

The procedures in **SECTION 2** set out the action that must be taken by a member of the parish staff or as a parish volunteer if any concern, allegation, suspicion or disclosure is made, whether current or historical, that indicates a member of the Church staff or a 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.

### Key Principles

The safety of the child is always the most important consideration.

All child protection concerns must be reported to the civil authorities and within the Church without delay. (See reporting diagram overleaf).

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

### Parish Designated Person

Every Parish should designate a person or persons to be responsible for dealing with complaints or concerns regarding child abuse and to promote the safeguarding of children within that Parish. See **SECTION 2.7** for more information

The name and contact details of the Parish Designated Person(s) and the Diocesan Designated Person (Delegate) should be made known to everyone involved in the organisation and its activities - e.g. workers, volunteers, children and young people, parents and guardians.

### Required Action

- Where child abuse is **observed**, intervene immediately and provide a safe environment for the child. Remember, the safety and welfare of the child is of paramount importance. Report the misconduct to the Parish Designated Person
- Where child abuse is **suspected**, concerns should be immediately brought to the attention of the Parish Designated Person.
- Where child abuse is **disclosed**, either by the person directly affected or by a third party, read on in **SECTION 2** for general guidance as to an immediate response.
- Where abuse is observed, suspected or disclosed the one thing you must **not** do is nothing.

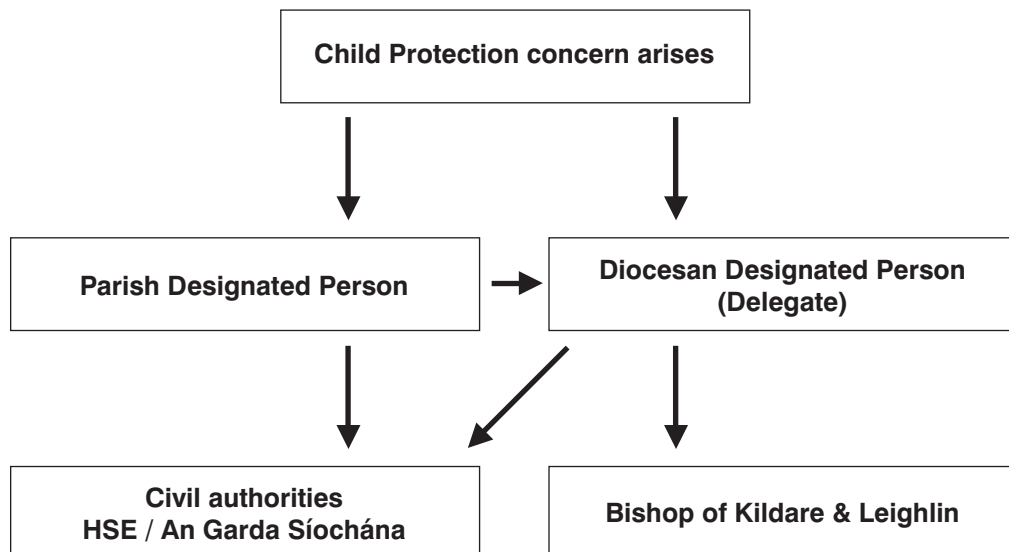
Use **FORM C1** (see appendix) to make a referral to your Parish Designated Person.

## Reporting flow chart

A child protection concern arises about a child or a complaint is made about the behaviour of Church personnel or volunteer.

1. Child Protection concern arises and information is passed onto the Parish Designated Person (see **SECTION 2.7**) or to the Diocesan Designated Person (Delegate), (see **SECTION 2.9**)
2. In all cases the child protection concern must be reported to the civil authorities without delay (see **FORM C2** in the appendix)
3. The Parish Designated Person must inform the Delegate whenever they make a report to the civil authorities.
4. The Delegate must inform the Bishop of all reports.
5. A complete written record is kept in relation to the complaint or concern, including subsequent action and all communications with the civil authorities. (see **FORM C1** in the appendix)
6. Care must be taken to protect people’s rights to confidentiality. Information will be given to others on a ‘need to know’ basis in order to safeguard the child. See **SECTION 2.12** – Confidentiality Statement.

Remember: it is **not** your role to investigate



## DEFINITION OF CHILD ABUSE

A child is defined as any person under the age of eighteen years excluding a person who is or has been married - in line with '**Children First**': *National Guidelines for the Protection and Welfare of Children (1999)*.

Abuse and neglect are forms of maltreatment of a child. Someone may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Children may be abused in their family, in a faith based, institutional or community setting; by those known to them, or more rarely by a stranger. They may be abused by an adult/s, another child or children. It often involves people they trust and know well.

The abuse of children generally involves one or more of four main forms of abuse:

- physical abuse
- emotional abuse
- sexual abuse
- neglect

It is essential that any personnel in the Catholic Church recognise that the abuse of children is **not just about sexual abuse**. Many children experience harm through emotional, physical abuse and neglect. The Church must take responsibility to nurture, protect and take action for any child who is suffering harm, whatever the harm may be and whoever is causing it.

Some children may be particularly vulnerable to abuse. For example there is research which has found that disabled children are three times more likely to be abused than non-disabled children.

Some studies suggest children from minority ethnic groups may be at increased risk of abuse through factors such as stereotyping, prejudice and discrimination.

There is also extensive evidence that these children and families often fail to receive an appropriate service when concerns are raised about a child's welfare. Over-reaction and inaction have both been shown to be based on misunderstandings and misinterpretations of different cultural patterns, which have led to failure to meet children's needs.

Other groups of children who might be particularly vulnerable include asylum-seeking children, children who are in care, children who are living with parents/ carers who misuse drugs and/ or alcohol.

**DEFINITIONS****Physical abuse**

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces illness in a child. Physical abuse, as well as being a result of an act of commission can also be caused through omission or the failure to act to protect.

**Emotional abuse**

Emotional abuse is the persistent emotional ill-treatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of ill-treatment of a child, though it may occur alone.

**Sexual abuse**

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, including prostitution, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape, buggery or oral sex) or non-penetrative acts (oral sex). They may include non-contact activities, such as involving children in looking at, or in the production of, pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways. Boys and girls can be sexually abused by males and/ or females, by adults and by other young people. This includes people from all different walks of life.

**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, attachment to and affection from adults, and failure to access appropriate medical care or treatment.

Neglect generally becomes apparent in different ways over a period of time rather than at one specific point. It is the persistent failure to meet a child's basic physical and/ or psychological needs, such as the neglect of, or unresponsiveness to, a child's basic emotional needs likely to result in the serious impairment of the child's health or development. Neglect may also occur during pregnancy as a result of maternal substance abuse.

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

### Physical abuse

Most children will collect cuts and bruises in their daily life. These are likely to be in places where there are bony parts of their body, like elbows, knees and shins. Some children, however, will have bruising which can almost only have been caused non-accidentally. An important indicator of physical abuse is where bruises or injuries are unexplained or the explanation does not fit the injury or when it appears on parts of the body where accidental injuries are unlikely, e.g., on the cheeks or thighs. A delay in seeking medical treatment when it is obviously necessary is also a cause for concern. Bruising may be more or less noticeable on children with different skin tones or from different racial groups and specialist advice may need to be taken.

#### The physical signs of abuse may include:

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

#### Changes in behaviour which can also indicate physical abuse:

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

### Emotional abuse

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

#### The physical signs of emotional abuse may include:

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

## HOW TO RECOGNISE CHILD ABUSE

### **Changes in behaviour which can also indicate emotional abuse include:**

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

### **Sexual abuse**

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

### **The physical signs of sexual abuse may include:**

- pain or itching in the genital area
- bruising or bleeding near genital area
- sexually transmitted disease
- vaginal discharge or infection
- stomach pains
- discomfort when walking or sitting down
- pregnancy

### **Changes in behaviour which can also indicate sexual abuse include:**

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

## Neglect

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

### The physical signs of neglect may include:

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

### Changes in behaviour which can also indicate neglect may include:

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

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

## RESPONDING TO CHILD PROTECTION CONCERNS

If as a member of the parish staff or as a parish volunteer you have grounds for concern about the welfare of a child/children participating in a parish activity please note the following -

1. If you receive a concern, suspicion, disclosure or allegation of abuse, you must act immediately and refer the matter to your Parish Designated Person as soon as possible. See **SECTION 2.7** for more information.
2. Whenever possible and practical, without interrupting the flow of conversation, 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.

Use **FORM C1** in appendix - Child Protection Recording Form.

3. Record the time, date, location (or if the matter has been communicated by letter or telephone), and persons present. The record should be signed and dated by the author.
4. Do not be selective. Include detail, which to you may seem irrelevant. It may prove invaluable at a later stage in an investigation.
5. This initial recording will form the first entry in a file of information about the case, which will be retained by your Parish Designated Person.
6. All original records, including rough notes, must be passed immediately to your Parish Designated Person. Any copies of records retained must be kept secure and confidential.
7. Not all persons raising a concern will wish to go through the recording and reporting process. Nonetheless, information about the existence of a potential allegation must always be communicated to your Parish Designated Person.
8. In cases of emergency, where a child appears to be at immediate and serious risk, an immediate report should be made to the HSE as well as to your Parish Designated Person.

See **FORM C2** in appendix – sample of HSE Standard Reporting Form (SRF)

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

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

**NOTE:** Parents/Guardians must be informed that a referral has been made, except when to do so would be dangerous for the child.

## HOW TO RESPOND TO PEOPLE RAISING A CONCERN

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

### People may tell you about:

- abuse that's happened 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 what the person raising the concern says seriously, and reassure them.
- Allow the person to continue at his/her own pace.
- Check with the person to make sure that you have understood what they actually said. Do not suggest words, but use theirs.
- Make no promises that cannot be kept, particularly in relation to secrecy, but listen carefully to what is being sought.
- Explain these procedures and the referral procedures to the person.
- Offer to accompany the person to the **Support Person**. (See **SECTION 2.8**)
- Do not make any comments about the respondent, make assumptions or speculate.
- Be aware that a person's ability to recount his or her concern or allegation will depend on age, culture, nationality and upon any disability which may affect use of language and range of vocabulary.
- Adopt a listening style which is compassionate, calm and reassuring. If the information given to you shocks, disgusts or distresses you, do not allow these feelings to show. If you do, you may inadvertently dissuade the person from giving any further information.
- Avoid statements about your belief or otherwise, of the information given.
- Do not question beyond checking what has been said. It is the job of the HSE / An Garda Síochána to investigate. There must be no probing for detail beyond that which has been freely given.

Listening does not mean telling a person to stop when they are freely recalling events; because some facts are only ever told once, the information given must be fully and accurately recorded. However, it is better that such detail is given directly to a professional from one of the HSE/ An Garda Síochána to allow proper procedures to be observed and to avoid the distress of having to repeat the account more than once.

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

## IF A CHILD BEGINS TO TELL YOU ABOUT ABUSE

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

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

### DO:

- stay calm
- listen carefully and take them seriously
- ask questions for clarification only if you are unclear what the child is saying
- allow the child to continue at his/ her own pace
- reassure the child that in talking about what was worrying them, they have done the right thing
- tell them they are not to blame for the situation
- let them know you will do what you can to help
- report the child's disclosure to the Parish Designated Person immediately (see **SECTION 2.1**). Never leave a child in a dangerous situation - in emergency intervention can be sought from the HSE duty social worker for local area or from An Garda Síochána.

See **Contact Details for Child Protection Services** at beginning of this document.

- write down everything that the child told you as soon as possible, using his/her own words to describe the abuse. Do not start to investigate. Sign and date this record and pass it onto the designated person.

### DO NOT:

- dismiss the concerns
- panic
- probe for more information/ ask other questions
- 'promise not to tell anyone' or say 'you'll keep it a secret'
- make negative comments about the accused person
- make assumptions or speculate
- disclose details of the allegation to anyone else – except on a 'need to know' basis to the Statutory and Diocesan Authorities. (See **SECTION 2.11** – Confidentiality Statement)

Find an opportunity to explain that it is likely that this information will need to be shared with those who need to know in order to safeguard the child/young person, and at the end of the discussion tell them what you plan to do next and with whom this information will be shared.

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

## ROLE OF PARISH DESIGNATED PERSON

Every Parish should have in place at least one trained Parish Designated Person.

The role of the Parish Designated Person in the Diocese of Kildare & Leighlin is to

- Promote the safeguarding of children and to be a resource for any person involved in the parish (clergy, staff, volunteer, child or young person, parent or guardian) about any aspect of child protection.
- Be available to receive child protection concerns in relation to children involved in parish related events.
- Report all child protection concerns to the civil authorities (HSE / An Garda Síochána) without delay.
- Notify the Diocesan Designated Person (Delegate) of all reports made.

### Reporting

In relation to children involved in parish related events, it will be the responsibility of the Parish Designated Person to -

- Report all child protection concerns to the civil authorities (HSE / An Garda Síochána) without delay.
- Contact emergency or appropriate services where a child appears to be at immediate and serious risk of harm. An immediate referral should be made to the HSE. Where appropriate, if HSE staff are not available, An Garda Síochána should be contacted to ensure that **under no circumstances is a child left in a dangerous situation pending HSE intervention**. Consideration should, in all cases, also be given to whether an immediate referral is necessary in order to preserve, and safeguard against the possibility of any loss, deterioration or destruction of potential evidence or forensic evidence.
- Explain the diocesan referral procedures to the person who has raised the concern (see **SECTION 2.1**)
- Create a child protection case file for every referral that includes a log of actions, events and information received (see **FORM C1** in the appendix). Entries should be made as soon as possible after the event but before the end of the day. They must be timed, dated and signed by the author.

When making a referral to the HSE, the Parish Designated Person should use the HSE Standard Reporting Form (SRF), which is available from the local HSE Social Work Department. See **FORM C2** in the appendix for sample.

### Support, Training and Monitoring

It will be the responsibility of the Parish Designated Person(s) to:

- Promote awareness of the Diocesan Safeguarding Children Policy and Procedures.
- Ensure that contact details of the relevant civil authorities are clearly available in all public buildings of the parish.
- Organise with their Parish Parish/Curate(s)/Parish Staff/Parish Council and Diocesan Trainers to provide 'best practice' information for those working for and in the parish, with children and young people.
- Assist the Parish Priest, and others engaged in work with young people in the parish, to develop and establish best practices and procedures for parish activities.
- Complete an audit of all parish activities that involve children and young people, and forward copy of same to the 'Diocesan Safeguarding Committee' when complete. The audit should be updated annually.
- Meet with (*either in groups or individually*) all those listed on the audit form and brief them on best practice and procedures in regard to preventing harm to children. (See **SECTION 3**)

See **Contact Details for Child Protection Services** at the beginning of this document for listing of current office holders.

### **Parish Designated Person**

Every Parish should designate a person or persons to be responsible for dealing with complaints or concerns regarding child abuse and to promote the safeguarding of children within that Parish. More information **SECTION 2.7**

### **Diocesan Designated Officer or Delegate**

Appointed by the Bishop, it is the Delegate's responsibility to receive information about a child protection concern involving a Priest of this diocese, to report all concerns to the civil authorities and to manage any subsequent internal investigations. The Delegate is required to inform the Bishop of all reports made to the civil authorities, either by the Delegate or a Parish Designated Person. The Bishop also appoints a **Deputy Delegate**, who can act in the event that the Delegate is not able to deal with the concern. The name and contact details of the Delegate (and Deputy) should be made widely known.

More information **SECTION 2.9**

### **Safeguarding Committee**

Their role of the Safeguarding Committee is supportive and developmental. It is not related in any way to the management of individual cases of suspected or alleged abuse. Their role is primarily focused on creating, maintaining and monitoring a safe environment for children in all aspects of Church life and activity and for advising on the human resources required for implementing best safeguarding practice across services.

### **Advisory Panel**

The consultative Advisory Panel is appointed by the Bishop in order to advise and assist him at all stages of the investigative process into alleged abuse. The Panel will consist of not less than five members who collectively provide expertise, experience and impartiality necessary in this field of safeguarding. The Advisory Panel may provide advice whether specialist risk assessment should be sought in regard to a child protection concern. No member of an Advisory Panel shall act in a professional capacity to either the person making the allegation or the respondent.

### **Support Person**

Appointed by the Bishop, the Support Person is to be available to those who make an allegation or disclose abuse under these procedures. The role of the Support Person is to assist, where appropriate, with communication with the Delegate to facilitate access to information and to represent their needs and concerns during the inquiry.

### **Adviser**

Appointed by the Bishop, the Adviser is to be available to the person about whom a child protection concern, suspicion, disclosure or allegation has been made. The role of the Adviser is to represent their needs and assist, where appropriate, with communication with the Delegate and the Diocese.

## THE ROLE OF THE DIOCESAN DESIGNATED PERSON (DELEGATE)

The role of the Diocesan Designated Person (**Delegate**) in the Diocese of Kildare & Leighlin is to

- Receive information about a child protection concern involving a Priest of this diocese.
- Report all child protection concerns received to the civil authorities (HSE / An Garda Síochána) without delay.
- Manage any subsequent internal investigations
- Receive and record notifications from our Parish Designated Persons of all reports made by them to the civil authorities.
- Advise Parish Priest /Parish Administrator on how to deal with and manage all disciplinary matters relating to the continuing employment and/or voluntary service of a member of staff or volunteer who is the subject of an allegation.

### Procedures - child protection concerns involving Priests

1. Receive information about a child protection concern involving a Priest.
2. Report the concern received to the civil authorities (HSE / An Garda Síochána) without delay.

See **FORM C2** in appendix – sample of HSE Standard Reporting Form (SRF)

3. Create a child protection case file for every referral that includes a log of actions, events and information received using **FORM C1** (see appendix). Entries should be made as soon as possible after the event but before the end of the day. They must be timed, dated and signed by the author.
4. Take possession of any written records made by any person in connection with the case and place them on the Child Protection Case File.
5. Explain the diocesan referral procedures to the person who has raised the concern (see **SECTION 2.1**)
6. To contact emergency or appropriate services where a child appears to be at immediate and serious risk of harm. An immediate referral should be made to the HSE. Where appropriate, if HSE staff are not available, An Garda Síochána should be contacted to ensure that **under no circumstances is a child left in a dangerous situation pending HSE intervention**. Consideration should, in all cases, also be given to whether an immediate referral is necessary in order to preserve, and safeguard against the possibility of any loss, deterioration or destruction of potential evidence or forensic evidence.
7. Inform the Bishop that a complaint has been made and make a recommendation to the Bishop about any immediate action(s) that may need to be taken in order to ensure the safety of children.
8. Make enquiries to identify the present and previous appointments of the respondent in order to establish whether there are any previous concerns about his practice, or any current grounds for concern in relation to the safety and well-being of children. (Again, in cases of emergency, where a child appears to be at immediate or possible risk, an immediate referral should be made to the HSE. Where appropriate, if HSE staff are not available, An Garda Síochána should be contacted so as to ensure that under no circumstances is a child be left in a dangerous situation pending HSE intervention).
9. Alert the Adviser (see **SECTION 2.8**) to be on standby, without identifying the respondent.

## THE ROLE OF THE DIOCESAN DESIGNATED PERSON (DELEGATE)

10. Conduct an initial interview with the respondent as soon as possible, unless (where an earlier referral has been made) the HSE / An Garda Síochána have requested that such an interview be deferred. The respondent shall be given information about his or her entitlement to seek legal advice (both civil and, where appropriate, canonical) and about the child protection process. The respondent should be informed that he is not obliged, in law, to respond or to furnish evidence, but that any statement provided will be taken into account in the investigation. The Delegate and the Bishop should then inform the respondent of the nature and detail of the allegation/concern and the name of the person raising it. The purpose of the interview is to inform the respondent of the existence of the allegation and of the process being followed. The respondent needs to be given enough detail about disclosure/allegation/concern and the person raising it, to be able to offer a response. The respondent shall be offered the services of an **Adviser**.
11. A written record of the interview must be prepared, agreed with the respondent, signed and dated.
12. In cases where a Delegate has a concern about a child but is not sure whether to make a referral, the Delegate should seek appropriate advice. The Delegate may consult the National Office, the HSE and/or An Garda Síochána on the appropriate steps to be taken. The Delegate must keep a written record of the outcome of the consultation with the HSE / An Garda Síochána on the Child Protection Case File. Decisions not to refer a matter must always be in consultation with the HSE and or the National Office.
13. Ensure the availability of the **Advisory Panel** (see **SECTION 2.8**), if required, and convene the Advisory Panel at an appropriate time.
14. Follow the advice given by HSE / An Garda Síochána where a child protection concern has been referred to them. Allow the HSE / An Garda Síochána to conduct their enquiries unimpeded. Do not visit the family or contact family members without prior discussion with investigators.
15. Maintain a dialogue with the Investigating Officer or Social Worker to monitor the progress of the case and act on any advice given. Details of contacts made should be recorded chronologically on the Child Protection Case File.
16. Ask for an update from the HSE / An Garda Síochána about the outcome of their investigations; this request should be made in writing.
17. Conduct an internal investigation at the conclusion any external investigation or where no such investigation takes place. Any internal investigation will be initiated in cases where child protection concerns remain or where disciplinary action needs to be considered. Such an investigation will gather and assess available information from all sources and witnesses. Every effort should be made, in consultation with the HSE / An Garda Síochána, to avoid the necessity to interview child witnesses for the purposes of disciplinary inquiries.

This investigation (which takes place after the statutory enquiries have been completed) should be conducted expeditiously, taking no longer than three months, wherever possible. In cases where there is a delay, and particularly where a Priest has been temporarily removed from active ministry, it is important to keep everyone informed of the progress of the investigation and to maintain records of such communications. Where an investigation concerns Clergy, the requirements of Canon Law will be observed.

## WHEN A MEMBER OF STAFF OR VOLUNTEER IS THE SUBJECT OF AN ALLEGATION

Each Parish should establish clear procedures to be followed where there is an allegation or suspicion of child abuse (See **SECTION 2.2** - Definition of child abuse) in regard to a member of staff or volunteer.

This will include ways in which Church personnel can raise allegations and suspicions about unacceptable behaviour towards children by other Church personnel or volunteers - 'whistle-blowing', confidentially if necessary.

### Parish Designated Person

Every Parish should designate a person or persons to be responsible for dealing with complaints or concerns regarding child abuse and to promote the safeguarding of children within that Parish. See **SECTION 2.7** for more information

The name and contact details of the Parish Designated Person(s) and the Diocesan Designated Person (Delegate) should be made known to everyone involved in the organisation and its activities - e.g. workers, volunteers, children and young people, parents and guardians.

Use **FORM C1** (see appendix) to make such a referral to your Parish Designated Person.

### Disciplinary process

It will be the responsibility of the Parish Priest /Parish Administrator in consultation with the Diocesan Designated Person (Delegate), to deal with and manage all disciplinary matters relating to the continuing employment and/or voluntary service of the person concerned.

The management of such matters should be based on the guidelines contained in '**Children First**': *National Guidelines for the Protection and Welfare of Children (1999) – Chapter 12*. It should take cognisance of employment legislation.

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

There will be consultation with the HSE and Garda regarding protective measures for child/children, always aware that the safety of children is paramount.

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

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

The approach to resolving conflict should always be one of open dialogue in a safe space and in a friendly and informal atmosphere.

### **Parish Procedures**

- Develop a clear and transparent complaints procedure and appeals process to be used by young people, staff, workers, volunteers, or by parents who are dissatisfied with any aspect of activities or services provided.
- 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.

### **Making a complaint**

*What to do if you have a complaint about someone, working on behalf of the parish, at parish activities for children and young people*

- Communicate immediately with the person in charge of the project /event.
- Once a communication is received, the leader will try to resolve the issue promptly and fairly.
- Should the matter not be resolved to the complainant's satisfaction the complainant may discuss the issue with the Chairperson of the Parish Pastoral Council who will, similarly, try to resolve the issue promptly and fairly.
- If a satisfactory resolution cannot be arrived at, an external mediator will be invited to dialogue with all concerned.
- The determination of the external mediator, proposed after discussions with all parties, will be final.

Should the issue relate to the Parish's Child Protection procedures, the leader, upon receiving the communication, must contact the Parish Designated Person who will deal with the matter.

The Diocese of Kildare and Leighlin is committed to ensuring peoples' rights to confidentiality.

However, in relation to child protection and welfare we undertake that:

- Information will only be forwarded on a 'need to know' basis in order to safeguard the child;
- Giving such information to others for the protection of a child is not a breach of confidentiality;
- We cannot guarantee total confidentiality where the best interests of the child are at risk;
- Primary carers and children have a right to know if personal information is being shared and/or a report is being made to the Health Service Executive, unless doing so could put the child at further risk;
- Images of a child will not be used for any reason without the consent of the parent/carer (however, we cannot guarantee that cameras/videos will not be used at public liturgies/events);
- Procedures will be put in place in relation to the use of images of children;
- Procedures will also be put in place for the recording and storing of information in line with our confidentiality policy.

## Parish Record Keeping

When situations become vacant those responsible the Parish has a responsibility to receive from each individual concerned, a completed 'declaration form'. 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).

Each Parish Group will be responsible for storing in a confidential way an accurate record for each activity involving children including, but not limited to, programme details, attendance, parental consent, necessary medical information etc.

The **Data Protection Rules** as outlined in the European Communities (Data Protection) Regulations 2001 must be adhered to in retaining records. More information - [www.dataprotection.ie](http://www.dataprotection.ie)