



# Diocese of Clogher



## **DIOCESE OF CLOGHER SAFEGUARDING POLICY STATEMENT**

The Diocese of Clogher as part of the Catholic Church in Ireland recognises and upholds the dignity and rights of all children and is committed to ensuring their safety and wellbeing and will work in partnership with parents/carers to do this.

The Diocese of Clogher, as part of the Catholic Church, recognises each child as a gift from God, and values and encourages the participation of children in all activities that enhance their spiritual, physical, emotional, intellectual and social development. The Diocese of Clogher (including clergy, religious, staff, volunteers and any other Church personnel) has a responsibility to safeguard children through promoting their welfare, health and development in a safe and caring environment which supports their best interests and prevents abuse.

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## GUIDANCE FOR PARISHES

### **Roles of Safeguarding Personnel:**

#### **Church Authority**

The Church Authority is responsible for:

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

#### **Diocesan Safeguarding Committee**

The Bishop of Clogher established a Diocesan Safeguarding Committee in 2004. Its role is primarily focused on creating, maintaining, and monitoring a safe environment for all aspects of church life and activity and for advising on the human resources required for implementing best Safeguarding Practice across services. Its role is supportive and developmental. It is not related in any way to the management of individual cases of suspected or alleged abuse. The Diocesan Safeguarding Committee has responsibility for:

- the provision of training
- the safe recruitment of volunteers and staff within the Diocese
- regular review of the Diocesan Policy and Procedures for Safeguarding as and when required



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- communication and promotion of all aspects and developments in relation to Safeguarding in the diocese
- Producing a three-year plan for how to implement and maintain Standards 1, 5, 6 and 7 across the Church body. This includes the development of procedures and practice around creating and maintaining safe environments
- Liaising with the parish safeguarding representatives to identify areas where guidance and support on policy or practice is needed
- Ensuring that records for activities related to child safeguarding are produced and stored appropriately
- communication and promotion of all aspects and developments in relation to safeguarding in the diocese

## Local Safeguarding Representative

All parishes and diocesan groups should have at least two Local Safeguarding Representatives (LSRs) assigned by the Parish Priest/Administrator. It is recommended that larger parishes or diocesan organisations have a Safeguarding Committee. The clergy and safeguarding personnel in some pastoral areas may also wish to work together to address the issue of safeguarding. This partnership approach is supported by the Diocesan Safeguarding Committee.

The position of Safeguarding Representative is voluntary. All those accepting the role must undergo the Recruitment and Selection Procedure through the Diocesan Safeguarding Office and attend training organised by the Diocesan Training Coordinator. Regular updates and network meetings will be planned by the Diocesan Safeguarding Committee. Parish Safeguarding Representatives are expected to attend these meetings. The responsibilities of the Parish Safeguarding Representative are:

- to promote awareness of the Diocesan Policy and Procedures for Safeguarding
- to ensure that all parishioners have ready access to contact details of the Diocesan Designated Officers and other relevant agencies



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- to support or facilitate anyone in their parish/diocesan groups working with children and/or vulnerable adults
- to attend Safeguarding Representative meetings arranged within Pastoral Areas or at diocesan level.

Each parish and diocesan group working with children, young people or vulnerable adults should have at least two Parish Safeguarding Representatives. The additional responsibilities of these roles are outlined below:

## **Recruitment and Selection**

- To ensure the parish carries out the Diocesan Requirements for Recruitment and Selection for all staff/volunteers, whether paid or unpaid, in their parish/diocesan group. This will include two-way communication with the diocesan personnel implementing the Recruitment Procedures.

## **Training**

- To ensure that all parish staff/volunteers working with children and/or vulnerable adults attend a safeguarding information session
- To liaise with the Diocesan Training Coordinator in the implementation of the Diocesan Strategy for Training.

The overall responsibility for safeguarding in any Church Organisation remains with the relevant church authority. Any safeguarding concerns raised with a Parish Safeguarding Representative should immediately be passed to the Diocesan Designated Liaison Person.



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## GUIDANCE FOR PARISHES

### Storage and Retention of Records

The table below lists the types of records that need to be stored appropriately and securely, in accordance with best practice in record-keeping.

Type of Record	Where to Store
Application forms of those successful	Parish
Application forms of those unsuccessful	Parish
Attendance lists/sign-in and sign-out records for each activity involving children	Parish
Parental and children's consent forms	Parish
Accident/incident forms	Parish
List of those vetted	Diocese/Parish
Codes of Behaviour for groups involving children	Parish
Evidence of concerns raised through whistleblowing, and actions taken	Diocese
Hazard assessments for activities carried out by each group involving young people associated with the Church	Parish
Evidence of complaints made through complaints process, and how they have been dealt with	Diocese
Records of checks completed on external groups using Church property	Diocese/Parish
Declaration forms	Parish
Evidence of when celebrants/letters of good standing from visiting clergy have been checked	Diocese/Parish
Media permission forms	Parish
Written agreements from external organisations/Church bodies, where clerics and religious who are members of the Church body are ministering with children	Diocese



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## GUIDANCE FOR PARISHES

### A: Guidance on Safe Recruitment Procedures

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

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

### Appointment procedures(clerics/religious)

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

- Ensuring the cleric or religious signs the agreement form to following the Church's policy and child safeguarding standards
- Requiring the cleric/religious to sign a declaration form stating that there is no reason why they would be considered unsuitable to work with children



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- Requiring the cleric/religious to undergo relevant vetting/clearance procedures
- Ensuring the volunteer is inducted in the Church's child safeguarding policy and that they agree to follow the policy and the procedures of their Church body by signing two agreement forms
- Ensuring the volunteer agrees to work within the Church body's code of behavior
- Ensuring that the cleric/religious attends training, in particular child safeguarding training detailed under Standard 5: Training and Support for Keeping Children Safe.

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

## **Recruitment procedures (paid staff)**

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

- Use a recruitment and selection checklist to ensure that effective practices are followed
- Use an application form, including reference requests
- Interview applicants to discuss their application form. This interview will include applicants being advised of their responsibilities towards children, and assessment of their suitability will include an awareness of child protection and safe care practices
- Interview boards will be comprised of experienced and qualified personnel with a proven ability to draw out and explore the information that the candidate has included on their application form



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- All paperwork associated with the application process should be kept in accordance with record storage policy. All references, reports and communications in respect of the applicant should be in writing, and access to them will only be available to appropriate personnel within the Church. Candidates will be advised that their application and the follow-up process of recruitment will be dealt with in the strictest confidence

- The successful applicant will be offered a position subject to:

A. Suitable references

B. Signing a declaration form

C. Proof of qualifications, where applicable

D. Relevant vetting/clearance procedures

E. Positive proof of identification

- It should be noted that any lay person who is coming to work or volunteer in Ireland, who worked or volunteered in another country for more than one year, must provide a certificate of police clearance from the country or countries in which they have lived for a year or more, prior to coming to Ireland. Advice and support in obtaining a police clearance certificate can be found at [www.fingerscan.ca](http://www.fingerscan.ca) and also at [www.coru.ie/en/registration/police\\_clearance](http://www.coru.ie/en/registration/police_clearance).

Once appointed, the following elements are critical:

- Ensure probationary periods are served, where appropriate

- Ensure that the member of Church personnel is inducted in the Church's child safeguarding policy and that they agree to follow the policy and the procedures of their Church body by signing an agreement form

- Ensure professional support, supervision and appraisals are offered to Church personnel, where appropriate

- Provide ongoing training to Church personnel, in particular child safeguarding training detailed under Standard 5: Training and Support for Keeping Children Safe.



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## Recruitment procedures (volunteers)

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

- Vetting through the Garda Vetting Bureau/Access NI.

It should be noted that any lay person who is coming to work or volunteer in Ireland, who worked or volunteered in another country for more than one year, must provide a certificate of police clearance from the country or countries in which they have lived for a year or more, prior to coming to Ireland. Advice and support in obtaining a police clearance certificate can be found at [www.fingerscan.ca](http://www.fingerscan.ca) and also at [www.coru.ie/en/registration/police\\_clearance](http://www.coru.ie/en/registration/police_clearance)

- Requiring the volunteer to sign a declaration form stating that there is no reason why they would be considered unsuitable to work with children
- Ensuring the volunteer is inducted in the Church's child safeguarding policy and that they agree to follow the policy and the procedures of their Church body by signing an agreement form
- Ensuring the volunteer agrees to work within the Church body's code of behaviour
- Ensuring the volunteer agrees to report all safeguarding concerns to the DLP of the Church body



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## Template A1: Recruitment and Selection Checklist

<p><b>Contact with children</b></p>	<p>What contact with children will the position involve?</p> <p>Will the position involve unsupervised contact with children, or does it involve a position of trust?</p> <p>What other forms of contact will the person have with children, e.g. email, telephone?</p>	
<p><b>Defining the role</b></p>	<p>Have the tasks and skills necessary for the position been considered?</p> <p>Does the task description make reference to working with and having responsibility for children?</p>	
<p><b>Key selection criteria</b></p>	<p>Has a list of essential and desirable qualifications, skills and experience been developed?</p>	
<p><b>Written application</b></p>	<p>Have all applicants been asked to supply information in writing, including personal details, past and current work/volunteering experience?</p> <p>Have application forms been developed?</p>	
<p><b>Interview</b></p>	<p>Have at least two representatives been identified to meet with the applicant to explore information contained in their application?</p> <p>Have the applicant and application forms been carefully considered, highlighting points to raise at interview, including:</p> <ul style="list-style-type: none"> <li>• The applicant's attitudes towards working with children</li> <li>• Areas you want to explore in more detail; Gaps in employment history; Vague statements of unsubstantiated qualifications; Frequent changes of employment?</li> </ul>	

<b>Declaration</b>	<p>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?</p> <p>Has the successful applicant been asked to declare any past criminal convictions and cases pending against them?</p>	
<b>Identification</b>	<p>Have applicants been asked, where necessary, for photographic documentation to confirm their identity and place of residence?</p> <p>Will documentation relating to the applicant's identity and relevant qualifications be checked at the interview?</p>	
<b>Qualifications</b>	<p>Are applicants asked for documentation to confirm their qualifications?</p>	
<b>Vetting procedure/ AccessNI</b>	<p>Does the position require the applicant to be vetted/AccessNI checked?</p> <p>Has the applicant been informed that they may need to undergo vetting/AccessNI before they take up any appointment?</p> <p>Does this applicant require a certificate of police clearance from other countries in which they have worked/ volunteered?</p>	
<b>Records</b>	<p>Are details of the selection/induction process retained in the personnel file of the successful applicant?</p> <p>Are references kept on file as part of the record of the recruitment process?</p> <p>Are personnel informed that information such as application and declaration forms are held on file?</p>	
<b>Confidentiality</b>	<p>Is information about the applicant only seen by those directly involved in the recruitment process?</p> <p>Are applicants reassured that information about them, including information about convictions, will be</p>	

	treated in confidence, and not used against them unlawfully?	
<b>References</b>	<p>Are applicants asked to supply the names of two referees who are not family members, or who are not involved in the recruitment process, and ideally who have first-hand knowledge of the applicant's experience of work/contact with children?</p> <p>Are referees asked specifically to comment on the applicant's suitability to work with children?</p> <p>Are all references provided in writing and verified by a follow-up telephone call?</p>	
<b>Suggested questions for referees</b>	<p>The post involves substantial access to children. We are committed to the welfare and safeguarding of children. Have you any reason at all to be concerned about this applicant being in contact with children?</p> <p>How long have you known this person?</p> <p>In what capacity?</p> <p>Would you have any hesitation in them taking up this position?</p>	

**Please find the relevant recruitment and selection vetting forms on vetting section of website**



## GUIDANCE FOR PARISHES

### B: Guidance on Vetting

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

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

One part of the recruitment process is to screen applicants against police criminal conviction and caution records. This screening process – called vetting – includes a check against relevant police-held conviction and non-conviction information, against UK lists of individuals who have been barred from working with children and/or vulnerable adults<sup>2</sup> and, in the Republic of Ireland, against An Garda Síochána records. This document sets out the relevant legislation, and it provides guidance on who should be vetted and on the procedures that apply in both the Republic of Ireland and in Northern Ireland.

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

##### 2.1 Legislative basis

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

In addition, Section 26 of the Sex Offenders Act 2001 means that it is a criminal offence for some people who are guilty of certain criminal offences to fail to notify their



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employers of this fact before taking a job or performing a service. It is a requirement under this legislation for a prospective employee or volunteer to inform the employer of offences committed in Ireland and abroad.

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

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

<sup>1</sup> *A child is defined as anyone under eighteen years*

<sup>2</sup> *Any work or activity that is carried out by a person, a necessary and regular part of which consists mainly of the person having access to, or contact with, children (and/or vulnerable adults).*



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

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

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

**Under Schedule 1, Part 1, Paragraph 7, 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 vulnerable adults).*

In other words, anyone who has contact with children (and vulnerable adults) as part of their ministry must be vetted.

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

### **2.2 The legislation provides relevant definitions**

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

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

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



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- i. employs (whether under contract of employment or otherwise) any person to undertake relevant work or activities;
- ii. enters into a contract for services with any person for the provision by that person of services that constitute relevant work or activities;
- iii. permits any person (whether or not for commercial or any other consideration) to undertake relevant work or activities on the person's behalf;
- iv. is a provider of courses of education or training, including internship schemes, for persons and, as part of such education or training or scheme, places or makes arrangements for the placement of any person in work experience or activities where a necessary part of the placement involves participation in relevant work or activities, but does not include an individual who does any of the matters referred to in subparagraphs (i) to (iv) in the course of a private arrangement.

**Relevant work or activities relating to children<sup>3</sup>** means any work or activity that is carried out by a person, **a necessary and regular part of which** consists mainly of the person having access to, or contact with, children in:

- an establishment that provides preschool services within the meaning of Part VII of the Child Care Act 1991
- a school or centre of education, both within the meaning of the Education Act 1998
- any hospital or healthcare centre that receives, treats or otherwise provides services to children
- Any work or activity that consists of treatment, therapy or counselling provided to a child by a person in the course of that work or activity
- Any work or activity that consists of care or supervision of children, unless the care or supervision is merely incidental to the care or supervision of persons who are not children

<sup>3</sup> *Please refer to the legislation for the complete list*



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- Any work or activity that consists of the provision of educational, training, cultural, recreational, leisure, social or physical activities (whether or not for commercial or any other consideration) to children, unless the provision of educational, training, cultural, recreational, leisure, social or physical activities is merely incidental to the provision of educational, training, cultural, recreational, leisure, social or physical activities to persons who are not children
- Any work or activity that consists of the provision of advice, guidance, developmental or counselling services (including by means of electronic interactive communications) to children, unless the provision of the advice, guidance, developmental or counselling service is merely incidental to the provision of those services to persons who are not children
- Any work or activity as a minister or priest or any other person engaged in the advancement of any religious beliefs
- Work as a driver of a public service vehicle, which is being used only for the purpose of conveying children.

**Register of vetted persons:** the chief bureau officer will establish and maintain a register of vetted persons who were or are the subject of applications for vetting disclosure, in accordance with the legislation. The register of vetted persons shall contain the following information regarding each vetted person:

- a. his or her forename(s), surname and, where appropriate, maiden name
- b. his or her mother's maiden name
- c. his or her address
- d. his or her previous addresses (if any)
- e. his or her date of birth, place of birth and nationality
- f. his or her passport number (if available)
- g. his or her personal identification number (if any)
- h. the date of application for vetting disclosure and the outcome of the application



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- i. the name and particulars of the relevant organisation making the application for vetting disclosure
- j. the relevant work or activity to which the application relates
- k. declaration of consent
- l. particulars of the vetting disclosures made in respect of the vetted person
- m. such other particulars as the bureau considers appropriate

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

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

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

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

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



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

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

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

## **2.5 Catholic Church requirements**

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

For any Church body not already registered, discussions should take place with the host diocese or with the Association of Missionaries and Religious of Ireland (AMRI) to become affiliated under their liaison person, who may act as an ‘umbrella body’ for registration with the Garda Vetting Bureau.

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



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

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

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

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

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

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



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If the applicant wishes to appeal the decision, the Church body must set up a review panel meeting.

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

### **3.1 Legislative basis**

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

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

Vetting is carried out in Northern Ireland if a paid member of staff or volunteer is to engage in a regulated activity (explained below). An enhanced check can disclose non conviction information or 'soft intelligence' if the police consider it is relevant to the role. This could be an incident that did not go to court, or information about an ongoing police investigation.

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

### **3.2 Definitions**

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



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

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

## Regulated activity relating to children

The amended definition of regulated activity comprises:

- I. Activities such as teaching, training, instructing, caring for or supervising children, or providing advice/guidance on well-being, or driving a vehicle only for children
- II. Work for a limited range of establishments ('specified places'), with opportunity for contact: e.g. schools, children's homes, childcare premises, a children's hospital. Work under (I) or (II) is regulated activity only if done regularly
- III. Relevant personal care, e.g. washing or dressing; or healthcare by, or supervised by, a professional
- IV. Registered childminding and foster care.

### 3.3 Catholic Church requirements

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

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



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The bishops of Northern Ireland have established a Central Northern Dioceses Vetting Office, which processes all vetting applications to AccessNI. The vetting officer acts as the authorised signatory and makes decisions about fitness for roles based on the returned disclosure.<sup>4</sup> An application is completed by the parish safeguarding representative and forwarded to the Central Northern Dioceses Vetting Office for processing. As the requirements in vetting have been amended, staff in the vetting office can provide advice and support in deciding which check is required for Church personnel.

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

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

### **3.4 How to apply for a vetting check**

For a detailed guide and further information on how to apply for a vetting check, please contact the Northern Dioceses Vetting Office by emailing [vetting@soddc.org](mailto:vetting@soddc.org) or calling 004428 9049 2783.

### **4. Re-Vetting**

It is recommended that applicants be re-vetted in line with Diocesan Policy.

<sup>4</sup> *For appeals, see Section 7*



## 5. Storage and retention of records

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

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

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



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

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

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

### 1 Application stage

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

### 2 Disclosure – nothing of concern

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

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

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

- Was the caution or conviction disclosed by the applicant?
- Is the caution or conviction relevant to the work with children? e.g. if there is a motoring offence and the role does not involve the use of a vehicle is irrelevant? -Is the caution or



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conviction relating to an offence of theft or dishonesty – while this may not appear relevant to the role with children it may reflect an applicant's character.

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

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

Remember caution or conviction relating to domestic violence is relevant.

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

## **7. Appeals**

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

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

If the applicant wishes to appeal the Church decision, they should be informed in writing about the process of an appeal. An appeals panel will be established by the Church authority to hear the appeal.



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

An applicant will be told that the appeal process will require that information disclosed to either Access NI or the National Vetting Bureau can be shared with the panel members, and that any representations made by him/her may be shared with the statutory authorities. Any detail provided, for example to explain the background to a conviction, will be shared with Access NI or the National Vetting Bureau to ensure it is a realistic representation of the facts. Representation from the applicant will be requested in writing to offer them the opportunity to explain any circumstances in relation to the information received that might further inform the appeals panel. The panel may permit an oral hearing if it is deemed necessary for the fair and just disposition of the appeal.

The role of the appeals panel is to decide if the original decision was unreasonable or irrational. In the first instance, the panel will communicate its view to the Church authority. The Church authority should take cognisance of the views of the appeals panel. The applicant will then be informed in writing of the final decision following a review by the Church authority, based on the advice of the appeals panel.

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

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

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



## 7.3 Role of panel

- To receive and hear requests for review of decisions not to appoint on the basis of information received through the vetting process:
  - To review the written information provided by the appellant, and to receive oral evidence, if deemed appropriate
  - To review information provided by the Church authority
- To make a judgement regarding whether the decision not to employ was reasonable:
  - Was the decision to refuse based on a potential risk to children?
  - Was the relevance of the specific role taken into consideration?
- To report its views to the Church authority for consideration.

## 7.4 Time frame

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



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## GUIDANCE FOR PARISHES

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

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

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

Incardination has three main purposes:

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

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



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

**Procedures for visiting clergy within Ireland** All clergy incardinated into the diocese or religious order will have been Garda/AccessNI vetted as part of safe recruitment.

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

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

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

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

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

- a. Prior to visiting Ireland, where there is an intention to engage in public ministry, all visiting priests must write seeking permission of the Church authority, giving details



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about the duration of the visit, the type of ministry and the location of ministry being considered. The contact details of the Church authority of the visiting priest must be provided in advance

b. Upon receipt of a request from visiting clergy to carry out ministry, the Church authority must acknowledge the same, and then make a request in writing to the visitor for a certificate or confirmation of good standing, signed by their Church authority

c. The visiting priest must be asked to complete a declaration of good standing form

d. A vetting check must be carried out through the Garda National Vetting Bureau/AccessNI

e. If the Church authority is satisfied that there are no concerns about the visiting religious, permission should be given in writing to the visitor, outlining the specified ministry, including its duration and location

f. A copy of this permission should be forwarded to the parish priest or local superior of the visitor, and also to the parish priest or local superior of the location of the ministry outlined in the letter

g. A copy of the permission should be stored in the offices of the Church authority, in line with confidentiality and storage of information.

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



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

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

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

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

- a. Prior to their visit, where there is an intention to engage in public ministry, all visiting religious must write seeking permission of the Church authority, giving details about the duration of the visit, the type of ministry and the location of ministry being considered. Contact details of the Church authority of the visiting religious must be provided in advance
- b. Upon receipt of request from the visiting religious to carry out ministry, the Church authority must acknowledge the same, and then make a request in writing to the visitor for a confirmation of good standing, signed by their Church authority
- c. A vetting check must be processed through the Garda National Vetting Bureau/AccessNI
- d. If the Church authority is satisfied that there are no concerns about the visiting religious, permission should be given in writing to the visitor, outlining the specified ministry, including its duration and location



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- e. A copy of this permission should be forwarded to the parish priest or local superior of the visitor, and also to the parish priest or local superior of the location of the ministry outlined in the letter
- f. A copy of the permission should be stored in the offices of the Church authority, in line with confidentiality and storage of information.

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

- a. Prior to the placement visit, where there is an intention to engage in public ministry, all seminarians and students must commit to following the policy and standards of Catholic Church Safeguarding Children 2016.
- b. The placement organiser must be satisfied that all placements are governed by a child safeguarding policy.
- c. If the placement is outside the Church, all child safeguarding requirements of the organisation within which the placement takes place must be followed. See guidance on cross-referencing safeguarding policies.
- d. Where the ministry involves regular and necessary contact with children (and /or vulnerable adults) the student/seminarian must be vetted by the placement provider through the Garda National Vetting Bureau/Access NI.
- e. Any concerns relating to the student/seminarian of a child safeguarding nature whilst on placement must be shared with the Rector/President and processed in line with the Church's reporting procedures.
- f. Records must be retained which demonstrate that the required checks have taken place and the student/seminarian has agreed to follow the child safeguarding procedures of the Church and the placement provider. A copy of this record should be stored in the offices of the Seminary in line with confidentiality and storage of information.



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## GUIDANCE FOR PARISHES

### Guidance on Codes of Behaviour for Adults

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

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

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

- Positive statements indicating what sorts of behaviours are appropriate, e.g. listening
- An awareness of the scope of bullying and how to cope with the problem, as it may occur in any group context
- Prohibitions indicating behaviours that are never acceptable, e.g. hitting a child



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- Good practice guidelines that indicate what is generally acceptable or unacceptable, but that also allow for exceptions, e.g. in a medical emergency; taking a child in your car without a second member of staff/adult if there is no one else around.

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



## Template D1: Sample Code of Behaviour for Adults

It is important for all personnel to:

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

### Adults must never:

- Hit or otherwise physically assault or abuse children
- Develop sexual relationships with children
- Develop relationships with children that could in any way be deemed exploitative or abusive
- Act in any way that may be abusive or may place a child at risk of abuse



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

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

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



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## GUIDANCE FOR PARISHES

### Template D2: Creating a Code of Behaviour for Children

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

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

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

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



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## GUIDANCE FOR PARISHES

### **E: Dealing with Breaches of Codes of Behaviour**

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

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

### **Sanctions may include:**

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



## GUIDANCE FOR PARISHES

### F: Anti-Bullying Guidance

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

#### What is bullying?

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

#### Bullying can be:

- Emotional/psychological: tormenting, excluding, extorting, intimidating, etc.
- Physical: pushing, kicking, hitting, punching, intimidating, damaging/stealing property, or any use of violence, etc.
- Racist: racial taunts, i.e. insults about colour, nationality, social class, religious beliefs, ethnic or Traveller background, or use of graffiti or gestures
- Sexual: unwanted physical harassment or contact, or sexually abusive comments. This may constitute actual sexual abuse, which should be reported



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- Homophobic: taunting a person of a different sexual orientation
- Verbal: name-calling, sarcasm, spreading rumours, teasing, etc.
- Cyber: misuse/abuse of email, mobile phones, internet chat rooms, social media, text messaging, or camera and video facilities
- Subtle: such as an unwelcome expression or gesture that is repeated and focused on an individual
- Perpetrated by adults: this can include adults who are not related to the child. When perpetrated by adults, rather than children, bullying behaviour could be regarded as physical or emotional abuse. However, other major forms of child abuse – such as neglect and sexual abuse – are not normally comprehended by the term ‘bullying.’

## Prevention

To help prevent bullying, the following strategies are suggested:

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



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## Procedures to deal with bullying

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



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## GUIDANCE FOR PARISHES

### G: Guidance on Boundary Violations

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

All concerns relating to the abuse of a child which reach the threshold must be reported to the statutory authorities.

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

Area	Boundary violating behaviour by an adult involving children
Communication	<ul style="list-style-type: none"> <li>Uses inappropriate language around children and young people</li> <li>Comments on a child's appearance (positively or negatively)</li> <li>Has sexual conversations with children and young people</li> <li>Uses discriminatory language about a child</li> <li>Has 'pet names' for children</li> <li>Humiliates a child</li> <li>Shares sexual jokes with children</li> <li>Uses obscene gestures or language when addressing children</li> <li>Sends texts or messages of a personal nature using digital media Shares inappropriate images with children</li> <li>Sharing inappropriate personal details with children</li> <li>Photographing, videoing or audio recording a child when not authorised to do so</li> <li>Using personal electronic equipment to communicate with children when it has been advised against communicating with children in this way.</li> <li>Sharing personal internet sites with children</li> <li>Creating or using personal chatrooms with children</li> </ul>



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

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



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## Action steps to address Boundary Violations

- Think about what is making you uncomfortable, then write it down
- Discuss your concerns with the DLP or Church Authority
- Consider whether it is appropriate to confront the behaviour yourself
- Choose a private time and place where you can talk to the subject without interruption
- Do not accuse or jump to conclusions, but do ask direct questions
- Describe what you saw or heard, and how it made you feel
- Express concern for all involved
- Separate the behaviour from the person
- Encourage behaviour change in the subject
- Encourage the subject to seek help
- If the behaviour continues, formally report it to the DLP.

## Action by Designated Liaison Person (DLP) or Church authority

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



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

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

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

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

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

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



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## GUIDANCE FOR PARISHES

### H: Safe Care for Children

*Our generation will show that it can rise to the promise found in each young person when we know how to give them space. This means that we have to create the material and spiritual conditions for their full development; to give them a solid basis on which to build their lives; to guarantee their safety and their education to be everything they can be; to pass on to them lasting values that make life worth living; to give them a transcendent horizon for their thirst for authentic happiness and their creativity for the good; to give them the legacy of a world worthy of human life; and to awaken in them their greatest potential as builders of their own destiny, sharing responsibility for the future of everyone. If we can do all this, we anticipate today the future that enters the world through the window of the young. – Pope Francis (2014)*

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



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## GUIDANCE FOR PARISHES

### Template H1: Attendance Register for Large Groups

A minimum of two officially appointed leaders, who have completed the Church body recruitment process (including the provision of Garda Vetting/AccessNI checks, if appropriate), should be responsible for each activity involving young people. At least one of the leaders must have undergone a safeguarding information 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/young people and adults marked were in attendance, as indicated by the 'time in' and 'time out' for each date.

	Date		Date		Date		Date	
Name (children & adults)	Time In	Time Out						
<b>Leader's signature</b>	Initials							
<b>Leader's signature</b>	Initials							



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## GUIDANCE FOR PARISHES

### Template H2: Child and Guardian Joint Consent Data Protection

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

Name of group:

\_\_\_\_\_

Duration/frequency of activity:

\_\_\_\_\_

Name of organiser:

\_\_\_\_\_

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

Name of young person:

Address:

Date of birth:

Gender(circle as appropriate):    Male    Female

Contact information of young person (for emergency use only):

Other relevant information:

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

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



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## Parent/Carer contact details

Name:

Daytime phone number: ..... Home phone number: .....

Mobile number:

Email:

## In cases of a medical emergency

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

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

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

(If relevant please tick the boxes below)

I understand that photographs may be taken during the group activities, and I give my permission for these to be used in any hard copy/online (delete as appropriate) publications by the (insert name of Church body).

I understand that videos (which may include webcam) may be taken during the group activities, and I give my permission for these to be used in any hard copy/online (delete as appropriate) publications by the (insert name of Church body).

I understand that during group activities I will be appropriately supervised at all times.



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## Parent/Carer's consent:

I agree to allow the above-named child/young person to attend this meeting on the \_\_\_\_\_ (insert date), from (insert start time) until (insert end time), in accordance with the permission granted by (insert name of child/young person) above. I understand that there will be suitable supervision while the children/young people are in the care of the organisers.

Name (block letters):

Parent/Carer

Signed:

Parent/Carer

Relationship to child/young person:

Signed:

(Child/young person)



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## GUIDANCE FOR PARISHES

### I: Guidance on Dealing with Accidents

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

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



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4. Always inform parents/carers of any accident that has occurred involving their child, regardless of how minor you consider it to be. It is good practice to give a copy of the accident/incident report form to parents/carers.

5. It is good practice to keep blank copies of the accident/incident form with the first aid box so that one can be easily filled out in the event of an emergency.



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## GUIDANCE FOR PARISHES

### Template I1: Form for Dealing with Accidents/Incidents

#### Group details

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

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

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

#### Accident details

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

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

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

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

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

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

Action taken during and following the accident incident.

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

If medical attention was required, please note the name and address of the medical facility and the people who treated the person involved in the accident/incident. Please detail any follow-up action required.

Name of person completing this form (print name)

Signed

Date



## GUIDANCE FOR PARISHES

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

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

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

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

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

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



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## GUIDANCE FOR PARISHES

### **K: Guidance on One-to-One Contact with Children and Young People**

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

1. In a reactive situation, for example, when a young person requests a one-to-one meeting with you without warning, or where a young person has had to be removed from a group as part of a code of behaviour
2. As part of a planned and structured piece of work (for example, one-to-one music tuition). The points below provide some guidance in relation to these situations.

#### **Reactive situations**

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

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

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



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## GUIDANCE FOR PARISHES

### L: Guidance on the Pope John Paul II Award

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

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

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

- Parental/carer and children's consent is a requirement for all those participating in the award who are under eighteen years of age
- A completed application form must be given to the award leader prior to engagement in the award
- For activities associated with the award that take place within diocesan, congregational, parish or school contexts, the participant must abide by the safeguarding policy and procedures of the relevant location, including its codes of behaviour
- Specific activities may require additional parental/guardian consent, at the discretion of either or both the Pope John Paul II Award committee/coordinator and the award leader
- It is highly recommended that participants in the award scheme carry out their parish involvement and social awareness activities in groups of two or more



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• Where activities associated with the award fall outside the scope of the diocesan, congregational, parish or school safeguarding policy, the following procedure applies (if unsure, please contact the Pope John Paul II Award committee/coordinator to verify if diocesan, congregational, parish or school safeguarding policy applies to any particular activity):

- I. Activities must be approved by the Pope John Paul II Award committee/coordinator. It is the responsibility of the award leader to ensure that this happens using the parish and social activities form
- II. The external organisation must complete the safeguarding agreement form
- III. The activity cannot commence until both forms are completed and returned to the award leader.



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## GUIDANCE FOR PARISHES

### **M: Guidance on the Participation of Children with Specific Needs**

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

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

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

- Work in partnership with the child, parents/carers and any professionals involved to establish how the child can be included
- Make sure inclusion is possible before bringing the child into the group
- Make reasonable adjustments
- Be interested in the child and build a rapport with them
- If the child has a communication impairment, acquiring some key skills in their communication method will be useful
- Some specific training may be useful or required, e.g. the autistic spectrum, epilepsy and others
- Risk assessments may be necessary to ensure the safety of some children with specific needs
- Higher staff ratios may be required if the child has additional needs or behavioural problems
- Intimate care issues: when introducing a child with specific needs into an activity, it is important to establish if they have intimate care needs, and who should provide or assist with this if it is necessary. It is important to remember that not every child with a disability has



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intimate care needs. Intimate care is, to some extent, individually defined and varies according to personal experience, cultural expectations and gender. It may be described as help with anything of a personal or private nature that the individual is unable to do themselves

- Children with specific needs may be more likely than other children to be bullied or subjected to other forms of abuse, and they may also be less clear about physical and emotional boundaries
- It is particularly important that children with specific needs are carefully listened to, in recognition of the fact that they may have difficulty expressing their concerns, and so that the importance of what they say is not underestimated.

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

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



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## GUIDANCE FOR PARISHES

### **N: Guidance on Trips Away with Young People**

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

#### **Considerations for planning trips away**

Have you:

- Identified the aim and outcomes of the programme?
- Followed your Church body's child safeguarding policy and procedures?
- Carried out a hazard assessment?
- Recruited and selected staff/volunteers using safe practice procedures?
- Selected a key staff member who has overall responsibility for the trip?
- Selected staff for the trip who are appropriately trained, qualified and vetted (if appropriate)?
- Nominated a staff member who is responsible for first aid?
- Ensured that you have adequate and gender-based supervision in line with your safeguarding policies and procedures?
- Appointed a contact person at home who has access to all information and contact details?
- Checked your own insurance and ensured that you have coverage for all activities?
- Checked that the transport has appropriate insurance, qualified drivers and seatbelts?
- Carried out an equipment safety check?
- Checked the first aid kit?



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- Ensured there is a contingency plan?
- Made provisions for returning home early?
- Allocated a budget and contingency fund?
- Checked out the locations and accommodation of the trip away to ensure they have:
  - Appropriate safeguarding policy, practices and procedures in place?
  - Insurance cover?
  - Appropriately trained and qualified staff?
  - Changing areas for boys and girls (if required)?
  - Disability access (if required)?

## **Have the young people/participants:**

- Been involved as much as possible in the planning of the trip?
- Agreed a code of behaviour?
- Agreed boundaries around unstructured time?
- Been given information on appropriate clothing, and contact details for leaders?
- Consented to the trip away?

## **Have parents/carers:**

- Met with leaders and been informed of the programme?
- Been given a copy of the Church body's child safeguarding policy and procedures?
- Consented in writing?
- Given contact details, medical details including allergies, illnesses, medications and dietary requirements?



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- Been given contact details of the leaders and centre?
- Been given details for pick up and drop off of young people/participants?

## Have staff:

- Been trained on the Church body's code of behaviour and child safeguarding policy, on how to deal with a disclosure, and on dealing with challenging behaviour?
- Been assigned responsibilities and scheduled for breaks?
- Been made aware of how to handle an emergency, and who to contact in an emergency?
- Worked with young people to evaluate the success of the activity? If staying overnight, have you checked:
  - If there is 24/7 access to centre staff?
  - If there are appropriate sleeping arrangements for young people, i.e. separate provision for boys and girls, and separate provision for leaders (within ear shot of young people)?
  - The centre's supervision and security?



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## GUIDANCE FOR PARISHES

### **O: Use of Church Property by External Groups**

It is a requirement that all groups working with children in the Church or using facilities owned by the Church are insured and have a Safeguarding Policy in place.

The general principle is that the obligation to comply with requirements relating to insurance and Safeguarding rests with groups using Church property and not with the diocese or parish.

1. It is the responsibility of any group using Parish Property to run activities involving children and/or vulnerable adults to ensure that they comply with all applicable Safeguarding and Child Protection legislation and guidelines.

2. The Group should have their own Safeguarding Policy and Procedures. The group is also responsible for ensuring that the policy and procedures meet the Statutory requirements. Any liaison with Statutory Authorities in relation to this is the responsibility of the group using the property.

3. The group should have the appropriate insurance for the activity they are running.

4. The Parish should at no stage assist any outside group in developing a Safeguarding Policy.

5. The Parish should have confirmation from the group in writing that they have a Policy in place. It is not the role of the Parish to validate the adequacy of the policy – that is the responsibility of the group in consultation with the Statutory Authorities.

6. If the group does not have a Safeguarding Policy, then it is up to the Parish Priest/Administrator to decide whether to let the group use the property. If the Parish Priest/Administrator thinks it is appropriate they should issue a letter to the leader of the visiting group stating that while on parish property full responsibility and liability for ensuring the safety of the children/vulnerable adults rests with the leader.



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7. The Parish should receive confirmation in writing from the group that they have appropriate insurance in place which includes:

- Name of insurers
- Policy number
- Period of cover of the policy
- Limit of indemnity

**It is not the role of the Parish to validate the adequacy of this insurance policy.**

Where there is a separate Board of Management in place for the property, it will be their responsibility to ensure the arrangements outlined above will be in place.



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## GUIDANCE FOR PARISHES

### Template O1: Use of Church Property by External Groups

**Before any activity is approved this form must be completed and given to the Parish Priest/Administrator.**

Name of Group/Organisation -----

What is the nature of the activity planned? -----

Has the group approached the Parish Priest or his representative(s)      Yes                      No

Has the group a Safeguarding Policy and Procedures      Yes                      No                      N/A

Has the group appropriate insurance in place:                      Yes                      No

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

Name of Insurers -----

Insurance Policy Number -----

Period of cover of the Policy -----

Limit of Indemnity -----

I / we declare that the information provided is accurate and any changes in circumstances will be communicated to the Parish Priest.

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

Signed Group leader: ----- Date: -----

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

Signed Parish Priest: ----- Date: -----

This activity will be reviewed by the Parish Priest/Administrator every six months.



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## GUIDANCE FOR PARISHES

### **P: Guidance on Church Property and Hire for Private Functions**

Individual adults (parents/carers/family members) approaching the parish priest/local superior to use Church property for a private function do not meet the requirement for vetting by the Church authority.

All parish/congregations are insured to cover one-off private events, and it is the sole responsibility of the parents/carers to organise and supervise all children attending. As such, they are not required to confirm in writing that they have a safeguarding policy or appropriate insurance.

However, as a matter of good practice, each parish priest/local superior should ensure that key health and safety measures are covered prior to agreeing the property for use. For example, it would be good practice to draw up an agreement with a potential user (e.g. in the case of a child's private birthday party), highlighting the terms and conditions for the use of the Church property, which should include:

- That the Church body will ensure the property is safe to use, including how accidents resulting from the condition of the property should be reported
- That the Church body is not responsible for the organisation, supervision or conduct of the children or adults involved in the event
- That the safeguarding policy of the Church body does not apply to the private party, and, as such, all safeguards are the responsibility of the organiser of the event and not the Church body.

#### **What is excluded as part of this guidance**

This guidance is specifically for events that involve children, and is not designed for non-child-related events. Additionally, this guidance does not cover the following situations:



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- Ministry with children that is organised by the Church body as part of sacramental celebrations (for example a Communion/Confirmation celebration involving a number of children). In these situations, the responsibility for safeguarding rests with the Church body
- Use of Church property for other parish-related or community-related activities such as funeral receptions and other such activities, which fall outside the remit of safeguarding children
- Schools using Church property for sacramental celebrations. In these situations, it is advisable that the school and the Church body agree who is responsible for safeguarding.



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## GUIDANCE FOR PARISHES

### **Q: Guidance on Lay Apostolates Ministering with Children in a Church Body**

A lay apostolate is an organised body, made up from lay people and consecrated religious who exercise a ministry within the Catholic Church. These organisations cooperate with Church authorities.

Canon 676 states: Lay institutes, whether of men or of women, participate in the pastoral function of the Church through spiritual and corporal works of mercy and offer the most diverse services to people. They are variously called oblates, third order members, associates, lay associates, lay members or some other suitable title (cf c.303).

A Church authority should be aware of and give permission to all apostolates and agencies for ministry with children within the Church body. Such permission should be subject to the Church authority being satisfied that all necessary child safeguards and adequate insurance are in place.

The general principle is that the obligation to comply with requirements relating to insurance and child safeguarding rests with the group ministering within the Church body, and not with the Church body; however, there may be exceptions to this principle.

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

- Name of the apostolate
- Ethos of the apostolate
- Is this an apostolate of the Church and under the governance of the Church authority?
- Whether this apostolate is affiliated to a national organisation
- Name of lead person



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- Whether the apostolate has a child safeguarding policy in place
- Whether the apostolate has appropriate insurance in place; if yes, the following details are required:
  - The name of their insurers
  - The policy number
  - The period of cover of the policy
  - The limit of indemnity.



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## GUIDANCE FOR PARISHES

### Groups that are part of a National Organisation

It is the responsibility of any lay apostolate who conducts ministries involving children to ensure that it complies with all applicable child safeguarding and protection legislation and guidelines.

The lay apostolate should have their own child safeguarding policy and procedures for the ministry they are running. They are also responsible for liaising with Tusla/HSCT (Health and Social Care Trust) (as appropriate), to ensure that the policy and procedures meet the statutory requirements

- The lay apostolate is also responsible for its own insurance
- If the lay apostolate does not have its own insurance or safeguarding policy in place, then a letter from the Church authority should be forwarded to the leader asking them to cease all ministries with children
- If the lay apostolate has insurance but does not have a safeguarding policy, advise on how to develop a policy should be sought from Tusla/HSCT prior to a Church authority agreeing to accept them for ministry in the Church body
- If the lay apostolate is ministering on behalf of the Church body, then a written agreement should be made that the Apostolate will follow the Church's child safeguarding policy
- If the group has its own safeguarding policy and is not ministering on behalf of the Church body, then they should complete Template Q1. Based on this information the Church authority decides whether to grant them permission to minister.



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## Groups that are not part of a National Organisation

- If the lay apostolate is not part of a national organisation and has its own safeguarding policy and insurance in place, then they should complete Template Q1. Based on this information the Church authority decides whether to grant them permission to minister.

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

- I. The safeguarding committee could recommend to the Church authority whether the ministry is appropriate and that the Church authority should consider including the organisation as part of the ministry of the Church body, which means they would follow the safeguarding policy and procedure of the Church body, and be covered under the Church body's insurance. If the committee has any concerns about the ministry but believes that the Church authority should include them within diocesan ministry, then the leader of the group should be contacted to establish if through training and support, the standard of child safeguarding practice can be improved.
- II. The safeguarding committee could recommend to the group leader that they develop their own safeguarding policy and procedures and complete Template Q1. Once that is completed the Church authority could consider allowing the group permission to minister.
- III. The safeguarding committee determine that the ministry is not in line with the ethos of the Church body and/or the practice falls short of the expected child safeguarding standards, they should recommend to the Church authority that a letter is written to the leader asking them to cease all child related ministry in the Church body.



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

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

### Republic of Ireland

- Tusla Information and Advice
- Barnardos
- National Youth Council of Ireland
- ISPCC

### Northern Ireland

- Children in Northern Ireland
- Youth Action Northern Ireland
- NSPCC



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## GUIDANCE FOR PARISHES

### Template Q1: Form for Use by Lay Apostolates

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

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

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

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

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

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



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

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

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

- a) The name of your insurers
- b) The policy number
- c) The period of cover of the policy
- d) The limit of indemnity.

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

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



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## GUIDANCE FOR PARISHES

Name apostolate:

Purpose or proposed activities:

User group, e.g. children, adults:

Date of commencement of ministry:

Date of completion of ministry:

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

(1) Telephone number

(2) Telephone number

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

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

Name of insurance company Policy number:

Period of cover Limit of indemnity:

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

Signed:

Print name:

Position:

Date:



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## GUIDANCE FOR PARISHES

### R: Guidance on Whistle-Blowing

#### 1. Introduction

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

This guidance relates to concerns about malpractice in child safeguarding.

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

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

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

#### 2. What is whistle-blowing?

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

The concern could relate to:

- a breach of the Church Body's child safeguarding procedures



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

Those in ministry within the Church have certain common law confidentiality obligations to their Church Authority. However, in a limited set of circumstances, whistle-blowing may override these obligations if a person has information which they believe will not be addressed properly within the Church. This guidance sets out the circumstances under which these disclosures may lawfully be made.

### 3. Legislation underpinning whistle-blowing

There is legislation in both jurisdictions related to whistle-blowing; and this applies to clerics, religious, and employees of Church bodies, as well as to agency workers in certain circumstances; to contractors and consultants engaged on contract by the Church body; and to trainees, temporary workers and those on work experience with the Church body. It does not apply to volunteers.

#### **Republic of Ireland**

In the Republic of Ireland the legislation is called the Protected Disclosures Act 2014, a guide to which can be accessed electronically

[www.raiseaconcern.com/legislation/raiseaconcern-easyguide-to-pdpa#accept](http://www.raiseaconcern.com/legislation/raiseaconcern-easyguide-to-pdpa#accept).

The Protected Disclosures Act 2014 aims to protect people who raise concerns about possible wrongdoing in the workplace. The Act, which came into effect on 15 July 2014, is often



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called the whistle-blower legislation. It provides for redress for employees who are dismissed or otherwise penalised for having reported possible wrongdoing in the workplace.

Under the Act, a protected disclosure is made by church personnel who disclose relevant information in a particular way. Information is relevant if it came to the Church personnel's attention in connection with their ministry or employment and they reasonably believe that it tends to show wrongdoing.

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

- Commission of criminal offences
- Failure to comply with legal obligations
- Endangering the health and safety of individuals
- Damaging the environment
- Miscarriage of justice, misuse of public funds Oppressive, discriminatory, grossly negligent or grossly mismanaged acts or omissions by a public body
- Concealment or destruction of information about any of the above wrongdoing

Wrongdoing can take place in or outside the State.

## **Northern Ireland**

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

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



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

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

It is important to:

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



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## 5. Required response by relevant Church authority

- The Church person to whom the disclosure is made should acknowledge receipt in writing within 7 days of receiving it.
- Relevant information on the nature and progress of any enquiries resulting from the concern may be shared with the person who made the disclosure. It is acknowledged that confidential sensitive data cannot be shared so the response should include general information about internal inquiries and statutory referrals made.
- The Church person to whom the disclosure is made should keep detailed notes of the disclosure, action taken, who was consulted and the outcome of the inquiries.

## 6. Protection of Whistle-blower

- Anyone who raises a concern through these whistleblowing procedures in good faith must be protected from harassment or victimisation.
- Whilst reporting may remain confidential, in most instances this cannot be guaranteed. Everyone has the right to know who makes a complaint against them. This should not deter one from raising the concern but is a reminder of the importance of providing evidence to support the concern.
- No action will be taken against the whistle-blower if the concern proves to be unfounded and was raised in good faith.
- However, if the disclosure is made through malicious intent, and there is evidence to support this, this will be considered a disciplinary offence.

## 7. Self-reporting

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



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

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

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

The assessment of what is reasonable takes account of, among other things; the person the disclosure is made to, the seriousness of the wrongdoing, and whether any action was taken in cases where a previous disclosure was made.



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## 1.6A Template 1: Whistle-Blowing Record

### Section 1 – to be completed by a person raising a concern of malpractice

<b>Name of Person raising Concern</b>	
<b>Name of Person and Church body against whom the Concern is being raised</b>	
<b>Brief Details (factual) of the Concern</b>	
<b>Date and person to whom the concern was raised</b>	

### Section 2 - Response by recipient of Concern

<b>Date Concern was reviewed and assessment of facts</b> <ul style="list-style-type: none"> <li>• Concern requires further inquiry</li> <li>• No further action (state reasons)</li> </ul>	
<b>Details of action taken Include:</b> <ul style="list-style-type: none"> <li>• Any referral to statutory agency</li> <li>• Consultation with National Board</li> <li>• Restrictions on ministry</li> <li>• Report to Holy See</li> </ul>	
<b>Date and details of response given to person who raised concern</b>	



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## GUIDANCE FOR PARISHES

### S: Guidance on Complaints Procedure for Safeguarding Concerns that are not Allegations of Abuse

#### Introduction

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

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

Parents/carers, young people/children, volunteers, members of staff and clergy will be made aware that there is a complaints procedure. If a parent/guardian, young person or child is not satisfied with any aspect of the running of a particular activity, or the behaviour of any individual involved in that activity, the following steps should be taken:

#### First step

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

#### Second step

1. The Church authority should be contacted by completing a complaints form. The Church authority has eight weeks to consider the complaint
2. A letter acknowledging receipt of the complaint should be sent within seven calendar days, enclosing a copy of the complaints procedure



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3. All complaints must be thoroughly investigated
4. The Church authority may organise a meeting to discuss and hopefully resolve the complaint. This communication may also take place by telephone if a meeting is not possible. They will do this within fourteen calendar days of sending the acknowledgement letter to the complainant
5. Within seven days of the meeting or discussion, the Church authority will write to the complainant to confirm what took place and to set out any solutions that were agreed upon
6. If a meeting is not agreeable or possible, the Church authority will issue a detailed written reply to the complainant, setting out their suggestions for resolving the matter within twenty-one calendar days of sending the acknowledgement letter to them.
7. If the complainant is still not satisfied at this point, they should contact the Church authority again.

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



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## GUIDANCE FOR PARISHES

### Template S1: Complaints Form

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

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

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

\_\_\_\_\_

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

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

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

Signature:

Date:



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## GUIDANCE FOR PARISHES

### **T: Guidance on Hazard Assessment of Activities with Children**

#### **Introduction**

Risk assessment is an important part of working with children. It assists with managing both health and safety issues, and the welfare of children. As adults we assess hazards throughout our lives, but when working with children it is important to consider potential hazards that may lead to risk to children and to the adults who work with them.

Consideration of how to control or manage risks is critical. It is important to identify acceptable levels of risk, as all risk cannot be removed. Whilst this guidance is concerned primarily with risks associated with failure to follow effective safeguarding practice, it must be understood alongside the health and safety regulation and policy of the Church body.

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

#### **What do the terms ‘hazard or risk’ mean?**

A risk is a potential source of harm or adverse health effect on a person or persons. In the Republic of Ireland ‘Risk’ in the context of this risk assessment is the risk of harm to children as defined in the Children First Act (2015) – (a) assault, ill-treatment or neglect of the child in a manner that seriously affects or is likely to seriously affect the child’s health, development or welfare, or (b) the sexual abuse of a child whether by a single act, omission or circumstance or by a series or combination acts, omissions or circumstances, or otherwise.

In Northern Ireland Co-Operating to Safeguard Children defines ‘harm’ as ill-treatment or the impairment of health or development. The Order states that ‘ill-treatment’ includes sexual abuse, forms of ill-treatment which are physical and forms of ill-treatment which are not physical; ‘health’ means physical and / or mental health; and ‘development’ means physical, intellectual, emotional, social or behavioural development.



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In the context of the Church this may include the following examples

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

## Assessing hazards

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

1. Identify the hazards: look for hazards in the nature of the activity, and in the place where you are holding the activity. Areas to be considered include:
  - Have all staff and volunteers been recruited properly? (including vetting reference checks etc).
  - Have all staff and volunteers been trained in safeguarding and in working with children?
  - Does everyone understand their role?
  - Does everyone know what to do if they are concerned about a child?
  - Have appropriate supervision ratios been put in place?
  - Have children and their carers been informed of rules for the activity and given their consent to participate?
  - Have practical considerations been assessed for risk – e.g. Where are toilets, washing and changing facilities?
  - What security measures have been considered – e.g. Access to the venue by non-participants?



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2. Identify the controls that need to be put in place to limit the hazard.
3. Identify who is responsible for managing the risk and the correct implementation of the associated procedures.
4. These steps should be used to complete the risk assessment form (Guidance 1.8A Template 1).

The leaders of each local activity involving children's ministry are expected to identify risks and procedures relevant to its own situation. Some examples are given in the following template. Given the similarities that exist across certain activities, whatever the location, it is likely that these examples may be appropriate to many situations. However, it is important that those completing a risk assessment keep the focus on their own situation and even where identified hazards/risks are the same, consider whether the needed controls may differ based on the local context of the activity.

## Reviews

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



## 1.8A Template 1: Example Hazard Assessment Form

**Activity:**

**Group Leader(s):**

**Others present:**

**Date of meeting:**

Potential Hazard/Risk	Control Procedures	People Responsible for Managing the Risk
Lack of supervision may result in children being vulnerable to harm.	Safe care procedures including parental consent, supervision ratios, children and adults signing in, Code of behaviour for children and adults, training.	Activity Leaders, Trainers
Children may be exposed to risk of inappropriate behaviour from visitors or other adults or bullying by other children.	Code of behaviour for adults including guidance on 1 to 1 contact with children. Complaints procedure. Boundary violation procedure. Anti-bullying policy.	Activity Leaders, Local Superior/Parish Priest, Safeguarding Committee.
Possibility of slips/trips and possibility of burns.	Adequate supervision. Instruction for children. Health and Safety policy in place. First Aid provision.	Activity Leaders, Local Superior/Parish Priest.
Harm to children or personnel. Bullying.	Code of behaviour for children. Anti-bullying policy. Appropriate supervision.	Activity Leaders, Safeguarding Committee.
Children not aware of who to speak to regarding child protection concerns.	Communications policy. Children advised of whom to speak to/ information leaflet provided. Guidance provided to adult personnel on responding to a child and reporting allegations or concerns where necessary.	Activity Leaders, Local Superior/Parish Priest, Local Safeguarding Rep, Trainers.
Possibility of inappropriate contacts/accessing inappropriate content/online bullying.	Children not allowed to use their phones, email or other ICT applications while participating in activities. Procedures in place re use of ICT by personnel in contacting children.	Activity Leaders.



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## GUIDANCE FOR PARISHES

### U: Guidance on Use of Technology

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

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

- The internet
- Texting and emailing
- Photography
- CCTV and webcams.

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

At the outset it is important to identify the risks associated with the use of technology, and then to minimise the risks by putting in place measures outlined below.

#### Consent

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

A Church body may seek overall consent from its members/group leaders, or it may ask for permission for set occasions.

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



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

## Purpose

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

- Provide a clear brief about what is considered appropriate in terms of content and behaviour and use of equipment
- Provide guidance on acceptable language
- Provide guidance on storage of information
- Provide guidance on use of photography: if using an external photographer/videographer, seek confirmation about any publications that will be made by them after the event, and ensure that they have been vetted, have identification and do not have any unsupervised access to children or one-to-one photo sessions at events
- Images of children should never be taken that capture them in what are commonly understood as 'non-public' activities. Children should be fully and appropriately dressed and related images should always be about the activity and not focused on any individual child



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- Images should not allow the identification of a child or their whereabouts. The full name of a child should not be used
- Children in vulnerable circumstances (e.g. those in care or victims of any type of abuse) should not be photographed without the consent of those who hold parental responsibility
- Provide guidance on the use of mobile phones, and especially on the use of mobile phone cameras, which can be easily used for offensive actions without the subject being aware of their use
- Provide guidance on how to communicate this policy with parents/carers and young people.



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## GUIDANCE FOR PARISHES

### Template U1: Media Permission Form

#### Data protection

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

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

I (insert first name and surname) would like to take part in (name of event) on (date of event).  
(If relevant please tick the boxes below)

◆ I understand that photographs may be taken during the event, and I give my permission for these to be used in any hard copy/online (delete as appropriate) publications by the Church body.

◆ I understand that videos may be taken during the event, and I give my permission for these to be used in any hard copy/online (delete as appropriate) publications by the Church body.

◆ I understand that updates may be posted on the Church body website and/or social network sites during the event, and I give my permission for my images/videos of me (delete as appropriate) to be used.

#### Parent/carer's consent

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

Signed Name (block letters)

(Relationship to child)

Signed (Child/young person)



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V:

## GUIDANCE FOR PARISHES

### Guidance on Use of the Internet

It is recognised that the internet is valuable and widely used. Within the Church context, clear guidelines must be developed and inserted into the code of behaviour for each Church activity involving children.

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

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

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

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



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## GUIDANCE FOR PARISHES

### W: Guidance on Use of Texting and Email

Texting and email are very quick and effective methods of communication for those involved in Church activities. However, there are certain risks associated with their safe and appropriate use, which must be managed.

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

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

#### The risks for adults include:

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

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

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



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should only occur in exceptional circumstances. The same applies to emailing young people. The following guidance is provided to minimise risk to all:

1. Consent must be obtained prior to sending young people text or email messages. For all young people, specific consent must be obtained from their parents/carers. Parents/ carers of younger children should be offered the option to be copied on texts and emails that their child will be sent. Written consent must be obtained from the parents/carers and young people themselves
2. The young people's mobile phone numbers or email addresses should be stored in either a locked and secured cabinet, or on an electronic system that is password protected, with access only available to the staff member or volunteer identified to the young people and parents/carers as a group leader. The numbers or details should not be shared with anyone else, and should only be used for the purposes of the text and email messaging system regarding the Church activity
3. All text and email messages must be sent via a bundle to a group of young people, i.e. the same standard text message is sent to every member of the group. The text and email messaging system should never be used to send text or email messages on an individual basis (i.e. to just one person)
4. All text and email messages sent must make it clear to the young people receiving them who has sent the message
5. 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 messages that are sent must never contain any offensive, abusive or inappropriate language
7. When this guidance is being provided in relation to Church-related activities, all of the text or email messages sent must be directly related to Church activities. The text or email



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messaging system and mobile phone numbers must never be used for any other reason or in any other way

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



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## GUIDANCE FOR PARISHES

### X: Guidance on Use of Photography

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

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

#### Risks to children

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

#### How to minimise risks

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



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their image must also be recorded if they are under eighteen years of age. This ensures that they are aware of the way the image is to be used to represent the activity.

## Using photographers

The Church often employs photographers for certain sacramental or Church activities. When using a photographer, it is important to do the following:

- Provide a clear brief about what is considered appropriate in terms of content and behaviour
- Ascertain if the photographer requires vetting and, if they do, put them through the process
- Provide the photographer with a form of identification that must be worn at all times
- Do not allow unsupervised access to children or one-to-one photo sessions at events
- Do not allow photo sessions to take place away from the event, for instance, at a young person's home
- Inform parents/carers and children that a photographer will be in attendance, and ensure that they consent to both the taking and publication of photos or film
- Seek confirmation on the extent of any publications that will be made by the photographer after the event
- Clarify in writing who owns the images taken by the photographer and how they will be edited, used, stored and destroyed.

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

## Responding to concerns

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



## GUIDANCE FOR PARISHES

### Y: Guidance on Use of CCTV and Webcams

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

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

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

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

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

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

Cameras placed so as to record external areas should be positioned in such a way as to prevent or minimise recording of passers-by, or of another person's private property.

Having acknowledged the positive and sometimes negative aspect of CCTV, each Church body should draw up a policy and guidelines in order to maximise the benefit of such installations and minimise the possibility of a person's privacy being infringed.



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The following should be considered:

- If CCTV cameras are in place, it is important to have very obvious signs informing Church personnel, parishioners, volunteers and the public that this is the case
- All uses of CCTV must be appropriate and fit for a specific purpose. As CCTV infringes the privacy of persons captured in the images, there must be a genuine reason for installing such a system
- If installing such a system, the purpose for doing so must be displayed in a prominent place and preferably behind a locked notice board 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 twenty-eight 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 tapes. 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.



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## GUIDANCE FOR PARISHES

### Web broadcasting

There are a number of data protection issues that must be met in relation to broadcasting on the internet. The policy should be reflective of these:

- Recording people via a web camera, and the subsequent displaying of such images over the internet, is regarded as the processing of personal data. It is imperative that it must be done with the consent of the individual
- Camera shots (images) of the congregation should be wide shots, minimising the possibility of easily identifying individuals with close-up images
- Signs should be placed at all entrances to the church and in other prominent locations, informing those attending ceremonies or visiting the church that web cameras are in operation
- Parish workers, volunteers and clergy should give written consent to their image being used for web broadcasting during the course of their regular duties. Copies of this written consent should be kept in a safe and locked place
- Altar servers, ministers of the word, Eucharistic ministers and others taking part in liturgies (e.g. choirs and musicians) should give their consent. In the case of children, written consent is required from parents/guardians
- Service providers should be able to give regular and accurate information regarding the number of people who actually log in online to view. This information is important for future planning and assessing the value of web broadcasting
- If connecting to the parish broadband, ensure that the broadband package has unlimited usage for uploading, or else there is a risk of incurring significant costs from the provider
- It is imperative that live broadcasts can be terminated to stop transmission.

This should be done by accessing the control panel of the system. If this is not accessible by the priest from the altar, someone should be delegated to break transmission if required.