergy, seminarians and religious who are available for ministry.
- Sacristans Parish safeguarding representatives. Members of the Parish Safeguarding Children Committee.
- Leaders of Church activities/groups that involve children: e.g. choir leaders, prayer groups and distinct apostolic groups such as The Legion of Mary, Pioneers etc
- All adult members of groups comprised of adults and children (under 18's) including choirs, prayer groups, and other such groups including distinct apostolic groups such as The Legion of Mary, Pioneers etc
- All church personnel/ staff and volunteers who work with children in the You Shall Be My Witnesses Programme.
- Ministers of the Eucharist and/or others who minister to the sick or to vulnerable persons at venues outside of the church.
- Full-time or part-time staff and/or volunteers/voluntary lay faithful in parishes with direct access to children or vulnerable persons

3.2.4 Garda Vetting -best practice in recruitment and selection

In accordance with best practice, garda vetting should be sought in respect of each applicant prior to the offer of employment/engagement and approximately every 5 years thereafter, or at any time or times within the said 5 year period as deemed necessary. Applicants should be informed early of the requirement for garda vetting - ideally at the time of advertising. It is recommended that no person should start work or be engaged, until garda vetting procedures have been completed. This is discretionary depending on whether working with children. For example it may be possible for an applicant to start work, subject to vetting, but not with children (except under supervision) until the vetting process has been completed. However, advice should be sought, and a Garda Vetting Form should be completed before taking up any duty.

3.2.5 Best Practice in the vetting process

Safeguarding Children in the Diocese of Cloyne (November 2014)

Best Practice will be observed in all processes, including observance of best practice relating to communication of the diocesan policy to those involved in the vetting process, the recording and storage of information and confidentiality in accordance with diocesan policy and with Data Protection legislation in the Republic of Ireland, principally with The Data Protection Act 1988 and the Data Protection (Amendment) Act 2003.

3.2.6 Responsibility for employment and duty of care.

Legal responsibility for employment and duty of care remains with the parish that enters into a contract of employment or engages an applicant in a voluntary capacity.

Legal responsibility for employment and duty of care remains with the diocese itself if it enters into a contract of employment or engages an applicant in a voluntary capacity.

3.2.7 The Garda Central Vetting Unit

Vetting is provided to the diocese by the Garda Central Vetting Unit (GCVU) based in Thurles.¹¹ The Garda Central Vetting Unit (GCVU) is the single point of contact in An Garda Síochána to conduct garda vetting. Vetting forms cannot be sent to the GCVU directly but must be processed at diocesan level by the Diocesan Garda Vetting Signatory – who has been formally enrolled in this task by the GCVU. Garda vetting is not conducted for individual persons on a personal basis.

Within current disclosure policy, the GCVU issues details of all convictions and/or prosecutions, successful or not, pending or completed, in the state or elsewhere as the case may be, to the authorised liaison person in the registered organization i.e. the Diocesan Garda Vetting Signatory.

3.2.8 The Diocesan Garda Vetting Signatory

The Diocesan Garda Vetting Signatory c/o Cloyne Diocesan Safeguarding Children Office, Mallow Community Youth Centre, New Road, Mallow will deal with processing garda vetting applications, relating to Church personnel, including priests, parish safeguarding representatives diocesan and parish staff, volunteers etc.¹²

The Diocesan Garda Vetting Signatory will only communicate with one named person (usually the Parish Priest on behalf of a parish or the Pastoral Coordinator¹³ on behalf of the diocese) in the organisation¹⁴ who has sought the vetting on behalf of an individual who is being employed or volunteering in a parish/diocese. Correspondence addressed to this named person will be marked ‘Private & Confidential and For Attention of Addressee Only.’

3.2.9 The Garda Vetting Form

Garda Vetting Forms are available from the Diocesan Garda Vetting Signatory. The form which is completed by the applicant gives permission for a Garda check to be obtained and shared with the relevant personnel within the congregation/diocese in line with data protection legislation. The request to obtain Garda vetting must seek the permission of the applicant to share the information with named relevant people – i.e. – the employer and the authorised signatory.

¹¹ Vetting of teachers is facilitated through the Teaching Council.

¹² The inclusion of *etc* is to allow for the vetting by parish or diocese of Church personnel who may not fall within the listed categories.

¹³ The Pastoral Coordinator or other person nominated by the Bishop for that role in the garda vetting process.

¹⁴ *Organisation* refers to the parish, religious order or church body – including the diocese itself - which has required that Garda Vetting be sought and to which the applicant is directly accountable.

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Personnel accessing Garda vetting checks must also observe confidentiality and must be made aware of the consequences of a breach of confidentiality.

Any member of staff of the diocese who breaches confidentiality in the management of vetting information may face disciplinary action up to and including dismissal. Other serious sanctions may apply in respect of non-staff members.

The applicant¹⁵ is responsible for completing the form truthfully and fully and returning it to the organisation i.e. the parish, religious order or church body – including the diocese itself - that has required that Garda Vetting be sought and to which the applicant is directly accountable).

Applicants are required to make a full and complete declaration. Failure to do this may jeopardize the offer of employment/engagement. (Applicants should note that a false declaration will be viewed very seriously and may affect the offer of employment/engagement).

Responsibility for ensuring that the completed forms are returned to the Diocesan Garda Vetting Signatory rests with the Parish Priest on behalf of the parish. In instances where the diocese itself is the organization requesting that vetting to be carried out, it is the responsibility of the Diocesan Pastoral Coordinator to ensure that completed forms are returned to the Signatory.’

The form is forwarded by the Parish Priest or Pastoral Coordinator (as appropriate) to the Diocesan Garda Vetting Signatory who will examine it for any omissions, mistakes or lack of clarity.

An incomplete form is dated and returned to the Parish Priest or Pastoral Coordinator (as appropriate) along with a cover letter requesting the form’s correction and resubmission and a record of this is retained. Changes cannot be made other than by the applicant on the authorised form.

When the Diocesan Garda Vetting Signatory is satisfied with the form, she/he enters the applicant’s details into the Diocesan Database for Garda Vetting in accordance with an agreed Database Format and stored securely in the Cloyne Diocesan Safeguarding Children Office. (See Sections 3.4 – 3.8)

As soon as possible, the Diocesan Garda Vetting Signatory forwards the form to the Garda Central Vetting Unit (GCVU), either singly or in batches.

Forms are returned to the Diocesan Garda Vetting Signatory (usually between 4-6 weeks, but this timescale can vary).

3.2.10 Information returned from the Garda Central Vetting Unit

(i) If the returned form does not contain information relevant to the employment/engagement of the applicant, the Diocesan Garda Vetting Signatory will:

- Using a standardised form, record that the form has been returned from the GCVU, the date on which it has been returned, record the vetting status of the applicant and sign it.

¹⁵ *Applicant* refers to those individuals applying for Garda Vetting – i.e. clergy, students, staff members and church volunteers.

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- Inform the Parish Priest or Pastoral Coordinator¹⁶ (as appropriate), of the outcome using a standardized signed and dated letter and keep a record that this has been done.

(ii) When the vetting information is returned, the parish or diocese (as appropriate) will make a decision to offer employment/engagement depending on all of the information that is available including interview, education and qualifications achieved, skills assessment, previous employment history/experience, references and medical checks where appropriate etc.

(iii) Where the vetting form returned from the GCVU contains information which might mean that an applicant is unsuitable for the post, the Diocesan Garda Vetting Signatory will:

- Using a standardised form, record that the form has been returned from the GCVU, the date on which it has been returned, record the vetting status of the applicant and *record that relevant information has been received* and sign it.
- Inform the Parish Priest or Pastoral Coordinator (as appropriate) of the outcome using a standardised, signed and dated letter and keep a record that this has been done.

(iv) Where the vetting form returned from the GCVU contains information which might mean that an applicant is unsuitable for the post, the Parish Priest or Pastoral Coordinator (as appropriate) will:

- Seek advice from the Diocesan Garda Vetting Adviser¹⁷, regarding the implications of the vetting check information for the engagement/employment of the applicant - without revealing the identity of the applicant.
- Discuss the vetting check with the applicant to establish firstly that the identity details are correct and secondly, whether the information shared means that the application must not proceed.

If there is disagreement about the disclosure, the applicant must appeal directly to An Garda Síochána. The Church has no role in reviewing the contents of the disclosures.

The Diocesan Garda Vetting Adviser and the Parish Priest or Pastoral Coordinator (as appropriate), having regard *inter alia* to any risk assessment guidelines outlined in Cloyne diocesan policy *Safeguarding Children in the Diocese of Cloyne*, will assess the information returned from an Garda Síochána following which the Parish Priest or Pastoral Coordinator (as appropriate) will decide, if there is any reason not to employ the applicant from a criminal information perspective. If the decision is negative, Parish Priest or Pastoral Coordinator (as appropriate) will:

- (a) Inform the applicant that her/his application cannot proceed based on the information returned through the vetting process.
- (b) Inform the applicant that he/she has the right to appeal.
- (c) Inform the applicant in writing of the process of appeal.
- (d) Advise the applicant to set out in writing the grounds for appeal.

¹⁶ Pastoral Coordinator or other person appointed by the bishop to that garda vetting role.

¹⁷ The role of Diocesan Garda Vetting Adviser may be combined with, or be part of another role to which s/he has been appointed by the bishop, subject to the provision that there would be no conflict of interest.

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The Parish Priest or Pastoral Coordinator (as appropriate) will notify the Diocesan Garda Vetting Signatory of the decision (whether or not the applicant will be engaged/employed) and the Signatory will record this information in the data base.

If the applicant wishes to appeal the decision the diocese must set up a review panel meeting in accordance with the appeals procedure outlined below.

3.3 Appeals against the Church's decision not to employ

An appeal against the Church's decision not to employ in a paid or unpaid capacity, on the grounds of information shared in the vetting check, can be made by the Applicant within 28 days of receiving the notification that the application cannot proceed. It must be noted that the Church has no role in reviewing the contents of the disclosure by the Gardai. If there is a disagreement about the disclosure, the applicant must appeal directly to An Garda Síochána.

3.3.1 Appeals Process

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

Once a request has been received by the Church Authority appealing the Church's decision, an appeals Panel will be established by the Church Authority to hear the appeal.

The applicant will be told that the appeal process will require the information disclosed by An Garda Síochána being 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 the Garda Vetting Unit to ensure it is a realistic representation of the facts.

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

3.3.2 The Vetting Appeals Panel

The role of the Appeals panel is to decide if the original decision was unreasonable or irrational. The panel will communicate its view to the Church Authority, in the first instance. The Church Authority should take cognizance of the views of the Appeals Panel. The applicant will then be informed in writing of the final decision following a review by the Church authority, based on the advice of the Appeals panel.

Constitution of the Appeals Panel: An appeals panel will be appointed by the Bishop/Diocesan administrator. The following people should be considered as appropriate membership of the panel:

- Chair of the safeguarding committee
- Priest of Religious
- Lay person with child protection experience.

Advice can be sought from:

Representative from HR (if the diocese or religious order has one)

Civil law/canon lawyer and employment lawyer.

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Role of the panel: To receive and hear requests for review of decision not to appoint on the basis of information received through the vetting process.

- To review the written information provided by the appellant
- To receive oral evidence if deemed appropriate
- To review information provided by the Church authority.

To make a judgement regarding whether the decision not to employ was reasonable:

- Was the decision to refuse based on potential risk to children
- Was the relevance of the specific role taken into consideration.

To report its views to the Church authority for consideration.

3.3.3 Timeframe

An appeal must be lodged with the employer within 28 days of being informed of the decision not to appoint.

The appellant will be asked to provide written representation within 14 days of receipt of correspondence requesting this. Failure to provide this information within the timeframe suggested – or failure to seek an extension will result in the matter being closed and the original decision standing.

The appeals panel will endeavour to review all written information within 14 days of receipt of the same and communicate in writing to the Church authority its views.

3.4 Database Format

3.4.1 The Diocesan Garda Vetting Signatory will maintain an up to date Garda Vetting database which will be in accordance with the principles of good record keeping outlined in sections 3.5 – 3.9 below, and will *inter alia* contain the following information:

- Name, address, contact details, date of birth of the applicant.
- Name, address and contact details of the organisation including the name of the contact person i.e. Parish Priest or Pastoral Coordinator (as appropriate)
- Role for which the person is applying.
- The date(s) on which the vetting form was received from the organisation.
- The date(s) on which the vetting form was returned to the Parish Priest or Pastoral Coordinator (as appropriate) with a cover letter requesting the form's correction and resubmission.
- The date on which the form was forwarded by the Administrator/Signatory to the GCVU
- The date on which the vetting information was received from the GCVU
- The date on which this information was returned to the organisation.
- The vetting status of Church personnel, including priests, parish safeguarding representatives diocesan and parish staff, volunteers etc - vetted, not vetted, vetting in progress, relevant information returned etc.
- Date for re-vetting (i.e. five years hence), in compliance with diocesan policy *Safeguarding Children in the Diocese of Cloyne*.

3.4.2 The data base described above will be retained in Cloyne Diocesan Safeguarding Children Office on behalf of the CDSCC in accordance with the principles and guidance in Sections 3.5 – 3.9 below.

3.5 Recording, storage, retention and destruction of records

Storage and record keeping will be in accordance with diocesan policy, with data protection legislation and with the principles of good record keeping.

Storage of data must comply with the requirements of the **Data Protection Act 1998 and the Data Protection (Amendment) Act 2003**. The provisions of these Acts in relation to storage are as follows:

It is important that all sensitive or confidential materials are retained in a case file and stored securely in a place designated by the data controller i.e. the bishop.

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

Access to the files needs to be limited to the people in named roles i.e. the Parish Priest or Pastoral Coordinator (as appropriate) who have responsibility to manage the records/files.

Any information of a sensitive/confidential nature if stored electronically must always be password-protected.

Information regarding the location and storage arrangements will be passed from outgoing data controllers to their successors in accordance with the guidance in the manual provided by the diocese for passing on safeguarding children information.

Other records with identifying personal information, e.g. records on recruitment and vetting; activity attendance records; consent forms; accident forms etc must be stored in a secure locked cabinet in the Parish Priest office or Pastoral Coordinator's office (as appropriate).

3.5.2 Retention and destruction of records: Guidance published by the Data Protection Commissioner in relation to compliance with the *Data Protection Acts 1998-200*, is a useful reference for organisations to consider as it represents what can be regarded as best practice. The guidance states, *inter alia*, that:

- Where no legal requirement to retain information beyond the closure of the record exists, the authority will need to establish its own retention periods. Section 2.9 of diocesan policy *Safeguarding Children in the Diocese of Cloyne*, states:
- "The Church should retain all case management files and safeguarding records for a period of 100 years. All other records pertaining to safeguarding should be stored for a period of 20 years. (See 'Record Keeping' at the National Board's website www.safeguarding.ie)."

3.5.3 Application forms, references and the fact that the vetting checks have been carried out, as well as the full garda record must be stored securely by the Parish Priest or Pastoral Coordinator (as appropriate) in a locked cabinet in their respective office - (Vetting Guidance April 2011 issued by The National Board for Safeguarding Children in the Catholic Church)

The Parish Priest will keep all information returned from the GCVU relating volunteers and local employees in a secure cupboard/document file/safe in the Parish Priest's office and no copies thereof will be retained elsewhere by the Church.

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The Pastoral Coordinator will securely retain all information returned from the GCVU in relation to priests of the diocese and any diocesan employees and volunteers and any visiting priests, missionaries etc. if they have been vetted by the diocese and no copies thereof will be retained elsewhere by the Church.

All personal details which are stored electronically must be protected by secure password.

3.6 Principles of Good Record Keeping

All records should be legible, preferably typed or word processed.

All entries should be signed. In the case of written records, the person's name and job title should be printed alongside the entry.

All records should be dated and timed. This should be in real time and chronological order.

A narrative should be constructed which sets out a chronology of events and references any correspondence.

Records should be accurate and presented in such a way that the meaning is clear.

Records should be factual and not include unnecessary abbreviations, jargon, opinion or irrelevant speculation

3.7 Data protection

Information on the vetting outcomes must be:

- stored securely – in a locked cabinet in the Priest's Office in cases where the parish is the organization requiring the garda vetting to be done and in the Pastoral Coordinator's office in cases where the diocese is the organization requiring the vetting to be done.
- retained in line with data protection laws
- retained only for as long as is reasonably necessary

3.7.1 Data Protection Legislation

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

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

3.7.2 The eight principles state that the data should be:

- (i) Fairly and lawfully processed
- (ii) Processed for limited purposes
- (iii) Adequate, relevant and not excessive
- (iv) Accurate
- (v) Not kept for longer than is necessary
- (vi) Processed in line with subject's rights

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- (vii) Secure
- (viii) Not transferred to countries without adequate protection

3.8 Sharing information

3.8.1 “All information passed to other appropriate and relevant staff must only be done on a basis required by the recruitment process and in keeping with confidentiality requirements of diocesan policy and legislation.

Any member of staff of the diocese who breaches confidentiality in the management of vetting information may face disciplinary action up to and including dismissal. Other serious sanctions may apply in respect of non-staff members. All organisations that avail of this service from the diocese are required to be vigilant about confidentiality and will be expected to treat breaches of confidentiality on the part of any member of their staff in similar fashion to the diocese” - *Safeguarding Children in the Diocese of Cloyne*.

Information on the data base regarding the *vetting status* of parish staff/volunteers will be shared as required with the Parish Priest.

Information on the data base regarding the *vetting status* of diocesan staff/volunteers will be shared as required with the Pastoral Coordinator in the Diocesan Office in Cobh.

3.8.2 The handing over of securely held information to the successor of the Parish Priest, Pastoral Coordinator or other Data Protection Controllers will be in accordance with the manual provided by the diocese for passing on safeguarding children information.

3.8.3 Access to information by the data subject

People have a right to know what personal information is held about them, by whom it is held and for what purpose. However, these rights do not mean that in certain circumstances such information can't be shared with others.

The data subject must be made aware of the creation of a safeguarding record and permission must be sought to share appropriate information with those who need to know in order to safeguard children. If the data subject is unwilling to give consent to sharing the information and if this information is necessary to protect children, the data subject's consent can be overridden only in limited circumstances. (Specific advice and guidance must be sought from the data protection officer(s).)

3.9 Confidentiality

All information passed to other appropriate and relevant staff must only be done on a basis required by the recruitment process.

Any member of staff of the diocese who breaches confidentiality in the management of vetting information may face disciplinary action up to and including dismissal. Other serious sanctions may apply in respect of non-staff members.

All organisations that avail of this service from the diocese are required to be vigilant about confidentiality and will be expected to treat breaches of confidentiality on the part of any member of their staff in similar fashion to the diocese.

3.10 Definitions

Data means information.

Personal data is data that relates to a living individual who can be identified from those data.

A Data Controller refers to the person or persons who determines the purpose for which and the manner in which personal data is processed.

A Data Processor is a person who processes data on behalf of a Data Controller.

A Data Subject is an individual who is the subject of the personal data which is being processed.

A Data Protection Officer is the designated person within an organization to take responsibility for training of staff to enable them to meet their responsibilities under legislation.

Appendix 3



DIOCESE OF CLOYNE

CLOYNE DIOCESAN SAFEGUARDING CHILDREN COMMITTEE (CDSCC)

Template for establishing and operating a Parish Safeguarding Committee

Step 1

The P.P. and the parish safeguarding representatives would meet, as core group and :

Consider the safeguarding obligations of the parish

Decide on what additional help would be needed.

Identify individuals who would be asked to become members of a parish safeguarding committee

Outline the skills that these individuals should have e.g. I.T. skills by at least some.

Agree on who would invite the new members.

Step 2

The P.P, parish safeguarding representatives and the newly recruited members would meet as a group and:

The Parish Priest would nominate the chairperson who would be a lay person.

The new chairperson would then preside over the meeting and a lay secretary would be elected.

The safeguarding duties would be identified.

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Various tasks would be allocated to individual members.
The Ground Rules* would be outlined and agreed.
The date for the next meeting would be agreed.

***Ground Rules**

The usual norms would apply to the committee – e.g. agenda, minutes, reports on actions taken, compliance with deadlines, confidentiality etc.

The workload of the parish priest would be kept to a minimum but should meet the requirements of his role of overall responsibility for safeguarding in the parish.

*The committee would agree any additional ground rules if deemed necessary

Appendix 4

Reference for accessing official forms and resources

The following are available on the dedicated website:

www.safeguardingchildrenclayne.ie;

Official forms

Annual reports

News updates

Answers to Frequently asked questions

Signs and symptoms

Detailed information on the signs and symptoms of the four main forms of abuse is available in Appendix 1 of Children First: National Guidance for the protection and Welfare of Children 2011 – published by the Dept of Children and Youth

Appendix 5

" **Declaration regarding this policy document:** All priests and all other personnel involved in diocesan and parish activities that involve children in any way will sign and return to the Safeguarding Office a declaration that they have received, read a copy of the diocesan safeguarding children policy and will abide with the requirements of that document...."

Recommendation no. 1

In keeping with Recommendation No. 1 **from the Review of Safeguarding Practice in the Diocese of Cloyne Dec. 2013,** all priests and all other personnel involved in diocesan and parish activities that involve children in any way, are required to sign the declaration outlined below and return it to:

The Safeguarding Children Office,
Mallow Community Youth Centre,
New Road,
Mallow,
Co. Cork.

DECLARATION

I HAVE RECEIVED AND READ A COPY OF THE DIOCESAN POLICY DOCUMENT *SAFEGUARDING CHILDREN IN THE DIOCESE OF CLOYNE (NOVEMBER 2014)*, AND I WILL ABIDE WITH THE REQUIREMENTS OF THAT DOCUMENT.

SIGNED _____ DATE _____

ROLE IN DIOCESE OR PARISH _____