

## PREVENTING HARM TO CHILDREN

As a diocese we are committed to a culture of safety that minimises risk to children and following best practice in regard to -

- **safe recruitment and vetting practices** – helping prevent those who pose a risk to children from holding positions of trust
- **codes of behaviour** – having clear guidelines that set out what is and is not acceptable behaviour as an essential part of keeping children safe
- **running safe activities for children** – can help ensure a safe environment for children.

At Parish level, the Parish Priest/Curate/Parish Staff/Parish Council will be responsible for ensuring that any activities that are run under the agency of the Parish are provided in a manner that ensures the safety and security both of the young people and of the leaders involved.

The person or people who manage the parish facilities that are being loaned to groups, or rented to groups, should be aware that the parties wishing to use them either have their own 'child protection policy' or that they endorse **in full and in writing** the parish/diocesan policy before use of the facilities is considered / permitted. The contact details of the Parish Designated Person and the Diocesan Designated Person (Delegate) should be carefully noted.

Each Parish Group will be responsible for storing in a confidential way (see **SECTION 2.12**) an accurate record for each activity involving children or young people, e.g. programme details, attendance, parental consent, necessary medical information etc.

### Code of Behaviour for Staff and Volunteers

A code of behaviour, which respects the dignity and rights of the child, should be drawn up for staff and volunteers in regard to their work with children and young people.

It should state that corporal punishment of children is never permitted and that discipline problems should be handled in partnership with parents and guardians. (See **SECTION 3.2**)

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

### Code of Behaviour for Children and Young People

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

The issue of the appropriate response to breaches of discipline and to disruptive behaviour should be covered in the code.

A copy of the code should be given to all children and young people participating in activities and to their parents or guardians.

The code should be read, understood and signed by every worker and volunteer before starting in their role.

### **General Conduct**

- Avoid spending time alone with a child or young person. Should circumstances arise where this is unavoidable, immediately inform another responsible adult, by telephone if necessary. Make a diary note that the meeting with the young person took place, including the reasons for it
- Observe best practice in relation to travel with children and young people. Workers and volunteers should not undertake any car or minibus journey alone with a child or young person. If in certain circumstances only one adult is available, there should be a minimum of two children or young people present for the entire journey. In the event of an emergency where it is necessary to make a journey alone with a child, make a record of this and inform the child's parents or guardians as soon as possible. Inform a colleague at the time if the parents/guardians are not available.
- Unless there are at least two adults present avoid permitting children and young people to work or remain in churches and parish property.
- Treat all children and young people with equal respect; favouritism is not acceptable.
- Be cognisant of the imbalance in power inherent in adult-child relationships.
- Do not engage in or tolerate any behaviour – verbal, psychological or physical – that could be construed as bullying.
- Do not spend a disproportionate amount of time with any particular child or group of children.
- Under no circumstances, give alcohol, tobacco or drugs to children or young people.
- Do not use alcohol, tobacco or drugs when supervising or working with children and young people.
- Use only age-appropriate language, media products and activities when working with children and young people. Sexually explicit or pornographic material is never appropriate.

### **Meetings with Children and Young People**

- If the pastoral care of a young person necessitates the arrangement of a meeting alone with them, do not meet in isolated environments.
- Schedule meetings at times and at designated locations that allow for transparency and accountability (for example, rooms with a clear glass panel or window, an open door, and in buildings where other people are present).
- Scheduling meetings by text messages is inappropriate.
- Limit both the length and number of meetings.
- Inform parents or guardians that the meeting(s) are taking place, except in circumstances where to do so might place the child in danger. In that case, inform a colleague.
- Do not encourage visits to, or conduct meetings in, private homes or personal living quarters.
- When the need for a visit to the home of a child or young person arises, professional boundaries must be observed at all times.

## Discipline

- Corporal punishment of children is never permitted
- Discipline problems should be handled in partnership with parents and guardians

## Respect for Physical Integrity

- Respect the physical integrity of children and young people at all times.
- Do not engage in inappropriate physical contact of any kind, including rough physical play, physical reprimand and horseplay (tickling, wrestling, etc).
- This should not prevent appropriate contact, with the permission of the child, or young person, in situations where it is necessary to ensure the safety and wellbeing of a child, but where the child expresses discomfort or resistance then this contact should cease.

## Respect for Privacy

- Respect the privacy of children and young people at all times.
- Particular care regarding privacy must be taken when young people are in locations such as changing areas, swimming pools, showers and toilets.
- Never take photographs of children or young people while they are in changing areas (for example, in a locker room or bathing facility).
- Never do things of a personal nature (for example, helping with toileting, washing or changing clothing) for children and young people that they can do themselves.

## Photography and film

- Always ensure that the content of the photo/ film is appropriate
- One-to-one photo sessions with children are supervised.
- Parents and children consent to the use of an image and that this is recorded
- Photographs/ images likely to be published in press or on the Internet should avoid using children's full names (first name and surname) and detailed addresses
- Parents and children are aware of the way the image will be used to represent the Church organisation or activity

### Parental Consent

- Signed consent must be obtained from parents or guardians of each child or young person prior to their participation in events, activities and groups. (See **FORM A2** in the appendix)
- Establish from parents or guardians whether the child or young person has any specific dietary requirements or medical or special needs.

### Trips Away From Home

Trips away from home include but are not limited to pilgrimages, day trips, overnight stays and holidays.

- All trips need careful advance planning including adequate provision for safety in regard to transport, facilities, activities, and emergencies. Adequate insurance should be in place. Leaders must be properly qualified and supervised for activities undertaken
- Written parental consent specifically for each trip and related activities must be obtained well in advance. Contact details for the duration of the trip are necessary. Written permission for leaders to make decisions of an emergency nature should be obtained in case of accidents.
- A copy of the itinerary and contact telephone numbers should be made available to parents or guardians.
- There must be adequate, gender-appropriate, supervision for boys and girls. Training must be provided for all leaders.
- Arrangements and procedures must be put in place to ensure that rules and appropriate boundaries are maintained in the relaxed environment of trips away. These rules and boundaries must be clearly outlined to all leaders during preparation/training for the event
- Particular attention should be given to ensuring that the privacy of young people is respected when they are away on trips.
- Sleeping areas for boys and girls should be separate and supervised by two adults of the same sex as the group being supervised.
- Under no circumstances should an Adult Leader share a bedroom with a young person.
- If, in an emergency situation, an adult considers it necessary to be alone in a children's dormitory or bedroom without another adult they should (a) immediately inform another adult in a position of responsibility and (b) make a diary note of the circumstances.

### Complaints Procedure

- Develop a clear and transparent complaints procedure and appeals process to be used by young people, staff, workers, volunteers, or by parents who are dissatisfied with any aspect of activities or services provided. (see **SECTION 2.11**)
- Make sure that children and young people and their parents or guardians receive a copy of the complaints procedure.
- Fully inform all staff and volunteers about the complaints procedure.
- All complaints should be recorded.

## Health and Safety

- Adequate and appropriate supervision must be provided in relation to all events and activities organised for children and young people (see below for recommended ratios).
- In places such as changing areas, toilets and showers, separate provision must be made for boys and girls.
- There must be adequate and gender-appropriate supervision of boys and girls in such areas.
- Ensure that buildings and/or facilities used for events and activities are suitable, safe and secure.
- Make sure that fire precautions are in place and that fire extinguishers are checked regularly.
- Make sure a first aid kit is readily available. This should be regularly checked and replenished. It is advisable that first aid training be provided for workers and volunteers.
- Be alert to the risk of injury involved in some contact sports, paying particular attention to the child's age and to any medical condition or disability.
- Access to a telephone at all times is essential in case of emergency.
- Adequate insurance must be obtained to cover all activities. In cases of uncertainty about the level of cover, check with the relevant insurance provider.
- Where transport is being provided by the parish or parish activity, make sure that drivers and vehicles meet legal requirements. Where transport is being hired, check with the service provider that drivers and vehicles conform to legal requirements. Always inform parents/guardians about transport being used.
- A clear policy should be agreed with parents and guardians regarding the taking of photographs and the making of video recordings of children or young people involved in parish-related activities or events.
- There should be regular health and safety reviews of facilities, procedures and practices.

## Recommended Supervision Ratios

0-2 years	1 member of staff to 3 children
2-3 years	1 member of staff to 4 children
3-7 years	1 member of staff to 8 children
8 years and over:	2 members of staff (ideally 1 of each gender) for up to 20 children.

There should be one additional staff member for every ten extra children and/or young people. The ratio of staff and volunteers to children with disabilities is dependent on the individual needs.

## Record Keeping - Activities

- Each Parish Group will be responsible for storing in a confidential way an accurate record for each activity involving children or young people (see **FORM A1**)
- This record should include a copy of the signed parental/guardian consent form (**FORM A2**) with contact details for parents/guardians and should include necessary medical information
- A written record of organisers and supervisors in attendance at events should also be kept.
- Ensure that an **Incident Report Form** is completed in the event of any accident or incident relating to a child or young person. (**FORM A4**)

When situations become vacant those responsible for filling them should be aware of best practice in recruiting of employees and volunteers for work with children – this will include interview, references (which are verbally checked) and declaration form.

The following should be observed -

- Develop clear job descriptions, skills descriptions and person specifications for all paid and voluntary posts.
- All vacancies should be openly advertised.
- **Application Forms** should be used for recruitment to all posts, including those to be filled by volunteers. Application forms should include a **Declaration Form** which applicants should be required to sign stating that they do not have criminal charges, cautions or convictions against them, or any other reason why it may be inappropriate for them to work with children.

See **FORM B1** - Staff/Volunteer Declaration Form in the appendix

- The diocesan policy and procedures for Garda Vetting - see **SECTION 3.6**
- Applicants should be required to provide the names of two referees who can attest to their suitability for working with children and young people. These references must be checked by the designated person/priest of the parish.
- Suitable applicants should be interviewed by an interview panel of at least two people with appropriate competence and authority.
- Written references should be obtained in respect of all candidates being considered for full-time paid or voluntary appointment. All written references must be followed up by verbal contact with referees.

### **Record Keeping - Recruitment**

The application forms, declaration forms and all other documentation should be stored securely. Access will be restricted to the Parish Priest and/or the Parish Designated Person and/or Diocesan Designated Person (Delegate).

For more information see **SECTION 2.12** – Confidentiality Statement

Garda Vetting is one component of a good practice recruitment framework, which includes such practices as verification of identity, gathering of personal details, interview and references.

**SECTION 3.5** sets out the arrangements for Garda Vetting in the Diocese of Kildare & Leighlin for:-

- Diocesan Agencies and Parishes
- Clergy, seminarians and religious within the Diocesan setting
- Church volunteers
- Ancillary Staff in Primary Schools under the Patronage of the Bishop of Kildare & Leighlin

For the purposes of this section, “Applicant” refers to those individuals applying for Garda Vetting – i.e. clergy, students, staff members and church volunteers. “Organisation” refers to the parish, religious order or church body – including the diocese itself - which has required that Garda Vetting be sought and to which the applicant is directly accountable.

Where “relevant information” is mentioned, it refers to disclosures within the Garda Vetting process of all convictions and/or prosecutions, successful or not, pending or completed, in the State or elsewhere. (The scope of disclosures may change depending on future legislation).

### **Garda Central Vetting Unit**

The Garda Central Vetting Unit (**GCVU**), based in Thurles, is the single point of contact in An Garda Síochána to conduct Garda Vetting.

Vetting forms cannot be sent to the GCVU directly but must be processed at diocesan level by the **Diocesan Authorised Signatory** – who has been formally enrolled in this task by the GCVU. Garda Vetting is not conducted for individual persons on a personal basis.

Within current disclosure policy, the GCVU issues details of all convictions and/or prosecutions, successful or not, pending or completed, in the State or elsewhere as the case may be are disclosed to the authorised liaison person in the registered organisation.

All correspondence and inquiries for the Diocesan Authorised Signatory – also known as the **Diocesan Garda Vetting Administrator** – can be addressed to Bishop’s House, Carlow.

### **Recruitment / Vetting best practice**

In accordance with best practice, Garda Vetting should be sought in respect of each applicant prior to the offer of employment/engagement and approximately every 5 years thereafter, or at any time or times within the said 5 year period as deemed necessary.

Applicants should be informed early of the requirement for Garda Vetting - ideally at the time of advertising.

It is recommended that no person should start work or be engaged, until Garda Vetting procedures have been completed. This is discretionary depending on whether working with children or vulnerable adults is involved. For example it may be possible for an applicant to start work, subject to vetting, but not with children or vulnerable adults until the vetting process has been completed. However, advice should be sought, and a Garda Vetting Form should be completed before taking up any duty.

### **Vetting Process in Diocese of Kildare & Leighlin**

**Legal responsibility for employment and duty of care remains with the organisation that enters into a contract of employment or engages an applicant.**

1. The Garda Vetting Forms (see **FORM B2** in the appendix) are available from the **Diocesan Garda Vetting Administrator** ('Administrator').
2. The applicant is responsible for completing the form truthfully and fully and returning it to the organisation. Applicants are required to make a full and complete declaration. Failure to do this may jeopardise the offer of employment/engagement.

**Please note that a false declaration will be viewed very seriously and may affect the offer of employment/engagement.**

3. It is the responsibility of the organisation to ensure that the forms are completed correctly and returned to the 'Administrator'.
4. The form is forwarded by the organisation to the 'Administrator' who will examine it for any omissions, mistakes or lack of clarity.
5. An incomplete form is dated and returned to the organisation with a cover letter requesting the form's correction and resubmission. Changes cannot be made other than by the applicant on the authorised form.
6. When the 'Administrator' is satisfied with the form, the applicant's details are entered into the Diocesan Database for Garda Vetting.
7. As soon as possible, the 'Administrator' forwards the form to the Garda Central Vetting Unit (GCVU), either singly or in batches.
8. Forms are returned to the 'Administrator' (usually between 4-6 weeks). The organisation is informed of the outcome.
9. When the vetting information is returned, the organisation will make a decision to offer employment/engagement depending on all of the information that is available including interview, education and qualifications achieved, skills assessment, previous employment history/experience, references and medical checks where appropriate etc.
10. Where the returned form contains relevant information to the employment / engagement of the applicant, the organisation must consider seriously whether or not a review meeting is appropriate (see next page).

### **Data Confidentiality**

A diocesan database/filing system will be maintained which will track the progress of an application, and will contain information regarding Garda Vetting.

The information on this database/filing system will be securely retained by the diocese and, in line with data protection laws. It will be retained only for as long as is reasonably necessary. All information passed to other appropriate and relevant staff must only be done on a basis required by the recruitment process.

Any member of staff of the diocese who breaches confidentiality in the management of vetting information may face disciplinary action up to and including dismissal. Other serious sanctions may apply in respect of non-staff members. All organisations who avail this service from the diocese are required to be vigilant about confidentiality and will be expected to treat breaches of confidentiality on the part of any member of their staff in similar fashion to the diocese. In the case of a review meeting, the applicant's information must be protected.

**After receipt of information from the Garda Central Vetting Unit (GCVU):****Consideration of holding a Process Review Meeting**

The Garda provides the organisation with details of all prosecutions, successful or not, pending or completed, and/ or convictions. If this form contains none of the above, no Process Review Meeting is necessary.

Consideration for a Process Review Meeting will occur when an application is returned from the GCVU with relevant information attached. The organisation should clarify any information received from the GCVU with the applicant. If information is received which gives rise to concern, a Process Review Meeting is strongly recommended. Advice can be sought from the **Diocesan Garda Vetting Administrator** in relation to holding a Process Review Meeting.

Chairpersons of Boards of Management of Primary Schools can also seek the advice of the Diocesan CPSMA office.

**The Process Review Meeting****In the event that a Process Review Meeting is to be held please note the following:**

- It is the organisation who will arrange the meeting. They may be supported and accompanied by a Diocesan representative. Appropriate decision makers and support personnel if required should attend.
- The applicant is invited to attend and to bring someone along as a support if they so wish.
- The meeting has two purposes, firstly to clarify the applicant's identity and secondly to give the applicant an opportunity to discuss their application in the light of the information received from the Garda. The applicant must provide proof of his/her identity.
- A discussion then takes place following which a decision will be made. The discussion is for clarification purposes so that all information required to make a recruitment decision is accurate. A written record will be kept of the meeting.
- Applicants who assert that their Garda Vetting Disclosure may be inaccurate must provide satisfactory evidence to support their assertion.
- If the applicant provides satisfactory evidence to support their assertion that their Garda Vetting Disclosure may be inaccurate, the Diocesan Garda Vetting Administrator will contact the Garda Central Vetting Unit with the information, and any other information as deemed necessary.
- The Garda Central Vetting Unit will conduct further checks as necessary in respect of the applicant and write back to the Diocesan Garda Vetting Administrator who will communicate the response to the Organisation.

**Risk Assessment Guidelines**

A conviction, prosecution or case pending will not necessarily bar an applicant from being considered for employment/engagement.

The decision making process is fundamentally to assess the suitability of an applicant.

**Any information, which arises from the Garda Vetting process, may influence the decision of the organisation to offer employment/engagement.**

**The following criteria will be considered (this list is not exhaustive):**

- The nature of any convictions
- The number of any convictions
- The frequency of any convictions
- The post for which the person is seeking employment/engagement
- The self disclosure of the conviction/case pending by the applicant
- Time lapse since last conviction
- The steps the applicant has taken to prevent reoffending

**The following areas must also be considered with care:**

- Number and frequency of convictions, particularly in the last ten years
- Non-child protection related offences that may still give cause for concern: for example a prosecution and successful conviction under the Domestic Violence Act 1991
- Serious road traffic offences such as drunk driving, dangerous driving, hit and run, no insurance and car theft.

## VISITING PRIESTS AND TEMPORARY SOLEMNISERS

### Visiting priests

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

Before a parish makes any arrangement with a visiting priest, the parish must confirm their 'good standing'. If there are any doubts, the parish is obliged to contact Bishop's House, Carlow. The diocesan office will contact the priest's own Bishop or local Superior/Provincial directly to confirm the priest's 'good standing' and that there are no child protection concerns.

Parishes are required to inform Bishop's House if a non-incardinated priest takes up residence in the parish (excluding in a religious community).

### Temporary Solemnisers

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

Priests from overseas can be added to this list as temporary solemnisers – this covers just the specific marriage(s) they are officiating at here in Ireland.

The local Bishop for **where** the marriage is taking place has the responsibility – once notified – of submitting the name, overseas address and date of birth of the visiting priest to the Registrar-General so that they can be listed as a temporary solemniser.

Before doing so, the Bishop's office will contact the priest's own Bishop or local Superior/Provincial directly to confirm the priest's 'good standing' and that there are no child protection concerns.