

# Safeguarding Children

Child Protection Policy of the  
Missionary Oblates of Mary  
Immaculate, Ireland



**2011**



# Child Protection Policy of the Missionary Oblates of Mary Immaculate, Ireland

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# Introduction

This document has been produced in accordance with Standards published by The National Board for Safeguarding Children in the Catholic Church<sup>1</sup>. The purpose of the standards is to ensure there is understanding of how to safeguard children and develop good practice throughout Church organisations. In this document the Missionary Oblates of Mary Immaculate (Oblates) in Ireland set out policies and procedures for safeguarding children and vulnerable adults involved in their pastoral ministries and projects. The policy relates to the Republic of Ireland only. A separate document 'OMI Safeguarding Policy' relates to England, Wales and Scotland.

## 1. Policy Statement of the Oblates in Ireland

All Oblates, as well as their employees and volunteers, value and encourage the participation of children and young people in their pastoral ministry and in activities that enhance their spiritual, physical, emotional and social development. The Oblates recognize the dignity and rights of all children and are committed to their support and safeguarding. We undertake through adherence to best practice to create safe environments for children and young people and to ensure their protection from all forms of abuse.

We are committed to:

- i. Best practice in ensuring that children and young people are safeguarded, their rights protected and their welfare promoted.
- ii. Minimizing risks in order to safeguard the interests of children and young people.
- iii. Ensuring that all Oblates, their paid employees and volunteers are carefully recruited, selected, trained, supported and supervised.
- iv. Ensuring that all Oblates, their paid employees and volunteers are aware of, trained in and work to the Code of Best Practice (*cf pages 4-7*) for working with Children.
- v. Supporting all victims of abuse.
- vi. Working closely with statutory authorities to ensure that all allegations of abuse are dealt with justly and promptly.

## 2. Founding principles

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

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

## 3. The Guidance Document<sup>2</sup> is standards based

The Oblates in Ireland are committed to the Seven Standards in the **SAFEGUARDING CHILDREN** - Standards and Guidance Document:

### **I. A written policy on keeping children safe**

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

### **II. Procedures — responding to safeguarding children allegations/ suspicions**

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

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**2 SAFEGUARDING CHILDREN (2008)**

### **III. Preventing harm to children**

Create safe environments, with safe recruitment and vetting, a code of behaviour<sup>3</sup> and safe activities. Children should have access to good role models that they can trust, who will respect and nurture their spiritual, physical and emotional development. They also have a right to an environment free from abuse and neglect.

### **Training and education for keeping children safe**

All personnel — members, paid staff and volunteers — in Oblate ministries and organisations should be offered training in Safeguarding Children in order to maintain high standards and good practice.

### **IV. Communicating the Church's safeguarding message**

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

### **V. Access to advice and support**

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

### **VI. Implementing and monitoring the Standards**

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

#### **Meeting the Standards will protect:**

- Children — by ensuring they are in a good safe environment and minimising the risk of abuse to them should allegations or suspicions of abuse arise.
- Oblates and their collaborators, both paid staff and volunteers — by clarifying how they are expected to behave with children and the steps they are to take should allegations or suspicions about the safety of a child arise.
- The integrity of the Church, the Congregation and its missions — by making clear our commitment to keeping children safe and by modelling best practice.

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<sup>3</sup> See below: Pages 4-5, Section 4.I

## 4. Code of Good Practice

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

### I. Code of Behaviour

It is important that all those working in Oblate ministries or projects, including priests and brothers, employees and volunteers, should:

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

In general, it is inappropriate for Oblates or their employees and volunteers in parish communities and organisations to:

- Spend excessive time alone with children;
- Take children to his/her own home;



- Use alcohol, tobacco or non-prescription drugs when in the company of children — nor should they be offered to those under 18 years.

Oblates, or their employees and volunteers in parish communities and organisations, must never:

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

## **II. Meetings with children and young people**

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

## **III. Health and safety**

- Adequate and appropriate supervision must be provided for all events and activities organised for children and young people.
- Arrangements and procedures for leaving activities or centres should be clear to all and explicit.
- In places such as changing areas, toilets and showers, separate provision should be made for boys and girls. There should be adequate and gender-appropriate supervision of boys and girls in such areas.

- All plans to photograph or make video recordings of children or young people involved in Church-related activities or events should have the prior agreement of parents and guardians. This also relates to the generation of computer images. In addition, it should be agreed as to where and for what purpose photographs and video footage may be displayed.

#### **IV. Use of computers**

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

#### **V. Trips away from home**

- All trips, including day trips, overnight stays and holidays, need careful advance planning, including adequate provision for safety in regard to transport, facilities, activities and emergencies. Adequate insurance should be in place.
- Written consent<sup>4</sup> by a parent or guardian specifically for each trip and related activities must be obtained well in advance.
- A copy of the itinerary and contact telephone numbers should be made available to parents and guardians.

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<sup>4</sup> See Appendix 3, Page 27, for template

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

## **VI. Pilgrimages and retreats**

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

## 5. Definitions: 'A Child', 'Abuse', A Vulnerable Adult'

### I. Definition of a child

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

### II. Definition of abuse

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

#### a. Neglect

Neglect can be defined in terms of an omission, where the child suffers significant harm or impairment of development by being deprived of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, medical care, attachment to and affection from adults or medical care. The threshold of significant harm is reached when the child's needs are neglected to the extent that his or her well-being and/or development are severely affected.

#### b. Emotional Abuse

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

#### c. Physical Abuse

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

#### d. Sexual Abuse

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

### **III. Definition of a vulnerable adult**

A vulnerable adult<sup>5</sup> is a person who is aged 18 years or older and:

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

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<sup>5</sup> *British Home Office Criminal Records Bureau (CRB)*

## 6. Recruitment and Training of Employees and Volunteers

### I. General Principles

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

Some of the principles that enhance recruitment safety include:

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

### II. Clear definition of role

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

### III. Written application

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

#### **IV. Interviews**

More than one representative of the Oblates should in every case conduct the interview. The interview is a critical opportunity to explore with candidates the information provided in their written application and assess their attitudes and skills, in particular their commitment to the welfare and protection of children.

The recommendation for appointment agreed by the interview panel should be submitted for ratification to the Oblate Appointments Board or, where applicable, the group making the appointment.

#### **V. Declarations**

All applicants should be required to sign a declaration form<sup>6</sup> stating that there is no reason why they would be considered unsuitable to work with children or young people, and declaring any past criminal convictions or cases pending.

#### **VI. References**

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

#### **VII. Background checking**

In accordance with the Child Care Act 1991, Children's Act 2001, Data Protection Act 1988/2003 and future legislation on Garda Vetting, it is the policy of the Oblates in Ireland to seek a background check on all staff prior to their taking up employment. Applicants have the right to decline to undergo a background check; however we will be unable to proceed with applications without this consent.

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<sup>6</sup> Declaration Form For Persons Working with Children & Young People - Appendix 1

## 7. Procedure – How to manage concerns, suspicions, allegations and disclosures of abuse involving paid staff or volunteers

We are committed to promoting the safety, welfare and protection of children and take all concerns, allegations, suspicions and disclosures of abuse very seriously. This procedure sets out the action that must be taken if any concern, allegation, suspicion or disclosure is made, whether current or historical, that indicates a member of staff or volunteer (current or former) has:

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

*THIS APPLIES TO ALL OBLATE PERSONNEL: MEMBERS, STAFF AND VOLUNTEERS.*

### I. Initial contact

*REMEMBER: IT IS NOT YOUR ROLE TO INVESTIGATE.*

- a. If you receive a concern, suspicion, disclosure or allegation of abuse, you must act immediately and refer the matter to your Designated Officer as soon as possible. The Designated Officer will refer the complaint to the Health Services Executive / An Garda Síochána without delay.
- b. Whenever possible and practical, take notes during the conversation. Always ask permission to do this and explain the importance of recording all information. Where it is not appropriate to make notes at the time, make a written record as soon as possible afterwards and in any case before the end of the day.
- c. Record the time, date, location (or if the matter has been communicated by letter or telephone), and persons present. Use the Standard Reporting Form<sup>7</sup> to record this information. The record should be signed and dated by the author. The record would also normally include:
  - i. accurate identifying information as far as it is known. This should include the name and address of the person who has raised a concern (as well

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<sup>7</sup> Standard Reporting Form template - Appendix 2



- as their date of birth and, where the person who has raised a concern/allegation is a child, their parents'/carers' names and addresses);
  - ii. the name of the individual against whom the concern/allegation is being raised and any other identifying information;
  - iii. as much information as possible about the circumstances that led to the concern/allegation being raised, and why the person is worried about the welfare and safety of the child or children;
  - iv. dates when the concern arose, or when the incident(s) occurred;
  - v. the circumstances in which the concern arose, or the incident(s) occurred;
  - vi. any explanation offered to account for the risk, injury or concern;
  - vii. the child's own statement using the words they used to describe the events or incident(s), if possible. Do not make assumptions about the intended meaning of words used;
  - viii. details of any action already taken about the incident/concern/allegation;
  - ix. any views that were expressed by the child's parent(s) or guardian(s) about the matter.
- d. Do not be selective. Include detail that may seem irrelevant. It may prove invaluable at a later stage in an investigation.
  - e. Use the suggested form<sup>8</sup>. This initial recording will form the first entry in a file of information about the case that will be retained by the relevant Designated Officer.
  - f. All original records, including rough notes, must be passed immediately to the relevant Designated Officer. Any copies of records retained must be kept secure and confidential.
  - g. Not all persons raising a concern will wish to go through the process described below. Nonetheless, information about the existence of a potential allegation must always be communicated to the relevant Designated Officer.
  - h. In cases of emergency, where a child appears to be at immediate and serious risk, an immediate report should be made to the Health and Social Services as well as to the relevant Designated Officer. Where the appropriate Health and

Social Services staff is not available, An Garda Síochána should be contacted to ensure that under no circumstances a child is left in a dangerous situation pending Health and Social Services intervention. Consideration should, in all cases, be given to whether an immediate referral is necessary in order to preserve, and safeguard against the possibility of any loss, deterioration or destruction of potential evidence or forensic evidence.

- i. Explain to the child/person raising the concern what will happen next. Indicate who will be made aware of the information given by them. Leave contact details of the Designated Officer in case the referrer needs to ask questions later.
- j. It is important not to discuss the incident/concern with anyone other than those detailed in these procedures.

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

It is often very difficult for people to talk about abuse, so it is important to make sure that you are patient, listen carefully and actively, and create a safe environment in which they feel able to tell you as much as they can remember.

This will help those people whose responsibility it is to investigate the incident(s) to do so as thoroughly as possible.

People may tell you about:

- abuse that's happening to them now – current;
- abuse that happened to them some time ago – historical;
- something they've been told by someone else and that they strongly believe is true;
- seeing signs of abuse, such as physical injuries on a child;
- something that they have witnessed, such as the behaviour of an adult to a child that made them feel uncomfortable.

Where information is given in person, consider the following:

- Listen carefully to that person, but do not ask intrusive or leading questions.
- Stay calm, take seriously what the person raising the concern says, and reassure them.

- Allow the person to continue at his/her own pace.
- Clarify with the person that you have understood what they actually said; do not suggest words, but use theirs.
- Make no promises that cannot be kept, particularly in relation to secrecy, but listen carefully to what is being sought.
- Explain these procedures to the person.
- Offer to accompany the person to the Support Person<sup>9</sup>.
- Do not make any comments or assumptions about the respondent; do not speculate.
- Be aware that a person's ability to recount his or her concern or allegation will depend on age, culture, nationality and upon any disability which may affect use of language and range of vocabulary.
- Adopt a listening style that is compassionate, calm and reassuring. If the information given to you shocks, disgusts or distresses you, do not allow these feelings to show. If you do, you may inadvertently dissuade the person from giving any further information.
- Avoid statements about your belief or otherwise, regarding the information given.
- Do not question beyond checking what has been said. It is the job of the Health Service Executive and An Garda Síochána to investigate. There must be no probing for detail beyond that which has been freely given.

Listening is not compatible with interrupting a person who is freely recalling events. However, since some facts are only ever told once, the information given must be fully and accurately recorded.

Ideally, such detail should be given directly to a professional from the Health Service Executive or An Garda Síochána, so that proper procedures can be observed and the distress of having to repeat the account more than once can be avoided.

*PRIESTS MUST BE CLEAR ABOUT THE STATUS OF SUCH A CONVERSATION  
AND MAKE SURE THERE IS NO MISUNDERSTANDING ABOUT  
WHETHER THE SEAL OF CONFESSION APPLIES*

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<sup>9</sup> See below: *Support Person, Page 20-21, Section 8.V.*

### **III. Listening to a child — *How to respond***

When responding it is of utmost importance that allegations are handled sensitively and discreetly. Any response to a child making an allegation should consider the following:

- Take what the child says seriously.
- React in a calm manner, as over-reaction may intimidate the child and increase any feelings of guilt that he/she may have.
- Reassure the child that it was right to tell somebody what happened.
- Use language that the child understands: for example, when naming different parts of the body adopt the child's words rather than substituting your own.
- Listen carefully and attentively to the child.
- Be careful when seeking clarification. Conversation should be supportive and for the purpose of clarification only. Never ask leading questions such as, whether specific acts not mentioned by the child occurred or whether a specific person not named by the child carried out the abuse. Do not seek intimate details beyond those volunteered by the child. Such questions and suggestions could complicate an official investigation by the HSE/Gardaí.
- Do not express any opinions about the alleged abuser to the person reporting to you.
- Do not confront the alleged abuser.
- Write down immediately afterwards what was said, including where, when, any other significant factors, including a note of any marks and/or signs observed. All reports should be signed, timed and dated by the person recording the event.
- Check with the child to ensure what has been heard and understood by you accords with what the child actually said.
- Make no promises that cannot be kept.
- Do not promise to keep secret what will be revealed. You can avoid this by telling the child that the confidential nature of an allegation does not result in the allegation remaining a secret and that the matter will have to be investigated as it is referred.
- Explain and make sure that the child understands what will happen next.

#### **IV. Listening to a person who admits abusing a child**

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

#### **V. Anonymous allegations or concerns**

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

## 8. Oblate Safeguarding Structures and Personnel

### I. Introduction

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

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

*BECAUSE OF THE OBLIGATIONS OF THE SACRAMENTAL SEAL, NO PRIEST PERFORMING A FUNCTION UNDER THE PROCEDURES FOR DEALING WITH A CHILD-PROTECTION MATTER SHOULD CELEBRATE THE SACRAMENT OF PENANCE WITH A RESPONDENT.*

### II. Parish Safeguarding Representative

It is expected that one or two people within each Oblate ministry/project will be nominated to act as Local Safeguarding Representatives to work alongside the Diocese and the Oblate Designated Officer. The position is voluntary, but Local Safeguarding Representatives will be provided with induction, support and regular training.

Their role is to promote the safeguarding of children within Oblate ministries by:

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

Overall responsibility for safeguarding children in any Oblate ministry remains with the person in charge — for example: the parish priest.

Any safeguarding concerns raised with a Local Safeguarding Representative should be dealt with in accordance with the Initial Contact procedures<sup>10</sup>.

<sup>10</sup> See above: *Initial Contact*, Page 12, Section 7.1

### **III. Oblate Designated Officer or Delegate**

The Designated Officer is located at the level of the Oblate congregation in Ireland and is appointed by the Provincial. The Designated Officer is the person to whom all personnel go in the event that they have a concern about a child or other safeguarding issue, and when a child discloses abuse.

The role of the designated officer is:

- to hear any concerns relating to safeguarding, including any disclosures or allegations of abuse, and take responsibility for managing the response to that concern or disclosure from start to finish. This would include the preliminary internal inquiry and referral to the Health Service Executive / An Garda Síochána, and subsequent internal investigations.
- to ensure that the person raising a concern, disclosing abuse, or making an allegation and anyone who is implicated by that are regularly informed about the progress of the inquiry process;
- to liaise with the National Office<sup>11</sup> and have an overview of all matters dealt with under these procedures within the congregation;
- to carefully record all steps undertaken as part of these procedures.

### **IV. Advisory Panels**

This is a consultative Advisory Panel set up to advise and assist the Provincial at all stages of the investigative process into alleged abuse. The Panel provides him with a consistent and accessible source of guidance, through a process of risk assessment.

The Provincial is charged with specific responsibilities for decision-making in response to alleged or actual child abuse involving an Oblate priest or brother.

The Panel will consist of not less than five members who collectively provide the expertise, experience and impartiality necessary in the field of safeguarding.

The members shall include each of the following competencies:

- a canon lawyer
- a civil lawyer
- a child care professional (a psychologist or a social worker) knowledgeable in the field of child protection issues and the effects of child abuse

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<sup>11</sup> *National Board For Safeguarding Children in the Catholic Church*

- a priest or religious with extensive pastoral experience
- a lay person with qualities and expertise relevant to the functions of the Panel, such as a parent representative with the requisite expertise.

The **Advisory Panel** may provide advice on:

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

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

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

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

## **V. Support Person**

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



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

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

Support Persons must be particularly attentive to the expressed needs and objectives of the child or adult, and the fact that some may be reluctant to seek help. Support Persons should, therefore, consider how any therapeutic or spiritual needs of a child or adult who has made an allegation/ disclosed abuse may be met, and will be mindful of his/her ongoing vulnerability during this process.

In addition, the Support Person should:

- consider any wishes of the child or adult disclosing abuse, in regard to a pastoral response by the Oblates to his or her family
- be available to the child or adult throughout the course of the inquiry process, and thereafter as required
- ensure the child or adult is kept informed of developments in relation to them
- represent the wishes and any therapeutic needs of the child or adult to the Designated Officer, as required
- arrange, if considered helpful, a meeting between the child or adult and the Oblate authorities, such as the Provincial
- Under no circumstances should the same Support Person be provided for the child or adult making the allegation/ disclosure of abuse and for the respondent

## **VI. Adviser**

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

The Adviser shall represent the needs of the respondent to the Oblate authorities and assist, where appropriate, with the care of the respondent and with communication between the respondent, the Designated Officer and the Oblate authorities. The respondent's adviser shall not be the respondent's therapist or spiritual adviser.

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

He or she will:

- accompany the respondent, if so requested, to meetings with the Oblate authorities and the Designated Officer, and be available to him/her after any such meetings
- inform the respondent of his or her right to obtain advice in both civil and canon Law
- identify any therapeutic or other needs of the respondent and suggest how these may be met
- consider the wishes of the respondent in regard to a pastoral response by the Oblates to his or her family
- be available to the respondent throughout the inquiry process, and thereafter as required
- ensure that the respondent is kept informed of developments in regard to the inquiry
- represent the needs and wishes of the respondent to the Designated Officer, as required.

Advisers should receive appropriate training. Under no circumstances should the same person act as Support Person for the child or adult making the allegation/disclosure of abuse, and Adviser for the respondent.

## References

**Children First:** National Guidelines For The Protection And Welfare Of Children (1999).  
Published by The Dept of Health & Children.

**Our Duty to Care:** The Principles Of Good Practice For The Protection Of Children  
And Young People (2002).  
Published by The Dept of Health & Children.

**SAFEGUARDING CHILDREN** Standards And Guidance Document For The Catholic  
Church In Ireland (2008).  
Published by The National Board for Safeguarding Children.

**Our Children Our Church** Child Protection Policies And Procedures For The Catholic  
Church In Ireland (2005).

## Appendix 1

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

#### Confidential

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

The Oblates in Ireland therefore ask that everyone working or volunteering with them in ministries or projects, who will come into contact with children or personal details of children, abide by good practice by completing and signing this declaration:

Do you have any prosecutions pending or have you ever been convicted of a criminal offence or been the subject of a Caution or of a Bound Over Order (please tick)

Yes ☐ No ☐

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

Date of offence:

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Nature of offence:

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

Yes ☐ No ☐

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

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Full name (print):

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Any surname previously known by:

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#### Declaration

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

I hereby declare the information I have provided is accurate.

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

## Appendix 2

FORM NUMBER:CC01:01:00

### STANDARD REPORT FORM

(For reporting CP & W Concerns to HSE)



Feidhmeannacht na Seirbhíse Sláinte  
Health Service Executive

A. To Principal Social Worker/Designate: \_\_\_\_\_

1. Date of Report \_\_\_\_\_

#### 2. Details of Child

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

#### 3. Details of Persons Reporting Concern(s)

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

#### 4. Parents Aware of Report

Are the child's parents/carer's aware that this concern is being reported to the HSE? Yes ☐ No ☐

#### 5. Details of Report

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

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FORM NUMBER:CC01:01:00

## STANDARD REPORT FORM

(For reporting CP & W Concerns to HSE)



Feidhmeannacht na Seirbhíse Sláinte  
Health Service Executive

### 6. Relationships

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

### 7. Household composition

Name	Relationship	DOB	Additional information e.g. school/occupation/other

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

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

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

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

### 10. Details of person completing form

Name:		Occupation:	
Signed		Date:	

## Appendix 3

### PARENTAL CONSENT FORM<sup>1</sup>

#### Activity permission form for persons under 18 years

1. Name of Church organisation			
Venue		Activity	
Group		Event	
Date		Time	
Name of Group Leader/ person responsible			

  

2. Name of Child/Young Person			
Address			
Tel No		DOB	

Give details of any medical condition of which the Organisers ought to be aware. Please include details of any medication which has to be taken or any dietary requirements.  
(This information will be treated with confidence).

#### 3. Consent of Parent/Guardian

I have read all the information provided concerning the programme of the above activity.  
I hereby give permission for my son/daughter/ward to participate in the above activity.

I understand that the \_\_\_\_\_ **organisation** only accepts liability or responsibility for an incident or accident caused by the negligence or breach of statutory duty of the **organisation**, its servants or agents.

Signed \_\_\_\_\_ Date \_\_\_\_\_  
(Parent/Guardian)

Address \_\_\_\_\_  
(If different from above)

Any additional telephone numbers that may be contacted during the period of the activity

<sup>1</sup> Adapted from: SAFEGUARDING CHILDREN (2008)

## Appendix 4

### Information<sup>1</sup> for people wishing to raise a child protection concern

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

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

#### Who should I talk to?

If you wish to talk to someone about a concern or suspicion of abuse it is important to do so as soon as possible. You will be listened to and what you say will be taken seriously. If you have suffered abuse in the past, again, please tell someone about the abuse. You will be listened to and what you have to say will be taken seriously.

Understandably, many people find it difficult to tell anyone about the abuse they have suffered. It may be many years after the event before a disclosure is made, perhaps when the victim is an adult. Even then, the Church will act. If you want to raise a concern or suspicions, or make an allegation or disclosure, you can choose who to talk to. You may choose to contact the HSE or the Gardaí.

There are some people in the Church who have special safeguarding jobs; they are called Local or Parish Safeguarding Representatives (at least one in every parish) and Designated Officers or Delegates (at least one in every diocese or religious congregation). Details of your Safeguarding Team can be found at the back of your local Church. Alternatively, you may contact the National Office for Safeguarding Children in the Catholic Church, and they will be able to give you the contact details.

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

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<sup>1</sup> From: *SAFEGUARDING CHILDREN* (2008): Page 77, Section 3, Resource 12



## What happens next?

The Designated Officer will then meet with you to find out more information, and the details of what you have to say. They will also explain to you what will happen next.

It will be necessary to give details of the matter you are raising to certain other people externally, including the HSE and the Gardaí, and, internally within the Church. All allegations or disclosures will be addressed sensitively, openly and in a timely manner. You will also be offered a Support Person to help and advise you of the process and progress of the inquiry. If you are a child or you are raising a concern about a child, the Designated Officer will not interview a child, as he/she will not be trained to do so.

The Designated Officer will talk with the HSE and Gardaí about what to do next.

In cases of emergency, where a child appears to be at an immediate and serious risk of harm, the Designated Officer will make an immediate referral to the HSE and/or Gardaí. If your concern is about the behaviour or actions of an adult in the Church, then that person will be informed, to allow him or her to respond to it, unless to do so would put the child and others at greater risk. The person may also be asked to stand aside from his or her role while the matter is being investigated.

If the concern relates to abuse that has occurred to you in the past, the Designated Officer will ask you to provide a description of what happened, including the background and circumstances. You will be given plenty of time to do this.

If appropriate, and if he/she has not already done so, the Designated Officer will then inform the HSE and Gardaí of your concerns/allegation. The Designated Officer must do this if he/she has reasonable grounds to suspect that a child may have been abused, or is being abused, or is at risk of abuse, which may be the case even where your concern/ allegation relates to abuse that took place a long time ago.

The Designated Officer is not involved with the statutory investigation, but will keep in contact with the HSE. The Designated Officer will normally be informed when the statutory investigation has concluded. The Church inquiry process will then continue. What happens next may vary depending on whether the concern raised is about a Priest or religious, or a lay employee or volunteer. This is because each is subject to their own internal procedures.

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

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

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

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

You should write to the National Board, setting out the reasons why you are unhappy with the process. If you have any difficulty in doing this, please contact the National Office to discuss other ways they may be able to help you to ask for a review.

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

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

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

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



