

Missionaries of the Sacred Heart

# Safeguarding Children

## Policy & Procedure Handbook

2023

Review date: 2026



**Missionaries**  
*of the*  
**Sacred Heart**  

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**MSC MISSIONS**

## PROVINCIAL'S FOREWORD

In 2018, we introduced our “Safeguarding Children Procedures 2018” which was designed to facilitate the implementation of best practice in safeguarding children across all our ministries in the Irish Province. Over the past few years, there have been developments in safeguarding practices, both locally and internationally, and it is important that we continue to keep our policies updated and relevant to our ministries when working with children and young people.

In conjunction with the first global MSC Safeguarding Conference, held in Rome from September 5th-12th, 2022, it is now timely to update our safeguarding policy and procedures and to review the key safeguarding principles for our Irish province members both at home and overseas.

In addition, as a constituent member of the Catholic Church, we are committed to ensuring that our safeguarding policy and procedures are kept updated and in line with current legislation and safeguarding developments and practices.

I am now pleased, therefore, to introduce our updated Safeguarding Policy and Procedure Handbook (2023), which is intended to be a resource and to provide quick and easy access to all guidance, procedures and templates when working with children and young people.

A quick glance at the index provides an understanding of what the Handbook contains and where to locate information on relevant specific topics. Whilst it is divided into various sections in accordance with the current standards of the National Board for Safeguarding Children in the Catholic Church in Ireland, there is a stand-alone section providing MSC templates, if required, when engaged in ministry with children. This is a valuable resource for all MSC members, staff and volunteers. The Handbook and access to all relevant forms are also available from the MSC website [www.mscmissions.ie](http://www.mscmissions.ie)

I encourage you to become familiar with the Handbook as a first port of call when considering and planning for any new activity/ministry with children and young people, whether it is a children's ministry, recruiting new staff or volunteers or liaising with an external group looking to lease an MSC-owned property.

Finally, I would like to thank our Safeguarding Manager, Ms Mary Tallon, and the members of the Safeguarding Committee for their strong leadership and oversight of our safeguarding policies and procedures and especially for the review, compilation and publication of this Handbook. This publication, which details clear guidance and instructions in accordance with best practice, will provide us with a sense of assurance so that we can continue our mission into the future with our focus and priority on spreading the Gospel while ensuring that as we do so, all children and young people are safe in our ministries.

**Fr Carl Tranter MSC**  
**Provincial Superior**

## Message from Pope Francis to a Child Safeguarding Conference

Dear brothers and sisters,

I greet all of you who are participating – in person and remotely – in the Conference “Promoting child safeguarding.”

As I said in my Letter to the People of God (20 August 2018), “Looking ahead to the future, no effort must be spared to create a culture able to prevent such situations from happening, but also to prevent the possibility of their being covered up and perpetuated”. Today you are reflecting together and reaping the fruits of two years of listening, research and training. This work started “from grassroots”, as an expression of the active participation of the people of God in the journey of personal and community conversion. As a Church, we are called to go down this path together, driven by the pain and shame of not having always been good guardians, protecting the minors entrusted to us in our educational and social activities.

This process of conversion urgently requires renewed formation of all those who have educational responsibilities and who work in environments with minors, in the Church, in society, and in the family. Only in this way will it be possible to eradicate the culture of death that every form of abuse, whether sexual, of conscience or of power, brings with it.

If abuse is an act of betrayal of trust, which condemns those who suffer it to death and causes deep fissures in the context in which it takes place, prevention must be a permanent process of promotion of an ever-renewed and certain reliability towards life and the future, on which minors must be able to count. And this is what we, as adults, are called upon to guarantee them, rediscovering our vocation as “artisans of education” and striving to be faithful to it. This means fostering the expression of the talents of those we accompany; respecting their time, their freedom, and their dignity; opposing with all means the temptations of seduction and inducement, which only seemingly facilitate relations with the younger generations.

*A message sent by the Holy Father Francis to the participants in the conference “Promoting child safeguarding in the time of Covid-19 and beyond”.*



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## MISSIONARIES OF THE SACRED HEART

### CHILD SAFEGUARDING POLICY STATEMENT OF THE CONSTITUENT MEMBERS OF THE CATHOLIC CHURCH IN IRELAND

It is the policy of the Missionaries of the Sacred Heart (MSC) to do everything in our power to safeguard the welfare of children and young people to whom we minister or with whom we share our lives.

As a constituent member of the Catholic Church in Ireland, we recognise and uphold the dignity and rights of all children, are committed to ensuring their safety and well-being, and will work in partnership with parents/guardians to do this.

We recognise each child as a gift from God, and we value and encourage the participation of children in all activities that enhance their spiritual, physical, emotional, intellectual and social development.

All MSC members, staff and volunteers have a responsibility to safeguard children and young people through promoting their welfare, health and development in a safe and caring environment that supports their best interests and prevents abuse.

#### Details of personnel to contact if you are concerned about the welfare and safety of children

##### DESIGNATED LIAISON PERSON (DLP):

Email: [safeguarding@mscmisions.ie](mailto:safeguarding@mscmisions.ie)

Office Phone No: (01) 4906622

Mobile No: (087) 3819515

##### POLICE/AN GARDA SIOCHANA

Dedicated Freephone for the reporting of child sexual abuse: 1800 555 222

##### Tusla Child and Family Agency:

Cork Duty Social Work: (021) 2373774

Dublin South-East: (01) 9213400

Galway Duty Social Work: (091) 546235

##### Find your local office at

[www.tusla.ie/services/child-protection-welfare/contact-a-social-worker](http://www.tusla.ie/services/child-protection-welfare/contact-a-social-worker)

**This safeguarding notice is displayed in a prominent location in all MSC churches, sacristies, communities and properties.**

## INTRODUCTION

Welcome to the MSC Child Safeguarding Policy and Procedure Handbook. In all our work with children/young people, the MSC recognises and promotes the fundamental rights of every child and young person to a safe environment in which he/she will be free from any form of abuse. The MSC will do all that is within its power to prevent any form of abuse and respond appropriately to any concerns of abuse.

### Background

The development of a One-Church Policy and the introduction of Children First Act. 2015 necessitated a review of the “Missionaries of the Sacred Heart Safeguarding and Child Protection Policy & Procedures 2014”. The Safeguarding Children Procedures, 2018 Document, was the outcome of this review. In 2021, the MSC Safeguarding Committee recommended a review and update of the 2018 Document which resulted in the Child Safeguarding Policy and Procedure Handbook, 2023. This Handbook replaces the Safeguarding Children Procedures, 2018 Document.

### Status of this Handbook

In March 2016, the National Board for Safeguarding Children in the Catholic Church in Ireland (NBSCCCI) replaced *Safeguarding Children Standards and Guidance, 2009*, with *Safeguarding Children Policy and Standards for the Catholic Church in Ireland, 2016*. After extensive consultation with dioceses, religious congregations and orders, *Safeguarding Children Policy and Standards for the Catholic Church in Ireland, 2016*, was adopted as a One-Church policy. The MSC subsequently signed a memorandum of understanding with the NBSCCCI, agreeing to adopt and implement the updated Policy and Standards Document.

The NBSCCCI has provided extensive guidance on the implementation of *Safeguarding Children Policy and Standards for the Catholic Church in Ireland, 2016*. This Handbook is a subset of that guidance and provides information, forms and signposting that are most pertinent to safeguarding children and young people in an MSC context. However, it is not designed to be a stand-alone document or sole reference for safeguarding children and young people.

The MSC Safeguarding Committee presents this Safeguarding Children’s Policy and Procedure Handbook, 2023, as a practical support for all MSC members, in Ireland and overseas, for communities, staff, volunteers and all those involved in MSC youth ministries. It should be read in conjunction with the *Safeguarding Children Policy and Standards for the Catholic Church in Ireland, 2016*.

## **Missionaries of the Sacred Heart, Irish Province**

### **Key safeguarding messages for all Members (countries) of the Irish MSC Province**

#### ***What is safeguarding?***

Safeguarding means taking all reasonable steps to prevent harm, to protect people, especially children and vulnerable adults, from that harm and to respond appropriately when harm does occur.

#### ***Scope***

This policy is applicable to all members of the Irish MSC Province, and it is essential that all Members adhere to this policy. This Handbook will be updated on an ongoing basis and formally reviewed annually and/or sooner in accordance with developments and changes to legislation, policy and best practice. It is essential that all MSC Members in the Irish Province and jurisdictions demonstrate the development of a culture of safety by having a Safeguarding Policy & Procedure Document.

#### ***Statement of Commitment***

The MSC has a zero-tolerance policy towards all forms of abuse and exploitation. Our priority is to ensure the welfare and safety of every child, young person and vulnerable adult who comes into contact with the MSC, its ministries, activities, our staff and volunteers.

As MSC Members, we believe that all persons have an inherent right to live their lives free from abuse and exploitation regardless of age, sex or gender, sexual orientation, disability, religion, or ethnic origin. We are committed to acting ethically and with integrity to safeguard children and vulnerable adults and we have put in place and enforce measures and controls that demonstrate that commitment. We are committed to ensuring effective action is taken when issues occur, referring all concerns, allegations and incidents to the relevant local statutory authorities, as follows:

1. **England:** Police and Social Services
2. **Ireland:** Tusla, Child & Family Agency, (Social Services) and An Garda Síochána, (Police)
3. **South Africa:** Police and Social Work and Child Protections Services
4. **USA:** Police and Child Welfare Information Gateway, [www.acvy.org.za](http://www.acvy.org.za)
5. **Venezuela:** Police, (Policía Nacional Bolivariana) and Social Services, (Ley Orgánica para la Protección del Niño, Niña y Adolescente).

#### ***MSC General Principles***

The following are the general principles which inform the Missionaries of the Sacred Heart commitment to safeguarding:

1. Safeguarding is everybody's responsibility, and we all have a duty to support the care and protection of children and vulnerable adults.
2. The safety and wellbeing of children and vulnerable adults are paramount, and all children and vulnerable adults have equal rights to protection from harm.
3. All children and vulnerable adults should be encouraged to fulfil their potential regardless of their background, age, sex or gender, sexual orientation, disability, religion or ethnic origin, and inequalities should be challenged.

***Developing and maintaining a safer culture***

Developing and maintaining a culture of safeguarding is a continuous process and the MSC is committed to ensuring the MSC Child and MSC Adult Safeguarding Policy is being implemented in four key areas:

1. **Policy:** The MSC Child and the MSC Adult Safeguarding Policy is applied across all its communities and is easily accessible by all MSC Members, staff and volunteers.
2. **People:** MSC Members, staff and volunteers are recruited, managed and work in an environment that addresses safeguarding through provision of induction, support, training, and supervision. There are clear written standards of conduct and the boundaries of appropriate behaviour expected of MSC Members, staff and volunteers.
3. **Procedures:** Systems are in place to reduce the possibility of harm and risk of abuse. This involves recognising harm, if harm is done, and having clear reporting procedures in place. Care and support of victim/survivors and care and management of respondents must be included in the Procedures.
4. **Accountability:** Systems are in place to receive and respond to concerns, and to recognise and limit risks through use of risk assessment, context mapping for each country/community

***Legislation***

The MSC Policy has been developed in accordance with national and international legislation and our approach to safeguarding is informed and guided by several key international principles and standards as set out in the following:

***International***

1. The Universal Declaration of Human Rights (UDHR), 1948;
2. The UN Convention on the Rights of the Child (UNCRC), 1989;
3. The UN Convention for the Elimination of all Forms of Discrimination Against Women (CEDAW), 1979;
4. The UN Convention on the Rights of Persons with Disabilities (CRPD), 2006;
5. National laws of the countries in which the Congregation works.

We also aim to uphold the commitments made under the Statement of Commitment on Eliminating Sexual Exploitation and Abuse by UN and Non-UN Personnel and the UN Secretary-General's Bulletin on Special measures for protection from sexual exploitation and sexual abuse (PSEA) (ST/SGB/2003/13). These commitments prioritize key actions, including practical measures to prevent sexual exploitation and abuse (SEA) and to ensure an effective response when such acts occur.

The UNCRC is ratified in 196 states (except the United States, which has signed the Convention but is yet to ratify it). It was ratified by Ireland in 1992.

The four general principles of the UNCRC are:

1. Survival and development;
2. Non-discrimination;
3. Child participation and the right to be heard;
4. Best interests of the child.

Of the 54 articles contained within the UNCRC, the most relevant statements to the current policy are detailed below:

- Article 2** Children have the right to protection against discrimination;
- Article 3** All adults should always do what is best for a child;
- Article 6** Children have the right to survive and develop;
- Article 12** Children have the right to an opinion and for it to be listened to and taken seriously;
- Article 19** Children have the right to be protected from being hurt or badly treated;
- Article 34** Children have the right to be protected from all forms of sexual exploitation and sexual abuse.

Where children are the main target population of activities or form a substantial proportion of the target population, MSC Members and associated persons should discuss the specific child safeguarding provisions that need to be put in place. These provisions should be rights-based, considering the provisions of the UNCRC and rights enshrined in national legislation.

The Universal Declaration of Human Rights (UDHR) is a milestone document in the history of human rights. The Declaration was proclaimed by the United Nations General Assembly in Paris on December 10<sup>th</sup>, 1948. It sets out, for the first time, fundamental human rights to be universally respected and protected, in particular:

- Article 3** Everyone has the right to life, to be free, and to feel safe.

## GLOSSARY/DEFINITIONS

### ***Age of Consent (sexual activity) Republic of Ireland***

Under the Criminal Law (Sexual Offences) Act, 2006, the legal age of consent is 17 years. Whilst a sexual relationship where both parties are under 17 years of age is illegal, when making a mandated report to Tusla, Child and Family Agency, it might not be regarded as child sexual abuse.

### ***Child - Republic of Ireland***

In accordance with the Child Care Act 1991, “a child” means a person under the age of 18 years, who is not or has not been married.

***Children First Act, 2015:*** Legislation introduced to strengthen child safeguarding measures, to ensure child protection concerns are brought to the attention of Tusla without delay and that organisations take the necessary steps to keep children safe while availing of a service.

### ***Children First: National Guidance for the Protection and Welfare of Children, 2017:***

National overarching guidance for the protection and welfare of children, published by the Department of Children and Youth Affairs.

### ***Child Safeguarding:***

Ensuring safe practice and appropriate responses by clergy, staff and volunteers to concerns about the safety or welfare of children/young people should these arise. Child Safeguarding is about protecting the child/young person from harm, promoting their welfare and, in doing so, creating an environment which enables children and young people to grow, develop and achieve their full potential.

### ***Child Safeguarding Statement (CSS):***

Defined in the Children First Act, 2015. This is a statement which includes a written assessment of “risk of harm” to children/young people and the measures that will be taken to manage any identified risks.

***Church Personnel:*** Refers to Members of the MSC, staff and volunteers.

***Complainant:*** This is a term used to describe a person who has made an allegation of abuse.

### ***Definition of Abuse***

Child abuse can be categorised into four different types: physical, emotional, sexual abuse and neglect. A child may be subjected to one or more forms of abuse at any given time. The important factor in deciding whether the behaviour is abuse or neglect is the impact of that behaviour on the child rather than the intention of the parent/carer. (*Children First, National Guidance for the Protection and Welfare of Children, Department of Children and Youth Affairs, 2017.*)

***Designated Liaison Person, (DLP):*** A resource for any MSC Member, staff or volunteer who has a child safeguarding concern. The DLP is responsible for ensuring that reporting procedures are followed correctly and promptly and acts as a liaison with statutory agencies.

**Harm: Section 2 of the Children First Act, 2015, defines harms in relation to a child as:**

- a) Assault, ill-treatment or neglect of the child in a manner that seriously affects, or is likely to seriously affect, the child's health development or welfare.
- b) Sexual abuse of the child.

**Mandated Person:** As defined in the Children First Act, 2015, mandated persons have a statutory obligation to report concerns, which meet or exceed a particular threshold, to Tusla. IF requested, they must also assist Tusla in the assessment of mandated reports.

**National Board for Safeguarding Children in the Catholic Church in Ireland (NBSCCCI):** Provides advice, services and assistance to the safeguarding of children in the Catholic Church in Ireland and monitors compliance with legislation, policy and best practice.

**Respondent:** This is the term used for the person about whom child protection suspicions, concerns, knowledge or allegations have been made.

### **Statutory Services**

#### **1. An Garda Síochána (Police)**

It is the responsibility of the police to investigate if a crime has been committed. They will liaise with the DLP, as appropriate.

#### **2. Tusla, Child and Family Agency (Social Services)**

It is the responsibility of Tusla to promote the welfare of children who are not receiving adequate care and protection and they will liaise with the DLP as appropriate.

## CHILD SAFEGUARDING STANDARDS

- STANDARD 1** Creating and Maintaining Safe Environments
- STANDARD 2** Procedures for Responding to Child Protection Suspicions, Concerns, Knowledge or Allegations
- STANDARD 3** Care and Support for the Complainant
- STANDARD 4** Care and Management of the Respondent
- STANDARD 5** Training and Support for Keeping Children Safe
- STANDARD 6** Communicating the Church's Safeguarding Message
- STANDARD 7** Quality Assuring Compliance with the Standards



### What is a standard?

A standard is the level of practice required to ensure good child safeguarding. Each standard is self-contained and is supported by indicators. It is the standard that provides the framework for action. Audits of compliance will be undertaken against the seven standards and the relevant indicators that apply to the Church body.

## MISSIONARIES OF THE SACRED HEART ROLES IN THE SAFEGUARDING STRUCTURE

### ***Provincial***

To be responsible for all safeguarding practices by:

- ◇ Appointing a MSC Safeguarding Committee and, along with this Committee, ensuring that all appropriate child safeguarding structures and personnel are in place; providing adequate resources to support and ensure the implementation of the required structures and appointment of relevant personnel;
- ◇ Ensuring that appropriate personnel and procedures are in place to recognise and respond to allegations of abuse;
- ◇ Ensuring, in conjunction with the safeguarding personnel, the local Superiors, that all those who are recruited as Church personnel are suitable and appropriate for their role;
- ◇ Ensuring compliance with civil and canon law and the NBSCCCI policy in creating and maintaining safe environments;
- ◇ Liaising with the Holy See, and other Church bodies, as appropriate.

### ***MSC Safeguarding Committee***

The Provincial established the MSC Safeguarding Committee in 2012. Committee members are selected for their knowledge, expertise and experience of the Church body, in implementing policy and procedures, practical knowledge of working with children and child safeguarding, auditing and working with and supporting volunteers.

The role of the MSC Safeguarding Committee is primarily focused on creating, maintaining and monitoring a safe environment for all aspects of life and activity in MSC churches and communities, for advising all communities in implementing best safeguarding practice. Its role is also to be supportive and developmental and to promote child safeguarding as follows:

- ◇ Developing a three-year child safeguarding plan which includes a training and communication strategy, and the establishment of local child safeguarding policy and procedures.
- ◇ Coordinating activities related to child safeguarding, *e.g.*, training, safe recruitment of staff and volunteers within the MSC.
- ◇ Ensuring the completion of the annual audit, including the correlation of records for training-related activities.
- ◇ Ensuring, with the Provincial, that the appropriate child safeguarding personnel are in place.
- ◇ Ensuring the completion of training needs assessments across the various child safeguarding roles.

### ***MSC Safeguarding Advisory Committee***

The Safeguarding Advisory Committee has been in existence since 1997. In recent years, it has been restructured in accordance with national Church standards and best practice. Safeguarding Advisory Committee members are selected for their knowledge and experience in canon and civil law, working with victims/survivors of abuse, assessment and/or management of those who present a risk, and working with children in child protection roles.

The role of the Safeguarding Advisory Committee is:

- ◇ To provide advice to the Provincial on the management of cases involving allegations of child abuse made against MSC Members.
- ◇ To maintain a record of the advice provided by the MSC Safeguarding Advisory Committee to the Provincial.
- ◇ To uphold the seven standards of the NBSCCCI in practice and behaviour.

### ***Local safeguarding representatives (LSRs)***

In an MSC context, the Superior of the local MSC community fulfils this role, apart from MSC churches which also function as diocesan parish churches. In these instances, local safeguarding representatives are appointed and work in accordance with the safeguarding requirements of the respective diocesan area.

### **Safeguarding Manager**

In the MSC context, this role is carried out by the DLP as set out below. The Safeguarding Manager is responsible for coordination of all safeguarding practices as follows:

- ◇ Directing and implementing the child safeguarding statement and associated child safeguarding policy and procedures;
- ◇ Liaising with and supporting MSC communities and apostolates to ensure implementation of local policies and procedures;
- ◇ Liaising with the MSC Safeguarding and the MSC Advisory Committees;
- ◇ Ensuring that all child safeguarding personnel are kept up to date with best practice, as communicated from the NBSCCCI and relevant statutory developments;
- ◇ Reporting directly to the Provincial on all child safeguarding issues.

### ***Designated Liaison Person (DLP)***

The DLP is appointed to promote safeguarding by:

- ◇ Receiving and hearing child safeguarding concerns.
- ◇ Referring child safeguarding concerns to the statutory authorities, Gardai (Police), Tusla, Child and Family Agency, (Social Services).
- ◇ Managing cases and all associated documents.
- ◇ Offering a support person and adviser to complainants and respondents, respectively, and liaising with them thereafter.
- ◇ Liaising with the Provincial.
- ◇ Conducting internal inquiries as and when required.
- ◇ Monitoring respondents and/or, with the Provincial, appointing a suitable person to carry out this role.
- ◇ Contributing to upholding the seven standards of the NBSCCCI in practice and behaviour.
- ◇ Completing an annual report regarding compliance with Standards 2, 3 and 4 for the Provincial.
- ◇ Notifying the NBSCCCI anonymously if an allegation concerns a MSC Member.

### ***Support Person***

A support person will be appointed if requested.

The role of the support person is to promote safeguarding by:

- ◇ Keeping the complainant informed of the process of the case.

- ◇ Helping direct the complainant to counselling and support.
- ◇ Recording whatever meetings and/or contact they have with the complainant and reporting to the DLP as appropriate.
- ◇ Upholding the seven standards of the NBSCCCI in practice and behaviour.

**Adviser**

The role of the adviser is to promote safeguarding by:

- ◇ Keeping the respondent informed of the progress of the case.
- ◇ Helping direct the respondent to counselling and support.
- ◇ Recording whatever meetings and/or contact they have with the respondent and reporting to the DLP as appropriate.
- ◇ Upholding the Seven Standards of the NBSCCCI in practice and behaviour.

# STANDARDS



# 1

## STANDARD 1

### Creating and Maintaining Safe Environments

**AIM:** To create and maintain safe environments for all MSC Members, staff and volunteers who engage in MSC ministries.

#### **General Policy**

The MSC acknowledges that child safeguarding begins with the appointment of suitably qualified, and vetted, Church personnel who have the desired competence and skills to carry out their function in a safe, effective and efficient manner. Therefore, all Church personnel employed by the MSC, either in a voluntary or pastoral role, must be recruited safely and deemed suitable for the role that they are being asked to undertake.

It is essential that those people who work within MSC environments, in any capacity, with children or young people are, as far as possible, assessed to ensure that they do not present a risk to children or young people.

#### **Safe recruitment means that the MSC will ensure that:**

- ◇ All reasonable steps are taken to ensure that we exclude applicants who might pose a risk to children and young people;
- ◇ Those engaged in the recruitment process are suitably trained and experienced to undertake this task;
- ◇ The MSC recruitment procedures are transparent, adhere to best practice and comply with the rules of natural justice, appropriate record-keeping, and human resource management;
- ◇ All MSC Members, staff and volunteers are committed to the policy of inclusion and equality.

#### **1. Applying to join the MSC/Formation**

Safe recruitment procedures are applied equally to people/candidates who apply to join the MSC. The list is not exhaustive as other measures will be used for applicants wishing to join the MSC Society. Prior to being accepted into the formation programme, applicants will be asked to undergo psychological testing. Those in a position of responsibility with applicants and students are aware of their “gatekeeper” role in assessing suitability for admission to the Society and subsequently assessing suitability for profession and ordination.

As part of a successful application to join the MSC, the following steps must be completed:

- Ensuring the candidate is inducted in the MSC’s Child Safeguarding Statement and Child Safeguarding Policies and Procedures and agrees to abide by them in signing an agreement form. **(Form 3 pg 60)**
- Requiring the candidate to sign a declaration form stating that there is no reason why he would be considered unsuitable to work with children. **(Form 6 pg 66)**
- Requiring the candidate to undergo Garda vetting in accordance with the MSC Vetting Policy. **(See Garda Vetting Policy, 2019)**
- Ensuring the candidate agrees to work within the MSC’s Code of Conduct/Behaviour. **(Form 7 pg 71)**
- The applicant is to understand that at each stage of the formation process he will be expected to engage fully with training in Safeguarding and Professional Standards.

Over the period of formation, formal child safeguarding training programmes are introduced, alongside modules around ethical practice and integrity in ministry. Candidates/students are encouraged to think for themselves about their values and practice with children/young people, and how they might challenge practice in others which they are uncomfortable with.

**1.1 For religious who are part of the MSC (Irish Province), the following procedures must be completed.**

All Members will have gone through a formation programme that includes an input on safeguarding children and young people. In addition, the MSC must ensure the following arrangements are in place prior to any appointment:

- ◇ Ensuring the MSC Member signs an agreement form to follow the Catholic Church policy and child safeguarding standards. **(Form 1 pg 56)**
- ◇ Requiring the MSC Member to undergo vetting through the Garda National Vetting Bureau (Republic of Ireland), Disclosure and Barring Service, (DBS), UK, local Police vetting in South Africa and Venezuela. **(Guidance 2 pg 57)**
- ◇ Ensuring the MSC Member attends training, in particular, child safeguarding training.
- ◇ Ensuring the MSC Member is inducted into the MSC Child Safeguarding Statement, Safeguarding Policy and Procedure Handbook, 2023 and agrees to follow the policy and procedures of the Irish MSC Province by signing the relevant agreement form. **(Form 3 pg 60)**
- ◇ Ensuring the MSC Member abides by the MSC Code of Behaviour.
- ◇ If a MSC Member is visiting a diocesan parish or a community and/or is seeking to minister, for more than three consecutive days, the procedures for visiting clergy/religious for the respective diocese must be followed.

**1.2. MSC Members visiting Ireland**

Any priest coming to Ireland to perform public ministry in an MSC community is required by civil and church law to provide the following documentation to the MSC Provincial Office:

- ◇ Letter of Good Standing from his Provincial;
- ◇ Testimonial letter from his Provincial;
- ◇ Personal Declaration Form;
- ◇ A completed Garda Vetting application for the particular Diocese in which they will minister. **(Guidance 2 pg 57)**

**1.3. Staff - Safe recruitment procedures**

The following procedures apply for the appointment of all paid staff. It should be noted that these procedures do not affect the applicant's rights under the relevant employment legislation.

**Before interview**

- ◇ Use the recruitment and selection checklist to ensure that effective practices are followed. **(Guidance 1 Checklist pg 53)**
- ◇ The applicant must complete an application form including reference requests. **(Form 4 pg 61)**

**The Interview**

- ◇ Interview suitable applicants for the position by an interview panel of at least two people with appropriate competence and authority.

- ◇ The interview will include advising applicant/s of their responsibilities towards children/young people and assessment of their suitability, including an awareness of child protection and safe care practices.

### Following the interview

The successful applicant will be offered a position subject to:

- ◇ Provision of suitable reference/s;
- ◇ Completion of a declaration form by the applicants, stating there is no reason why they would be considered unsuitable for working with minors; **(Form 6 pg 66)**
- ◇ Proof of qualifications, where applicable;
- ◇ Vetting through the National Vetting Bureau (Republic of Ireland) or DBS (UK); **(Guidance 2 pg 57)**
- ◇ Proof of identification.

### NOTE

All recruitment and personnel files should be retained in accordance with the MSC Data Protection/Record Storage Policy. **(Appendix 2 Recording and Storage of Information)**

### On appointment

- ◇ Ensure that new employees are inducted into the MSC Child Safeguarding Statement, Safeguarding Children Policy and Procedure Handbook, 2022, and that she/he agrees to follow the Policy and Procedures by signing an employee acceptance form. **(Form 3 pg. 60)**
- ◇ Ensure that new employees agree to abide by the MSC's Code of Behaviour. **(Form 7 pg 71)**
- ◇ Ensure that new employees are provided with the name of the DLP and advised of their role in relation to child protection concerns.
- ◇ Appropriate probationary periods must be served.
- ◇ Ensure provision of ongoing safeguarding training and attendance is in accordance with the NBSCCCI training requirements.
- ◇ Ensure professional support, supervision and appraisals are offered as appropriate.

### 1.4. Safe Recruitment – Volunteers

As MSC, we acknowledge that it would not be possible to carry out our various ministries without the generous support of many people. Volunteers assist us greatly by giving freely of their time and skills. It is important, therefore, that we show them respect and courtesy. At the same time, it is necessary that we have procedures in place which guarantee a safe environment for all.

This includes conducting the following procedures:

- ◇ Vetting through the Garda National Vetting Bureau (Republic of Ireland) or DBS (UK), local police vetting structures **(Guidance 2 pg 57)** if relevant;
- ◇ Depending on the role of the volunteer who may have regular and necessary contact with children or young people through their ministry, completing an application form; **(Form 5 pg XX)**
- ◇ Requirement to sign a declaration form stating that there is no reason why they would be considered unsuitable to work with children or young people; **(Form 6 pg XXX)**
- ◇ Ensuring the volunteer is inducted in the MSC Safeguarding Children Policy and Procedure Handbook, 2023 and agrees to follow the policy and the procedures by signing a safeguarding agreement form. **(Form 3 pg 60)**
- ◇ Ensuring the volunteer agrees to abide by the MSC Code of Conduct. **(Form 7 pg 71)**

- ◇ Ensuring the volunteer agrees to report all safeguarding concerns to the DLP in the Safeguarding Office.

### 1.5. Induction

On appointment, an induction programme should be put in place for the employee or volunteer to help their successful integration. The local Superior/manager/supervisor should ensure that new Church personnel receive induction training, either from the Superior or from a suitable representative. Each new employee/volunteer should be provided with the following:

- ◇ The name of the DLP with information about their role in relation to child protection procedures.
- ◇ Induction into the MSC Safeguarding Children Policy and Procedure Handbook, 2023, and signing a form agreeing to adhere to it. **(Form 3 pg 60)**
- ◇ A job description which clarifies the skills and qualifications necessary, and tasks involved in the work. The level of contact with children and young people should be specified.
- ◇ Clarity for personnel, including volunteers, about their role and its limits, who they report to, and what to do if they need further support or if they have concerns.
- ◇ Clarity about the probationary period, where applicable.
- ◇ Information on professional support and supervision.
- ◇ Clarity about the provision and attendance on safeguarding training courses.
- ◇ The completion of the above induction process with the employee or volunteer by the relevant Superior, manager or supervisor.

### 1.6. Supervision and support

All Church personnel should have support and supervision available to them. This can come in many forms: pre-arranged one-to-one meetings, formal and informal discussions/meetings, external supervision, counselling, peer support, team meetings etc. It is the responsibility of line managers to ensure that the necessary support and supervision structures are in place and accessible to all Church personnel. The nature of the support provided will depend on the needs expressed and/or identified and can be summarised as follows:

- ◇ Reviewing operations and practice in the light of the MSC mission.
- ◇ Regularly affording personnel the opportunity to raise questions, problems, or suggestions for change.
- ◇ Based on experience, assessing the need for change in policies, practice or training.

Supervisory and review considerations relevant to this Policy are:

- ◇ Observation and assessment of the worker's attitude and competence in the role.
- ◇ Observation of relationships between workers, and between workers and children/young people.
- ◇ Observation of relationships among children and young people.

Superiors, supervisors and/or managers should be alert to any unusual incident or activity taking place, where workers may be putting themselves in vulnerable positions, or which may constitute a breach of the MSC Code of Behaviour. **(Form 7 pg 71)**

## 1.7. Guidance on Vetting

Legislative Basis - Republic of Ireland

In the Republic of Ireland, vetting is carried out through the National Vetting Bureau in accordance with the National Vetting Bureau (Children and Vulnerable Persons) Act, 2012 to 2016. From the date of commencement of the legislation in April 2016, it is a criminal offence to allow anyone to engage in ministry with children or vulnerable persons, without being vetted.

The National Vetting Bureau (Children and Vulnerable Persons) Act, 2012 to 2016, sets out the circumstances in which vetting is required:

- ◇ Any work or activity which is carried out by a person, a necessary and regular part of which consists mainly of the person having access to, or contact with, children (and/or vulnerable persons).
- ◇ Any work or activity as a minister or priest or any other person engaged in the advancement of religious beliefs to children (and vulnerable persons), unless such work or activity is merely incidental to the advancement of religious beliefs to persons who are not children (or vulnerable persons).
- ◇ In other words, anyone who is 18 or over and involved in ministry, employed or contracted or volunteering, who has any contact with children and/or vulnerable persons which is more than incidental, must be vetted.
- ◇ Those who are aged 16 and 17 may be vetted, but this can only be carried out with the written consent of their parent/guardian and of the young person themselves.

For other Church personnel whose contact with children and/or vulnerable persons is incidental, vetting is not required.

It is essential that each MSC Member adheres to the vetting requirements for the country they live and minister in.

## 1.8. Codes of Conduct/Behaviour

A code of conduct is a clear and concise guide to what is, and is not, acceptable behaviour and practice when working with children and young people. It is an essential part of the safeguarding procedures of any Church body that has ministry with children and young people. Adults working with children have a duty of care to children and young people.

A key aspect of any code of conduct is the creation of an environment where it is safe for children and young people to ask questions and express their concerns, confident in the knowledge that what they say will be heard, taken seriously and acted upon.

It is very important that everyone in the MSC is clear about what is, and is not, acceptable behaviour when working with children and young people. It is also important to involve children and parents/carers and/or guardians in the process of developing a code of conduct. When considering what sorts of behaviour are appropriate in dealing with children and young people, it is important to bear in mind that the intentions of adults are less important than the impact of their behaviour on children and young people.

A Code of Conduct should contain:

- ◇ Positive statements indicating what sorts of behaviours are appropriate, e.g., listening.
- ◇ Prohibitions indicating behaviours that are never acceptable, e.g., hitting a child or young person.

- ◇ Good practice guidelines that indicate what is generally acceptable or unacceptable, but that also allow for exceptions, e.g., in a medical emergency, taking a child or young person in your car without a second member of staff or adult if there is no one else around.
- ◇ An awareness of the scope of bullying and how to cope with the problem, as it may occur in any group context.

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

### **1.8.1. Code of Conduct for adults working with children or young people**

Prior to commencing any ministry with children and young people, it is a requirement for all MSC Members, staff and volunteers sign up to the MSC Code of Behaviour. **(Form 7 pg 71)**

### **1.8.2. Dealing with Breaches of Codes of Conduct**

If an MSC member, staff or volunteer has a concern about the practice of a colleague which may constitute a breach of the Code of Behaviour, this should be reported to the DLP or line manager following the MSC Whistle Blowing Policy, 2021. This would be the case, for example, if the concern related to poor practice rather than abusive behaviour. Abusive behaviour would be reported using the procedure for responding to allegations of abuse.

Behaviours by a worker/volunteer that may cause concern include when a worker:

- ◇ Is secretive and evasive about their activities and time spent with children and young people;
- ◇ Creates opportunities to spend significant amounts of time away from other workers/volunteers and with a single child or children/young people on a regular basis, e.g., invites child or young person to their home;
- ◇ Seeks out vulnerable children and young people;
- ◇ Sidesteps one-to-one supervision and management of work;
- ◇ Has an unusual amount of physical contact with a child or children;
- ◇ Touches a child or children in an inappropriate way;
- ◇ Talks to a child or children in an inappropriate way;
- ◇ Excludes a particular child or children from activities;
- ◇ Disciplines a child or children inappropriately or punishes a child or children harshly;
- ◇ Handles children/young people roughly;
- ◇ Teases, taunts, insults or makes derogatory remarks about or to a child/young person;
- ◇ Restrains a child/young person as a way of punishment;
- ◇ Sexually harasses or uses sexual innuendo;
- ◇ Humiliates and/or embarrasses children/young people;
- ◇ Deprives children/young people of their basic rights;
- ◇ Inappropriately uses social media;
- ◇ Bullies children/young people.

Any MSC member, staff or volunteer who becomes aware of a breach of the Code of Conduct should bring the matter to the immediate attention of:

1. Designated Liaison Person

and/or

2. MSC Provincial, Provincial Office, Terenure Road West, Terenure, Dublin 6W, D6W P295

### **1.8.3. Code of Behaviour for Children/Young People**

Children and young people should be involved in drawing up a code of behaviour for themselves. It is important that in working with children/young people, an appropriate adult with relevant skills and competence, participates to support them in developing the code of behaviour.

The methods used in creating a Code of Behaviour should be age- and ability-appropriate, with children and young people being encouraged to avoid merely drawing up a list of prohibitions. Instead, the code should be comprised of positive statements about respect and should consider what consequences ensue if the code is broken. (*Guidance 4 pg 70*)

#### **Discipline and sanctions when dealing with challenging behaviour:**

As far as possible,

- ◇ Disciplining of children and young people should be in the form of positive reinforcement.
- ◇ Rules about discipline and sanctions should be agreed as part of the Code of Behaviour and accepted by all workers, children and young people as a condition of becoming involved.
- ◇ The anti-bullying protocol should be communicated to all personnel and implemented by everyone.

Sanctions should be implemented consistently, fairly and firmly, and not used as a threat. Children/young people should be helped to understand why sanctions are being imposed. When a sanction has been imposed, it is important that a child or young person is able to feel that she/he is still valued.

Sometimes, children/young people can be disruptive, and their behaviour can be challenging. Such behaviour can put at risk the safety of the child or young person, as well as that of other children or young people and/or of workers. Workers need to be trained and prepared for coping with disruptive behaviour.

#### **When dealing with an incident involving challenging behaviour:**

- ◇ It is recommended that more than one worker is present when challenging behaviour is being dealt with.
- ◇ A record is kept, signed and dated in an incident book, describing what happened, the circumstances, who were involved, any injury to a person or damage to property arising from the incident, and how the situation was resolved.
- ◇ The incident must be communicated to the parents/guardians.

## **1.9. Anti-bullying Guidance and Protocol**

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

### **What is bullying?**

- ◇ Bullying is intentional, repeated and aggressive, physical, verbal or psychological behaviour directed by an individual or group against others.
- ◇ Bullying can occur at any age, in any environment, and can be long- or short-term.
- ◇ Any child or young person can be a victim of bullying.

- ◇ Bullying can be perpetuated by adults towards children or young people, as well as by children or young people towards their peer group.
- ◇ Isolated incidents of aggressive behaviour may not be described as bullying. However, when the behaviour is systematic and ongoing, it is bullying.
- ◇ Bullying results in pain and distress to the victim.
- ◇ With developments in modern technology, children and young people can also be victims of non-contact bullying via mobile phones, the internet and other personal devices.

### ***Bullying can be:***

- ◇ **Emotional or psychological:** e.g., tormenting, excluding, extorting, intimidating.
- ◇ **Physical:** e.g., pushing, kicking, hitting, punching, intimidating, damaging or stealing property, or any use of violence.
- ◇ **Racist:** e.g., racial taunts, insults about colour, nationality, social class, religious beliefs, ethnic or Traveller background, or use of graffiti or gestures.
- ◇ **Sexual:** e.g., harassment, unwanted physical contact, or sexually abusive comments. This may constitute actual sexual abuse, which should be reported.
- ◇ **Homophobic:** e.g., taunting a person of a different sexual orientation.
- ◇ **Verbal:** e.g., name-calling, sarcasm, spreading rumours, teasing.
- ◇ **Cyber:** e.g., misuse or abuse of email, mobile phones, internet chat rooms, social media, text messaging, or camera and video facilities.
- ◇ **Subtle:** such as an unwelcome expression or gesture that is repeated and focused on an individual.

### ***Cyberbullying***

Cyberbullying is defined as “any behaviour performed through electronic or digital media by individuals or groups that repeatedly communicates hostile or aggressive messages intended to inflict harm or discomfort on others”. (Tokunga, 2010, p.275)

Cyberbullying differs from more traditional forms of bullying in a number of ways:

- ◇ The audience is now larger, e.g., posting a humiliating photo/video that can be viewed by a large audience;
- ◇ There are no time or location barriers, it can happen 24/7;
- ◇ The target’s reaction is often not seen, leading to a reduction in feelings of empathy or guilt for the perpetrator;
- ◇ As identities online can be withheld and/or altered or protected, more opportunities are now available for perpetrators to be involved this type of bullying;
- ◇ Cyberbullying has become prevalent as young people spend more time interreacting and communicating online.

### ***Prevention***

To help prevent bullying, the following strategies are suggested:

- ◇ Engage children or young people in discussions about what bullying is and why it cannot be tolerated;
- ◇ Encourage children or young people to take responsibility and report incidents of bullying to their leader or the person in charge;

- ◇ Review bullying guidance with children/young people and parents/carers/guardians involved in parish or agency activities;
- ◇ Seek to promote positive attitudes of social responsibility, tolerance and understanding among all personnel.

### ***Procedures to deal with bullying***

- ◇ All incidents of bullying should be brought to the attention of the leader or person in charge.
- ◇ All incidents will be recorded on incident report forms and kept on file.
- ◇ Leaders should report to, and seek guidance and support from, the MSC Member/priest in charge.
- ◇ Parents or carers and/or guardians should be informed of incidents of bullying and should meet with the leader or person in charge to discuss the problem.
- ◇ The bullying behaviour or threats of bullying must be investigated, and the bullying quickly stopped.

All parties involved should be supported and helped throughout the process. If necessary and appropriate, the statutory services should be consulted.

### **1.10. Ensuring Safe Care for Children/Young People (Organising activities in a safe manner for children/young people)**

If the MSC is to create safe environments in which children and young people can participate and develop well, activities need to be planned, they should be child-centred in their practice and behaviour, and there should be clear procedures to guide practice.

In practical terms, organising the safe care and participation of children and young people will include the following:

- ◇ Completing a hazard or risk assessment. This assists with managing both health and safety issues, and the general welfare of children and young people; **(Form 8 pg 74)**
- ◇ Completing a child and parent/carer and/or guardian joint consent form; **(Form 9 pg 75)**
- ◇ Clear guidance on the participation of children or young people with specific needs;
- ◇ Guidance on taking children or young people on trips away or pilgrimage;
- ◇ Sign-in register of attendance; **(Form 10 pg 77)**
- ◇ Ensuring adequate supervision ratios; **(Guidance 6 pg 78)**
- ◇ Guidance on accidents or incidents;
- ◇ Guidance on the use of technology - media policy. **(Guidance 7 pg 81)**

### **1.11. Guidance on Children/Young People with Specific Needs**

Some children/young people have specific needs that place additional responsibilities on those who care for, and work with, them. It is often the situational and environmental factors that disable the child's/young person, rather than the physical or intellectual difficulty the child's/young person experiences. Where possible, the environmental factors should be adapted to the child's/young person's needs. Prohibitive attitudes need to be addressed through education and information. Children/young people who have a disability have the same rights as any other child/young person, in line with the UN Convention on the Rights of the Child.

Points to consider when including a child/young person with specific needs, in your group:

- ◇ Work in partnership with the child/young person, parents/carers and guardians, and all professionals involved, to establish how the child/young person can be included;
- ◇ Make sure inclusion is possible before bringing the child/young person into the group;
- ◇ Make reasonable adjustments;
- ◇ Be interested in the child/young person and build a rapport with them;
- ◇ If the child/young person has a communication impairment, acquiring some key skills in their communication method will be useful;
- ◇ Some specific training may be useful or required, e.g., the autistic spectrum, epilepsy;
- ◇ Hazard assessments may be necessary to ensure the safety of some children/young people with specific needs; **(Form 8 pg 74)**
- ◇ Higher staff ratios may be required if the child/young person has additional needs or behavioural problems. **(Guidance 6 pg 78)**

### ***Intimate care issues:***

When introducing a child/young person with specific needs into an activity, it is important to establish if they have intimate care needs, and who should provide or assist with this if it is necessary.

It is important to remember that not every child/young person with a disability has intimate care needs. Intimate care is, to some extent, individually defined and varies according to personal experience, cultural expectations and gender. It may be described as help with anything of a personal or private nature that the individual is unable to do themselves.

Generally, Church personnel are not expected to be involved in the provision of intimate care of children/young people. This should be undertaken by suitably qualified people.

Children/young people with specific needs may be more likely than other children/young people to be bullied or subjected to other forms of abuse, and they may also be less clear about physical and emotional boundaries.

It is particularly important that children/young people with specific needs are carefully listened to, in recognition of the fact that they may have difficulty expressing their concerns, and so that the importance of what they say is not to be underestimated.

Decisions regarding who provides intimate care for a child/young person should be discussed and agreed in advance by everyone concerned:

- ◇ The child's/young person's view should be ascertained;
- ◇ The parents/carers and/or guardians should be consulted, and their consent sought;
- ◇ A rota of carers of the same sex as the child/young person should be agreed;
- ◇ The age, stage of development and ethnicity of the child/young person will need to be considered.

Guidelines to be borne in mind when providing intimate care include the following:

- ◇ The sensitive nature of such tasks;
- ◇ The need to treat every child/young person with dignity and respect;
- ◇ The need to ensure an appropriate degree of privacy;
- ◇ The need to involve the child/young person as much as possible in their own care;
- ◇ The need to ensure consistency in who provides care;

- ◇ If a child/young person appears distressed or unhappy, this should be discussed with parents/carers and/or guardians if appropriate and the activity leader.

### **1.12. Taking children/young people on trips away and/or pilgrimage**

A trip away that involves children/young people can be a rewarding and fulfilling experience for adults, children and young people involved with them. To do this safely, and in a way that safeguards all concerned, requires careful planning and consideration.

#### ***Planning Trips Away***

##### ***Have you***

- ◇ Identified the aim and outcomes of the programme?
- ◇ Followed the MSC Child Safeguarding Statement, Safeguarding Children Policy and Procedure Handbook, 2023?
- ◇ Carried out a hazard assessment? (**Form 8 pg 74**)
- ◇ Used safe practice guidelines when recruiting and selecting staff and volunteers? (**Guidance 1 pg 53**)
- ◇ Selected a key staff member who has overall responsibility for the trip?
- ◇ Selected staff and volunteers for the trip who are appropriately trained, qualified and vetted?
- ◇ Nominated a staff member or volunteer who is responsible for First Aid, if appropriate?
- ◇ Checked the First Aid kit and/or received training in First Aid as relevant to the activity planned for?
- ◇ Ensured adequate and gender-based supervision in line with the MSC Safeguarding Policies and Procedures?
- ◇ Appointed a contact person (at home) who has access to all information and contact details?
- ◇ Checked insurance and ensured that there is adequate coverage for all activities planned for?
- ◇ Checked that the transport has appropriate insurance, qualified drivers and seatbelts?
- ◇ Carried out an equipment safety check?
- ◇ Made provisions for returning home early, if required?
- ◇ Allocated a budget and contingency fund?
- ◇ Obtained from parents/carers and guardians any information which may be relevant to a child or young person staying away from home overnight, e.g., information concerning allergies, medical problems, or special needs?
- ◇ Checked out the locations and accommodation of the trip away to ensure they have
  - Appropriate safeguarding policy, practices and procedures in place
  - Insurance cover
  - Appropriately trained and qualified staff
  - Appropriate changing and sleeping areas for boys and girls, if required
  - Disability access, if required
  - If staying away overnight, 24/7 access to centre staff
  - Appropriate sleeping arrangements for children, that is, separate provision for boys and girls, and separate provision for leaders (within close proximity of children).

#### **Children/young people participating must:**

- ◇ Be involved as much as possible in planning the trip.
- ◇ Have read and signed to agree to abide by the MSC Code of Conduct for children/young people.
- ◇ Have been adequately prepared for the trip and provided with relevant information including schedules, activities, clothing, expectations, Codes of Behaviour, supports available etc.

- ◇ Have agreed on boundaries around unstructured time.
- ◇ Have been provided with information on appropriate clothing.
- ◇ Have been provided with contact details for leaders.
- ◇ Give consent to the trip away.
- ◇ Give consent to be Garda-vetted (if required), (for example, all 16-18 years olds attending a pilgrimage).

**Parents/carers and/or guardians must:**

- ◇ Have met with leaders and been informed of the programme.
- ◇ Be made aware of the MSC Child Safeguarding Statement, Safeguarding Children Policy and Procedure Handbook, 2022.
- ◇ Give written consent to their child participating on the trip. **(Form 9 pg 75)**
- ◇ Have provided contact details, medical details including allergies, illnesses, medications and dietary requirements.
- ◇ Be provided with contact details of the leaders and centre or accommodation being used for the duration of the trip.
- ◇ Be provided with details for pick-up and drop-off plans for children or young people.

**MSC Church Personnel (including adult volunteers for pilgrimage) must:**

- ◇ Have been appropriately trained and prepared for the trip. They must be clear on the appropriate boundaries when working with children/young people and how to respond and report a child safeguarding concern.
- ◇ Have given consent to be Garda-vetted.
- ◇ Have been inducted in the MSC Child Safeguarding Statement, Policy and Procedures.
- ◇ Have read and agreed to abide by the MSC Code of Conduct/Behaviour.
- ◇ If relevant, have attended Safeguarding Vulnerable Adult training and be familiar with the MSC Safeguarding Vulnerable Adult Policy.
- ◇ Have been assigned responsibilities and schedules for breaks.
- ◇ Have been made aware of how to respond to, and whom to contact in, an emergency?
- ◇ Have worked with children or young people to evaluate the success of the activity.

***If staying overnight, have staff checked the following:***

- ◇ If there is 24/7 access to centre staff?
- ◇ If there are appropriate sleeping arrangements for children/young people, i.e., separate provision for boys and girls, and separate provision for leaders (within earshot of the children or young people)?
- ◇ The security and supervision arrangements at the centre?

**1.13. Guidance on Maintaining Adequate Supervision Ratios**

In planning a trip or activity, it is critically important to consider how many adults are needed to supervise the children/young people in a safe manner. It is recommended that a certain number of adults be available to supervise a certain number of children/young people.

At a minimum, two adults are required for each activity. In addition, the minimum following ratios should be applied. These ratios may need to be reviewed, depending on whether the children/young people have specific needs or requirements, and on the duration of the activity.

### Supervision Ratio Table

0-1 years	1 – 2 years	2 - 3 years	3 – 6 years	7- 12 years	13 – 18 years
2 adults for the first 3 children plus one adult for every additional three children	2 adults for the first 5 children plus one adult for every additional five children	2 adults for first 6 children plus one adult for every additional six children	2 adults for the first 8 children plus one adult for every additional eight children	2 adults for the first 8 children/ young people plus one adult for every additional eight children or young people	2 adults for the first 10 children or young people plus one adult for every additional ten children or young people

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

#### 1.14. Attendance Register

A minimum of two officially appointed leaders should be responsible for each activity involving children or young people. At least one of the leaders must have undergone a full day training session provided by trainers registered with the NBSCCCI. These leaders must sign an attendance sheet and put their initials under each date to confirm that the children/young people and adults marked were in attendance, as indicated by the 'time in' and 'time out' for each date. **(Form 10 pg 77)**

#### 1.15. Consent

The consent of parents/carers and/or guardians should always be sought prior to engaging children/young people in any activity, and also the consent of the child/young person participating, confirming that they wish to participate in the activity. **(Form 9 pg 75)**

#### 1.16. Guidance on one-to-one contact with children/young people

In general, Church activities should not involve one-to-one contact, and should usually be supervised by at least two adults.

#### In general, it is best practice not to:

- ◇ Take children/young people away and/or to your own home or room, especially where they will be alone with you.
- ◇ Work with children/young people in one-to-one contact without a prior arrangement in place. **(Guidance 8 pg 86)**
- ◇ Have activities that are supervised by fewer than two adults. However, there may be two circumstances where this is impossible:

- a) In a reactive situation, for example, when a child/young person requests one-to-one meeting with you without warning, or where a child/young person has had to be removed from a group as part of a breach of a Code of Behaviour.
- b) As part of a planned structured piece of work, for example, one-to-one music tuition.

### Reactive situations

- ◇ If you need to talk to a child/young person alone, it is essential to make every effort to do so in an open environment, in view of others.
- ◇ If this is not possible, make every effort to meet in a room with visual access, or with the door open, or in a room or area where other people are nearby.
- ◇ You should advise another adult or a colleague that such a meeting is taking place and the reason for it.
- ◇ Maintain a record of the meeting, including names, dates, times, location, reason for the meeting, and outcome, and store the record appropriately and securely.
- ◇ Avoid meetings with individual children/young people where they are on their own in a building.
- ◇ One-to-one meetings should take place at an appropriate time, for example, not late at night and in an appropriate venue.

### Planned and structured pieces of work

- ◇ The activity should have a clear rationale.
- ◇ Parents/carers and/or guardians must be fully informed as to the nature and purpose of this work and must give their written consent for their child to participate.
- ◇ A clear Code of Behaviour must be signed and adhered to by both parents/carers and/or guardians. This should include limits of confidentiality and safeguarding procedures.

### 1.17. Guidance on responding to accidents/incidents

If a child/young person has an accident and injures himself/herself whilst attending a MSC event, the following procedures should be followed:

1. Assess the injury and reassure the child/young person. If the injury is severe or the child/young person has lost consciousness, contact the emergency services immediately by phoning 999 or 112. You can phone 112 from a mobile that has no credit or from a phone that has no SIM card. The 112-emergency number is a European emergency number and can be called from anywhere in Europe.
2. If the emergency services are to be called, make contact urgently with the child's/young person's parents/carers and/or guardians. If the parents/carers and/or guardians are not available, it may be necessary for a leader to travel with the child/young person to the hospital.
3. If the injury is minor, local application of treatment should be available from the First Aid box. Under no circumstances should a member of the MSC team or ministry administer medication to a child/young person.
4. As soon as possible after the accident, write up a report, using an accident/incident form. **(Form 11 pg 79)** Once completed, this form should be stored in a safe place, in line with data protection, and treated as a confidential document.
5. Always inform parents/carers and/or guardians of any accident that has occurred involving their child/young person, regardless of how minor you consider it to be, and ask them to sign the Accident/Incident Report Form.

It is good practice to give a copy of the Accident/Incident Report Form to parents/carers and/or guardians.

### **1.18. Use of MSC-owned property by External Groups**

It is a requirement that all external groups working with children/young people in MSC-owned churches

and/or using facilities, for example, church halls, day centres, retreat or counselling centres owned by the MSC, have a child safeguarding statement and child safeguarding policy in place. **(Guidance 9, pg 88)**

The general principle is that the obligation to comply with requirements relating to insurance and child safeguarding is the responsibility of the external groups using church property and not of the MSC. It is the responsibility of any group using MSC property to run activities involving children and young people to ensure they comply with all applicable child safeguarding and child protection legislation and guidelines. The group is also responsible for liaising with Tusla to ensure that their policy and procedures meet the statutory requirements. **(Form 12 pg 89)**

MSC personnel should at no stage assist any external group in developing a child safeguarding policy but should advise all such groups to seek the advice of Tusla personnel in developing the required policies. It is the role of Tusla to validate the adequacy of the policy.

### **1.19 Whistleblowing Policy, (often referred to as Protected Disclosure Policy)**

See Appendix 3 for MSC Whistle Blowing Policy, 2021.

### **1.20. Complaint Procedure for Safeguarding Concerns that are not Allegations of Abuse**

A complaint is defined as a grievance and/or the raising of a concern about breaches of the Code of Behaviour. Allegations or suspicions of child abuse do not fall into this category of general complaints and should always be dealt with in accordance with the MSC child protection and safeguarding procedures.

All complaints will be taken seriously and dealt with fairly and confidentially. Efforts will be made to resolve complaints quickly and informally through discussion with the parents/carers and/or guardians, children, young people, volunteers, or members of staff and clergy, as appropriate. **(Form 13 pg 91)**

#### ***Who can make a complaint?***

- ◇ Children/young people involved in the specific ministry.
- ◇ Their parents or carers and/or guardians.
- ◇ MSC members, staff or volunteers working with the children/young people.
- ◇ Other advocates on behalf of children/young people.

#### ***Information you need to provide***

Complaints can be made verbally or in writing. By providing the following information you can help to speed up the investigation of your complaint:

- ◇ The name and address of the child/young person affected.
- ◇ If the complaint is being made by a parent or carer and/or guardian and/or other adult, the name and address of the parent or carer and/or guardian and/or other adult.
- ◇ Exactly what the person is dissatisfied with.

- ◇ The name(s) of the official(s) dealing with the complaint.
- ◇ If your complaint is complicated, you may find it best to put it in writing so that no important detail is overlooked.
- ◇ Remember to send copies of all relevant documentation or correspondence that you may have.
- ◇ If you have special needs that may affect your ability to make a complaint, please advise at the earliest opportunity so every effort is made to provide assistance.

### ***Follow-up to complaint***

All complaints of this nature should be resolved using an open dialogue with MSC personnel involved. However, if a resolution is not possible, the following steps should be taken:

- ◇ The making of a complaint will have no impact on the MSC's interaction or dealings with the person making the complaint;
- ◇ The Superior, the line manager, and/or the director of youth ministry or an MSC representative should be contacted on receipt of the complaint;
- ◇ A letter acknowledging receipt of the complaint will be sent within seven calendar days, enclosing a copy of the MSC Complaints' Procedure;
- ◇ The person receiving the complaint will endeavour to respond to the complaint within seven working days, however, in some cases this may take longer;
- ◇ An official, other than those originally involved, will examine the complaint, and all complaints will be thoroughly investigated;
- ◇ The MSC representative may organise a meeting with the person making the complaint, if requested, to discuss and, hopefully, resolve the complaint. This communication may also take place by telephone if a meeting is not possible. Unless there are exceptional circumstances, this will be done within fourteen calendar days of sending the acknowledgment letter to the complainant;
- ◇ Within seven calendar days of the meeting or discussion, the MSC representative will write to the complainant to confirm what took place and to set out whatever solutions were agreed;
- ◇ If a meeting is not agreeable or possible, the MSC representative will, within twenty-one calendar days of sending the acknowledgment letter to them, issue a detailed written reply to the complainant, setting out suggestions for resolving the matter;
- ◇ If the complainant is still not satisfied at this point, they should contact the Provincial or MSC representative again;
- ◇ At the conclusion of this step, the Provincial may decide to take further action on the complaint. If, however, the Provincial decides not to take further action, the process is completed.

## 2 STANDARD 2

### Child Protection Procedures

**AIM:** To ensure that all personnel working with children and young people will understand their role in protecting all children from harm, be able to recognise signs of child abuse and know how to report concerns in an effective and appropriate way.

Children and young people occupy a central place in the heart of the Christian community. They have a right to be listened to and heard. The paramount consideration in all matters relating to children and young people is their safety and protection from all forms of abuse.

To create and maintain a safe environment, the MSC is committed to responding effectively and ensuring that all suspicions, concerns, knowledge or allegations of abuse are reported to the statutory authorities and to the leadership team/Provincial of the MSC.

It is important that anyone working on behalf of the MSC knows how to respond to allegations, including who to tell and how to record the information. This section provides guidance on these issues. Should any person be unsure of whether information they have received constitutes an allegation of abuse and/or if they want guidance on how they should manage a concern, they should contact the DLP without delay.

#### 2. Roles and Responsibilities

It is the responsibility of **Church personnel** in the MSC to safeguard children and young people and ensure that those who may need help and protection are not left at risk of abuse.

The **Designated Liaison Person (DLP)** within the MSC Safeguarding Office, acts as a resource to any Church personnel who has a child protection concern. The DLP is responsible for ensuring that the reporting procedures are followed correctly and promptly. The DLP also acts as a liaison person with statutory agencies.

Under Children First Act, 2015, **mandated persons** have a statutory obligation to:

1. Report concerns which reach or exceed a legally defined threshold.
2. Cooperate with Tusla in the assessment of mandated reports. *(see Guidance 12 pg 94)*

Within the MSC, mandated persons include all Members, and the DLP (refer to Schedule 2 of the Children First Act 2015, which lists persons classified as mandated persons).

#### 2.1 Recognition:

In order to recognise child abuse, it is necessary to know what is meant by it. Child abuse can be categorised into four different types and a child/young person may be subjected to one or more forms of abuse at any given time:

- Neglect
- Emotional abuse

- Physical abuse
- Sexual abuse

**(Guidance Definitions of Abuse 13 pg 96)**

**2.2. Reasonable grounds for a child protection or welfare concern include:**

- Evidence, for example, an injury or behaviour that is consistent with abuse and is unlikely to have been caused in any other way;
- Any concern about possible sexual abuse;
- Consistent signs that a child is suffering from emotional or physical neglect;
- A child saying, or indicating by another means, that he/she has been abused;
- Admission or indication by an adult or a child of an alleged abuse they committed;
- An account from a person who saw the child being abused.

Tusla 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: (Children First Act, 2015).

Children/young persons are sometimes abused by members of their own family, by peers, or by others outside the family environment such as strangers, workers or trusted adults.

**2.3. Signs of abuse**

Something, such as the behaviour of an adult to a child/young person, may make you or them feel uncomfortable.

A child/young person may be subjected to one or more forms of abuse at any given time. For example, the sexual abuse of a child/young person is also a form of emotional abuse, especially when it takes place in the context of a relationship of trust.

Abuse and neglect can take place within a family, in the community or in an institutional setting; and the abuser may be someone known to the child or young person or may be a stranger.

**2.4. Responding**

It is best practice to inform a person wishing to discuss a suspicion of abuse, of the requirement to report child protection concerns to the civil authorities before any disclosure is made. However, it is not always possible to know when a child/young person or adult is about to disclose child abuse, so, the opportunity to inform them may not arise.

However, where a person, whether child, young person or adult, asks to speak in confidence to MSC Member, staff member and/or volunteer, it is important to tell the person that if they disclose information concerning child protection or welfare concerns, this information will have to be reported to the statutory authorities, i.e., Tusla and An Garda Síochána. This can help the child/young person or adult to make an informed decision whether to disclose abuse or not.

It is necessary to tell a person who admits an offence against a child/young person that such information cannot be kept confidential and must be reported to the statutory authorities.

**Retrospective Disclosures**

Some adults may disclose abuse that took place in their childhood. (Guidance 16 on pg 103 [Information for Complainants and Victims/Survivors of Child Abuse] provides more information on how the Province responds to adult complainants.) Childhood abuse disclosed by adults must be reported to Tusla in accordance with the MSC reporting procedure, as the alleged abuser may pose a current risk to children/young people.

**2.4.1 Responding to a person making an allegation of abuse**

People may tell you about the following:

- ◇ Abuse that happened to them;
- ◇ Something they have been told by someone else and that they strongly believe is true;
- ◇ Seeing signs of abuse, such as physical injuries on a child;
- ◇ Something they have witnessed that makes them feel uncomfortable.

Extra care needs to be taken if it is a child/young person who is disclosing that they were abused. (**Guidance 14 pg 100**)

**2.4.2. Guidance on responding to children/young people disclosing abuse**

A child/young person may tell you about abuse or harm that is happening to them. This may be the first time they try to tell someone about the abuse and they have chosen to tell you as they trust you, therefore it is essential that they receive a sensitive and compassionate response. Your role is to allow a child/young person time to speak and to listen attentively. Best practice for responding to disclosures is to:

- React calmly;
- Give the child/young person the opportunity to tell their story;
- Listen carefully and attentively;
- Take the child/young person seriously;
- Reassure the child/young person that they have taken the right action in talking to you;
- Do not promise to keep anything secret;
- Ask questions for clarification only;
- Do not ask leading questions only
- Check back with the child/young person that what you have heard is correct and understood;
- Do not express any opinions about the alleged abuse;
- Explain to the child/young person what is likely to happen next, in an age-appropriate way;
- Do not make any commitments to the child/young person that you cannot keep;
- Directly after the conversations with the child/young person, make a written record, in as much detail as possible;
- Treat the information as confidential, only sharing information on a need-to-know basis.

If the allegation is about MSC personnel, explain to the child/young person and their parents/carers or guardians that the information will be reported to the statutory and Church authorities.

All offers of further support to the child/young person should be conveyed via the child's/young person's parents/carers and/or guardians or an appropriate adult.

In the case of an adult disclosing child abuse, it is equally important that the initial response is characterised by compassion and sensitivity. The general guidance outlined above should be followed. See procedure of care and support of the complainant (**Guidance 16 pg 103**) for further information.

## 2.5. Reporting

Guiding principles for reporting child safeguarding concerns are:

- The safety and well-being of the child /young person must take priority over concerns about adults against whom an allegation may be made.
- Reports of concerns should be made without delay to the local Tusla Social Work Department where the child resides.

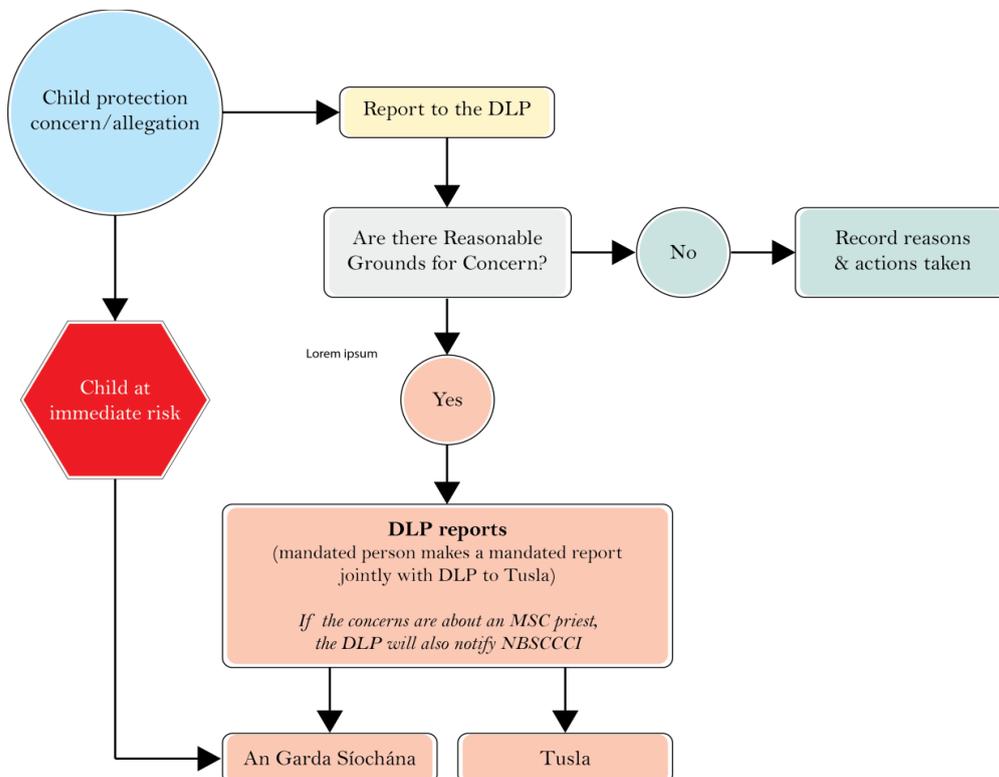
**Remember:** MSC Church personnel, members, staff and volunteers must respond to all child safeguarding concerns. They do not have to have proof that a child/young person has been harmed or at risk of harm and it is not their role to investigate concerns.

When you have reasonable grounds for concern that a child/young person may have been, is being, or is at risk of being abused or neglected, contact the DLP without delay. The DLP will assist in ensuring the notification procedures are completed and can make a joint report to the statutory authorities with any other person.

In an emergency or if there is an immediate concern for the protection of a child/young person, a report should be made directly to An Garda Síochána.

### Reporting Flow Chart

The reporting flow chart below refers to **any child protection concern**, including where the concern is about a situation or person involved in the Church. It is the responsibility of everyone in the Church to ensure that children who may need help and protection are not left at risk of abuse.



The DLP will report the matter to the statutory authorities on behalf of the person making the report about the possible abuse of a child/young person or will make a joint report if the person is a mandated person making a mandated report. If the complaint concerns a Member of the MSC, the Provincial and the NBSCCCI are also informed. **(Guidance 12 pg 94)**

### **Procedures for dealing with allegations made against Church personnel**

Where an allegation of abuse is made against an MSC staff member, there are two procedures that are put in place:

- The reporting procedure in respect of the child/young person to the statutory authorities as outlined earlier;
- The MSC internal procedure for dealing with Church personnel.

The MSC internal procedure for dealing with Church personnel:

1. All concerns or allegations must be reported to the DLP without delay;
2. The reporting procedure outlined previously will be followed by the DLP;
3. In consultation with the statutory authorities, the person alleged to have caused harm will be informed of the allegation, the nature of the allegations and given an opportunity to respond, unless advised by Tusla/An Garda Síochána not to share such information at the time;
4. Appropriate interim protective measures must be taken, pending the outcome of any investigation and/or assessment by the statutory authorities;
5. Protective measures should be proportionate to the level of risk to the child/children. Such measures may include the respondent having no contact with children, increased supervision levels and/or restricted duties. Protective measures, for example, being asked to take leave from work or being placed on restricted duties, do not presume guilt and are used as precautionary measures;
6. Allegations against MSC Members are dealt with in accordance with the MSC procedures for dealing with respondents, which also include the canonical process. In such situations, the statutory processes take precedence over internal MSC processes.

Note:

- Tusla will not provide advice on employment matters, however, advice and consultation in relation to the risk to children can be sought from the local Tusla Social Work Office.
- The MSC will liaise closely with Tusla and An Garda Síochána to ensure that any actions taken by them do not prejudice or compromise the statutory investigation or assessment.
- Final determination of the person's future role within the MSC is informed by the outcome of any Garda investigation, the Tusla assessment, the internal disciplinary processes, and the canonical process in the case of a Member of the MSC.
- All stages in the process must be accurately recorded.
- Appropriate levels of confidentiality must be maintained throughout this process.
- Allegations against MSC, staff and volunteers will be notified to the Provincial.
- The NBSCCCI is notified anonymously of allegations against MSC members.
- If a diocesan appointment is held, the relevant bishop is notified.

### 2.5.1 Guidance for receiving and recording an allegation

- ◇ 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 take notes at the time, make a written record as soon as possible afterwards or before the end of the day.
- ◇ Record the time, date, location, persons present, and how the allegation was received, e.g., by telephone, face-to-face conversation, letter.
- ◇ This initial recorded information will be transferred to a child protection referral form and will become the first entry in a file of information about the case that will be retained by the DLP.
- ◇ Please always sign and date the record. The record would also normally include:
  - Accurate identifying information of the complainant, as far as it is known. This should include the name, address, and age of the complainant when the alleged abuse occurred;
  - Where the person who has raised a concern or allegation is a child or young person, details of parents/carers or guardians should also be given;
  - Name of the individual against whom the concern or allegation is being raised, and any other identifying information;
  - Dates when the concern arose, or when the incident occurred;
  - The person's own words used to describe the event or incident. Do not make assumptions about the intended meaning of the words used;
  - Details of any action already taken about the incident or concern or allegation;
  - Do not be selective. Include details that to you may seem irrelevant. This may prove invaluable at a later stage in an investigation;
  - All original records, including rough notes, should be passed immediately to the DLP;
  - Copies of retained records should be kept secure and confidential.

***Remember, it is not your role to investigate.***

### 2.6 Confidentiality

- Information in relation to child protection and welfare concerns must only be shared on a need-to-know basis.
- No undertakings regarding secrecy can be given. This applies to children/young people, parents/guardians, and Church personnel.
- Provision of information to the statutory authorities for the protection of a child/young person is not a breach of confidentiality.
- Parents/guardians and children/young people have a right to know if personal information is being shared unless doing so could put the child/young person at further risk.

### Guidance on responding to an anonymous allegation of abuse

Anonymous complaints are to be managed and responded to carefully. Anxiety and fear may persuade some people not to reveal their identity immediately. It is sometimes difficult to act on information under these circumstances, unless at some point the name of the person raising the concern or making an allegation becomes known. If you are unsure whether the information you have received reaches the threshold for reporting, consult with the DLP. An approach to the statutory authorities may be appropriate.

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/young person. As much openness as possible should be encouraged. However, if you receive any identifiable information that relates to an allegation of abuse (current or past), you must pass this information on to the appropriate statutory authorities so that an investigation can be undertaken to assess child protection risks.

### **Mandatory Reports**

It is the policy of the MSC Irish Province, that mandated reports by mandated persons will be completed jointly with the DLP. This section provides information on making mandated reports.

#### ***Under the Children First Act, 2015:***

There is a legal obligation on mandated persons to report to Tusla any knowledge, belief or reasonable suspicion that a child has been harmed, is being harmed or is at risk of being harmed.

The threshold for mandated reporting in relation to neglect, emotional abuse/ill treatment and physical abuse is reached when the mandated person knows, believes, or has reasonable grounds to suspect that the child's health, development or welfare have been or are being seriously affected, or are likely to be seriously affected.

- Mandated persons must report all sexual abuse concerns as mandated persons.
- There are certain exemptions from reporting underage consensual sexual activity. If the mandated person is satisfied that **ALL** of the following criteria are met, then they are not required to make a report to Tusla:
  - The young person/s concerned are between 15 and 17 years old.
  - The age difference between them is not more than 24 months.
  - There is no material difference in their maturity or capacity to consent.
  - The relationship between the people engaged in the sexual activity does not involve intimidation or exploitation of either person.
  - The young person/s concerned state clearly that they do not want any information about the activity to be disclosed to Tusla.
- The legal obligation to report applies only to information that is acquired in the course of one's professional role.
- Mandated reporting requirements apply only to information that a mandated person received or became aware of since the Act came into force (December 11<sup>th</sup>, 2017). However, information gained prior to this date must still be reported to statutory authorities under Children First National Guidance.

It is acknowledged that deciding whether a concern reaches the threshold for a mandated report can be difficult, therefore mandated persons can consult with the DLP and/or Tusla Social Worker. It is best practice to seek advice from Tusla, in relation to underage sexual activity concerns.

However, the decision to make a mandated report rests with the mandated person. Within the MSC, it is policy that mandated persons will make mandated reports jointly with the DLP. However, if the mandated

person wishes, they can make their mandated report directly to Tusla. In this situation they must provide a copy of their mandated report to the DLP, as follow-up action may need to be taken.

In an emergency situation and following a report to an Garda Síochána, a mandated person must follow up with a mandated report to the local Tusla Social Work Department where the child resides within three days.

This can be done through the Tusla online portal.

Mandated persons may also contact the out-of-hours Tusla Social Work services on 0818 776 315, between 6pm and 6am every night and between 9am and 5pm on Saturdays, Sundays and Bank Holidays.

## 3

**STANDARD 3****Care and Support of the Complainant**

**AIM:** To ensure that those who have alleged child abuse should receive a compassionate response from all MSC personnel and be offered access to appropriate care, advice and support.

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Complainants need to be listened to and heard to ensure that any allegation or disclosure of abuse is handled compassionately, effectively and professionally. Disclosing abuse takes enormous courage and calls for a high level of trust. Child abuse by its very nature can damage trust. It is therefore imperative that when a complainant is ready to tell their story, the listener responds with great sensitivity and compassion.

The MSC leadership and safeguarding personnel will engage in ongoing reflection to identify who is best placed to offer pastoral care to complainants, recognising that providing pastoral care may not be the sole responsibility of any one person. Pastoral care may be offered and provided by the DLP managing the case, the support person, if the offer of a support person is taken up by the complainant, the Provincial at an appropriate time, or indeed another identified representative if there is something specific they can offer.

**3.1. How support is offered:**

- ◇ Once an allegation has been received, the DLP will arrange a face-to-face meeting with the complainant, in a manner that respects the wishes of the person.
- ◇ The complainant may be accompanied by a person of their choice to the meeting.
- ◇ Every complainant is offered access to a support person. The role of the support person is to ensure that the complainant is appropriately supported throughout the process of disclosure and thereafter. It is the prerogative of the complainant whether or not they wish to accept the assistance of a support person.
- ◇ The complainant will be provided with details of support or counselling services, for example, Towards Peace and Towards Healing and will be assisted in making an appointment, if required.
- ◇ The MSC is committed to funding such professional support, as appropriate.
- ◇ If the threshold for reporting has been reached, the DLP will help the complainant to understand the necessity to refer the matter to the statutory authorities.
- ◇ At an appropriate time in the process, the complainant will be invited to meet with the Provincial and/or another representative of the MSC if this is their wish. This meeting is not for the purpose of determining the outcome of any investigations, but for the Provincial to hear and acknowledge the experience of the complainant.
- ◇ At the end of this meeting, the support being provided to the complainant can be reviewed. Some complainants may wish to remain engaged with their Church despite the effect that the abuse may

- ◇ have had on their relationship with it, and, perhaps, with God. By meeting with, and listening to, complainants, the response from the Church that might best meet their spiritual needs can be identified with them. Towards Peace and Towards Healing may be of assistance in this regard.
- ◇ The MSC is open to providing independent facilitation or mediation for meetings if this is required.

A leaflet is available to support people making allegations and/or complaints detailing support/ counselling services. ***(Guidance 16, leaflet for complainants pg 103)***

## 4

**STANDARD 4****Care and Management of the MSC Respondent**

**AIM:** To create a fair procedure regarding the management and investigation of allegations.

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It is important that there is a fair procedure with regard to the management and investigation of allegations. The rights of respondents are important and are given due weight, once the safety and protection of children/young people has been assured. Where there is a conflict, the child's/young person's welfare must come first.

Care is an important element at every stage as people who have received an allegation against them are recognised as being vulnerable. The MSC employ different processes regarding the management of the respondent, depending on the stage the case is at.

#### ***4.1 Management and care are provided by specific personnel in the safeguarding structure***

The DLP has case management responsibility and for ensuring that appropriate protective measures have been taken, and that support is offered to the respondent. Throughout this time, it is important that the good name of the respondent is maintained.

#### ***Internal Case Management***

- ◇ On receipt of an allegation, the priority is to ensure that information that has reached the threshold for reporting is referred to the statutory authorities.
- ◇ The DLP will check with the Gardai (Police) if there is any reason as to why the information cannot be shared at the time with the respondent. In rare circumstances, the Gardai, (Police) will ask the DLP to delay this so as not to hamper an investigation.
- ◇ At the earliest opportunity, the Provincial will call a meeting with the respondent, for the purpose of informing him that an allegation has been made and invite him to bring a person for support (adviser). The role of the adviser is to support the respondent at meetings, direct him to counselling or other professional services, and to keep him informed of the progress of the case.
- ◇ At a further meeting, the DLP will share the details of the allegation with the respondent. The respondent will be offered canonical and civil legal advice. He will be advised that he can respond to the allegation if he wishes, and that this response will be shared with the statutory authorities. However, he is advised that he does not need to make a response at this stage.
- ◇ If the threshold for reporting has been reached, a preliminary investigation in accordance with canon law will be initiated by the Provincial (CIC, c. 1717). This canonical inquiry will be suspended to allow any statutory investigation to take place.

- ◇ A decision will be made as to whether an interim management plan is required, which may include restrictions to sacred ministry. This plan includes a written reminder from the Provincial to the respondent advising him to continue to adhere to the MSC child safeguarding policies and procedures.
- ◇ If required, the DLP and adviser will meet the respondent and present him with the interim management plan, which the respondent will be asked to agree to and sign. During this meeting, the respondent must be advised that the preliminary investigation will be resumed following the conclusion of any statutory authority enquiries.
- ◇ The Provincial and leadership team have responsibility to oversee the case and ensure that the relevant personnel are in place and acting in accordance with their role.

#### **4.2. Support**

While statutory and/or Church investigations are underway, pastoral support is offered to the respondent. It is recognised that this is an especially difficult time for any person, and they will be vulnerable. They are offered the support of an adviser, therapeutic support, canonical and legal advice.

At the end of a canonical preliminary investigation, if it is found there is no case to answer, it is important that all outstanding matters be dealt with to allow the person to move forward with their life and ministry. Therefore, in preparation, the respondent should be provided with counselling and support to assist them to deal with any residual anger/distress. This may include spiritual direction, reflection, and discussions with the Provincial or a member of the leadership team.

If the allegations are substantiated at the end of the canonical process, the person may require pastoral and therapeutic support and to help address any offending behaviour.

## 5 STANDARD 5

### Training and Support

**AIM:** To ensure that all MSC personnel have access to and attend safeguarding training.

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All members of the MSC Members, staff and volunteers have a role to play in child safeguarding particularly if their work brings them into contact with children and young people.

The Irish MSC Province recognises training as the cornerstone in maintaining high standards and good practice, and all personnel are required to complete training in child safeguarding. Those in safeguarding roles will be afforded further training to enhance their effectiveness.

#### **5.1. MSC Members**

MSC Members are required to attend a full-day safeguarding training event and thereafter a refresher training session every three years. Members of the Province who are suffering ill health and/or engage in limited ministry or are retired, will be required to attend an information session.

#### **5.2. Staff and volunteers**

Staff and volunteers employed by, and/or working, with the MSC and working with children/young people are required to attend a full-day safeguarding training event and thereafter a refresher training session every three years.

If they have minimal involvement or engagement with children and young people, they are required to attend an information session.

#### **5.3. DLP/Safeguarding Manager**

A key function of the DLP's role is to be available to all MSC Members, staff and volunteers, for advice, guidance and support.

- ◇ It is the role of the DLP to keep updated on issues relating to safeguarding children/young people, by keeping up to date on changes in policy, guidance and any new civil or Church legislation, and by attending relevant courses and conferences.
- ◇ The DLP builds his/her network of professional services so that advice and specific information can be accessed.

Training attendance records are maintained, secured and stored by the Safeguarding Office and are reviewed as part of the MSC annual self-audit.

**MSC training requirements**

NATURE OF TRAINING	WHO SHOULD ATTEND
One-day safeguarding training event	<ul style="list-style-type: none"> <li>➤ All MSC Members, staff and volunteers who work directly or indirectly with children and young people.</li> <li>➤ Local Safeguarding Representatives who work directly or indirectly with children and young people.</li> </ul>
Safeguarding information session	<ul style="list-style-type: none"> <li>➤ Staff and volunteers and retired MSC Members</li> </ul>
Safeguarding refresher training	<ul style="list-style-type: none"> <li>➤ All MSC members, staff and volunteers who work directly or indirectly with children and young people and have completed a one-day safeguarding training are required to complete refresher training every three years.</li> <li>➤ Local Safeguarding Representatives who work directly or indirectly with children and young people and have completed a one-day safeguarding training are required to complete refresher training every three years</li> </ul>
Role-specific training	<ul style="list-style-type: none"> <li>➤ Provincial</li> <li>➤ Advisory Committee members</li> <li>➤ Safeguarding Committee members</li> <li>➤ Safeguarding personnel e.g., DLP, support persons.</li> </ul>
Specialist training e.g., safe recruitment, running activities with children/young people, working with perpetrators of abuse	Any MSC Member, staff or volunteers who consider the training to be relevant to their role and responsibilities

## 6

**STANDARD 6****Communicating the MSC Safeguarding Message**

**AIM: To ensure that the message of keeping children/young people safe is communicated to all MSC personnel, lay faithful and external agencies.**

The MSC Safeguarding Committee and Safeguarding Manager, on behalf of the Provincial, have a responsibility to ensure that the MSC Child Safeguarding Statement, MSC Safeguarding Children Policy and Procedure Handbook, 2023, and practice are implemented throughout the province. The Child Safeguarding Policies and Procedures must be relevant, up to date and reviewed regularly and part of the implementation process includes having a communication plan in place which outlines the various methods being used to communicate the MSC's child safeguarding message to all the stakeholders.

**6.1. Practices**

Practices are in place to facilitate personnel in having a good working knowledge of the policy and procedures. These practices include:

- ◇ MSC Members being inducted into the use of the safeguarding policy and procedures;
- ◇ All MSC Members, staff and volunteers are required to comply with the procedures;
- ◇ *Safeguarding Children Policy and Standards for the Catholic Church in Ireland, 2016*, along with the MSC Policy and Procedures are posted on the website: [www.mscmissions.ie](http://www.mscmissions.ie)  
Hard copies of the policy and procedures are also available;
- ◇ Safeguarding training and awareness-raising workshops for all personnel are available;
- ◇ Child safeguarding statement and safeguarding notices, including relevant contact details, are on prominent and permanent display in MSC churches and premises;
- ◇ The MSC is committed to making best use of different media in communicating information about safeguarding;
- ◇ The Safeguarding Committee is established to regularly review safeguarding practices and help publicise the message;

***The Irish MSC Province works with the statutory authorities to:***

- ◇ Ensure the MSC message is in line with legislation and best practice.
- ◇ Ensure the statutory authorities know what the MSC policy is regarding safeguarding of children and young people.
- ◇ Report all allegations and share information as appropriate.

## 7

**STANDARD 7****Quality Assuring Compliance**

**AIM: To ensure that the MSC Safeguarding Policy and Procedures are understood and effectively implemented at all levels.**

Quality assurance procedures are a systematic method of assessing the extent to which the previous six Child Safeguarding Standards are implemented at all levels within the Irish MSC Province. They are designed as part of the MSC commitment to ensuring that a process of continuous improvement takes place.

**7.1 Safeguarding Committee**

The role of the safeguarding committee is to oversee the implementation of Standards 1, 5, 6 and 7.

In relation to Standard 7, the Safeguarding Committee is responsible for:

- Producing and reviewing an annual child safeguarding plan of how to maintain the seven Standards across the Irish MSC Province.
- Liaising with the Local Safeguarding Representatives (LSRs) if in place: in communities which are not assigned a diocesan parish, the local Superior may fill this role. Their task is to ensure the completion of a local safeguarding audit, and to identify areas where guidance and support on policy or practice are needed.
- Ensuring that an annual safeguarding report on Standards 1, 5 and 6 is provided to the Provincial.

**7.2. Safeguarding Strategic Plan**

The Safeguarding Strategic Plan is to assess the effectiveness of the steps being taken to keep children/young people safe. The purpose of this internal child safeguarding plan is to set out what, how, who, and in what time-frame key, elements of child safeguarding practices and procedures are going to be met by the MSC Congregation.

**7.3. Training and Communications plans**

*Resources:* It is important to set specific and realistic objectives linked to identified allocated resources.

*Implementation:* The Provincial, through the Safeguarding Committee, should identify clear timeframes for implementation, which should take account of the completion of the local safeguarding audits.

*Review and evaluation:* It is important that the three-year plan sets clear dates for review of each specific objective outlined in the plan. These review dates should be achieved on an annual basis, and reviews should take account of the outcomes of the annual local safeguarding audit.

**7.4. Quality Assurance**

Quality assurance is achieved by applying four methods:

1. Annual self-audit scheme carried out locally but coordinated by the Safeguarding Committee.
2. Assessing compliance during systematic visits by the DLP to MSC communities and other centres.
3. External audits by the NBSCCCI and statutory agencies e.g., Tusla, Gardai, (Police).
4. Commitment to ongoing review of policy and procedures.



## GUIDANCES AND FORMS



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## GUIDANCE 1

### Recruitment & Selection Checklist

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

<b>Identification</b>	<ul style="list-style-type: none"> <li>◇ Have applicants been asked, where necessary, for photographic documentation to confirm their identity and place of residence?</li> <li>◇ Will documentation relating to the applicant's identity and relevant qualifications be checked at the interview?</li> </ul>
<b>Qualifications</b>	<ul style="list-style-type: none"> <li>◇ Are applicants asked for documentation to confirm their qualifications?</li> </ul>
<b>Garda Vetting Procedure</b>	<ul style="list-style-type: none"> <li>◇ Does the position require the applicant to be Garda vetted?</li> <li>◇ Has the applicant been informed that they may need to undergo Garda vetting before taking up any appointment?</li> <li>◇ Does this applicant require a certificate of police clearance from other countries in which they have worked or volunteered?</li> </ul>
<b>Records</b>	<ul style="list-style-type: none"> <li>◇ Are details of the selection/induction process retained in the personnel file of the successful applicant?</li> <li>◇ Are references kept on file as part of the record of the recruitment process?</li> <li>◇ Are personnel informed that information such as application and declaration forms are held on file?</li> </ul>
<b>Confidentiality</b>	<ul style="list-style-type: none"> <li>◇ Is information about the applicant seen only by those directly involved in the recruitment process?</li> <li>◇ Are applicants reassured that information about them, including information about convictions, will be treated in confidence and not used against them unlawfully?</li> </ul>
<b>References</b>	<ul style="list-style-type: none"> <li>◇ Are applicants asked to supply the names of two referees who are not family members, or who are not involved in the recruitment process, and ideally who have first-hand knowledge of the applicant's experience of work or contact with children?</li> <li>◇ Are referees asked specifically to comment on the applicant's suitability to work with children?</li> <li>◇ Are all references provided in writing and verified by a follow-up telephone call?</li> </ul>

**Suggested questions for referees**

The post involves substantial access to children. As a church authority, we are committed to the welfare and safeguarding of children and young people.

- ◇ Have you any reason at all to be concerned about this applicant being in contact with children and young people?
- ◇ How long have you known this person?
- ◇ In what capacity?
- ◇ Would you have any hesitation in them taking up this position?



## FORM 1

### MSC Member Agreement to adhere to the MSC Child Safeguarding Policy and Procedure Handbook, 2023

I understand my responsibility and duty, as a priest/brother/novice of the Irish MSC Province, in working to safeguard children and young people.

I agree to abide by the safeguarding policy, procedures and code of conduct of the Irish MSC Province in working with children and young people, and I will at all times honour and respect their right to safety and protection from harm and abuse.

If applicable, e.g., ministering or working in a diocese, school, hospital or external organisation

I confirm that the external organisation in which I minister has safeguarding policies and procedures in place and I agree that, when ministering in this external organisation, I will adhere to its policies and procedures.

**Full name (print):** \_\_\_\_\_

**Signed:** \_\_\_\_\_

**Date:** \_\_\_\_\_



## GUIDANCE 2

### GARDA (POLICE) VETTING

#### **The National Vetting Bureau Act (Children and Vulnerable Adults) 2012 to 2016**

The National Vetting Bureau Act (Children and Vulnerable Adults) 2012 to 2016 sets out the circumstances that require vetting as follows:

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

The Act also requires vetting in respect of any work or activity as a **minister or priest or any other person engaged in the advancement of religious beliefs** to **children** and **vulnerable adults**, unless such work or activity is merely incidental to the advancement of religious beliefs to persons who are not children or young people or vulnerable adults.

A person is also required to be vetted if their ministry, work or activity is deemed relevant to children or young people or vulnerable adults. Relevant work includes the provision of training, education, treatment, supervision, therapy, counselling, transporting or conveying, giving advice or guidance, cultural, recreational, leisure, social or physical activities.

#### **Interpreting the Act for the Church Context**

From the sections of the Act cited above, persons requiring vetting fall into three main categories. It should be noted that anyone who is 18 or over and has any contact with children or young people or vulnerable adults which is more than incidental as part of their ministry must be vetted (see also Note 1 below).

**Category 1:** A person must be vetted if they are a minister, priest or other who engages in the advancement of religious beliefs to children or young people and vulnerable adults.

**Category 2:** A person must be vetted if he/she has necessary and regular contact with children or young people or vulnerable adults through his/her ministry, work or activity in a diocese, parish, school, or diocesan agency, or an agency of the Congregation.

**Category 3:** Vetting is also required for those whose ministry, work or activity includes the coaching, mentoring, counselling, teaching or training of children or young people or vulnerable adults. This applies regardless of whether this ministry, work or activity is occasional or regular and necessary.

**Note 1:** Those who are aged 16 and 17 years may be vetted, but this can only be carried out with the written consent of their parent/carer and/or guardian and the young people themselves.

#### **Minors**

The legislation is directed at applicants aged 18 years or over at the date of signing the form. However, applications can be made for those aged 16 and 17 years of age. The decision to vet 16- and 17-year-olds is a policy decision for the organisation in question and is not a legal requirement.

Where an application is being made for a 16 or 17 year-old the consent of the parent/carer/and/or legal guardian must also be obtained. This is done by asking them to fill out the form Parent/ Guardian Consent Form (NVB 3). In addition, the email address and telephone number provided on the e-vetting invitation form is the email address and telephone number of the parent/carer and/or legal guardian (not the young person). Proof of identity must also be obtained for the parent/carer and/or legal/guardian and the young person.

**Note 2:** Vetting is not required for a person if his/her ministry, work or activity with children or young people is merely incidental to his/her ministry, work or activity with others who are not children or young people or vulnerable adults. In other words, vetting is not required for church personnel who may come into contact with, but do not minister or work directly with, children or young people or vulnerable adults, excluding those who fall into Category 1-3 above.

**Examples of Roles that typically WILL Require Vetting:  
(This list is not exhaustive)**

- ◇ Clergy (bishops, priests, deacons, visiting clergy who provide short to long-term cover)
- ◇ Sacristans;
- ◇ Youth group leaders such as those responsible for youth choirs, parish run youth clubs, Pope John Paul II Award leaders, youth liturgy groups;
- ◇ Supervisors of altar servers;
- ◇ Ancillary staff in schools, e.g., SNAs, caretakers;
- ◇ Leaders of the “*Do This in Memory*” Communion programme who have contact with children outside of the public Sunday liturgy;
- ◇ Leaders of the “*You Shall Be My Witnesses*” Confirmation programme;
- ◇ Eucharistic ministers who have been commissioned to bring the Eucharist to homes, hospitals, care homes and other institutions where there may children, young people and/or vulnerable adults present;
- ◇ Other roles that bring a person into direct contact with children, young people and/or vulnerable adults through his/her ministry, work or activity.

**Examples of Roles that Typically WILL NOT Require Vetting:**

- ◇ Church/parish secretaries;
- ◇ Collectors;
- ◇ Car park attendants;
- ◇ Those present in the sacristy who do not have an official role with children or vulnerable adults (However, these adults should never be left unsupervised with children or vulnerable adults.);
- ◇ Readers of the Word, unless they have a dual role which directly involves contact with children or young people or vulnerable adults;
- ◇ Eucharistic ministers who only distribute the Eucharist within the main body of the church during public Mass or other liturgical celebrations;
- ◇ Other roles whose contact with children, young people and/or vulnerable adults is merely incidental while they are carrying out their ministry, work or activities with those who are not children, young people and/or vulnerable adults.

## **Vetting Process**

Vetting applications for individual members of the Irish MSC Province, staff and volunteers and/or visiting MSCs must be done through the Safeguarding Office.

Applications for vetting are now submitted electronically in a process known as e-vetting.

A vetting Invitation Form (NVB 1) will be issued for completion by the applicant. This is then returned to the Safeguarding Office along with the required forms of identification.

## **Proof of Identity**

At least two forms of identification must be produced to validate the identity of the applicant when completing the E-Vetting Invitation Form (NVB 1). One of these should be photographic. There is a points system for the verification of identity where 100 points must be reached. Different forms of identification are weighted with a sliding scale of points, please see [www.vetting.garda.ie](http://www.vetting.garda.ie) for Proof of Identity Check List and/or contact the Safeguarding Office. Where an individual cannot reach 100 points, an affidavit witnessed by a Commissioner for Oaths will suffice. The identity of the applicant must be verified by the Superior/line manager and/or the Provincial Office.

If the applicant does not have access to an electronic device, one should be provided for them for the purpose of completing their application.

## **Email**

The applicant must provide a valid email address. If the applicant does not have an email address, they can provide any email address that they are satisfied for the Vetting Form to be sent to. This can be the email of a friend, member of the community, family member and/or one can be provided for them by the organisation requesting the vetting.

Once submitted by the Safeguarding Office to the vetting liaison personnel in the Association of Religious and Missionaries in Ireland, (AMRI), the applicant will receive an email from the Garda Vetting Bureau directly with an online questionnaire. ***(See MSC Garda Vetting Policy for further details)***

## **Re-Vetting**

Garda Vetting is to be renewed every three years.

## **Vetting Disclosure**

All vetting Disclosures are stored securely in the Safeguarding Office. ***(See MSC Garda Vetting Disclosure Policy)***

## **Overseas communities**

**It is essential that each MSC Member adheres to the vetting requirements for the country they live and minister in.**



## FORM 3

### Induction Agreement Form for all MSC Church Personnel/Staff

#### ***Declaration***

As part of the recruitment process for the post of \_\_\_\_\_

I confirm that,

- I have been provided with a copy of the MSC Province of Ireland Safeguarding Children Policy and Procedure Handbook, (2023).
- I have been given an opportunity to have any questions addressed by a representative of the MSC.
- I have read and understood the policies and procedures document I have been provided with.
- I will abide by the requirements of the MSC Child Safeguarding Policy and Procedures and Code of Behaviour.
- I agree to report all safeguarding concern to the Safeguarding Manager/Designated Liaison Person in the Safeguarding Office.
- I will attend a Child Safeguarding full-day safeguarding, refresher or information training event, (as appropriate).

**NAME (print):** \_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_

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

#### **DATA PROTECTION**

This form will be held on file in accordance with the Data Protection Policy of the MSC Province of Ireland

The data entered will be used only for the purposes indicated on the form and it may be accessed only by those with responsibility for managing files.



## FORM 4

### Staff Application Form

#### Personal

Full name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

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

Address

---

---

Telephone number \_\_\_\_\_ Email: \_\_\_\_\_

#### Work Experience

Have you previously been involved in voluntary work and/or working with children? If yes, please give details.

---

---

---

Please give details of qualifications and/or training you have undertaken that you think may be relevant to this post:

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---

Why do you want to get involved in this activity?

---

---

---

---

Please detail if you have medical conditions that we need to be aware of, which may affect you carrying out some of the requirements of this post.

---

---

**Referees**

Please provide the names and contact details of two people whom we could contact for a reference (these people should not be relatives), who have known you well and would be able to comment on your suitability for this post.

**Referee 1**

Name \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

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

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

**Referee 2**

Name \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

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

**Declaration**

I declare that I have completed this form truthfully, and I agree that you may contact the people whose names I have given as referees. In accordance with Data Protection legislation, I give my consent that the information contained in this form be processed and stored for the purposes of recruitment and employment.

I agree to abide by and accept the terms and conditions of my employment, if successful in the application process.

**Signed:** \_\_\_\_\_**Date:** \_\_\_\_\_



## FORM 5

### Volunteer Application Form

#### Personal

Full name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Have you been previously known by any other names?

\_\_\_\_\_

Address:

\_\_\_\_\_

\_\_\_\_\_

#### Ministry

Choir Leader

Children's Liturgy

Reader

Eucharistic Minister

Altar Servers

Sacristan

Sacramental Preparation

Other Volunteer activity \_\_\_\_\_

#### Work Experience

Have you previously been involved in voluntary work and/or working with children? If yes, please give details.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please give details of qualifications and/or training you have undertaken that you think may be relevant to this post:

\_\_\_\_\_

\_\_\_\_\_

Why do you want to get involved in this activity?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please detail if you have medical conditions that we need to be aware of, which may affect you carrying out some of the requirements of this post.

---

---

**Referees**

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

**Referee 1**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

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

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

**Referee 2**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

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

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

**Declaration**

I agree to abide by and accept the terms and conditions of my employment, if successful in the application process.

**Signed:** \_\_\_\_\_

**Date:** \_\_\_\_\_

\*\*\*\*\*

**Verification**

If applicant is known to the Superior/MSC Line Manager, please complete this section, if not photo ID must be provided.

The person named on this form is known to me and I believe they have the requisite skills and experience to fulfil this role. This person is a member in good standing of the MSC Community/parish and I have no hesitation in recommending them to undertake this role. If applicant is unknown to the Superior, the photo ID has been provided.

**Signed:** \_\_\_\_\_

**Date:** \_\_\_\_\_



## Form 6

### Declaration Form for MSC Staff & Volunteers

#### Who should complete this form?

As part of a thorough recruitment and selection process the MSC Province of Ireland requests that all staff or volunteers working with the MSC, who will come into contact with children and/or young people and/or the personal details of children/ young people, abide by good practice by completing and signing this Declaration Form.

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

Address (print): \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Role/Position: \_\_\_\_\_

1. Do you have any prosecutions pending, or have you ever been convicted of a criminal offence or been the subject of a caution or binding-over order?  Yes  No

If yes, please state below the nature and date(s) of the offence(s):

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2. Is there any reason that you would be considered unsuitable to have direct or indirect contact with children, young people or vulnerable adult?  Yes  No

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

---



---

3. Have you ever been the subject of disciplinary procedures or been asked to leave employment or voluntary activity due to inappropriate behaviour towards a child, young person or vulnerable adult?  Yes  No

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

---



---

**Declaration:**

I hereby declare the information I have provided above is accurate. I understand that, if I have withheld information or included any false or misleading information above, I may be removed from my post, whether paid or voluntary.

**Signed:** \_\_\_\_\_

**Date:** \_\_\_\_\_



## GUIDANCE 3

### Code of Behaviour for Adults

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

- ◇ Treat all children/young people with respect and dignity;
- ◇ Treat all children/young people equally;
- ◇ Model positive, appropriate behaviour to all children/young people with whom they come into contact with;
- ◇ Be aware of the MSC *Child Safeguarding Statement* and the MSC *Safeguarding Children Policy and Procedure Handbook, 2023* of the Irish MSC Province;
- ◇ Challenge and report abusive and potentially abusive behaviour;
- ◇ Develop a culture of openness, honesty and safety;
- ◇ Develop a culture where children/young people have permission to tell and to talk about concerns or worries that they may have;
- ◇ Respect each child/young person's boundaries and support them to develop their own understanding and sense of their rights;
- ◇ Be aware of their responsibility for the safety of all children/young people in their care;
- ◇ Work in open environments;
- ◇ Help children/young people to know what they can do if they have a problem.

#### Adults must:

- ◇ Treat children/young people in a manner that fully respects their dignity and rights;
- ◇ Provide an example of good conduct at all times;
- ◇ Respect each child/young person's boundaries, avoiding unnecessary physical contact;
- ◇ Help children/young people develop an awareness and understanding of their own right to protection and a respect for the rights of others;
- ◇ Encourage positive behaviour in children/young people;
- ◇ Avoid spending time alone with a child/young person. Should circumstances arise where this is unavoidable, inform another responsible adult and keep a note of what took place and why;
- ◇ Provide children/young people with information on how, and from whom, they can seek help if they have a concern;
- ◇ Be visible to others if working alone with a child/young person;
- ◇ Challenge and report behaviour that is abusive or potentially abusive;
- ◇ Develop a culture where children/young people are encouraged to talk openly about their contacts with staff and others;
- ◇ Unless there are at least two adults present, avoid permitting children/young people to work and/or remain on MSC property.

#### Adults must never:

- ◇ Hit or otherwise physically assault or abuse children/young people;
- ◇ Develop sexual relationships with children/young people;
- ◇ Develop relationships with children/young people that could in any way be deemed exploitative or abusive;

- ◇ Act in any way that may be abusive or may place a child/young person at risk of abuse;
- ◇ Use language, make suggestions or offer advice that is inappropriate, offensive or abusive;
- ◇ Do things for a child/young person of a personal nature that they can do themselves;
- ◇ Condone or participate in behaviour that is illegal, unsafe or abusive;
- ◇ Act in any way that is intended to intimidate shame, humiliate, belittle or degrade;
- ◇ Engage in discriminatory behaviour or language in relation to race, culture, age, gender, disability, religion, sexual orientation or political views;
- ◇ Consume alcohol, tobacco or illegal drugs while having responsibility for or in the presence of children or young people;
- ◇ Offer alcohol, tobacco or non-prescriptive drugs to minors.

**Adults must never and in general, it is inappropriate to:**

- ◇ Take children away or to your own home, especially where they will be alone with you;
- ◇ Involve children in one-to-one contact: activities should be supervised by at least two adults. However, there may be two circumstances where one-to-one contact may occur;
- In a reactive situation, for example when a young person requests a one-to-one meeting with you without warning, or where a young person has had to be removed from a group as part of a Code of Behaviour
- As part of a planned structured piece of work, for example one-to-one music tuition.

Any MSC, staff member, volunteer or lay person who becomes aware of a breach of this Code of Conduct should bring the matter to the immediate attention of:

Designated Liaison Person  
Missionaries of the Sacred Heart  
65 Terenure Road West,  
Dublin, D6W P295  
Mobile Number: (087) 3819515

**and/or**

The Provincial  
Missionaries of the Sacred Heart  
65 Terenure Road West  
Dublin, D6W P295  
Phone: (01) 4906622



## GUIDANCE 4

### Code of Behaviour for Children (Sample)

The most effective Codes of Behaviour are those in which participants have input. Ownership promotes success. Hence, children/young people should be involved in drawing up a Code of Behaviour for themselves. It is important that in working with children/young people, an appropriate adult with relevant skills and competence participates to support them in developing the Code of Behaviour.

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

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

- ◇ Respect yourself, be mannerly and take care of your own safety;
- ◇ Always do your best;
- ◇ Act as a good role model;
- ◇ Respect others, never bully, exclude or engage in name-calling against others;
- ◇ Do not hurt others' feelings;
- ◇ Do not use rude or abusive language;
- ◇ Never use violence against another child, young person or adult;
- ◇ Respect others' property;
- ◇ Do not consume alcohol, tobacco or illegal drugs;
- ◇ Do not take things without permission;
- ◇ Take care of all church equipment, putting litter in the bins;
- ◇ Tell someone you trust if you feel uncomfortable with any situation or individual;
- ◇ If anyone is harming or trying to harm you, tell an adult immediately;
- ◇ Never bully anyone or send threatening messages;
- ◇ Attend activities on time;
- ◇ Sign in and out;
- ◇ Turn off your mobile phone.

Any MSC, staff member, volunteer or lay person who becomes aware of a breach of this Code of Conduct should bring the matter to the immediate attention of:

Designated Liaison Person  
Missionaries of the Sacred Heart  
65 Terenure Road West  
Dublin, D6W P295  
Mobile Number: (087) 3819515

**and/or**

Provincial  
Missionaries of the Sacred Heart  
65 Terenure Road West  
Dublin, D6W P295  
Phone: (01) 4906622



## FORM 7

### Code of Behaviour Agreement Form

All MSC Members, staff and volunteers must:

- ◇ Treat all children, young people with respect and dignity;
- ◇ Treat all children, young people equally;
- ◇ Display an example of good conduct at all times;
- ◇ Model positive, appropriate behaviour to all children and young people with whom they come into contact with;
- ◇ Be aware of the *MSC Child Safeguarding Statement* and MSC Safeguarding Children Policy and Procedure Handbook, 2023 of the MSC Irish Province;
- ◇ Challenge and report abusive and potentially abusive behaviour;
- ◇ Develop a culture of openness, honesty and safety;
- ◇ Develop a culture where children, young people and vulnerable adults have permission to tell and to talk about concerns or worries that they may have;
- ◇ Respect each child's/young person's boundaries and support them to develop their own understanding and sense of their rights;
- ◇ Be aware of their responsibility for the safety of all children/young people in their care;
- ◇ Work in open environments
- ◇ Help children/young people and vulnerable adults to know what they can do if they have a problem.

**Adults must:**

- ◇ Treat children, young people and vulnerable adults in a manner that fully respects their dignity and rights;
- ◇ Provide an example of good conduct at all times;
- ◇ Respect each child, young person and vulnerable adult's boundaries, avoiding unnecessary physical contact;
- ◇ Develop a culture where children, young people or vulnerable adults are encouraged to talk openly about their contacts with staff and others;
- ◇ Encourage positive behaviour in children/young people;
- ◇ Avoid spending time alone with a child/young person. Should circumstances arise where this is unavoidable, inform another responsible adult and keep a note of what took place and why;
- ◇ Provide children/young people with information on how, and from whom, they can seek help if they have a concern;
- ◇ Encourage positive behaviour in children;
- ◇ Be visible to others if working alone with a child/young person;
- ◇ Challenge and report behaviour that is abusive or potentially abusive;
- ◇ Unless there are at least two adults present, avoid permitting children/young people to work and/or remain on MSC property.

**Adults must never:**

- ◇ Hit or otherwise physically assault or abuse children/young people;
- ◇ Develop sexual relationships with children/young people;

- ◇ Develop relationships with children/young people that could in any way be deemed exploitative or abusive;
- ◇ Act in any way that may be abusive or may place a child/young person at risk of abuse;
- ◇ Use language, make suggestions, or offer advice that is inappropriate, offensive or abusive;
- ◇ Do things for a child/young person of a personal nature that they can do themselves;
- ◇ Condone or participate in behaviour that is illegal, unsafe or abusive;
- ◇ Act in any way that is intended to intimidate shame, humiliate, belittle or degrade;
- ◇ Engage in discriminatory behaviour or language in relation to race, culture, age, gender, disability, religion, sexual orientation or political views;
- ◇ Consume alcohol, tobacco or illegal drugs while having responsibility for or in the presence of children/young people;
- ◇ Offer alcohol, tobacco or non-prescriptive drugs to minors.

I confirm that I have read and understand the Code of Behaviour, agree to abide by this code and the MSC *Child Safeguarding Statement and Child Safeguarding Policy and Procedures*.

**Signed:** \_\_\_\_\_

**Print Name:** \_\_\_\_\_

**Date:** \_\_\_\_\_



## GUIDANCE 5

### Hazard Assessment

When running activities with children, we have a responsibility to do what we can to make sure people do not get hurt. Completing a hazard assessment can help with this.

It is important to consider potential hazards that may lead to risk to children and to the adults who work with them. Consideration of how to control or manage hazard is critical. It is important to identify acceptable levels of hazards, as all risk cannot be removed.

#### ***Completing a hazard assessment***

You need to think through each element of your activity, of the equipment, and of the venue. Think about what could go wrong, and what you are going to do to avoid this. Then write down your decisions, and the reasons why you have made them. Make sure you include things that you have already planned to do (*e.g.*, if you are already planning to use soft mats in front of the bouncy castle, you should still include this in the risk assessment).

A risk assessment for an event or activity needs to include:

- ◇ The venue where it will be held;
- ◇ The equipment that will be used;
- ◇ The people who will be attending. Do they have any particular needs that might make them more likely to hurt themselves?;
- ◇ Do you need to make sure children/young people are supervised?;
- ◇ Is there anyone attending who could hurt anyone else?

#### ***Assessing hazards:***

- ◇ Identify the hazards;
- ◇ Look for hazards in the nature of the activity, and in the place where you are holding the activity;
- ◇ Identify who is at risk: decide who may be harmed and how. Everyone, or perhaps only certain people, may be at risk. Some groups may need special consideration as they may be more vulnerable to certain hazards;
- ◇ Identify what the likelihood of harm may be;
- ◇ Identify the consequences of injury or harm: the consequences could range from trivial to severe, or even fatal. The most severe hazards need the most urgent attention;
- ◇ Identify the controls that need to be put in place to limit the hazard.

#### ***Review***

Risk should be periodically reviewed, especially in circumstances when a venue changes, a new activity takes place, or the members of the group change.



# FORM 8

## Hazard Assessment Form

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

Date of hazard assessment \_\_\_\_\_

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

Hazard	Who is at risk?	Likelihood of harm	Consequences	Controls needed

Signed: \_\_\_\_\_

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



## FORM 9

### Child/Young Person & Parent/Carer/Guardian Joint Consent

#### 1. Group details (to be completed by organiser)

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

Duration/frequency of activity from

(Start date/time) \_\_\_\_\_

(End date/time) \_\_\_\_\_

Person in Charge/Name of organiser \_\_\_\_\_

#### 2. Details of the child/young person

Name of child/ young person: \_\_\_\_\_

Address: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Gender (circle as appropriate)    Male

Female

#### 3. Other relevant information

Please mention medical conditions, special needs or dietary requirements.

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

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

#### 4. Parent/Guardian contact details

Name: \_\_\_\_\_

Home phone number: \_\_\_\_\_

Mobile Number: \_\_\_\_\_

Email: \_\_\_\_\_

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

\_\_\_\_\_

**5. In cases of a medical emergency**

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

**Signed:** \_\_\_\_\_

**6. Child's/Young Person's consent**

\_\_\_\_\_ (insert full name) would like to take part in the event or activity listed.

(If you agree, please tick the boxes below, there is no obligation to tick the first 2 boxes.)

- I understand that photographs may be taken during the group activities. I give my permission for my photograph to be taken and to be used in any hard copy and/or online use by the MSC Irish Province.
- I understand that videos (which may include webcam) may be taken during the group activities. I give my permission for my image to be videoed and to be used in any hard copy/online (delete as appropriate) publications by the MSC.
- I understand that during group activities I will agree to abide by the group's code of behaviour.
- I understand that adult leader/s will also abide by a Code of Behaviour and I am entitled to be safe while attending this activity.

**7. Parent/guardian consent**

I agree to allow the above-named child or young person to attend \_\_\_\_\_  
 \_\_\_\_\_ (name of activity or meeting), at the times and date/s above in accordance with the consent granted by \_\_\_\_\_ (insert name of child/young person) above.

I understand that there will be suitable supervision and an agreed Code of Behaviour while the children or young people are in the care of the organisers.

**Signed:** \_\_\_\_\_

**Name (block letters):** \_\_\_\_\_

**Data protection:** This form will be held on file, in accordance with the Data Protection Policy of the MSC, Irish Province. The data entered will be used only for the purpose indicated on the form. It may only be accessed by those with responsibility for managing records or group activities.



# FORM 10

## Attendance Register for Large Group

A minimum of two officially appointed leaders, who have completed the MSC Irish Province recruitment process (including the provision of Garda Vetting, if appropriate), should be responsible for each activity involving children and young people. At least one of the leaders must have undergone a full day safeguarding training session provided by trainers registered with the NBSCCCI. These leaders must sign this sheet and put their initials under each date to confirm that the children or young people and adults marked were in attendance, as indicated by the 'time in' and 'time out' for each date.

Name (children and adults)	Date									
	Time in	Time out								
<b>Leader's signature</b>	Initials									



## GUIDANCE 6

### Supervision Ratios

#### ***Guidance on Maintaining Adequate Supervision Ratios***

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

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

In addition, the following minimum ratios should be in place. Note: it may be necessary to review these ratios depending on whether the children or young people have specific needs or requirements and/ or the duration of the activity.

#### **Supervision Ratio Table:**

<b>0-1 years</b>	<b>1 – 2 years</b>	<b>2 - 3 years</b>	<b>3 – 6 years</b>	<b>7- 12 years</b>	<b>13 – 18 years</b>
2 adults for the first 3 children plus one adult for every additional three children	2 adults for the first 5 children plus one adult for every additional five children	2 adults for first 6 children plus one adult for every additional six children	2 adults for the first 8 children plus one adult for every additional eight children	2 adults for the first 8 children/ young people plus one adult for every additional eight children or young people	2 adults for the first 10 children or young people plus one adult for every additional ten children or young people

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



# FORM 11

## Accident/Incident Form

### **Group details**

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

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

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### **Accident details**

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

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

Date of Birth of person involved: \_\_\_\_\_

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

Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

***Action taken during and following the accident/incident***

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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***People contacted (include dates and times)***

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

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***Please detail any follow-up action required***

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***Name of person completing this form (print name)***

***Signed:*** \_\_\_\_\_

***Date:*** \_\_\_\_\_



## GUIDANCE 7

### Guidance on the Use of Technology – Media Policy

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

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

- ◇ Use of the internet;
- ◇ Texting and emailing;
- ◇ Photography;
- ◇ CCTV and Webcams.

The majority of occasions when people use mobile phones or computers or take photographs of children and young people do not provide any cause for concern. However, there are occasions when this is not the case. At the outset, it is important to identify the risks associated with the use of technology, and then to minimise the risks by putting in place measures outlined below.

#### ***Consent***

The consent of parents/guardians/carers and children and young people should always be sought prior to engaging in any activity that involves the use of IT equipment outlined above.

General consent may be sought at the outset and/or it may be decided to ask for permission for set occasions.

When seeking consent for the use of images or videos for Church purposes, the following should be considered:

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

#### ***Use of Internet***

It is recognised that the internet is valuable and widely used. When used in a MSC context, clear guidelines must be developed and inserted into the code of behaviour for each activity involving children and young people.

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

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

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

- ◇ All MSC, staff, volunteers and any group leader/s must be made aware of their responsibility and sign up to appropriate use of the internet as part of a Code of Behaviour;
- ◇ Responsibility is about safeguarding children, taking care of oneself, one's co-workers and group leader/s;
- ◇ Anyone using a shared computer requires their own individual password;
- ◇ Training in appropriate and responsible internet and computer use is imperative in order to follow best practice in all activities that concern children, young people, staff, co-workers and volunteers.

**Texts and Emails**

It is best practice to make contact with children or young people through their parents/guardians/ carers, only. The most efficient way to do this via bulk texting and emailing, as texts and emails are very quick and effective methods of communication. There are certain risks associated with the safe and appropriate use of texting and email, which must be managed.

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

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

**The risks for adults include:**

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

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

Contacting children/young people through text or email should be done through their parents/guardians/carers.

In exceptional circumstances where children/young people need to be contacted directly, bulk texting is the preferred method. This is where the same text or email message is sent to several young people involved with a particular activity or group.

The advantage of this approach is that it presents fewer opportunities for misuse and abuse than personal, one-to-one texting or emailing arrangements between staff, volunteers and/or children/young people. Therefore, one-to-one texting or emailing should be strongly discouraged and should only occur in exceptional circumstances. The same applies to emailing young people.

**The following guidance is provided to minimise risk to all in such circumstances:**

1. Consent must be obtained from children/young people and their parents/guardians/ carers prior to sending children/young people text or email messages. Parents/guardians/ carers of younger children should be offered the option to be copied in on texts and emails that their child will be sent.
2. Children's/young people's mobile phone numbers or email addresses should be stored safely and securely with access only available to the staff member or volunteers identified to the children/young people and parents/guardians/carers as a group leader/s.
3. All text and email messages must be sent via a bundle to a group of children/young people, *i.e.*, the same standard text message is sent to every member of the group.
4. The text and email messaging system must make it clear to the child/young person receiving it who has sent the message.
5. Children/young people should not be given the opportunity to text or email back to the system. It should only be used as a one-way communication channel.
6. The text and email message that are sent must never contain offensive or abusive or inappropriate language.
7. All of the text and email messages sent should include a sentence at the bottom that provides children/young people with the opportunity to unsubscribe from receiving further text and email messages.

**Use of Photography**

The use of photos on websites and in other online or hard copy publications can pose direct and indirect risks to children/young people. MSC, staff and/or volunteers wishing to use images of the children/young people they are working with should be aware of the following.

- ◇ The MSCs have responsibility for the use of photography only if they plan to use the photography for Church purposes.
- ◇ Photographs taken at events organised by family and schools such as Communion, weddings or Confirmations do not fall under the responsibility of the Church or the MSCs, unless they are being taken for Church purposes.

**Risks to children/young people**

A child/young person should not be able to be identified through a photograph. There is also a risk that the photo itself will be used inappropriately by others. Photos can easily be copied and adapted, perhaps to create images of child abuse, which can then find their way on to other websites.

**How to minimise risks:**

- ◇ Establish the type of images that appropriately represent the activity and think carefully about images showing children and young people on the MSC website or publication;
- ◇ Never supply the full name(s) of the child/young person along with the image(s);

- ◇ Only use images of children or young people in suitable dress and focused on the activity, rather than one particular child/young person.
- ◇ Obtain permission: the permission of parents/guardians/carers, and of the children and young people should always be sought when using an image of a child/young person.
- ◇ The child's/young person's permission to use their image must also be recorded (depending on his/her age and ability to give consent). This ensures that they are aware of the way the image is to be used to represent the activity.

### **Using photographers**

Photographers are often employed in Church contexts for certain sacramental or Church activities.

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

- ◇ Ascertain if the photographer requires vetting and, if they do, put them through the process;
- ◇ Provide the photographer with a form of identification that must always be worn;
- ◇ Do not allow unsupervised access to children/young people or one-to-one photo sessions at events;
- ◇ Do not allow photo sessions to take place away from the event, for instance, at a child's/young person's home;
- ◇ Inform parents/carers and/or guardians, children and young people that a photographer will be in attendance.

### **Responding to concerns**

Children and parents/carers and/or guardians should be informed that if they have any concern regarding inappropriate or intrusive photography, these should be reported to the MSC Designated Liaison Person, the Superior, the MSC Member in charge of youth ministry and/or the Provincial, to ensure that reported concerns are dealt with in the same way as any other child protection or child safeguarding issue.

### **Use of CCTV and Webcams**

The increasing use of CCTV and webcams has significant implications, and it is essential that, unless such systems are used with proper care and consideration, they can give rise to concern that an individual's private space is being unreasonably invaded or eroded.

Security of premises or other property is probably the most common use of a CCTV system and, as such, will typically be intended to capture images of intruders, or of individuals damaging property or removing goods without permission. If a data controller is satisfied that he/she can justify the installation of a CCTV system, he/she must carefully consider what it will be used for and if these uses are reasonable in the circumstances. Cameras placed to record external areas should be positioned in such a way as to prevent or minimise recording of passers-by, or of another person's private property.

### **If using CCTV in the church or on Church property, it is essential to consider the following:**

- ◇ If CCTV cameras are in place, it is important to have obvious signs informing Church personnel, parishioners, volunteers and the public of this;
- ◇ All uses of CCTV must be appropriate and fit for a specific purpose. As CCTV infringes the privacy of persons captured in the images, there must be a genuine reason for installing such a system;
- ◇ If installing such a system, the purpose for doing so must be displayed in a prominent place and preferably behind a locked noticeboard where it will not be damaged or removed. In a church, an obvious place would be within the porch and at all entrances;

- ◇ Images captured should be retained for a maximum of 28 days (see Section 2 [1] c [iv] of the Data Protection Act). An exception for a longer duration would be where images need to be retained specifically in the context of an investigation;
- ◇ Tapes should be stored in a secure environment, along with a log of access to them. Access should be restricted to authorised personnel. Similar measures should be in place when using disc storage, with the creation of automatic logs of access to the images.

### **Webcam**

There are a number of Data Protection requirements that must be met in relation to broadcasting on the internet. Section 2 (1) c (iii) of the Data Protection Act requires that any data is 'adequate, relevant and not excessive' and fit for the purpose for which it is collected.

Web cameras should be switched on for the duration of Mass or other liturgies and turned off at the end. However, there are occasions when the webcam can remain on for example, side altars, Easter Garden, or Christmas Crib. Webcam notices will be displayed to indicate the live stream.

Recording people *via* a web camera and subsequently displaying such images over the internet is regarded as the processing of personal data. One of the key provisions regarding the processing of such data is that it must be done with the consent or knowledge of the individuals concerned.

Camera shots (images) of the congregation should be wide shots, minimising the possibility of easily identifying individuals with close-up images.

Consent should be obtained of altar servers and others taking part in liturgies (*e.g.*, choirs, musicians, Ministers of the Word and of Holy Communion). In the case of children/young people, it is essential to have the consent of parents/carers and/or guardians.

Signs should be placed at a range of entrances to the church and in other prominent locations, informing people that web cameras are in operation.

Members of the clergy and pastoral workers should sign forms consenting to their image being used for web broadcasting in the course of their regular duties. Copies of consent forms should be kept in the church records.



## GUIDANCE 8

### Lone Working

#### Introduction

The nature and range of ministries provided by MSC Members, staff and volunteers may mean that they could be required to work alone as follows:

- ◇ Visit to the sick;
- ◇ Counselling;
- ◇ Spiritual guidance;
- ◇ Vocation work;
- ◇ “Parlour” meetings.

The range of activities and/or services can require MSC personnel to lone work.

#### Definition of lone working

“Work that is specifically intended to be carried out by unaccompanied persons, without direct supervision or immediate access to another person for assistance.”

Lone working can generate additional health and safety risks. Significant risks will be identified through the process of risk assessment as detailed later. It is essential that all MSC clergy, staff and volunteers cooperate fully to implement safe systems of work.

This guidance document should be read in conjunction with health and safety legislation and child and adult safeguarding policies and procedures.

#### Guidance Aim

To ensure the following:

- ◇ That the lone worker has informed a colleague, brother, staff or volunteer of their whereabouts, where the lone working will take place, and that the client is fully informed of the nature of work;
- ◇ The lone worker knows the procedural steps if issues or concerns arise;
- ◇ The lone worker understands the risks to which he/she is being exposed and an emergency response is planned.

#### Scope of the Guidance

This guidance is applicable to all MSC Members who have potential to work alone as part of their ministry.

MSC personnel do not offer lifts to, or carry children, young people and/or vulnerable adults *unless by arrangement with parents/carers and/or guardians and with a second adult present*

#### Responsibilities and guidance for all MSC personnel on lone working

- ◇ Ensure that all personnel understand the steps in reporting incidents in the event of an incident or of a child/young person and/or adult-safeguarding concern.
- ◇ Ensure a risk assessment or safe system analysis is carried out and is reviewed frequently.

- ◇ Ensure staff training refers to lone working policy arrangements to minimise the risks of lone working.

### **Risk Assessment and safe system analysis**

A risk assessment is carried out by considering the following:

- Is remoteness or isolation a factor?;
- Is the room part of a public building?;
- Are there glass panels in the door?;
- What times are the rooms free, or are there other people working at the same time or in the same building?;
- Who knows you are lone working?;
- What is the specific need of the client that prompts need to work one to one?;
- What are the communications plans in place?;
- Know the building you are working in;
- Is there a known history of physical or sexual or verbal or threatening behaviours?;
- Are there known triggers, or signs of health and wellbeing deterioration?;
- Have you access to first aid and to toilets and to fire exits in the building?;
- Do not meet with a client if they present under the influence of alcohol or drugs.

### **All staff must promote safe working practice**

- ◇ All MSC Members, staff and volunteers are obliged to introduce themselves and show ID if required.
- ◇ Be aware of current risk assessment and be alert.
- ◇ Demonstrate professional boundaries when lone working.
- ◇ Report any concern or incident immediately.
- ◇ Ensure an accurate recording is made of any concern or incident.
- ◇ Consult with Superior/Line Manager/DLP as appropriate.



## GUIDANCE 9

### Procedures for use of Property of the Irish MSC Province by External Groups

It is a requirement that all external groups working with children and vulnerable adults in MSC-owned churches and/or using facilities such as church halls, day centres, retreat or counselling centres owned by the MSC are insured and have a *Child Safeguarding Statement*, *Child Safeguarding Policy* and associated procedures in place.

The general principle is that the obligation to comply with requirements relating to insurance and child safeguarding rests with the external groups using MSC property and not with the MSC.

1. It is the responsibility of all external groups using MSC property to ensure that in their activities involving children and vulnerable adults, they comply with all applicable child safeguarding and child protection legislation and guidelines.
2. All external groups working with children and families must have their own Child Safeguarding Policy and Procedures in place. In addition, all organisations defined as 'relevant services'<sup>1</sup> under the Children First Act 2015 must also have a Child Safeguarding Statement. This is a legal requirement.
3. External groups are also responsible for liaising with the Compliance Unit in Tusla, Child and Family Agency to ensure their Child Safeguarding Statement is in accordance with statutory requirements.
4. MSC personnel must not assist external groups to develop a child safeguarding statement or child safeguarding policy and procedures; but can advise all such groups to seek advice of Tusla personnel and/or on the Tusla website in developing the required policies.
5. It is recommended that external groups working with vulnerable adults have a safeguarding vulnerable adult policy in place.
6. All external groups must have the appropriate insurance for the activity they are running.
7. The MSC must have written confirmation (**Form 12**) from all external groups working with children using MSC Church property, that they have the required statement, policy and procedures in place. **It is not the role of the MSC to validate the adequacy of these statements, policies, and procedures.**
8. The Superior of the MSC Community should receive confirmation in writing from all external groups that they have appropriate insurance in place which includes the following:
  - ◇ Name of insurers;
  - ◇ Policy number;
  - ◇ Period of cover of the policy;
  - ◇ Limit of indemnity;
9. The MSC will **not** request sight of nor retain a copy of any external group's policies or procedures. **It is not the role of the MSC to validate the adequacy of this insurance policy.**

<sup>1</sup> As listed in Schedule 1 of the Children First Act 2015



## FORM 12

### Use of MSC Property by External Groups

The MSC welcomes other organisations, groups and individuals within the community to use our facilities. While you are using MSC facilities, we want to be assured that all reasonable steps have been taken towards safeguarding children. The responsibility for complying with good safeguarding practice rests with the group or individual using our property and not with the MSC.

The MSC requires detailed information in respect of your application to ensure that the safety and well-being of children are maintained at all times. This Form must be completed by all external groups and given to the Superior before any activity in, or use of, MSC church property, hall, retreat, or day centre can be agreed and approved.

**Name of the group/organisation/activity:** \_\_\_\_\_

**Purpose or proposed activities:** \_\_\_\_\_

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

**Date of commencement of use:** \_\_\_\_\_

**Date of completion of use:** \_\_\_\_\_

**Frequency of use:** \_\_\_\_\_

*Names, address, contact details of person/s in charge during use*

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

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

Does the group have its own *Child Safeguarding Statement* in place (legal requirement for 'relevant services'<sup>2</sup> under the Children First Act 2015)?  Yes  No

Does the group have a Child Safeguarding Policy and Procedures in place?  Yes  No

Does the group have appropriate (public liability and/or employer's liability and professional indemnity, if appropriate) insurance cover for the activity?  Yes  No

<sup>2</sup> As listed in Schedule 1 of the Children First Act 2015

**Name of Insurance Company:** \_\_\_\_\_

**Policy Number:** \_\_\_\_\_

**Period of cover of the Policy:** \_\_\_\_\_

**Limit of Indemnity:** \_\_\_\_\_

I/we declare that the information provided is accurate and that changes in circumstances, if any, will be communicated to the Superior/MSC Line Manager.

I/we declare that the activity will be terminated if there is any breach of the above conditions.

To be signed by official co-ordinator of the external organisation or group.

**Signed:** \_\_\_\_\_

**Print name:** \_\_\_\_\_

**Position:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**I give/do not give permission for this activity to go ahead.**

**Signed:** \_\_\_\_\_

**Superior/MSC Line Manager:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**NOTE:**

- a) This activity will be reviewed by the Superior and/or his Designated Representative annually.
- b) The MSC will not require sight of nor retain copies of external groups' policies or procedures.



# FORM 13 Complaints

If complaints arise during an MSC-related activity (with the exception of complaints about child safeguarding issues) attempts should be made to resolve them by discussion between the parties involved. If this is not possible, this Form should be completed and sent to the Superior of the community, the person in charge of the activity and/or the Provincial.

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Phone Number:** \_\_\_\_\_ **Email:** \_\_\_\_\_

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

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

**Signature:** \_\_\_\_\_

**Date** \_\_\_\_\_

\*\*\*\*\*

**Action to be taken, by whom**

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

**Date:** \_\_\_\_\_



## GUIDANCE 10

### Sacristy Safeguarding Protocol

It is the responsibility of the Provincial and/or Superior to ensure that in every sacristy an identified person is responsible for ensuring compliance with the Protocol and the maintenance of the Sacristy Register.

Children and young people are welcome and encouraged to participate in the life of the MSC community and their welfare is promoted by observing the following protocol:

- ◇ All MSC members, sacristans, altar servers and other persons involved in any form of ministry must sign the Sacristy Register Book;
- ◇ Visiting priests must show a valid celebret and a letter of good standing from their Ordinary (such as Bishop or Provincial) to be recorded in the Sacristy Register;
- ◇ Other visiting religious or lay people involved in ministry will also have secured permission from the Provincial and/or relevant Diocesan Bishop's office to be involved in ministry within that Diocese;
- ◇ Visiting priests and any other persons involved in any form of ministry will show confirmation that they have been vetted by the MSC Irish Province and/or through the Diocese where the community is located;
- ◇ Other persons should not be left alone with children/young people in the sacristy.



## **GUIDANCE 11**

### **Children's Liturgy Ministry Guidelines**

- ◇ MSC Members involved and/or lay personnel must meet to plan for the children's liturgy and must agree roles and responsibilities.
- ◇ All Children's Liturgy leaders and volunteers must be Garda-vetted.
- ◇ All Children's Liturgy leaders and/or volunteers must attend one-day child safeguarding training.
- ◇ Provide leaders with a leader's pack which includes a copy of all Forms circulated, leader's role description, guidelines on registration and what is required, and a copy of the roster as relevant.
- ◇ MSC Members to announce plans for children's liturgy at all Masses as relevant and invite parents/carers to become involved as helpers.
- ◇ MSC Members and/or Children's Liturgy team must advise about the plans for registration and distribute a parental/carers' pack which will include a joint parental/child consent form, details of the liturgy activities, and a copy of the code of conduct.
- ◇ Provide information in the Church Bulletin regarding the Children's Liturgy and requirements as relevant.
- ◇ Assign a Children's Liturgy coordinator who will compile a register of the parental/child consent forms, a register of all the children/young people who attend, which will be copied weekly for the leaders to collect, complete and return to the sacristy afterwards.
- ◇ All Forms to be filed in the Children's Liturgy folder which will be stored in a locked cupboard in a secure location, for example, in the sacristy.
- ◇ Supervision ratios must be adhered to all times. Whilst the numbers may vary depending on the age and ability of the children, at a minimum there must be two adults for each activity and at least one leader present, for example, if a group of 35 children are present, aged 4 to 11 years, break into two groups of children, aged 4 to 7 years and 8 to 11 years respectively.
- ◇ Parents/carers and young people who are not vetted may assist in the activities as helpers.
- ◇ An Accident/Incident Form must be completed as required and filed in the Children's Liturgy folder.
- ◇ If the required complement of leaders is not available, the Children's Liturgy does not proceed.
- ◇ Leaders are not permitted to hold information about children and/or young people on personal computers or hardware, or on paper in their private possession in accordance with MSC record storage policy.



## GUIDANCE 12

# Short Guide to Mandatory Reporting and Assisting

### What is Mandatory Reporting?

The Children First Act places a legal obligation on certain persons, known as mandated persons, to report child protection concerns at, or above, a defined threshold to Tusla (the Child and Family Agency). The reporting requirements apply to information that you, as a mandated person, received or became aware of since the Act came into force on the 11<sup>th</sup> December 2017. If you have a reasonable concern about abuse prior to this date, and there is a possibility of continuing risk to a child, you should report this to Tusla under Children First National Guidance 2017.

### Who are Mandated Persons?

Mandated persons are people who have contact with children, families or parents/carers in the course of their employment or profession, and who, because of their role, qualifications or training, are in a key position to help protect children from harm. Mandated persons include employees or professionals working in the areas of health, education, justice, youth and childcare. This includes members of the clergy, pastoral care workers and safeguarding or child protection officers employed by a religious body or organisation. A full list of mandated persons is contained in Schedule 2 of the Children First Act.

### What are the obligations of Mandated Persons?

- (a) Mandated persons are required by law to report the harm of children above a defined threshold to Tusla;
- and**
- (b) Assist Tusla, if requested, in assessing a concern which has been the subject of a mandated report.

### What must be reported?

Mandated persons must report any knowledge, belief, or reasonable suspicion that a child has been, is being, or is at risk of being harmed. This includes retrospective disclosures of abuse, where adults disclose that they were abused as children. The Children First Act defines “harm” as assault, ill-treatment or neglect of a child in a manner that seriously affects, or is likely to seriously affect, the child’s health, development or welfare; or any instance of sexual abuse of a child.

Children First National Guidance outlines four categories of child abuse as follows:

- ◇ **Physical Abuse** is when someone deliberately hurts a child or puts them at risk of being hurt;
- ◇ **Emotional Abuse** is the systematic emotional or psychological ill-treatment of a child as part of the overall relationship between a parent or guardian and a child;
- ◇ **Sexual Abuse** occurs when a child is used by another person for his or her gratification or arousal or for that of others;
- ◇ **Neglect** occurs where a child does not receive adequate care or supervision to the extent that the child is harmed physically or developmentally.

If your concern does not reach the threshold for mandated reporting, but you still have reasonable grounds for concern about the welfare or protection of a child, you should report that concern to Tusla, but do not tick the 'mandated report' box on the report form. As a mandated person, you should be aware that the legal obligation to report mandated concerns rests with you and no one else. However, you may make a report jointly with any other person who has concerns about the same child, or with the Designated Liaison Person (DLP) for your service. Where you are making a joint report, you must sign and tick the 'mandated report' box on the report form.

### **How do I report?**

Reports should be submitted using Tusla's reporting portal, or, where this is not available to you, by post to the Tusla Social Work offices in the area where the child lives. The addresses of all the Tusla Social Work offices can be found at [www.tusla.ie](http://www.tusla.ie).

Where there is **immediate or serious risk**, contact should be made by phone with a Tusla Duty Social Worker without delay. Mandated persons may report a concern to Tusla's out-of-hours Social Work service by phone between 6pm and 6am every night; and between 9am and 5pm on Saturdays, Sundays and Bank Holidays on 0818 776 315. The Report Form should be submitted to Tusla as soon as practicable thereafter, and no later than three days.

### **Is there anyone else that I need to notify?**

Yes, any child protection concern that relates to the MSC Irish Province, its activities, or related ministerial personnel, must be reported to the Safeguarding Manager/DLP as soon as possible, details below.

### **What is mandated assisting?**

Tusla may request assistance from any mandated person when assessing a concern which has been the subject of a mandated report, regardless of who made the report. Mandated assistance may include a request to supply further information over the phone, to produce a verbal or written report or to attend a meeting.

### **Where can I go for advice or assistance?**

The Safeguarding/DLP for the MSC Irish Province provides advice and support in deciding what needs to be reported and in submitting reports. You can also contact your local Tusla Social Work Office and ask to speak with the Duty Social Worker.

Contact details for the Safeguarding Manager/DLP for the MSC Province of Ireland:

**Mobile No:** (087) 3819515

**Email Address:** [safeguarding@mscmismissions.ie](mailto:safeguarding@mscmismissions.ie)



## GUIDANCE 13

### Definitions of Abuse

#### Definition and Recognition of Child Abuse

The term 'child' means a person under the age of 18 years, excluding a person who is or has been married.

**Physical Abuse** is when someone deliberately hurts a child physically or puts them at risk of being physically hurt. It may occur as a single incident or as a pattern of incidents. A reasonable concern exists where the child's health and/or development is, may be, or has been, damaged as a result of suspected physical abuse.

#### Examples

Severe physical punishment.	Beating, slapping, hitting or kicking.
Pushing, shaking or throwing.	Pinching, biting, choking or hair-pulling.
Observing violence. Use of excessive force in handling.	Deliberate poisoning.
Suffocation.	Female genital mutilation.
Fabricated/induced illness.	Allowing or creating a substantial risk of significant harm to a child.

The Children First Act 2015 includes a provision that abolishes the common law defence of reasonable chastisement. This defence could previously be invoked in court proceedings by a parent or other person in authority, who physically disciplined a child. The change in the law now means that in prosecutions relating to assault or physical cruelty, a person who administers such punishment to a child cannot rely on the defence of reasonable chastisement in the legal proceedings. The result of this is that the protections in law relating to assault now apply to a child in the same way as they do to an adult.

**Emotional Abuse** is the systematic emotional or psychological ill-treatment of a child as part of the overall relationship between a caregiver and a child. Once-off and occasional difficulties between a parent/carer and child are not considered emotional abuse. Abuse occurs when a child's basic need for attention, affection, approval, consistency and security are not met, due to incapacity or indifference from their parent or caregiver.

Emotional abuse can also occur 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 abuse is not easy to recognise because the effects are not easily seen. A reasonable concern for the child's welfare would exist when the behaviour becomes typical of the relationship between the child and the parent or carer. Emotional abuse may be seen in some of the following ways.

### Examples

Rejection. Lack of attachment.	Emotional unavailability of the child's parent/carer.
Unresponsiveness of the parent/carer. Lack of comfort and love.	Use of unreasonable or harsh disciplinary measures.
Conditional parenting in which the level of care shown to a child is made contingent on his/her behaviour or actions.	Premature imposition of responsibility on the child. Lack of continuity of care (e.g., frequent moves, particularly unplanned).
Under- or over-protection of the child. Continuous lack of praise and encouragement.	Exposure to domestic violence. Persistent criticism, sarcasm, hostility or blaming of the child.

There may be no physical signs of emotional abuse unless it occurs with another type of abuse. A child may show signs of emotional abuse through their actions or emotions in several ways. These include insecure attachment, unhappiness, low self-esteem, educational and developmental underachievement, risk-taking and aggressive behaviour. It should be noted that no one indicator is conclusive evidence of emotional abuse. Emotional abuse is more likely to impact negatively on a child where it is persistent over time and where there is a lack of other protective factors.

**Sexual Abuse** occurs when a child is used by another person for his or her gratification or arousal, or for that of others. It includes the child being involved in sexual acts (masturbation, fondling, oral or penetrative sex) or exposing the child to sexual activity directly or through pornography.

Child sexual abuse may cover a wide spectrum of abusive activities. It rarely involves just a single incident and, in some instances, occurs over a number of years. Child sexual abuse most commonly happens within the family, including older siblings and extended family members.

Cases of sexual abuse mainly come to light through disclosure by the child or his or her siblings or friends, from the suspicions of an adult, and/or by physical symptoms. It should be remembered that sexual activity involving a young person may be sexual abuse even if the young person concerned does not recognise it as abusive.

### Examples

Exposure of the sexual organs or any sexual act intentionally performed in the presence of the child. Any sexual act intentionally performed in the presence of a child.	Intentional touching or molesting of the body of a child for sexual arousal or gratification.
Masturbation in the presence of the child or the involvement of the child in the act.	Sexual exploitation of the child, including encouraging the child to solicit for sexual acts, recording images for the purpose of sexual arousal or gratification.

Sexual intercourse (oral, vaginal, anal). An invitation to sexual touching or intentional touching or molesting of a child's body, whether by a person or object, for the purpose of sexual arousal or gratification.	Inviting, inducing or coercing a child to engage in prostitution or the production of child pornography [for example, exhibition, modelling or posing for the purpose of sexual arousal, gratification or sexual act, including its recording (on film, videotape or other media) or the manipulation, for those purposes, of an image by computer or other means.
--	--

### **Child pornography**

The Child Trafficking and Pornography Act 1998, which is amended by Section 6 of the Criminal Law (Sexual Offences) (Amendment) Act 2007, makes it an offence to possess, produce, distribute, print or publish child pornography. Additionally, across the Catholic Church in Ireland, canon law includes the possession of, or downloading from the internet of, paedophilic pornography as a grave delict.

**Neglect** occurs when a child does not receive adequate care or supervision to the extent that the child is harmed physically or developmentally. It is generally defined in terms of an omission of care, where a child's health, development or welfare is impaired by being deprived of food, clothing, warmth, hygiene, medical care, intellectual stimulation, or supervision and safety. Emotional neglect may also lead to the child having attachment difficulties. The extent of the damage to the child's health, development or welfare is influenced by a range of factors. These factors include the extent, if any, of positive influence in the child's life as well as the age of the child and the frequency and consistency of neglect.

Neglect is associated with poverty, but not necessarily caused by it. It is strongly linked to parental substance misuse, domestic violence, and parental mental illness and disability. A reasonable concern for the child's welfare would exist when neglect becomes typical of the relationship between the child and the parent or carer. This may become apparent where you see the child over a period of time, or the effects of neglect may be obvious based on having seen the child once.

### **Examples**

Children being left alone without adequate care and supervision.	Malnourishment, lacking food, unsuitable food or erratic feeding.
Non-organic failure to thrive, <i>i.e.</i> , a child not gaining weight due not only to malnutrition but also emotional deprivation.	Failure to provide adequate care for the child's medical and developmental needs, including intellectual stimulation.
Unhygienic conditions.	Inadequate living conditions.
Lack of protection, and exposure to danger, including moral danger, or lack of supervision appropriate to the child's age.	Inattention to basic hygiene.
Persistent failure to attend school.	Abandonment or desertion.

**Exploitation** is the intentional ill-treatment, manipulation or abuse of power and control over a child or young person, taking selfish or unfair advantage of a child or young person or situation, for personal gain. It may manifest itself in many forms – such as child labour, slavery, servitude, engagement in criminal activity, begging, benefit or other financial fraud, or child trafficking. It extends to the recruitment, transportation, transfer, harbouring or receipt of children for the purpose of exploitation. Exploitation can be sexual in

nature. (*Co-operating to Safeguard Children and Young People in Northern Ireland, 2016* - Department of Health, Social Services and Public Safety.)

**Peer Abuse** (*As defined in Children First 2015*)

In a situation where child abuse is alleged to have been carried out by another child, the child protection procedures should be adhered to for both the victim and the alleged abuser; that is, it should be considered a childcare and protection issue for both children. All abusers must be held accountable for their behaviour and work must be done to ensure that abusers take responsibility for their behaviour and acknowledge that the behaviour is unacceptable. If there is any conflict of interest between the welfare of the alleged abuser and the victim, the victim's welfare is of paramount importance. Abusive behaviour which is perpetrated by children must be taken seriously and it is important that such cases are reported.

**Bullying** (*As defined in Children First 2015*)

Bullying can be defined as repeated aggression, be it verbal, psychological or physical which is conducted by an individual or group against others. It is behaviour which is intentionally aggravating and intimidating and occurs mainly among children in social environments such as schools. It includes behaviours such as teasing, taunting, threatening, hitting or extortion by one or more children against a victim. The more extreme forms of bullying behaviour, when perpetrated by adults rather than children, would be regarded as physical or emotional abuse.

The following is a list of examples of bullying, though not an exhaustive list:

- ◇ Name calling;
- ◇ Fighting/kicking/punching/hair pulling;
- ◇ Making suggestive/sarcastic comments;
- ◇ Intimidation;
- ◇ Threatening;
- ◇ Ignoring/excluding;
- ◇ Damaging property;
- ◇ Spreading rumours;
- ◇ Sending abusive text messages;
- ◇ Racial ethnic or cultural comments.



## GUIDANCE 14

### Responding to Disclosure/s of Child Abuse

Children or young people may tell an adult whom they trust that they are being abused. This happens for many reasons, but the important thing to remember is, that if they do tell, they are doing so in the hope that the abuse will be stopped. This is true even if the child or young person asks that nothing be done with the information.

#### In responding to a Disclosure

##### Do:

- ◇ Stay calm and listen to the child/young person;
- ◇ Allow him/her enough time to say what s/he needs to say, to continue at his/her own pace;
- ◇ Where a child/young person is distressed, be supportive and compassionate toward them to help them to calm down;
- ◇ Reassure the child/young person that it was the right thing to do, i.e., to say what they had to say;
- ◇ Check with the child/young person to make sure that you have understood what they actually said;
- ◇ Tell the child/young person what will happen next, i.e., that the relevant persons will be informed;
- ◇ Take notes as soon as this is appropriate or possible, making efforts to remember the exact words used by the child/young person;
- ◇ Include in your notes your opinion as to the demeanour and emotional state of the child/young person;
- ◇ Tell the child/young person that they will be kept up to date about what is happening;
- ◇ Be aware that a person's ability to recount his/her concern or allegation will depend on age, culture, nationality and upon any disability which may affect use of language and range of vocabulary.

Reassure the child/young person that, in disclosing the abuse, they have done the right thing. If a child/young person tells you about abuse it is important that you **Listen, Record and Report**.

##### Do not:

- ◇ Make promises that cannot be kept, particularly a promise to keep a disclosure secret;
- ◇ Do not suggest words but use theirs;
- ◇ Use leading questions, make suggestions, or prompt details;
- ◇ Stop the child/young person recalling significant events;
- ◇ Ask for further details or press the child/young person for more information;
- ◇ Make the child/young person repeat the details unnecessarily;
- ◇ Express opinions about the child/young person or members of his or her family;
- ◇ Make assumptions or speculate;
- ◇ Disclose details of the allegation to anyone else, even if the allegations involve them in any way;
- ◇ Report the child/young person's disclosure to the DLP.

### ***Listening to a person who admits abusing a child or young person***

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

### ***Guidance on how to respond to people making an allegation***

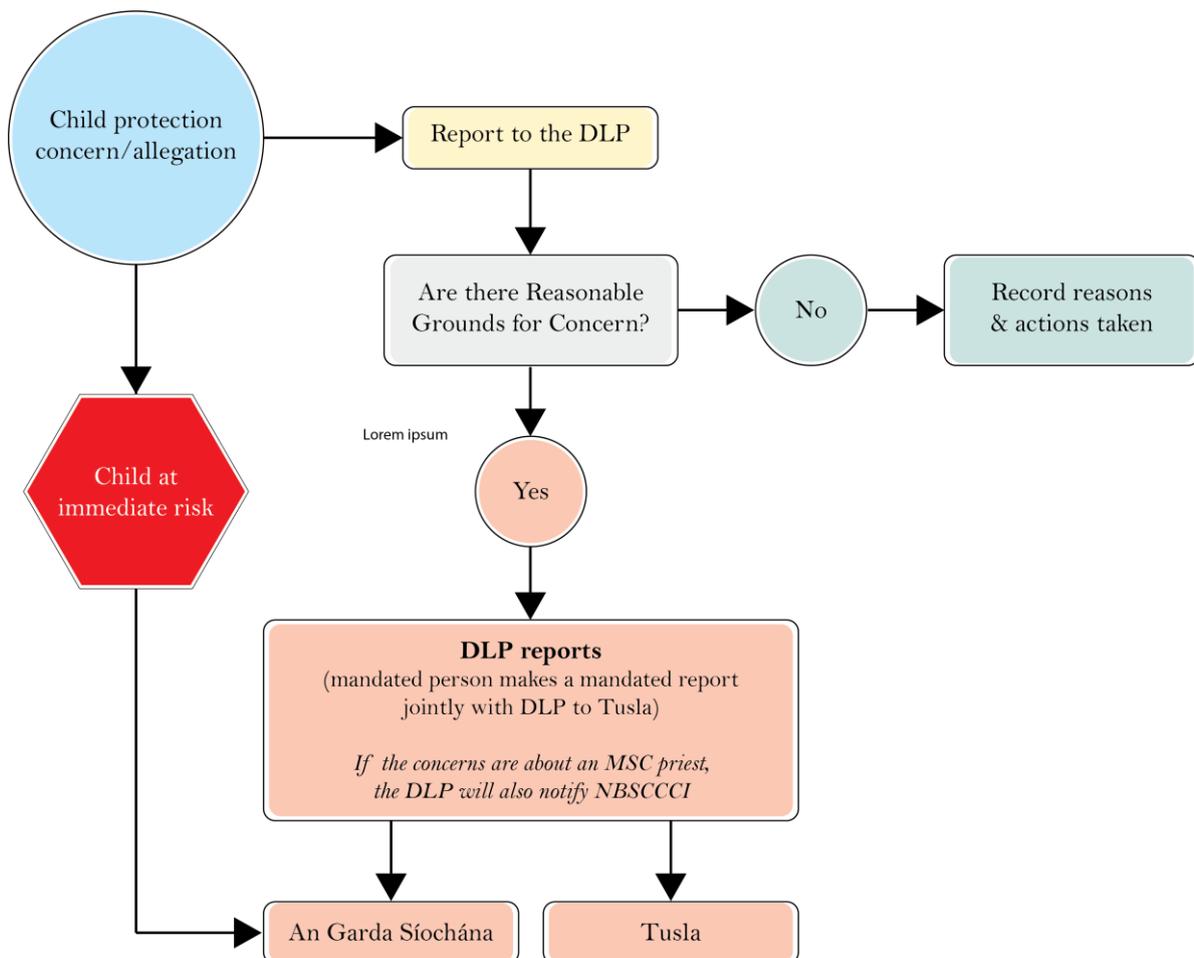
It is often very difficult for people to talk about abuse, so it is important to make sure that you are patient, listen carefully and actively, and create a safe environment in which they feel able to tell you as much as they can remember. This will help those people whose responsibility it is to investigate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



## GUIDANCE 15

### Procedure for reporting an allegation of child abuse

The reporting flow chart below refers **to any child protection concern**, including where the concern is about a situation or person involved in the Church. It is the responsibility of everyone in the MSC to ensure that children/young people who may need help and protection are not left at risk of abuse.





## GUIDANCE 16

# Information for Complainants and Victims/Survivors of Child Abuse

### **Making a complaint of abuse:**

- ◇ People are encouraged to report information about child abuse directly to the Gardai and/or Tusla (see useful contacts);
- ◇ Meeting the DLP: Every person will be heard with compassion and in a spirit of acceptance. The needs of the person will be prioritised in choosing the location, time and place of a meeting;
- ◇ Offering support: The person making a complaint is encouraged to bring somebody with them to the meeting for support. They will be offered a support person and given information on professional support services;
- ◇ Referral to the statutory authorities, (Gardai and Tusla): The DLP will advise of the responsibility of the MSC to report information on child abuse to An Garda and Tusla;
- ◇ Confidentiality: Any information shared is treated as highly confidential and only shared with those with a legitimate need to know, e.g., statutory authorities;
- ◇ Role of Gardai: It is the responsibility of the Gardai to investigate and establish if a crime has been committed. The Gardai will not contact a victim or survivor without their consent;
- ◇ Role of Tusla: It is the role of the social services provided by Tusla to promote the welfare and protection of children/young people. They will assess if a person presents as a risk to children/young people.

### **The Designated Liaison Person**

Contact details for the DLP is overleaf. The role of the DLP is to ensure that all child protection concerns are responded to, and managed, in accordance with civil law and church policy. If you decide to make your complaint directly to the MSC, the DLP is the person who will hear your complaint and explain the process to you.

### **Support for those affected by abuse**

Many people have suffered throughout their lives because of abuse they experience as children/young people. The effects can be devastating. We wish to offer supports to those who have been affected in this way.

The following supports are provided by the MSC:

- ◇ The Catholic Church has established an independent professional counselling support service called *Towards Healing* which can be accessed free to those who experience abuse (contact details below);
- ◇ Spiritual support services are available through a support service *Towards Peace* (contact details below);
- ◇ A pastoral meeting with the Provincial and/or an identified other is available at the appropriate time or venue that suits the person who has experienced abuse;

- ◇ An identified person known as a support person will be made available to any person who makes a complaint of abuse against an MSC. The support person can help you to understand the process involved in making a complaint, they will listen to you, and they can help you to access professional support services.

#### Useful contacts

**An Garda Síochána**

Free & Confidential Number:  
**1800 555 222**

**Tusla/Child and Family Agency**

[www.tusla.ie](http://www.tusla.ie)

**Towards Healing**

Freephone (Ireland): 1800 303416  
Freephone(UK) 08000963315  
[www.towardshealing.ie](http://www.towardshealing.ie)

**Towards Peace**

(01) 505 3028  
[www.towardspeace.ie](http://www.towardspeace.ie)

#### MSC Contact Details

**MSC Safeguarding Manager/Designated  
Liaison Person**

**Phone Number:**  
(087) 3819515

**Email address:**  
[safeguardingsmscmissonsions.ie](mailto:safeguardingsmscmissonsions.ie)



# APPENDIX 1

## Further information

### 1. Irish MSC communities overseas

All communities of the MSC Irish Province, including those in other countries, are obliged to follow the civil and ecclesiastical laws of the country they are located in. It is also essential for all MSC confreres to follow best practice in relation to child safeguarding.

Each community in another jurisdiction will display a MSC Safeguarding notice with contact details for the local statutory services.

The MSC Safeguarding Office is available to provide information and support in any aspect of child safeguarding matters.

### 2. Additional MSC Policies

- ◇ MSC Irish Province Access to Safeguarding Records Policy (24/10/2018)
- ◇ MSC Irish Province, Responding to Child Protection Allegations, Concerns and Suspicions against an MSC priest or Brother. (11/04/2019)
- ◇ MSC Irish Province Garda Vetting Policy (12/02/2020)
- ◇ MSC Irish Province Garda Vetting Disclosure Policy (12/02/2020)
- ◇ MSC Irish Province Whistleblowing Policy (26/10/2021)
- ◇ MSC Irish Province Safeguarding Vulnerable Adults Policy, (2021)

Definitions referenced throughout the MSC Safeguarding Children Policy and Procedure Handbook, 2023 document come from a range of sources, including Children First, National Guidance for the Protection and Welfare of Children (2017), National Board for Safeguarding Children in the Catholic Church in Ireland, Standards, (2016) and Code of Canon Law 1983.



## APPENDIX 2

### Recording and Storage of Information

#### Introduction

Good record-keeping is an integral part of safeguarding children within the Catholic Church; it should not be considered to be an optional extra. There are many reasons why all those involved in safeguarding children should keep good records.

#### Why is record-keeping important?:

1. Doing so ensures accuracy of reporting information. Creating written records as soon as practicable after the event avoids the possibilities of memory loss and the distortion of the information;
2. Doing so assists with decision-making and case management;
3. Doing so protects both the subjects of recording and the recorder by having an agreed and accurate record. As far as possible, recorded information should be agreed with the subject of the recording, as constituting an accurate record of what took place;
4. Doing so enables accountability. Good recording is required as evidence that the safeguarding of children or young people is treated as a priority, and that all steps have been taken to prevent and minimise risk, and to manage allegations appropriately;
5. Doing so enables the proper tracking of complaints. It is important that we demonstrate through our records that complainants have been listened to and responded to in a compassionate and caring way. It is therefore vital that accurate records are kept of all complaints received and of how these have been responded to;
6. Doing so allows for continuity where there are changes in personnel managing the case. Safeguarding children can involve a number of people, including the church authority and Designated Liaison Person. Personnel can also change over the course of managing a child abuse allegation. It is therefore important that factual details are maintained in writing to allow for a consistent and fair approach, a continuity of care for complainants, and the proper management of respondents, when required.

#### Principles of good record-keeping:

- ◇ All records should be legible, preferably typed or word-processed;
- ◇ All entries should be signed, and the person's name and job title should be printed alongside the entry;
- ◇ All records should be generated in correct chronological order;
- ◇ Records should be accurate and presented in such a way that the meaning is clear;
- ◇ Records should be factual and should not include unnecessary abbreviations, jargon, opinion or irrelevant speculation;
- ◇ Judgment should be used to decide what is recorded, *e.g.*, is it relevant, is it as objective as possible, are facts and any necessary opinions clearly distinguished?;
- ◇ Records should identify risks and should demonstrate the action taken to manage them;
- ◇ Records must not be altered or destroyed without proper authorisation. If the need for alteration arises, both the fact of such authorisation and the alteration made to any original record or documentation should be signed and dated.

## Data protection legislation

The principal legislation in the Republic of Ireland dealing with data protection is the Data Protection Act 1988, amended by the Data Protection (Amendment) Act 2003. The Data Protection Acts 1988–2003 in the Republic of Ireland set out eight principles that define the conditions under which processing (including recording, storage, manipulation and transmission) of personal data can be determined to be legally acceptable. The Act also identifies the sensitive nature of health information and the particular need that health professionals have to communicate that information between themselves. The Act gives data subjects rights of access to their records, and it applies to electronic and paper-based record systems.

The eight principles state that the data should be:

1. Fairly and lawfully processed;
2. Processed for limited purposes;
3. Adequate, relevant and not excessive;
4. Accurate;
5. Not kept for longer than is necessary;
6. Processed in line with subjects' rights;
7. Secure;
8. Not transferred to other countries without adequate protection.

## Access to information by data subject

People have a right to know what personal information is held about them, by whom, and for what purpose. These rights are detailed in data protection and human rights legislation. Despite these rights, in certain circumstances such information can be shared with others. The data subject must be made aware of the creation of a safeguarding record.

If the data subject seeks access to their record, the following should take place:

- a) The contents of the file should be reviewed and assessed so that data belonging to third parties is redacted.
- b) At an agreed time and place, the file should be made available for reading by the data subject, under the supervision of the Provincial and/or the Designated Liaison Person.
- c) The data subject can make notes and can ask for notes to be included in the file. If agreed, an amendment can be made on the file note. The file manager should state in writing the reason for the amendment, and sign and date their written note. Such amendments, if any, should also be signed and dated by the data subject.
- d) If there is a disagreement concerning the amendment of any file, the details of the disagreement should be recorded, signed and dated by the file manager and the data subject.

## Storage of data

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 Provincial.

- ◇ Files containing sensitive or confidential data should be locked away, and access to the relevant fireproof safe(s) or filing cabinet(s) and keys should be strictly controlled.

- ◇ Access to the files needs to be limited to people in named roles, i.e., the Provincial and designated child safeguarding personnel, who either need to know about the information in those records, and/or who have a responsibility to manage such records.
- ◇ Any information of a sensitive and confidential nature, if stored electronically, must always be password-protected.
- ◇ Arrangements need to be made for the contents of relevant files, as well as their location and storage arrangements, to be passed on from outgoing data controllers to their successors.
- ◇ Other records with identifying personal information, e.g., church or parish records on recruitment and vetting, activity attendance records, consent forms, accident forms, must be stored in a secure locked cabinet in the church and/or parish office.

### **Retention and destruction of data**

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. This guidance states, *inter alia*, that where there is no legal requirement to retain information beyond the closure of the record, the authority will need to establish its own retention periods.

#### **Guidance:**

- ◇ Each church authority should appoint a data protection officer who will take charge of responsibility for data protection within that organisation;
- ◇ The appointed data protection officer should ensure that all records associated with these standards and guidance are reviewed on a periodic basis for the purposes of determining whether such records, in whole or in part, should be kept for a further period, or whether the purpose for which such records are kept has now ceased;
- ◇ Accordingly, each file should contain a checklist that provides for such periodic reviews. The checklist should be signed and dated after completion of those reviews, with confirmation as to whether the records will be kept for a further period and the reason for same;
- ◇ In making the decision to keep such records for a further period, the reviewer should consider the assessment of danger or harm to children arising out of the destruction of the relevant records.

#### **Further support is available at:**

Data protection commissioner: <https://www.dataprotection.ie>

Tusla Information and Advice Officers:

<http://www.tusla.ie/children-first/rolesandresponsibilities/organisations/children-first-training>



## APPENDIX 3

### MSC Irish Province Whistleblowing Policy

#### 1. Introduction to the Policy

The Irish Province of the Missionaries of the Sacred Heart (MSC) is committed to engaging in mission, ministry and communal life with honesty and integrity, and we expect all our Members, staff and volunteers who work with us to maintain high standards; however, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring or to address them when they do occur.

We are especially committed to maintaining a culture that enables issues about safeguarding and promoting the welfare of children and vulnerable adults to be addressed. Specific procedures for addressing such concerns are to be found in the *MSC Irish Province Child Safeguarding Policy and Procedures* (2018) and the *MSC Irish Province Safeguarding Vulnerable Adults Policy* (2021).

The purpose of this policy is to support those who have serious concerns about criminal or dangerous practice, considered to be “relevant wrongdoings”, to express them without that fear that they will be penalised, victimised or harassed for doing so.

It is often the case that a community Member, a member of staff or a voluntary worker may be the first to recognise that something is wrong but may not feel able to express concerns, feeling that this would be disloyal; they may fear harassment or victimisation. These feelings, however natural, must never result in another person being put at risk due to illegal or dangerous practice.

If a community Member, a member of staff or a voluntary worker is concerned about a wrongdoing, MSC encourages them to come forward and inform Mary Tallon, Safeguarding Manager / Designated Liaison Person who is the appointed Designated Officer for dealing with Protected Disclosures (see section 12 of this policy for further details).

If a worker, for various reasons, does not feel it is appropriate to make the disclosure to the Designated Officer, he/she may direct their concerns to the Deputy Provincial. In those circumstances, the Deputy Provincial will operate this policy.

#### 2. Legal Basis for this policy

In the **Republic of Ireland**, the relevant legislation is the Protected Disclosures Act 2014 (“the 2014 Act”).

This legislation provides legal safeguards to “workers” to report relevant wrongdoing if it comes to their attention whilst undertaking their role with MSC. “Workers”, as defined by the 2014 Act, includes employees of church bodies, as well as consultants, contractors, casual workers, agency workers, trainees, temporary workers, interns, members of administrators, management and supervisory bodies of an undertaking, those

in recruitment processes and job applicants, shareholders, volunteers or unpaid trainees and those on work experience.

A Protected Disclosure is a disclosure of relevant information made by a worker, the belief of which is reasonably held by the worker, which tends to show one or more relevant wrongdoing which came to the attention of the worker in connection with the worker's employment.

See section 4 of this policy for further details.

The safeguards apply where the disclosure is made in good faith and on reasonable grounds and relates to any conduct or action which raises a significant danger to public health or safety.

The MSC Irish Province extends across several legal jurisdictions (e.g., Ireland, UK, USA, South Africa, Venezuela). In the event that this policy and the law conflict, the law of the relevant jurisdiction shall take precedence.

We encourage all Members of MSC, who live and work in a jurisdiction other than the Republic of Ireland, to contact the Designated Officer in that jurisdiction to report any concerns they may have.

For further details on the Designated Officers for MSC workers living and working in jurisdiction other than the Republic of Ireland, please see Appendix 1 to this Policy.

### **3. What is Whistleblowing?**

Whistleblowing is now a common legal term used to describe the action of someone who discloses wrongdoing within an organisation to the public or to those in positions of authority.

All MSC Members, staff and volunteers, working within MSC structures, are encouraged to acknowledge their individual responsibility to bring matters of unacceptable or criminal practice, performance or behaviour to the attention of their local Superior / line manager / supervisor and to report the alleged relevant wrongdoing to the Designated Officer. In circumstances where it is not appropriate to notify the Designated Officer, the worker should report their concerns to the Deputy Provincial.

Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers in ministry, community settings or at work ("relevant wrongdoings").

Examples of "relevant wrongdoings" may include:

- ◇ That an offence has been or is likely to be committed;
- ◇ That a person has failed, is failing or is likely to fail to comply with any legal obligation, other than one arising under the worker's contract of employment or any contracts whereby the worker undertakes to do or personally perform any work or services;
- ◇ Miscarriages of justice which have occurred, is occurring, or is likely to occur;
- ◇ Danger to health and safety of any individual which has been, is being, or is likely to be, endangered;
- ◇ Damage to the environment which has been, or is likely to be, damaged;
- ◇ Unlawful or otherwise improper use of funds or resources of a public body, or other public money has occurred, is occurring, or is likely to occur;

- ◇ An act or omission by or on behalf of a public body which is oppressive discriminatory, or grossly negligent, or constitutes mismanagement;
- ◇ Failure to comply with any legal or professional obligation or regulatory requirements;
- ◇ Negligence;
- ◇ The deliberate concealment of any of the above matters

A whistle-blower is a person who raises a genuine concern relating to any of the above. If an individual has any genuine concerns related to suspected wrongdoing or danger affecting any of our activities or the conduct of anyone authorised to carry out a responsibility on behalf of MSC, it should be reported to the Designated Officer under this policy.

***What whistleblowing is not:***

- ◇ Whistleblowing is not designed to deal with personal employment grievances (bullying, harassment or discrimination);
- ◇ It is not designed to question mission, ministry, business or financial decisions taken by MSC (save for any matter which falls under the definition of “relevant wrongdoing”);
- ◇ This policy should not be used to reconsider any matters which have already been addressed under grievance, disciplinary or other procedures as outlined in the MSC Staff Handbook.

***Reasons for whistleblowing:***

- ◇ Each individual has a responsibility to raise concerns about unacceptable practice or behaviour;
- ◇ To prevent the problem worsening or widening;
- ◇ To protect or reduce risks to others;
- ◇ To prevent you from becoming implicated.

***What stops people from whistleblowing:***

- ◇ Fear of starting a chain of events that 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.

**4. The aims of this Whistleblowing Policy are:**

- ◇ To ensure all MSC Members, staff and volunteers are encouraged to acknowledge their individual responsibility to bring matters of unacceptable practice, performance or behaviour which falls into the above categories, to the attention of the Designated Officer or Deputy Provincial, as appropriate;
- ◇ To encourage the reporting of suspected wrongdoing as soon as possible, in the knowledge that concerns will be taken seriously and investigated as appropriate, and that confidentiality will be respected;
- ◇ To provide guidance as to how to raise those concerns;
- ◇ To reassure MSC Members, staff and volunteers that they are able to raise genuine concerns in good faith without fear of reprisals, even if they turn out to be mistaken.

This policy is not to be used for raising complaints relating to an individual’s own personal circumstances (e.g., bullying, harassment, discrimination, or complaints that are covered by procedures in the MSC Staff

Handbook).

If an individual is uncertain whether something is within the scope of this policy, they can seek advice from the Designated Officer.

No one will be subjected to any detriment for reporting or raising a formal matter where he/she holds a reasonable belief of a wrongdoing (whistleblowing) in accordance with this policy where the concern is made in good faith / genuine (even if it turns out to be a mistake).

If a worker believes that they are being subjected to penalisation as a result of making a disclosure under this Policy, they should notify the Designated Officer and the notification will be assessed / investigated and appropriate action taken where necessary.

Penalisation includes, but is not limited to, actions including suspension/dismissal, disciplinary action, demotion, discrimination, threats or other unfavourable treatment arising from raising a concern or making a disclosure on the basis of reasonable belief for doing so.

All matters relating to the expressed concern of an MSC Member, employee or volunteer, whether informal or formal, will be treated as confidential.

### **5. Raising a Whistleblowing Concern**

MSC hopes that in many cases a Member, employee or volunteer will be able to raise any concerns with the Designated Officer. The person, raising concerns, may tell them in person or put the matter in writing.

We encourage individuals to:

- ◇ Voice any concerns, suspicions or uneasiness about practice or behaviour as soon as possible;
- ◇ Be specific about what practice is concerning, what has been heard or what has been observed;
- ◇ Inform the local superior or line-manager where possible;
- ◇ Ideally put concerns in writing, outlining the background and history, and providing dates and times;
- ◇ Provide as many facts as possible; but do not rely on rumour or opinion.

However, if an individual feels their concern has not been addressed or they prefer not to raise it with the Designated Officer, they are to contact the Deputy Provincial.

Anyone raising a concern is strongly encouraged to put their name to any disclosure. However, any concern raised anonymously, will be considered at the discretion of the person to whom the disclosure is made, taking into account the seriousness of the issue raised, the credibility of the concern and the likelihood of confirming the allegation from attributable sources.

#### ***Will there be repercussions for my employment if I make a report?***

If you make a report in good faith then, even if it is not confirmed by an investigation, the concern will be valued and appreciated. However, if you make a false report maliciously or for personal gain, then you may face disciplinary action.

#### ***Do I need proof of wrongdoing to make my report?***

MSC does not expect you to have absolute proof of any misconduct or malpractice that you report. Under the 2014 Act, a worker must have reasonable belief of the relevant wrongdoing. However, you will need to

be able to show reasons for your concern.

### ***Will my identity be protected if I make a report?***

Everything possible will be done to safeguard your identity if you so wish. However, there may be circumstances, e.g., if your report becomes the subject of criminal investigation, where you may be needed as a witness. Should this be the case, then the matter will be discussed with you at the earliest opportunity.

## **6. What Happens After a Concern is Raised**

- ◇ When a concern is raised, the person raising the concern will not be expected to prove/establish the truth of their concern or to investigate it.
- ◇ A meeting will be arranged with this individual as soon as possible to discuss their concern. This will be with the Designated Officer. The individual raising the concern may, under this policy, bring a colleague or representative to any meeting. The companion is also bound by the confidentiality outlined in Section 7 of this policy.
- ◇ A written summary of the concerns, and any agreed actions, will be recorded, and a copy provided to the individual making the complaint after the meeting, together with a copy of the Policy follow-up response process.
- ◇ Within the bounds of confidentiality, the individual raising their concerns will be given as much information as possible on the nature and progress of any enquiries,
- ◇ The person raising a concern will be provided with appropriate support to ensure they are not harassed or victimised.
- ◇ When an individual raises a concern in good faith, even though it later proves to be unfounded, they are still protected from any further action by this policy.
- ◇ However, malicious allegations will be taken very seriously and, depending upon the circumstances of the individual, may result in some form of disciplinary action being taken against the individual if they are an employee.

## **7. Confidentiality**

MSC hopes that any concerned person will feel able to voice their concerns openly under this policy. However, if an individual wants to raise a concern confidentially, every effort will be made to keep their identity confidential. If it is necessary for the person investigating the concern to know an individual's identity, this will first be discussed with them.

If a worker chooses to raise a concern anonymously, the worker should be aware that it may be difficult to investigate such a concern. MSC may also have difficulty in establishing whether any allegations are credible.

MSC does not encourage the making of anonymous disclosures as such disclosures hamper the establishment of an allegation's credibility and any formal investigation that might follow. Individuals who wish to raise concerns are (within the limits of the law) protected by the confidentiality of the disclosure and investigation process.

Any individual who has a concern that there may be a reprisal if their identity is revealed should come forward to the Designated Officer and appropriate measures can then be taken to preserve confidentiality.

## **8. Investigation and Outcome**

Once an individual has raised a concern, an initial assessment will be conducted to determine the scope of any investigation. The individual will be informed of the outcome of the assessment. The individual may be

required to attend additional meetings in order to provide further information.

In some cases, the Designated Officer may appoint an investigator or team of investigators with relevant experience of investigations or specialist knowledge of the subject matter.

The Designated Officer is committed to keeping the individual informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent the giving of specific details of the investigation or any disciplinary action taken as a result.

The individual should treat any information about the investigation as confidential.

If an individual is the subject of an allegation, that individual will be afforded appropriate protection and the investigation will comply with the principles of natural justice and fair procedures.

It is important to note that where an individual is the subject of an allegation, their right to fair procedures may include the right to challenge the evidence against them. The individual's right to do this will be balanced against the rights of the discloser under the 2014 Act (particularly the discloser's right to have their identity protected).

In certain circumstances (in order to ascertain facts/complete an investigation), the disclosure of identity may be necessary for the effective investigation of the relevant wrongdoing concerned. Where this arises, however, the Designated Officers, except in exceptional cases, will contact the discloser and, where possible, gain the informed consent of the discloser, prior to any action being taken that could identify them.

If it is concluded that an individual has made false allegations maliciously, this individual may be subject, if applicable, to appropriate disciplinary action.

### **Feedback**

As part of the Protected Disclosure Procedure, MSC will:

- ◇ Acknowledge receipt of the disclosure within 7 days (to the discloser);
- ◇ Appoint the Designated Officer to follow up on the protected disclosure and maintain communication with the discloser;
- ◇ Be committed to following up (in so far as is possible) on the information contained in the protected disclosure;
- ◇ Provide periodic and appropriate confidential feedback to the discloser in relation to the matters disclosed;
- ◇ Endeavour to provide a reasonable timeframe for feedback to the discloser not exceeding 3 months from the acknowledgement of receipt of disclosure (or may extend this to 6 months in certain cases);
- ◇ Advise the parties involved when consideration of the disclosure is complete, except in exceptional cases.

When providing feedback, no information will be communicated that could prejudice the outcome of the investigation or any action that ensues (e.g. disciplinary, or other legal action, including prosecution).

In addition, it may not be possible to inform the discloser of the outcome of confidential processes (such as a disciplinary process involving another employee).

### ***Unsatisfied with the Outcome***

Whilst MSC cannot always guarantee the outcome the individual is seeking, it is committed to dealing with the individual's concern fairly and in an appropriate way. By using this policy, an individual can help MSC achieve this.

If an individual is not happy with the way in which their concern has been handled, they can raise it directly with the Provincial.

If making a disclosure outside of the organisation, MSC would remind an employee of their duty of confidentiality under their contract of employment.

### **9. Protection and Support for Whistleblowers**

It is understandable that whistleblowers are sometimes worried about possible repercussions. Individuals in the Republic of Ireland raising genuine concerns are guaranteed protection from any form of repercussion or harassment under the 2014 Act. MSC is in full compliance with the 2014 Act and its counterparts in other legal jurisdictions of MSC and encourages openness and transparency among all its Members, employees and volunteers.

MSC assures any individual, who wishes to raise a genuine concern, that their disclosure will be welcomed, and they will be supported, even if this concern turns out to be unfounded, provided it is made in good faith.

In compliance with the 2014 Act, those who raise genuine concerns in good faith will not suffer any detrimental treatment.

Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern, or removal from a volunteer role. If an individual believes they have suffered any such treatment, they should not hesitate to inform the Designated Officer. If the matter is not remedied, they should raise it formally in writing with the Provincial. Employees must not, in any way, threaten or retaliate against an individual who has raised a concern. Anyone involved in such conduct will be subject to disciplinary action.

### **10. Special Note: Safeguarding of Children and Vulnerable Adults**

This whistleblowing policy is not intended as the proper protocol for raising concerns of abuse.

MSC is committed to safeguarding the welfare and protection of children and adults at risk of harm. Concerns about the welfare of children or adults at risk of harm should be raised without delay to prevent any ongoing risk of harm. The contact details of the MSC Safeguarding Manager / Designated Liaison Person, as well as those of the Provincial and Deputy Provincial, can be found at the end of this policy. Because of their roles as clerics or DLP/Safeguarding Manager, each of these is considered a "Mandated Person" in Irish Law. As such they are legally required to report such allegations to the statutory authorities.

If the individual who has a concern does not feel confident to report the matter to the MSC Safeguarding Manager/Designated Liaison Person or to the leadership of MSC, they are encouraged to report directly and immediately to the Police and/or the statutory services (e.g., TUSLA and the Gardai (Police) in Ireland).

See further information in the *MSC Irish Province Child Safeguarding Policy and Procedures*, (2018) and the *MSC Irish Province Safeguarding Vulnerable Adults Policy*, (2021) on the MSC website:

<https://www.mscmissions.ie/safeguarding/>

### **11. Responsibility for this Policy**

The Provincial and the Provincial Council have overall responsibility for this Policy, and for reviewing the effectiveness of actions taken in response to concerns raised under this Policy.

The Deputy Provincial and Designated Officer have day-to-day operational responsibility for this Policy and must ensure that all office holders, and others who may deal with concerns or investigations under this Policy, receive appropriate training.

Individuals who make use of this policy are in part responsible for the success of this policy and they should ensure they use it to disclose any suspected danger or wrongdoing, in accordance with this policy.

Comments, suggestions and queries should be addressed in writing to the Designated Officer or the Provincial.

### **12. Senior Level Contact Details**

Designated Officer [safeguarding@mscmissions.ie](mailto:safeguarding@mscmissions.ie)

Deputy Provincial [safeguarding@mscmissions.ie](mailto:safeguarding@mscmissions.ie)

### **13. Review Date**

This Policy was approved by the Provincial in Council on 26<sup>th</sup> October 2022.

This Policy will be reviewed by the Provincial Council after three years in October 2025 or in the event of the appointment of a new Senior Level Contact, as set out in Section 12 of this Policy (whichever event occurs first).



## APPENDIX 4

### Counselling and Support Services

Name of service	Contact Details
Towards Healing	: 1800 303 416 <a href="http://www.towardshealing.ie">www.towardshealing.ie</a>
Towards Peace	: 01 5053028 <a href="http://www.towardspeace.ie">www.towardspeace.ie</a>
National Adult Counselling Services (HSE)	<a href="http://www.hse.ie">www.hse.ie</a> see website for local HSE counselling contact number
Barnardos	: 1850 222 300 <a href="http://www.barnardos.ie">www.barnardos.ie</a>
Irish Society for the Prevention of Cruelty to Children (ISPCC) Childline:	Childline text support Text 'Talk' to 50101. :180066666 <a href="http://www.childline.ie">www.childline.ie</a>
Connect:	<a href="http://www.connectcounselling.ie">www.connectcounselling.ie</a>
Useful websites for church personnel, parents/carers and children and young people in relation to child safeguarding matters.	<a href="http://www.webwise.ie">www.webwise.ie</a> <a href="http://www.hotline.ie">www.hotline.ie</a> <a href="http://www.internetsafety.ie">www.internetsafety.ie</a> <a href="http://www.samaritans.org">www.samaritans.org</a>

