



THE CHURCH OF IRELAND

CHILD SAFEGUARDING

POLICY



Approved by the Standing Committee of the Church of Ireland  
*for use in Republic of Ireland*

2018







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## FOREWORD

IT IS ONE OF THOSE STRANGE FACTS THAT THE WORDS “SAFETY” AND “SALVATION” ARE DERIVED FROM THE SAME LATIN ROOT. IT MAY BE STRANGE, BUT IT IS WHOLLY APPROPRIATE.

The Church of God is charged by Our Lord with forwarding the salvation of souls, but it cannot even begin this task if it neglects the safety of people. These are connected aspects in the life of the Church, and it is therefore a primary duty to Christ that we do all in our power to ensure the physical, emotional and spiritual safety of Christian disciples, young and old, who have committed themselves (or who are entrusted by others) to our care.

I am grateful to all those who have worked diligently to ensure both that our safeguarding codes are rigorous and detailed, and also that they are compliant with civil law and our Christian responsibilities. I am of course aware that the safeguarding codes place huge obligations both on individuals and on organisations and that, for some smaller communities, these may be far from easy to fulfil. But there can be no short cuts.

Our work and ministry with children, and with adults who may (for whatever reason) be “at risk”, is a privilege but also a trust. We cannot betray that trust in any way if we are to fulfil our responsibilities as followers of a Saviour who came into the world that all may know safety and find salvation.

**+Richard Armagh**





# PART 1:

## INTRODUCTION AND CONTEXT

### POLICY STATEMENT

"IT IS THE POLICY OF THE CHURCH OF IRELAND TO SAFEGUARD ALL CHILDREN SHARING IN ITS MINISTRY AND TO PROTECT THEM FROM ALL FORMS OF HARM AND ABUSE."

### AIM

The Church of Ireland believes that children should never experience abuse of any kind. Everyone has a responsibility to promote the welfare of all children and to keep them safe. The Church of Ireland is committed to implementing procedures and practices with the aim of safeguarding all children and protecting them from harm. This commitment is outlined in the Child Safeguarding Statement. (see [www.sg.ireland.anglican.org](http://www.sg.ireland.anglican.org)).

The primary aim of *Safeguarding Trust* (2018): The Church of Ireland Child Safeguarding Policy is to ensure that the welfare of children sharing in its ministry is of paramount importance. The policy aims to provide clear direction to all those who work with children in the Church of Ireland to enable them to fulfil their responsibilities to provide a safe environment and protect children.

### LEGAL CONTEXT

*Safeguarding Trust* has been developed in line with the following legislation and guidance documents which seek to protect and safeguard children.

- The United Nations Convention on the Rights of the Child (UNCRC).
- Universal Declaration of Human Rights (UDHR).
- European Convention on Human Rights (ECHR).
- Child Care Act 1991.
- Protection for Persons Reporting Child Abuse Act 1998.
- Criminal Justice Act, 2006.
- Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012.
- National Vetting Bureau (Children and Vulnerable Persons Act), 2012 - 2016.
- Children First Act 2015.
- Criminal Law (Sexual Offences) Act 2017.



- Children First: National Guidance for the Protection and Welfare of Children 2017 (Department of Children and Youth Affairs).
- Child Protection and Welfare Practice Handbook 2011 (Health Service Executive).
- Child Safeguarding: A Guide for Policy, Procedure and Practice 2018 (Tusla).

## GUIDING PRINCIPLES<sup>1</sup>

Thousands of children visit Church of Ireland premises for worship and other social, educational and recreational purposes each week. The Church's ministry to them is a priority for the Church and it is only possible because of the commitment of adults who are prepared to work with children. *Safeguarding Trust*: The Church of Ireland Child Safeguarding Policy is designed to protect and to enhance that ministry.

*Safeguarding Trust*: The Church of Ireland Child Safeguarding Policy is designed to enable all parties within the Church of Ireland to fulfil their proper responsibilities within this ministry:

- To create a safe environment which will promote healthy and fulfilling participation of children in spiritual, educational and recreational activities and minimise the possibility of harm, either deliberate or accidental.
- To encourage safe practices for those who work with children.
- To set out the appropriate responses and procedures in the event of an accident or abuse taking place.
- To safeguard those who work with children from the consequences of unfounded accusations.

The Church of Ireland recognises that:

- the welfare of the child is paramount;
- all children, regardless of age, disability, gender, racial heritage, religious belief, sexual orientation or identity, have the right to equal protection from all forms of harm or abuse;
- some children are additionally vulnerable because of the impact of previous experiences, their level of dependency, communication needs or other issues;
- working in partnership with children, their parents/guardians and other agencies is essential for promoting the welfare of children.

Bishops, clergy, staff and volunteers within the Church of Ireland's ministry with children are committed to implementing procedures and practices which promote the welfare of children and protects them from harm. The policy, procedures and practice contained in *Safeguarding Trust* will be reviewed at regular intervals, at least every two years.

The Church of Ireland will seek to safeguard children by:

- valuing them, listening to them and respecting them;

<sup>1</sup> Child Safeguarding: A Guide for Policy, Procedure and Practice (2018, Tusla) Pg. 12-14



- adopting child protection practices through procedures and a code of behaviour for all bishops, clergy, staff and volunteers;
- implementing robust recruitment and selection procedures including required vetting and reference checks;
- providing effective management for staff and volunteers through supervision, support and training;
- reporting concerns to statutory agencies and involving children and parents/guardians appropriately;
- sharing information about child protection and good practice with children, parents/guardians, staff and volunteers;
- ensuring adherence to safety procedures.

## PROMOTION OF SAFEGUARDING TRUST

*Safeguarding Trust* provides a framework for those ministering within the Church of Ireland on how to recognise, respond and report any concerns of any safeguarding nature regarding children. *Safeguarding Trust* sits alongside the Adult Safeguarding: The Church of Ireland Code of Good Practice and Dignity in Church Life policies to support and protect all those who work in the Church of Ireland as bishops, clergy, staff or volunteers.

The panel notice (*template provided in Part 8 - Appendices*) and the Child Safeguarding Statement should be prominently displayed in each of the Church's premises and readily available online and everyone involved in the Church and its activities should receive or have access to a copy of the *Safeguarding Trust* policy document.

Information leaflets on *Safeguarding Trust* shall also be made available to staff/volunteers, parents/guardians, children and select vestry members.

## GLOSSARY

**Child** means a person under 18 years excluding a person who is or has been married as set out in section 2 of the Child Care Act 1991.

**Staff** means anyone with a formal contract of employment who is employed and paid by a parish, a diocese, the RCB, or any other Church of Ireland organisation to undertake relevant work or activities relating to children. (see [www.sg.ireland.anglican.org](http://www.sg.ireland.anglican.org)).

**Incumbent** - In addition to the ordinary meaning of 'incumbent' within the law of the Church of Ireland (being a beneficed member of the clergy), the term shall, for the purposes of the implementation of this policy also include licensed clergy, or other officiating clergy (such as Clergy with Permission to Officiate), lay ministers (such as a Church Army Officer), who are in charge of a parish, including those temporarily in charge during a vacancy in an incumbency. The term shall not include a deacon serving in an internship.



**Clergy** or **Member of the Clergy** shall, unless otherwise specifically provided, mean a deacon or priest of the Church of Ireland or of a church in full communion with that Church serving in or retired from ministry of the Church of Ireland: beneficed, licensed or with Permission to Officiate.

**Volunteer** means anyone engaged by a parish, a diocese, the RCB, or any other Church of Ireland organisation in a position of responsibility towards children or assisting with a group or organisation providing activities involving children, or care or supervision of children, and who is not paid for this involvement.

**Panel** means the parish representatives appointed to oversee the implementation of *Safeguarding Trust: The Church of Ireland Child Safeguarding Policy* in the parish or those appointed to discharge the same function at diocesan or central events. The panel fulfils the role of Designated Liaison Person/s.

**Parish** shall, in addition to the ordinary meaning of the term, include groups or unions of parishes, cathedrals (whether a parish or not), trustee churches, and also other non-parochial ecclesiastical units (e.g. church plants) in which a licensed member of the clergy of the Church of Ireland officiates as determined by the bishop and diocesan council.

**Mandated Person** means those defined in the Children First Act 2015 that have a statutory obligation to report concerns which reach a particular threshold to Tusla and to cooperate with Tusla in the assessment of mandated reports.

**Relevant Person** means the person appointed by a parish or diocesan body to be the first point of contact in relation to their Child Safeguarding Statement.

**Statutory Authorities** refers, as the context requires, to Tusla (Child and Family Agency) which is the statutory body responsible for child protection matters and for improving wellbeing and outcomes for children and/or to An Garda Síochána who are empowered under legislation to investigate possible criminal offences.

**Select Vestry** refers to the select vestry (or select vestries) of parishes and cathedrals howsoever described, and the Trustee body of every Trustee church howsoever described.

**Safeguarding Trust** refers to *Safeguarding Trust: The Church of Ireland Child Safeguarding Policy*.

**Review Board** means those appointed by the bishop of the diocese to undertake the risk assessment following the outcome of an allegation against a staff member or volunteer.

**RCB** or Representative Body refer to the Representative Church Body, located in Church of Ireland House, Church Avenue, Rathmines, Dublin 6, D06 CF67.



## PART 2: AREAS OF RESPONSIBILITY

### THE CONSTITUTION OF THE CHURCH OF IRELAND

#### CHAPTER XVI (2018) SAFEGUARDING PART 1: MINISTRY WITH CHILDREN

1. *Safeguarding Trust: The Church of Ireland Code of Good Practice for Ministry with Children*, approved by the Standing Committee of the General Synod and reported to the General Synod, hereinafter referred to as *Safeguarding Trust* shall be implemented and adhered to throughout the Church of Ireland in the church's ministry with children.
2. Each bishop and diocesan council shall ensure that *Safeguarding Trust* be implemented and adhered to by all parishes, clergy and diocesan bodies within the diocese and in any diocesan activity.

### CENTRAL CHURCH BODIES

The Standing Committee, on behalf of the General Synod, has overall responsibility for the Church's Child Safeguarding Policy (known as *Safeguarding Trust*) and has delegated to the Church of Ireland Safeguarding Board responsibility for implementation. The Representative Body has responsibility, in conjunction with the dioceses, for providing funding to the Safeguarding Board to provide the necessary resources and training supports.

### CHURCH OF IRELAND SAFEGUARDING BOARD

The Church of Ireland Safeguarding Board is authorised and entrusted by the Standing Committee to ensure that those within the Church of Ireland have a special duty of care to Children and Adults at Risk and therefore a culture of collective responsibility to work in partnership with other statutory, community and voluntary organisations is encouraged.

The Safeguarding Board will act in accordance with the basic rights which are embedded in both our gospel values and civil laws and International Human Rights Instruments to protect those at risk of harm.

The Safeguarding Board is committed to learning from experience and by a process of continuous improvement to monitor and challenge the effectiveness of The Church of Ireland's safeguarding arrangements.



The Safeguarding Board is in place to oversee the implementation and review of *Safeguarding Trust*. This is a living document and will be reviewed every two years or as soon as practicable after there has been a material change in any matter to which *Safeguarding Trust* refers and amended as required by the Safeguarding Board. The Safeguarding Board shall advise the Standing Committee and the Representative Body of the outcome of the review and any amendments that need to be made. The updated policy from this review shall then be presented to Standing Committee for approval.

The Safeguarding Board will ensure that there are training materials developed and that support and training is provided to Diocesan Support Teams so that training can be provided for bishops, clergy, staff, volunteers and panel members.

## BISHOPS AND DIOCESAN COUNCILS

Each bishop and diocesan council(s) is required by the Constitution of the Church of Ireland to ensure that *Safeguarding Trust* is implemented and adhered to throughout the Church of Ireland.

Diocesan council(s), through the diocesan secretaries, will be responsible for issuing to the honorary secretary of every select vestry on an annual basis, a standard form which will be completed and returned by the select vestry, confirming that *Safeguarding Trust* is being implemented by the select vestry in each parish. This is the declaration of compliance.

Diocesan Council(s) will be required to report to the Safeguarding Board on an annual basis (usually by the end of June) that every parish and relevant diocesan bodies have completed the declaration of compliance.

The bishop of the diocese and diocesan council shall ensure that every parish and diocesan body and dioceses in their area of responsibility undertake a Risk Assessment at least every two years and a Child Safeguarding Statement is adopted, and a relevant person appointed. The Risk Assessment will be conducted, and the Child Safeguarding Statement will be drafted in accordance with templates and guidance issued to each diocese and parish by the CPO to ensure compliance with section 11 of the Children First Act 2015.

The bishop of the diocese and diocesan council(s) must set up a *Safeguarding Trust* diocesan support team. This team will undertake the evidence based triennial audit of the implementation of *Safeguarding Trust* in parishes and diocesan bodies and put in place a plan for every parish and diocesan body for action arising from the audit, provide support to parishes and diocesan bodies with the implementation of *Safeguarding Trust* and provide training in line with the Diocesan Training Strategy (see *Part 8 - Appendices*). The bishop of the diocese and diocesan council(s) shall determine the composition of the diocesan support team and ensure that suitable people with the appropriate skills are appointed. The work of the diocesan support teams is supported by the Safeguarding Board in conjunction with the Child Protection Officer. The diocesan support team shall report on a regular basis to the diocesan council(s) about their work and shall also submit a report on their year's undertakings to the diocesan secretary for inclusion in the Diocesan Synod Book of Reports.

The bishop of the diocese, diocesan council(s) and diocesan support team shall put in place a Diocesan *Safeguarding Trust* training strategy to outline what training must be completed and the frequency of such training. (see *Part 8 - Appendices*)



The bishop of the diocese shall ensure that a current Access NI and/or Garda vetting disclosure is in place for a candidate for holy orders prior to ordination, or prior to institution to an incumbency or other charge or granted a licence to officiate or permission to officiate. The bishop of the diocese shall attend role specific *Safeguarding Trust* (Child Protection Awareness training) in line with the Central Training Strategy.

## THE INCUMBENT AND SELECT VESTRY

Incumbents and select vestries shall, following the approval of the bishop of the diocese, ensure that within each parish\*, there is a panel of at least three people ('the panel') trained to implement *Safeguarding Trust*.

The panel shall include the incumbent or in exceptional circumstances a person nominated by the incumbent together with two other members. The panel should comprise of both male and female persons. Panel members may be working with children in the parish but at least one member of the panel should not be working with children in the parish.

**NB** A panel member cannot be the spouse of the incumbent or another panel member nor be an immediate relative of another panel member.

\*If in exceptional circumstances, due to lack of available parishioners, it is not practical to appoint a panel of three persons and subject to the prior approval of the bishop of the diocese, alternative arrangements may be made for the appointment of a panel, subject to such conditions as the bishop of the diocese shall decide.

Select vestries must:

- affirm, in writing on the declaration of compliance to the diocesan council annually, that *Safeguarding Trust* is being implemented by the select vestry in the parish.
- take all reasonable care that the premises, in which all work with children takes place, and any equipment used for such work, are safe for such purposes and that appropriate insurance is in place.
- adopt a Child Safeguarding Statement following completion of the Risk Assessment and appoint the incumbent as the relevant person in line with Children First Act 2015.
- ensure that *Safeguarding Trust* is a standing item on the Select Vestry agenda and receive regular reports from the panel.
- exercise reasonable care when allowing use of a church hall or other premises for activities which will involve work with children. All external bodies or tenants must sign an annual agreement accepting the terms of the Common Protocol for Churches relating to Independent Organisations working with children and associated Form of Approval for Independent Organisations wishing to use Church Premises for Activities involving children.  
(see Part 8 - Appendices)
- confirm that the appropriate insurance advised by the Representative Church Body is put in place by the parish insurer.



## PARISH AND DIOCESAN PANELS

### PARISH PANEL

The parish panel functions as a sub-committee of the select vestry with the membership nominated by the incumbent and appointed by the select vestry. Members other than the incumbent are not required to be members of the select vestry. Lay panel members should be vetted prior to appointment by the select vestry.

### PANEL ROLES

- Maintains oversight of all matters regarding safeguarding in the parish on behalf of the select vestry and report on matters to each select vestry meeting. The parish panel should meet on a regular basis (at least twice) throughout the year. The checklists in *Part 8 - Appendices* will provide guidance as to matters to be covered at these meetings.
- Implement and maintain good practice in the recruitment, assessment, training, management and support of staff and volunteers (*see Part 3 - Recruitment, selection and management of staff and volunteers*). The panel may include others in the interview process where a post requires specialist skills to be assessed.
- Keep records of all appointments, reports and other relevant documents regarding *Safeguarding Trust* and audit records such as the accidents and incidents book in case suspicious patterns emerge. Store all records securely in line with General Data Protection Regulations. (*see GDPR & Safeguarding Trust guidelines*)
- Follow the guidelines set out in *Safeguarding Trust*, and in the appropriate statutory guidelines, on how to respond to any safeguarding concern. The panel fulfils the role of Designated Liaison Person/s and acts collectively.
- The panel will also be involved in managing situations where a member of staff or volunteer has been suspended pending a statutory investigation. Information may come to the panel from outside the parish, as from statutory authorities.
- Ensure that panel notices (*see Part 8 - Appendices*) and children's information posters are displayed on parish premises giving relevant information regarding the statutory authorities to whom a concern can be reported. The notices and posters identify the panel members.
- Advise the select vestry in respect of its responsibilities. Safety and employment issues are normally advised directly to the select vestry but information concerning child protection issues must only be shared on a 'need to know' basis.
- Meet members of the diocesan support team to undertake the evidence based triennial parish audit and implement actions required as a result of the audit. (*see Part 8 - Appendices*)
- Ensure that a risk assessment is undertaken every two years and a Child Safeguarding Statement is adopted by the select vestry and displayed on parish premises and the incumbent is appointed as relevant person in line with Children First Act 2015.
- Ensure all clergy, staff and volunteers undertake regular training. They will be supported in this by their diocese.



## DIOCESAN PANEL

The diocesan panel will be appointed by the bishop of the diocese subject to approval by diocesan council. This should be composed of a senior member of the clergy plus two others, with at least one lay member. The panel should comprise of both male and female persons. The responsibilities and duties are the same as those of the parish panel in terms of receiving and reporting concerns. This panel is required to be constituted and to meet under the following circumstances:

### 1. *Diocesan staff*

If a diocese employs staff who are undertaking relevant work or activities relating to children, then a panel must be constituted for at least the duration of their employment. The diocesan panel will be responsible for ensuring that the member of staff has relevant training prior to employment and that regular training is accessed during their employment.

### 2. *Events / camps*

Where a youth camp or children's event is being held and serving any area greater than a parish.

### 3. *Report of historical abuse*

When a retrospective allegation is made concerning a member of the clergy or diocesan staff, the diocesan panel should meet to support the bishop of the diocese in dealing with the allegation. The Child Protection Officer can provide support to the bishop of the diocese and diocesan panel in their role in respect of such allegation.

### 4. *Report of allegation*

When an allegation is made concerning a member of the clergy or a panel member, the diocesan panel should meet to support the bishop of the diocese in dealing with the allegation. When an allegation is made concerning a staff member or volunteer the diocesan panel shall undertake the internal personnel procedures. The Child Protection Officer can provide support to the bishop of the diocese and diocesan panel in their role in respect of such allegation.

## PANEL MEMBERS - SUITABILITY FOR MEMBERSHIP

The people best suited to the foregoing tasks are those whose occupations, or lengthy voluntary experience, have brought them into contact with children.

Those who have already participated in foundation training in child protection, e.g. nurses, teachers, social workers, probation officers and doctors may be particularly suitable. Consideration should also be given to those who could bring particular gifts and skills to the panel, e.g. those with administrative experience.

Parishes need to indicate the duration of appointment for panel members, perhaps a period of five years which might be renewable, so that the role and responsibility is shared among parishioners.



## PROVIDERS OF ORDINATION (PRE AND POST) AND LAY READER TRAINING

An Access NI check and/or a vetting disclosure from The National Vetting Bureau which has been assessed as being favourable, should be received for those who have been nominated for training, subject to residence, **before** commencing training. A person shall not commence training unless a vetting disclosure has been obtained.

The Principal of The Church of Ireland Theological Institute is responsible for ensuring that all its students attend training in *Safeguarding Trust* prior to their placement in parishes or in any work involving children.

The bishop of the diocese shall ensure all clergy, lay readers, diocesan readers, parish readers attend relevant training in line with the Diocesan Training Strategy.

The bishop of the diocese shall ensure that those in ministry in their dioceses shall receive continuing training in relation to child protection.

## THE CHURCH OF IRELAND YOUTH DEPARTMENT, DIOCESAN YOUTH COUNCILS AND OTHER ORGANISATIONS

The Church of Ireland Youth Department and every Diocesan Youth Council shall implement *Safeguarding Trust*.

All Church of Ireland groups (including Mothers' Union, Girls' Friendly Society etc.) using Church of Ireland premises shall implement *Safeguarding Trust* and ensure that their staff/volunteers undertake *Safeguarding Trust* training, where appropriate, and sign the declaration of compliance annually.

## MANDATED PERSONS

The Children First Act 2015 places a legal obligation on certain categories of people to report child protection concerns at or above a defined threshold to Tusla. These Mandated Persons must also assist Tusla, if requested, in their assessment of child protection concerns about children who have been subject of a mandated report. Broadly, the obligation to report child protection concerns to Tusla is triggered where a mandated person knows, believes or has reasonable grounds to suspect that a child has been harmed, is being harmed, or is at risk of being harmed, or where a child discloses to the mandated person his or her own belief that he or she has been harmed, is being harmed, or is at risk of being harmed,

Mandated persons are people who have contact with children and/or families and who because of their qualifications, training and/or employment role are in a key position to help protect children from harm. Mandated persons include professionals working with children in the education, health, justice, youth and childcare sectors. Certain professionals who may not work directly with children, such as those in adult counselling or psychiatry, are also mandated persons. The list also includes



registered foster carers and members of the clergy or pastoral care workers of a church or other religious community.<sup>2</sup>

A full list of the categories of people who are mandated persons is available at - [www.sg.ireland.anglican.org](http://www.sg.ireland.anglican.org)

Each diocesan office shall identify those persons within parishes in the dioceses and at diocesan level who are mandated persons by virtue of their roles, as set out in the Children First Act 2015. The diocesan office shall correspond with those persons identified as mandated persons to notify them of their role as mandated persons. The Diocesan office shall maintain a list of mandated persons within the dioceses.

## **BISHOPS, CLERGY, STAFF AND VOLUNTEERS**

Anyone working with children in the Church of Ireland, whether as bishops, clergy, staff or volunteers should:

- undertake in writing to show care for the welfare of children;
- adhere to the code of behaviour for bishops, clergy, staff and volunteers (*see part 4*);
- understand how to work safely with children in weekly activities as well as on day, weekend or longer trips (residential or otherwise);
- have a basic knowledge of the definitions and features of child abuse;
- know how to respond should a child make a disclosure;
- report to the panel any concern regarding a child and cooperate in reporting the details to the appropriate statutory agencies. (In the event of the incumbent being implicated the report should also be made to the bishop of the diocese.)

## **CHILD PROTECTION OFFICER (CPO)**

The Child Protection Officer (CPO) advises on and supports the implementation of the child protection policy of the Church of Ireland *Safeguarding Trust* and provides advice and assistance to panels, bishops and other church authorities in relation to the reporting and management of any child abuse issue.

The CPO shall be appointed as the relevant person for the Church of Ireland and shall be the first point of contact in relation to the overarching Child Safeguarding Statement for the Church of Ireland.

The CPO also assists in the development and review of *Safeguarding Trust*, designs and delivers training in line with the Central *Safeguarding Trust* Training Strategy and monitors implementation of *Safeguarding Trust*. The CPO contributes to the annual report and compiles statistical data, where relevant, in addition to other related tasks.

<sup>2</sup> Children First: National Guidance for the Protection and Welfare of Children (2017, Department of Children and Youth Affairs) Pg.19



## **PART 3:**

# **RECRUITMENT, SELECTION AND MANAGEMENT OF PARISH STAFF AND VOLUNTEERS**

### **THE IMPORTANCE OF GOOD RECRUITMENT, SELECTION AND MANAGEMENT PROCEDURES**

Good recruitment, selection and management procedures will:

- help screen out and discourage those who are not suitable to work with or have access to children and, if necessary, ensure as far as reasonably practicable that they do not have access to children;
- ensure staff and volunteers have clear rules and boundaries and feel supported in their roles;
- assure parents/guardians that all possible measures are being taken to ensure only suitable people will be recruited to work with children.

### **RECRUITMENT AND SELECTION**

Recruitment and selection procedures must be applied equally to all staff and volunteers and this includes:

- those who have been part of the parish/diocese for many years and are taking up a new role with children.
- those who turn 18 and have become staff members or volunteers in a group they have been participants.
- those who are 16 or 17 and wish to continue as helpers or take up a role as a helper in a group.

The process is the same for both volunteers and staff, but the process will be more formal for the latter. The following steps should be undertaken by the panel and are necessary to ensure good practice:

#### **DEFINING THE ROLE**

A role description should be drawn up for each role and given to all volunteers. This can be done generically for volunteer roles within the parish/diocese/organisation. For a staff role a specific job description should be created.

#### **APPLICATION FORM (SEE PART 8 - APPENDICES)**

All applicants must be asked to complete an application form. The application form may be more extensive for a staff position than a volunteer position.



All applicants whether volunteers or staff are required to sign a declaration stating that there is no reason why they would be considered unsuitable to work with children. All applicants will be required to declare any past criminal convictions and cases pending against them. All applicants deemed suitable at interview will be required to complete a Garda Vetting invitation form.

## **INTERVIEW**

All potential staff and volunteers will be interviewed by the panel sometimes in conjunction with other relevant individuals such as the leader-in-charge. The level of formality of the interview should reflect the role being undertaken. An interview for a volunteer may be fairly informal; however, an interview for a member of staff should be more formal and comply with Employment Equality Acts 1998-2015.

## **REFERENCES (SEE PART 8 - APPENDICES)**

References should be taken up from at least two people who are not family members and, ideally, one of whom should have first-hand knowledge of the applicant's previous work or contact with children. References should be taken up **in writing** and should be followed up **orally**.

## **GARDA VETTING**

A willingness to participate in the Garda vetting process is a compulsory requirement for all posts and a willingness to participate should be confirmed in writing as part of the application procedure.

As this process can change, the panel should follow the latest procedure outlined on the *Safeguarding Trust* section of the Church of Ireland website. ([www.sg.ireland.anglican.org](http://www.sg.ireland.anglican.org)).

Further information is also available on the National Vetting Bureau website <https://vetting.garda.ie>. Identification documents should be requested in line with Garda vetting requirements and copies should be kept on the individual's file.

On receipt of the vetting disclosure the panel should assess the information contained therein to inform their decision as to whether to appoint the individual or not.

All staff and volunteers should be subject to re-vetting in line with the Guidance on Garda Vetting procedures [www.sg.ireland.anglican.org](http://www.sg.ireland.anglican.org)

## **RECORD KEEPING**

Details of the selection and recruitment procedure should be recorded and securely stored as per data protection regulations (see General Data Protection Regulations and Safeguarding guidelines).

## **RATIFYING THE APPOINTMENT**

At the conclusion of the selection and recruitment process the panel recommends the individuals to the select vestry which is the appropriate body to ratify the appointment of the individual. A contract of employment (in the case of a member of staff) or a volunteer agreement (in the case



of a volunteer) is signed by the individual and incumbent on behalf of the select vestry. The volunteer agreement may take the form of a letter of appointment. A contract of employment with a member of staff should be drawn up by legal / human resources professionals.

When ratifying the appointment, it may also be helpful to indicate a particular duration for the role, say three to five years.

**Please note that a member of staff or volunteer cannot begin their work until a vetting disclosure has been received from the National Vetting Bureau and it has been assessed by the panel. This also applies to clergy and a vetting disclosure must have been received and assessed prior to ordination, institution to an incumbency or other charge or granted a licence to officiate.**

### STAFF OR VOLUNTEERS FROM OUTSIDE THE UK AND IRELAND

Full background checks may not be possible for many overseas applicants. Staff and volunteers from abroad may produce certificates of good conduct from their home church or statutory agencies in their country of origin. Such certificates must be treated with extreme caution as it may not be possible to confirm their validity. As with any other criminal conviction disclosure, it can only provide 'known' information.

Panels must make every effort to verify the suitability of candidates by careful use of references and interview. **NB** Something which constitutes an offence in Ireland (and would be seen as child abuse) may not in the country of the home church. References therefore need to be viewed with this in mind. However, any child abuse allegations, reports and concerns must be viewed in the context of whether same would constitute an offence in this jurisdiction.

The vetting legislation provides that a vetting disclosure must be obtained in respect of all staff and volunteers undertaking relevant work and this includes individuals from outside the State that have never resided in the State. However, as the National Vetting Bureau does not conduct vetting in relation to addresses outside of the Republic of Ireland and Northern Ireland, in instances where an applicant discloses foreign addresses, the applicant will be required to complete a Worker from Abroad form (*see Part 8 - Appendices*) and self-declare convictions, if any, while residing abroad. This will be in addition to obtaining a vetting disclosure for that person.

## MANAGING STAFF AND VOLUNTEERS

Good management of volunteers and staff will contribute to safe activities for children. Good management will also create an atmosphere where staff or volunteers feel valued, are listened to and where issues can be dealt with quickly by systems already in place.

Effective management for all staff and volunteers should include:

### INDUCTION

New staff and volunteers must be provided with a copy of the *Safeguarding Trust* policy by the panel. The leader in charge of the group should explain the procedures and guidelines contained



therein and outline the activities and ethos of the group they have joined. Staff and volunteers should be made aware of what is expected and required of them and the boundaries or limits within which they must operate.

### **SAFEGUARDING TRUST/CHILD PROTECTION TRAINING**

New staff and volunteers should attend *Safeguarding Trust* training for New Staff and Volunteers, provided by the diocesan support team, which provides basic awareness and understanding of child protection issues, at the earliest opportunity after their appointment. Following completion of their *Safeguarding Trust* training, the panel shall require all staff and volunteers to complete the Declaration of Acceptance (*see Part 8 - Appendices*).

The panel should keep a record of all trainings attended by staff and volunteers and ensure that staff, volunteers and panel members comply with the training requirements set out in their Diocesan *Safeguarding Trust* Training Strategy which includes the following levels of training:

- New Staff and Volunteers (Basic Awareness training)
- Panel Training (Designated Liaison Person training)
- Junior Helper Training
- Refresher Training.

### **PROBATIONARY PERIOD (STAFF) / TRIAL PERIOD (VOLUNTEERS)**

All appointments should be conditional on a satisfactory period of work. Every new post should be reviewed by the panel within an agreed period - usually six months.

### **SUPERVISION**

It is good practice to set up a supervision system for staff and volunteers, which means arranging to see staff and volunteers at regular intervals whether on their own or in small groups. This provides support for staff and volunteers and provides an opportunity to talk through any questions or difficulties they may have. It also gives the supervisor the opportunity to assess progress and whether any additional training should be provided. Each panel will determine who the appropriate person/people will be to supervise staff and volunteers. The panel should meet the leaders in charge of groups once a year to review practices within the children's groups in the parish (*see Part 8 - Appendices*).

### **ANNUAL APPRAISAL (STAFF) / REVIEW (VOLUNTEER)**

The annual appraisal/review should be undertaken by the person appointed to supervise the staff member/volunteer. The purpose of this is to review general performance and provide the opportunity to discuss any relevant changes in the personal circumstances of staff and volunteers. The appraisal/ review also provides the opportunity to highlight any required future support or skills training. Access should be provided to at least one training or development opportunity per year for each member of staff or volunteer.



## GRIEVANCE PROCEDURE

Every staff member and volunteer have the right to report a grievance and so staff and volunteers should be facilitated in raising a grievance. The grievance procedure aims to deal in a fair, prompt and impartial manner with the grievances of individual volunteers in relation to their role or duties.

Panels should ensure that written grievance procedures (*see template in Part 8 - Appendices*) are put in place, adopted by the select vestry and communicated to all volunteers. A grievance procedure should be included within the contract of employment of all staff.

## UNDER 18S WORKING WITH CHILDREN - JUNIOR HELPERS

Junior Helpers can be used in groups to assist staff and volunteers to provide children's activities. However, it is never appropriate to require someone aged less than 18 years to take on the role of leader or be in sole charge of children as this would mean leaving a child in charge of children. At least two staff members or volunteers should be in charge of any group of children. Permission from the panel must be sought by the leader-in-charge of a group before any under 18s are involved in such a role.

If under 16s are helping to gain expertise, citizenship development, personal or professional development, they should not be expected to take on the full range of duties of a member of staff or volunteer or be left in sole charge of children, they will not be permitted to submit a Garda Vetting check until the age of 16. At the age of 16, or if engaged to become a Junior Helper between the age of 16 - 18, they should have Garda Vetting carried out in line with the latest Garda Vetting procedures outlined on the *Safeguarding Trust* section of the Church of Ireland website: [www.sg.ireland.anglican.org](http://www.sg.ireland.anglican.org)

Any 16 and 17 year olds wishing to help with groups should complete Garda Vetting prior to starting to work with children. Please note that signed parental or guardian consent for such Garda Vetting is a prerequisite to such vetting being carried and should therefore be obtained from the proposed Junior Helper's parents or guardian.

When under 18s working with children turn 18 and wish to take up a leadership role, they should complete the remaining parts of the recruitment process to undertake the leadership role, however if they have been in constant contact with the group they do not need to repeat Garda Vetting unless they are due for re-vetting in line with the Guidance on Garda Vetting Procedures.

Under 18s must be provided with an appropriate form of induction training to cope with basic areas, such as bullying, shouting, physical contact, emergency procedures and first-aid policy. Such training must also include the need to safeguard themselves in situations where their actions may be misconstrued, without undergoing the full training required of core leadership. The panel should ensure such induction training is provided and the leadership of the group should ensure compliance with these standards. The panel should ensure that Under 18s assisting with groups also complete Junior Helper *Safeguarding Trust* training.

It is essential that those aged under 18 years also work at all times under those who have been trained to implement *Safeguarding Trust*.



## PART 4: CODE OF BEHAVIOUR

Codes of behaviour provide protection for everyone, including children, bishops, clergy, staff and volunteers. It is important that everyone involved has guidelines on what is expected, and what is not acceptable, with respect to their behaviour. The code of behaviour for bishops, clergy, staff and volunteers will help to create a supportive environment to provide a child-centred approach for the children involved in the Church. The code of behaviour for members will help to provide rules for the children to agree to and abide by.

### CODE OF BEHAVIOUR FOR BISHOPS, CLERGY, STAFF AND VOLUNTEERS

The code of behaviour for bishops, clergy, staff and volunteers has been categorised under five headings:

- Child-centred approach;
- Best practice;
- Inappropriate behaviour;
- Physical contact;
- Health & Safety.

All bishops, clergy, staff and volunteers must comply at all times with the Code of Behaviour, as set out below.

#### CHILD-CENTRED APPROACH

- Treat all children equally;
- Listen to and respect children;
- Involve children in decision-making, as appropriate;
- Provide encouragement, support and praise (regardless of ability);
- Use appropriate language (physical and verbal);
- Have fun and encourage a positive atmosphere;
- Offer constructive criticism when needed;
- Treat all children as individuals;
- Respect a child's personal space;
- Discuss boundaries on behaviour and related sanctions, as appropriate, with children and their parents/guardians;
- Agree a group code of behaviour at the beginning of each year/session;
- Encourage feedback from members;



- Use age-appropriate teaching aids and materials;
- Lead by example;
- Be aware of a child's other commitments when scheduling activities, e.g., school or exams;
- Be cognisant of a child's limitations, due to a medical condition for example;
- Create an atmosphere of trust;
- Respect differences of ability, culture, race and sexual orientation.

### BEST PRACTICE

- Ensure that a membership registration form is completed for each child on an annual basis (name, address, phone, special requirements, attendance, emergency contact);
- Make parents/guardians, children, and visitors aware of *Safeguarding Trust*;
- Have emergency procedures in place and make all aware of these procedures;
- Be inclusive of children with special needs;
- Plan and be sufficiently prepared, both mentally and physically;
- Report any concerns to the panel and follow reporting procedures;
- Report to the panel any concerns that they may have about fellow staff or volunteer's practice which may cause harm to a child and complete an incident form;
- Report to the relevant person any concerns they may have about bishop or clergy's practice which may cause harm to a child and complete an incident form;
- Encourage children to report any bullying, concerns or worries and to be aware of the Anti-Bullying Policy and to be aware of the reporting procedures;
- Observe appropriate dress and behaviour;
- Evaluate work practices on a regular basis;
- Provide appropriate training for clergy, staff and volunteers;
- Report and record any incidents and accidents;
- Update and review policies and procedures regularly;
- Keep parents/guardians informed of any issues that concern their children;
- Ensure proper supervision based on adequate ratios according to age, abilities and activities involved;
- Observe appropriate gender balance for residential;
- Don't be passive in relation to concerns, i.e., don't 'do nothing';
- Don't let a problem get out of control;
- Avoid, if at all possible, giving a lift to a child and if you do then make sure that parents/guardians are informed and provide prior approval;
- Maintain awareness around language and comments made, verbally, in any written communication and in any use of social/digital media. If you think that something you said may have caused offence or upset, then try to address it in an apologetic, conciliatory and sensitive manner.



## **INAPPROPRIATE BEHAVIOUR**

- Avoid spending excessive amounts of time alone with children;
- Don't use or allow language that is offensive, abusive or sexually suggestive - physical and/or verbal;
- Don't single out a particular child for unfair favouritism, criticism, ridicule, unwelcome focus or attention;
- Don't allow/engage in inappropriate touching of any form;
- Don't hit or physically chastise children;
- Don't socialise inappropriately with children, e.g., outside of structured organisational activities.
- Don't allow an inappropriate relationship to develop with an individual child.
- Ensure that any contact with children through social/digital media is in line with the procedures outlined (*see part 5 - Working Safely with Children*)

## **PHYSICAL CONTACT**

- Seek consent of child in relation to physical contact (except in an emergency or a dangerous situation);
- Avoid horseplay or inappropriate touch;
- Check with children about their level of comfort when doing activities that might involve physical contact.

## **HEALTH AND SAFETY**

- Don't leave children unattended or unsupervised;
- Manage any dangerous materials;
- Provide a safe environment by abiding by the practices outlined in working safely with children section;
- Be aware of accident and incident procedures and follow accordingly.

## **BREACHING THE CODE OF BEHAVIOUR**

Bishops, clergy, staff and volunteers should understand that:

- If they are unsure of their actions and feel they may have breached the Code of Behaviour or feel that their actions may have been misconstrued, a report should be written and submitted immediately to the leader-in-charge and / or the panel.
- Breaching the Code of Behaviour may be a serious issue that will be investigated.
- Breaching the Code of Behaviour may result in disciplinary action and ultimately dismissal.



It is important that if a staff member or volunteer has a concern about the behaviour of another staff member or volunteer they should report these concerns to the panel. Where the concern relates to a panel member, reports should be made to another panel member or incumbent. Where the concern relates to the incumbent or other member of the clergy, reports should be made to the bishop. Where the concern relates to a bishop, reports should be made to the to the Archbishop of the Province or in his or her absence the Archbishop of the other Province and Chief Officer in Church House. In the case of a complaint against an Archbishop it should be made to the Archbishop of the other Province or, in his or her absence, the next most senior bishop.

If the concern relates to a breach of the code of behaviour for bishops, clergy, staff and volunteers by a staff member or volunteer it shall be dealt with through complaints and disciplinary procedures (*see template in Part 8 - Appendices*), if the concern relates to a breach of the code of behaviour for bishops, clergy, staff and volunteers by a bishop or member of the clergy, it shall be referred to the bishop of the diocese or the relevant Primate. However if the concern relates to suspected or witnessed abuse, the matter will be dealt with through the procedures for dealing with an allegation against a bishop, clergy, staff member or volunteer (*see Part 7 - Responding to and reporting Child Protection or Welfare concerns*).

## COMPLAINTS

Everyone has the right to complain or report a grievance or concern. Children, parents/guardians, staff and volunteers should be facilitated in raising a concern or complaint. Panels should put in place a written complaints and disciplinary procedures, have them adopted by the select vestry and communicate them to all staff, volunteers, children and parents/guardians. (*see template in Part 8 - Appendices*) Complaints involving child protection concerns must be dealt with in accordance with reporting procedures as set out in (*see Part 7 - Responding to and reporting child protection and Welfare concern*) and not through the complaints and disciplinary procedure. Certain child protection concerns will trigger mandatory reporting obligation, whereby the matters in question must be reported to the statutory authorities (*see Part 7 - Responding to and reporting Child Protection or Welfare concerns*).

Any serious complaints regarding the conduct of bishops or clergy must be referred to the Complaints Administrator. This will then trigger the complaints procedure as laid out in Chapter VIII of the Constitution of the Church of Ireland. Should the complaint require further investigation the Complaints Committee will sit to consider the matter.

## CODE OF BEHAVIOUR FOR MEMBERS

It is good practice to have a code of behaviour for the children who are attending the group's activities. This should be developed in consultation with the children themselves and can be done, for example, in a workshop situation. In this way the children within your group will know what is expected of them and will have a degree of ownership of the agreed code. There are several



elements which should form part of a Code of Behaviour for members and these are outlined in Part 8 - Appendices

It is important that when developing the code of behaviour with the children, clergy/staff/volunteers should also discuss and agree the sanctions for breaching the code of behaviour. When agreed the code of behaviour and sanctions should be made available to all the children and their parents/guardians.

## ANTI-BULLYING POLICY

Children First: National Guidance for the Protection and Welfare of Children 2017 defines bullying as: *"Bullying can be defined as repeated aggression - whether it is verbal, psychological or physical - that is conducted by an individual or group against others. It is behaviour that is intentionally aggravating and intimidating and occurs mainly among children in social environments such as schools. It includes behaviours such as physical aggression, cyberbullying, damage to property, intimidation, isolation/exclusion, name calling, malicious gossip and extortion. Bullying can also take the form of identity abuse based on gender, sexual preference, race, ethnicity and religious factors. With developments in modern technology, children can also be the victims of non-contact bullying, via mobile phones, the internet and other devices."*<sup>3</sup>

It is therefore important that bishops, clergy, staff and volunteers do all in their power to tackle bullying occurring in any children's activities. The panel should develop an anti-bullying policy, which includes the definition of bullying and guidelines on how clergy, staff and volunteers should respond to any incidents of bullying. This should be adopted by the select vestry and circulated to all clergy, staff and volunteers. (see template in Part 8 - Appendices)

<sup>3</sup> Children First: National Guidance for the Protection and Welfare of Children (2017, Department of Children and Youth Affairs) Pg.12



## **PART 5:**

# **WORKING SAFELY WITH CHILDREN**

### **ADMINISTRATION OF ACTIVITIES**

Clergy, staff and volunteers must ensure that all children who attend the group should have a membership registration form filled in by a parent or guardian giving: name, address, date of birth, special medical details, dietary needs, emergency telephone numbers, next of kin, and parental consent to attend the group. The name of the leaders in charge and relevant contact details should be clearly identified on the membership registration form. *(see sample Part 8 - Appendices)*

An attendance register should be kept for each individual meeting and include all children, bishops, clergy, staff and volunteers present.

Accidents and incidents should be recorded on the accident and incident report forms/books. *(see form in Part 8 - Appendices)*

Parental consent forms for all outings, etc., should be completed. *(see sample in Part 8 - Appendices)*  
Parental consent forms for photographs, text messaging, social media contact, etc., should be completed. *(see sample in Part 8 - Appendices)*

It is essential that written information sought from parents/guardians is provided by those with parental responsibility.

Parents/guardians should always be informed of the limits of confidentiality around their contact details and any information they provide to the organisation.

### **SUPERVISION LEVELS**

Children are less likely to experience accidents or incidents if they are supervised properly. Activities should be organised to maximise participation, fun and learning in a way that minimises risk. Clergy, staff and volunteers should ensure that:

- Children are not left unattended.
- Adequate numbers of clergy, staff and volunteers are available to supervise the activities.
- When dealing with group members of mixed gender, it is recommended that there are sufficient clergy, staff and volunteers of both sexes to properly supervise activities and any premises in use.
- They know at all times where children are and what they are doing.
- Any activity involving dangerous equipment has constant adult supervision.
- Dangerous behaviour is never allowed.



The minimum adult to child ratio in any group is outlined below. More clergy/staff/volunteers or adults to children compared to the minimum ratio may be required due to local circumstances, the relationship with the group, the experience of clergy, staff and volunteers, safety, ability/disability of children and the nature and/or location of the activities being undertaken.

**Minimum adult/child ratio:**

- Children aged 0-4 years: minimum of two adults and ratio of 1:3
- Children aged 5 and above: minimum of two clergy/staff/volunteers and a ratio of 1:8

Therefore, every group should have a minimum of two clergy/adults/staff/volunteers and allowing an additional adult/staff/volunteer every time the group goes over the adult to child ratio.

**Example of minimum adult/child ratio:**

No. of adults/clergy/staff/volunteers	0 - 4 years	5 years plus
2	1 - 3 children	1 - 8 children
3	4 - 6 children	9 - 16 children
4	7 - 9 children	17 - 24 children
5	10 - 12 children	25 - 32 children

Where a group is allowing under 18s to assist working with children, the under 18s can supplement the number of clergy/staff/volunteers supervising the activity but should not be counted as part of the adult/clergy/staff/volunteer ratio.

Where an activity involves swimming and the children are under eight years of age then staff and volunteers should abide by the pool's Child Admission Policy.

**PRIVATE MEETINGS / CHATS**

Bishops, clergy, staff and volunteers should be aware of the dangers which may arise from private meetings / chats with individual children. In a reactive situation e.g. where a child requests a one to one meeting without warning or where a child need to be removed from a group, another member of staff, clergy or volunteer must be informed of this. Such meetings should be conducted in a room with visual access, or with the door open, or in a room or area which is likely to be frequented by other people. Where possible another member or another adult should be present or nearby during the meeting. A record should be kept of these meetings including names, dates, times, location, reason for the meeting and outcome; when on church premises.

Bishops, clergy, staff and volunteers should not arrange to have private meetings in response to a reactive situation with children off premises. If it is required to meet a child off church premises, then the parent /guardian must be present.

If one-to-one working should arise as part of a planned structured piece of work, the particular programme/activity should have a clear rationale, aims, methodology, evaluation mechanism and



accompanying work plan. A good supervision structure should be in place to support this work and address any issues which may arise. Parents/guardians must be fully informed as to the nature and purpose of this work and must give written consent.

## **PHYSICAL CONTACT**

As a general principle bishops, clergy, staff and volunteers are advised not to make unnecessary physical contact with children. Physical contact should be avoided.

Bishops, clergy, staff and volunteers should use their discretion when a distressed child needs comfort and reassurance.

Some bishops, clergy, staff and volunteers are likely to come into physical contact with the children from time to time in the course of their activities, for example when showing a child how to use a piece of apparatus or equipment or while demonstrating a move or exercise during activities or sports. Bishops, clergy, staff or volunteers should be aware of the limits within which such contact should properly take place and of the possibility of such contact being misinterpreted.

Bishops, clergy, staff and volunteers should not engage in physical competitive games / sports with children.

Bishops, clergy, staff and volunteers who have to administer first-aid should ensure wherever possible that other children or another adult are present.

Following any incident where a bishop, clergy, member of staff or volunteer feels that his/her actions have been, or may be, misconstrued a written report of the incident should be submitted immediately to the person to whom he/she is accountable /reports to and be included in the incident record book.

## **RELATIONSHIPS**

Bishops, clergy, staff and volunteers must not allow inappropriate relationships to develop with an individual child.

Bishops, clergy, staff or volunteers should ensure that their relationships with members are appropriate, taking care that their conduct does not infringe this principle. Attitudes, demeanour and language all require care and particularly when bishops, clergy, staff or volunteers are dealing with adolescents.

When children seek advice on an individual basis the primary role of a bishop, clergy, staff member or volunteer is to listen to the child and refer him/her to qualified and competent sources of advice/counselling.



## GENERAL SAFETY

Select vestries, as people who have control of the parish premises, have a duty under the Safety Health and Welfare at Work Act 2005 and other legislation such as the Occupiers Liability Act 1995 to ensure that the premises are safe. Select vestries should ensure that a Health & Safety statement is in place and that an annual Safety audit of the premises and a Health & Safety risk assessment of the activities is undertaken.

Safety is of prime importance during any activity. This is not only the responsibility of the leader-in-charge but of every bishop, clergy, member of staff or volunteer. Bishops, clergy, staff and volunteers should be aware of the following guidelines:

- Always have a quick initial look around the premises you are about to use to identify any possible dangers, e.g. a stack of chairs which could topple, an electric cable which could trip, etc.
- Be aware of the location of fire exits and ensure that they are not obstructed. Regular fire drills should be conducted to ensure that all children know what evacuation procedure to follow in the event of a real fire. Know where the nearest fire extinguishers are located. In the event of a fire, evacuating the building and saving life is much more important than fighting a fire. The assembly point should be clearly identified.
- It is imperative that where children's activities are the only activity taking place in the parish premises that the front door is kept locked with a relevant internal easy opening device so that access is limited to those attending and the clergy/staff/volunteers leading that group. If parents/guardians or others wish to gain access to the premises during these activities, they should have to ring a door bell or use an intercom and a staff/clergy/volunteer should open the door to allow them access to the premises.
- Where a children's activity is taking place at the same time as other activities are taking place, clergy/staff/volunteers should be aware of the other groups using the premises and the potential threats that this may raise. This may involve having extra clergy/staff/volunteers in place for these activities to monitor the door to the premises and supervise bathroom facilities.
- It is essential at the end of children's activities that children are handed over to the parents/guardians or the adult authorised to collect the children by a clergy/staff/volunteer.
- Know where the nearest accessible telephone is.
- If at all possible each group should have someone with a first-aid qualification. Where possible clergy, staff or volunteers should be aware of what medication children are currently taking and this should not be given without written consent from parents/guardians. Clergy, staff and volunteers should also seek to obtain information concerning allergies and reaction to foods, e.g. peanuts. Medication should be clearly marked, out of reach of children, and securely locked away.
- While in the kitchen area children must be supervised at all times by clergy, staff or volunteer or if children are not allowed in the kitchen area, it should be clearly marked as out of bounds to children.
- There should be adequate supervision by clergy, staff or volunteers of certain equipment, e.g. table-tennis tables, snooker tables, etc.



- During games or 'icebreakers' be aware of the risks of physical injury and guard against these.
- Check that equipment is safe and do not use items that you believe are not fit for the purpose.
- When using special equipment for your programme, e.g. for 'one-off' activities such as trampolining, bouncy castle, etc., ensure there is adequate supervision by trained staff, clergy or volunteers. You may also require special insurance to cover these higher risk activities. Be aware of the physical environment and remove/avoid items which may cause injury during the said activity. If the organisation is undertaking what is deemed to be high risk activities written permission from parents/guardians must be obtained in advance.
- Areas where maintenance work is taking place should never be used.
- Know where the first-aid provision is located.
- Know where the accident /incident report book is kept for recording details of accidents/injuries/ witnesses/date. Records of accidents/incidents should be kept in the panel records system.
- A plan for dealing with emergency situations should be drawn up for each group. This would include actions to be taken, records kept and local contact numbers for those who need to be informed.

## HEALTH & SAFETY RISK ASSESSMENT

The select vestry shall ensure that an annual safety audit of the premises and a health & safety risk assessment of the activities are undertaken. The select vestry shall determine the appropriate person/people to undertake the annual safety audit and shall ask the leaders of each group to undertake the health & safety risk assessment of the activities. Reports from both should be brought to a select vestry meeting.

Activities that would require a health & safety risk assessment include the following (This is not, in any sense, an exhaustive list but gives an indication of the types of activities involved):

- Church services
- Sunday clubs
- Youth clubs

Further health & safety risk assessments are required for one-off events or outings e.g. a weekend camp, cinema trip.

Health & safety risk assessments for all activities must be completed in writing (*see template in part 8 - Appendices*) and kept with other Safeguarding documents so they can be available when required.

## ACCIDENTS/INCIDENTS

Panels should ensure that there are accident forms and incident forms available to all groups using premises. Clergy, staff and volunteers should be advised as to where these forms are available and the correct procedure for submitting to the panel if they have to complete a form.



In the event of an accident/incident, a staff member/clergy/volunteer should administer any necessary first aid in the presence of another person. It is good practice to check the membership registration form or activity consent form for any allergies the child might have.

Clergy/staff/volunteers should use their discretion as to whether to inform parents/guardians of the accident/incident, immediately after it has happened or when they return to collect their child from the group activity. No child should go home after an accident without their parents/guardians being informed of the accident.

All facts relating to any accident or incident, contact details of all concerned and medical/other intervention (if such was necessary) should be accurately recorded on the accident/incident report form (*see forms in Part 8 - Appendices*). All incidents and accidents (no matter how minor) must be recorded in writing on the relevant report form.

If an accident/incident occurs off church premises (i.e. on a trip or outing) the accident/incident should also be reported to the management of that premises.

## **CONTENT OF ACTIVITIES**

Bishops, clergy, staff and volunteers should ensure that activities being undertaken are suitable for the ages, abilities and experience levels of the participants. Individual children should not be excluded from any suitable activities.

Bishops, clergy, staff, volunteers and organisations should, as a matter of policy, consult parents/guardians and management committees when using materials in connection with sex education programmes and should not use such materials other than with parental or guardian consent in respect of any children attending such programmes. Bishops, clergy, staff and volunteers should be conscious of using training materials of a sensitive nature and how it might affect members, bishops, clergy, staff and volunteers after the session/event or how members, bishops, clergy, staff or volunteers might apply the information provided.

## **PHOTOGRAPHS AND RECORDED IMAGES**

It is necessary for parishes and dioceses working with children to seek the consent of parents/guardians of children giving permission for their children to be present in photographs or on recorded images while attending a parochial or diocesan event and for publishing of these images. In addition, where photographs are published by the parish or diocese, (for example, in the parish/diocesan magazine or on the parish/diocesan website) the full name of children will not be given.

It is not practicable, however, on public occasions for the parish or diocese, the incumbent or bishop, or any staff or volunteer to regulate and oversee the use by every or any individual present of his or her camera, video recorder, camera on a mobile phone or smart phone, or any other such device. Hence, the following appropriate and realistic, albeit limited, safeguards should be in place to protect children as far as is possible from inappropriate use of their images.



## **GOOD PRACTICE GUIDELINES FOR TAKING OF PHOTOGRAPHS OR RECORDED IMAGES**

- Parental/guardian consent and children's consent (if of secondary level age) has been obtained in writing for the taking of and use of photographs and recorded images (*see sample in Part 8 - Appendices*)
- No unsupervised access to children is permitted or appropriate. This includes for photographic and recording purposes.
- Suitable clothing must be worn. Photographing and recording of children should be permitted only when suitable clothing is worn.

Concerns about intrusive or inappropriate taking of photographs or recorded images, or the use of photographs or recorded images, should be reported directly to the panel or to the leader in charge who should then inform the panel.

## **PHOTOGRAPHERS EMPLOYED AT EVENTS**

Check that the photographers have been vetted (a vetting disclosure obtained pursuant to the National Vetting Bureau (Children and Vulnerable Persons) Act 2012 or a shared agreement completed) and issue identification to be worn at all times. Keep a record of accreditations of the photographer. Provide a clear brief about what is considered appropriate in terms of content and behaviour. Clearly outline to the photographer that all images taken will remain the property of the parish/diocese and cannot be used or sold for any other purpose except with the explicit consent of the parish/diocese.

## **PUBLISHING OF PHOTOGRAPHS AND RECORDED IMAGES**

- Establish the type of image that appropriately represents the activity and the parish/diocese. Think carefully about any images you may wish to use in hardcopy, online or on social media.
- Never use the full name(s) of children along with the image(s). First names could be used if it is appropriate to name individuals. In group photos the first name should not be matched with their image in the photo in order e.g. L-R 'Jane, Tom, Jackie, Sally - prize-winners in the painting competition'.
- Only use images of children in suitable clothing. Parishes/dioceses can be involved in a range of activities; clearly some will pose a higher risk for potential misuse than others. Photos of these activities should focus on the activity rather than the individual child.

Only photographs or recorded images where consent has been given through the parish/diocese will be used for publicity purposes. Where consent is given for the use of photographs and recorded images of children, they may appear in a range of hardcopy, online publications and social media.



## USE OF SOCIAL/DIGITAL MEDIA

When considering using social/digital media as a means of communication with children, bishops, clergy, staff and volunteers must consider the age profile of the members of the group and should not use (for the purposes of communicating with children) or encourage children to use social/digital media under the age of 13. Bishops, clergy, staff and volunteers should always ensure that the means of communication being used with any group will not isolate or exclude any child who does not have access to that form of communication. Bishops, clergy, staff and volunteers should communicate with children under the age of 13 through their parents.

### SOCIAL MEDIA

In all their contacts and communications with the children of their group, bishops, clergy, staff or volunteers must be seen to be open and transparent. This is the case whether communications are by traditional means or by electronic means.

Bishops, clergy, staff or volunteers should not communicate with children using their personal social media accounts, personal email or chat rooms (unless a familial relationship exists).

For a group/parish using / publishing a social networking site the following principles should be applied:

- The page/profile must be password-protected, and the password must be held by at least three people from the clergy, staff or volunteers of that group/parish.
- The site should be monitored by a designated supervisor. This person should have access to the login details of the site. This supervisor will be appointed by the panel.
- Any inappropriate posts should be removed by the designated supervisor immediately after it coming to their attention. Reasons should then be explained to the person who posted the content. Where possible sites should be monitored before content is put up.
- The site should be kept 'private' or 'closed' i.e. only permitted members or 'friends' can see what is posted on the site.
- The use of personal addresses and telephone numbers, etc., should be not be used even if sites are 'private' or 'closed', there is the potential for items to be copied and shared.
- Content of any postings should be consistent with the aims of the parish/group. In cases of doubt clergy, staff or volunteers should seek advice from the panel.

For bishops, clergy, staff or volunteers using a social networking site:

- Bishops, clergy, staff or volunteers should not 'Friend' or 'Follow' children on social media (unless a familial relationship exists). It is possible that children will seek to 'Follow' bishops, clergy, staff or volunteers on social media so bishops, clergy, staff or volunteers should make sure any content they post is appropriate or ensure their privacy settings are set appropriately so that children cannot access the content.



- Messages left to or from children on social network sites should be written on an open page e.g. A Facebook "wall", and not in a private message, or by using "chat" [one-on-one].
- Bishops, clergy, staff or volunteers should not network with members of their group via closed [one-on-one] chat rooms e.g. Facebook messenger, WhatsApp, etc. This should be done through 'Group Chats' with a minimum of 2 adults in the group chat as administrators
- Any events or activities run by the group/parish that are organised or publicised on the site should be a closed event so as non-members cannot access the event without suitable permission by the site administrators.
- Any emails sent to children via the site must be sent to at least one other member of staff, clergy or volunteer. (This can be done by 'bcc' if necessary.)
- Bishops, clergy, staff or volunteers should avoid communicating with children in their organisation/group via social/digital media late at night or during school hours.
- In signing off a post or an email bishops, clergy, staff or volunteers should not do so in a way that could be misconstrued or misinterpreted by the recipient e.g.: "luv X"; "xoxoxo". Simply sign your name.
- Parents/guardians should be asked to give their consent for bishops, clergy, staff or volunteers to communicate with their child via social/digital media (where their child is over 13). Leaders-in-charge of groups must seek this consent in writing when they are communicating with parents/guardians at the commencement of each year. Once known, clergy, staff or volunteers must adhere to the wishes of the parents/guardians. Parents/guardians should also be encouraged to become members of any social networking site groups where there is communication between clergy/staff/ volunteers and children. For those parents/guardians who wish to become members of any social networking site group they should be asked beforehand to ensure that their own privacy settings are suitable and reminded that they should not accept any friend request from a child from the social networking site group other than their own. They should also be informed that their participation in such social network group is subject to these standards that also pertain to bishops, clergy, staff and volunteers.
- Parental consent and children's consent (if of secondary level age) is required before pictures or videos of children are posted online. When posting any pictures or videos, bishops, clergy, staff or volunteers should be careful to ensure that the image is appropriate for posting and no unnecessary private details of that child are disclosed - e.g. surnames or photos/videos where the child is wearing a uniform, and which would identify the school they attend.
- Any disclosures of abuse reported through a social networking site must be dealt with according to the reporting procedures. As outlined elsewhere, certain disclosures of abuse will trigger mandatory reporting obligations on the part of the recipient (*see Part 7 - Responding to and Reporting Child Protection or Welfare concerns*).



## MOBILE PHONES

Those who work with children need to be aware of the opportunities for abuse through the misuse of mobile phone and messaging. While good use of such media can be beneficial we must be vigilant and alert to the possibilities of misuse and consequent harm that can result to children. Bishops, clergy, staff or volunteers must also take care to protect themselves.

- Bishops, clergy, staff or volunteers involved in youth and children's work should only have children's mobile numbers with parental knowledge and consent and if the nature of their involvement requires them to phone or text children (where children are over the age of 13). (Such clergy, staff or volunteers might include those running a group for older teenagers, or a staff member, clergy or a volunteer involved in co-ordinating youth work.)
- Written parental consent should be sought in advance if the member of staff, clergy or volunteer in this role will be contacting children via mobile phone.
- A method of accountability should be arranged e.g. copies of texts could also be sent to other clergy, staff or volunteers or to parents/guardians.
- If a member of staff, clergy or volunteer has a child's phone number, it should only be used for the purposes it has been given i.e. the staff member, clergy or volunteer should not share this information.
- It is recommended that staff/clergy have a separate phone for work purposes rather than using their personal phone for contacting children.

## TEXTING - COMMUNICATION NOT CONVERSATION!

- Texts should be used for the purposes of reminding children about events which are forthcoming.
- Texts can also be used as a means to encourage children if it is appropriate e.g. 'hope exam goes ok'. This should not develop into a one to one conversation but remain as a group chat.
- If it turns into a conversation, communications should be ended. A staff member, clergy or volunteer can suggest discussing the subject further at the next event or, if they are concerned about the child arrange to meet up to talk further (within the approved safety guidelines).

## CAMERA PHONES

Camera phones should be used safely and responsibly.

Pictures can be very powerful and stir up strong emotions. Camera phone users should respect the private lives of others and not take or distribute pictures of other people if it could invade their privacy.

Bishops, clergy, staff or volunteers and children should not send pictures that are obscene, indecent or menacing and should be sensitive about other people's gender, colour, religion, sexual orientation or personal background. Bishops, clergy, staff or volunteers and, where appropriate, children themselves should be made aware that it is a criminal offence to take, make, download, permit to be taken, distribute, show or possess an indecent or sexually explicit image of a child under 18.



## USE OF MOBILE PHONES ON ACTIVITIES

When developing a Code of Behaviour for Members, staff/clergy/volunteers should encourage the children to include what is acceptable and what is expected of them in relation to mobile phones whilst at activities.

The Code of Behaviour for members should include sections to cover:

- Confirmation that when on activities a named member of staff, clergy or volunteer is the primary point of communication and is to be contacted if there is an emergency or change to previously agreed arrangements.
- That the usage of mobile phones including text messaging or playing games cannot be allowed to be a distraction from a safe awareness of the environment.
- That the usage of mobile phones including text messaging or playing games cannot be allowed to interfere with full participation in the activity.

When drawing up a Code of Behaviour for members for outings, camps and overnight activities, it should include sections to cover:

- Preferred time period when parents/guardians may make contact if they wish. Parents/guardians should be advised that contact outside of this time may not be possible due to the nature of the activities unless in an emergency situation.
- The use of phones while away can worsen rather than alleviate homesickness. In this context it can be good to encourage children sometimes to consider 'no news is good news'.

## USE OF COMPUTERS / TABLETS / WEB ENABLED GAMES CONSOLES / SMART TVS

Where bishops, clergy, staff/volunteers plan to use such electronic devices as part of their activities to engage the children in a relevant up-to-date medium, it is essential that a number of additional safety measures are undertaken.

Bishops, clergy, staff and volunteers should set out to the children clear boundaries as to what the electronic devices can be used for, the access limitation and the consequences of not abiding by these boundaries. The electronic devices being used should have appropriate parental control software installed to ensure that the children do not gain access to inappropriate sites. Bishops, clergy, staff and volunteers should supervise the access to the electronic devices closely to ensure that they are not inappropriately used. Bishops, clergy, staff and volunteers should ensure that whatever activity is planned to use electronic devices will not, even inadvertently, expose children to inappropriate content.

## TAKING CHILDREN ON OUTINGS / RESIDENTIALS<sup>4</sup>

If planning an activity off parish premises or staying away from home overnight, bishops, clergy staff and volunteers should consider the following:

<sup>4</sup> Child Safeguarding: A Guide for Policy, Procedure and Practice (2018, Tusla) Pg.52-54



- Safe methods of transport.
- Adequate insurance to cover all aspects of the trip.
- Written parental consent (for each individual trip).
- Any information about the children which may be relevant as they may be in your care for longer or overnight, e.g. allergies, medical problems, special needs, etc.
- Number of clergy/staff/volunteers required to adequately supervise children at all times.
- Appropriate and well supervised sleeping arrangements.
- Respect for privacy of children in dormitories, changing rooms, showers and toilets.

The following guidance is for bishops, clergy, staff and volunteers who are involved in organising day trips away or residential for children.

## PLANNING AND DOCUMENTATION

- Ensure activity consent forms are signed and received from parents/guardians prior to departure. (*see sample form in Part 8 - Appendices*)
- Ensure that activity consent forms have details of medical conditions, allergies and/or procedures that may need to be looked after during the trip.
- Ensure that there is adequate insurance cover for the trip and activities involved.
- Ensure that the selection process for choosing children for the trip is fair and transparent.
- Ensure that emergency contact numbers for parents/guardians are documented and available at all times.
- All bishops/clergy/staff/volunteers should be given clear roles and responsibilities for the trip.
- There should be one person appointed as the overall leader of the group who will have final decision-making authority during the trip.
- Ensure that a safety assessment has been conducted.

## ACCOMMODATION (FOR RESIDENTIAL TRIPS)

- In the planning stage check the proposed sleeping accommodation for children, bishops, clergy, staff and volunteers.
- Check health and safety issues relating to the accommodation such as emergency evacuation, accessibility of rooms and corridors for the mobility of the children, bishops, clergy, staff and volunteers.
- Ensure that single gender dormitories are used for children.
- Ensure that only children of similar age share sleeping accommodation.



- Ensure that all bishops/clergy/staff/volunteers have a list of all the children accommodation allocation.
- Bishops, clergy, staff and volunteers should never enter children's rooms without knocking first unless it is necessary to do so for safety or supervision reasons.

### **PREPARING PARTICIPANTS AND PROGRAMME**

- Prepare an information pack for children and parents/guardians including the programme of activities, emergency information, and a 'help me' card particularly for foreign trips.
- It is essential that the children are involved in every aspect of the process. This is an ideal opportunity for them to share the responsibility for the trip /activities that take place.
- A code of behaviour for the children, specific to the trip, should be developed and signed by the parents/guardians.
- Ensure that one person is appointed as the overall leader of the group, they will have various responsibilities including making a report following the trip.
- There should be a plan for communication with parent/guardians and children to inform them of travel and accommodation details, activities, special requirements, medical requirements, special dietary needs and any other necessary details. This can take the form of meetings or written correspondence.

### **EMERGENCY PROCEDURES**

- Have clear emergency procedures should you need to curtail the trip, have an emergency fund and know where the children, bishop, clergy, staff and volunteers are at all times.
- Children should be under reasonable supervision at all times and should never leave the venue or go unsupervised without prior permission.
- Have clear emergency procedures for a variety of incidents including where a child goes missing.
- Have a back-up plan if the programme changes for any reason.
- Bring a medical/first aid kit with you as well as a designated first aid person.
- Bishops/clergy/staff/volunteers should ensure they have the contact details of the panel with them while on the trip.
- For foreign trips, in particular, it is advisable to have an agreed contact person in the parish/diocese that will be able to respond to emergencies if they occur at any time of the day or night. This may involve liaising with parents/guardians in difficult situations that can be hard to do over the phone. This person should have the full contact details of the group and the full itinerary for the trip.



## MONITORING AND EVALUATION

To put an effective monitoring and evaluation system in place, each of the following should be addressed:

- Systems for monitoring and evaluation should be developed prior to the trip and agreed among the organisers.
- Monitoring and evaluation should be carried out with the children, bishops, clergy, staff and volunteers.
- There should be daily evaluations with the children, bishops, clergy, staff and volunteers for longer trips.
- Carry out a full and final evaluation which should be a real exercise to learn from. Review your safety assessment from the planning process to see if there are any areas that need to be addressed.
- Make sure there is a system for keeping records and reports during the trip.

## TRANSPORT

Children should not, where at all possible, be transported by a bishop, clergy, staff or volunteer on their own. Try to ensure another member of staff, clergy or volunteer or other children are present in the vehicle. If a situation occurs when a child has to be transported alone, ensure other clergy, staff and volunteers and if possible the parents/guardians know this is happening and that the child is in the rear seat. **Current seat belt and child seat legislation must be adhered to.**

Those bishops, clergy and staff members transporting children must have relevant licence and appropriate insurance cover for the transport of children as part of their car insurance policy. Where volunteers agree to transport children it is a private arrangement between the volunteer and the child's parents and on the volunteer's own car insurance.

When using public transport to transport children to activities, bishops/clergy/staff/volunteers should complete a head count when embarking and disembarking the mode of transport. Always have a back-up plan in case the particular mode of public transport is not available.

When hiring a coach or minibus to transport children to activities, ask for confirmation of insurance and public service vehicle licence for the firm and that a Garda vetted driver will be supplied to drive the bus on the day. Ensure that bishops, clergy, staff and volunteers are seated by all emergency exits and interspersed throughout the coach. Ensure that everyone wears the seat belts supplied.

## DIVERSITY

The principle of equality and inclusion needs to be firmly embedded in our parishes and dioceses and promoted by everyone. The Church of Ireland encourages respect for and expression of the



range of identities represented by children involved in children's activities and the bishops, clergy, staff and volunteers who work with them. Groups should ensure that children, bishops, clergy, staff and volunteers are facilitated in developing the awareness and skills appropriate for a more diverse cultural environment. Groups have a responsibility to ensure that any children with additional needs are treated with equality and are included in the activities by children, staff and volunteers. Bishops, clergy, staff and volunteers need to talk to children and parents about the specific needs of children in order to meet those needs - cultural, physical, behavioural or communication etc. In keeping with the Dignity in Church Life Charter ([www.ireland.anglican.org/parish-resources/335/dignity-in-church-life-charter](http://www.ireland.anglican.org/parish-resources/335/dignity-in-church-life-charter)), the Church of Ireland is committed to promoting and implementing measures to support the dignity of all and encourage respect for others and will not tolerate any bullying or harassment.

## **SUPPORTING FAMILIES OF CHILDREN WITH ADDITIONAL NEEDS**

Parenting a child with additional needs can be overwhelming at times. Parents/guardians can sometimes feel anger, fear, grief and fatigue while struggling to help their child. The Church should strive to be a place of sanctuary for parents/guardians and church members should seek to understand difficulties faced by families.

***Talk with the parents/guardians who will know what the child's needs are.*** Not only will this demonstrate to the child's family that the church is welcoming to children with additional needs, but you may also be able to offer the family support if required. Having consulted with the parents/guardians and child consider how your group can meet the child's needs by ensuring adequate supervision, ensuring bishops, clergy, staff and volunteers have the appropriate skills to deal with the child's needs and ensuring appropriate parental consent is in place to meet the child's needs. Some children with additional needs may require one-to-one help in church or a children's group, ensure that your group have the appropriate number of clergy, staff or volunteers to provide this support.

### **ACTION POINTS**

**Dos and Don'ts** - general advice for all working with children with additional needs.

#### **Do:**

- Include (not just by enrolling a child into your programme or activity, but by including them in every aspect of what you say or do).
- Treat the child as you would any other child.
- Always speak directly to the child.
- Always ask the child if you can help him or her in any way.
- Integrate the child into the group.
- Be aware that inclusion in your group may be a child's first experience of being in a mixed group - make it a positive experience.
- Try to be aware of a child's hidden disability or condition, such as epilepsy, which may require assistance.



- When planning an event, ask advice from the children and their parents/guardians, and advertise accessibility.
- Be aware and avoid the use of language that may be hurtful, insensitive or derogatory.
- Assume nothing - always ask! Talk to the parents/guardians and communicate with the child too!

**Don't:**

- Exclude (this is demonstrated by your commitment to the child).
- Use negative terms such as 'crippled'.
- Use language that promotes pity or charity.
- Use emotionally loaded language such as 'suffers from', 'afflicted with', 'bound' or 'confined'.
- Consider a parent/guardian to be a conversational go-between.
- Segregate.
- Pretend that you know what children are saying when you cannot understand them - ask them to repeat themselves or try another method of communication.
- Be embarrassed about using common expressions, for example saying 'see you later' when speaking to a child who is blind.



## PART 6: SHARING INFORMATION AND RECORD KEEPING

### COMMUNICATIONS POLICY

The dissemination of information throughout the Church of Ireland about safeguarding children is an essential element of *Safeguarding Trust*. It is important that all stakeholders feel informed and have an opportunity to have their say.

The Safeguarding Board shall devise a communications strategy to ensure the ongoing dissemination of information about safeguarding children and provision of support to dioceses and parishes to ensure the proper implementation of *Safeguarding Trust*.

Dioceses and parishes shall devise a communications policy which sets out how communication will happen in children's activities, between the parish/diocese and parents/guardians and children and the wider community. The policy will set out the dioceses/parishes intention to involve parents/guardians and children and share information in an open and transparent way. (*see template in Part 8 - Appendices*).

### WORKING IN PARTNERSHIP WITH PARENTS/GUARDIANS POLICY

Working in partnership with parents/ guardians helps to safeguard children. The Church of Ireland sees the welfare of children as paramount and therefore seeks to form positive relationships between bishops/clergy/staff/volunteers and parents/guardians to encourage mutual trust and support and so dioceses/parishes should adopt a policy for working in partnership with parents/guardians. (*see template in Part 8 - Appendices*)

### CONFIDENTIALITY AND SHARING INFORMATION

All information about a child and family should be handled by bishops, clergy, staff and volunteers in a confidential and sensitive manner. It is important to note that whilst bishops, clergy, staff and volunteers will do their utmost to ensure the confidentiality of information there are occasions where confidentiality is not possible and, accordingly, personal information will be shared in certain situations.

Where a child protection or welfare concern arises, information will be shared on a need to know basis in the best interest of a child with the relevant statutory authorities and with parents/guardians. Data protection and privacy principles recognise that in certain circumstances information can be shared in the interests of child protection or for other reasons giving rise to legitimate reasons to do so, but that such sharing should be necessary and proportionate. This involves a balancing of the competing interests which are involved; but where information relates to child protection concerns, the protection of children through information sharing as appropriate must be given paramourcy.



Therefore, bishops, clergy, staff and volunteers working with children should make it clear to children and their parents/guardians that they cannot give undertakings regarding confidentiality or secrecy.

Parents/guardians and children will be informed if personal information is being shared with statutory authorities, unless doing so could put the child at further risk or the bishop/clergy/staff/volunteer/panel member making the report at risk.

## RECORD KEEPING

### CHILD PROTECTION RECORDS

The panel is responsible for keeping the following records relating to *Safeguarding Trust* in a locked filing cabinet.

- Any disclosures, concerns or allegations of child abuse.
- Records relating to disclosures, concerns or allegations of abuse including reports from bishops/clergy/staff/volunteers, reports to Tusla, including informal advice from the Tusla, informing parents/guardians, reports to Gardaí, advice given to bishops/clergy/staff/volunteers.
- Any complaints about the safety and welfare of children while at children's activities.
- Any protective measures or action taken in relation to an allegation against a staff/volunteer.
- Any actions taken in response to a complaint against staff/volunteer.

The panel members alone will have access to these child protection records.

The panel will review all Child Protection records twice a year and keep them updated. The panel shall report to each meeting of the select vestry on *Safeguarding Trust* matters without revealing any details of individual cases unless the situation so warrants.

Child Protection records held by bishops and the Child Protection Officer shall be kept in a locked filing cabinet. Bishops and the Child Protection Officer shall ensure that all Child Protection records held by them are kept up to date and shall ensure that such records are handed over in their entirety to their successors.

### PERSONNEL RECORDS

Personnel records for all staff and volunteers including application forms, declaration forms, notes from interviews, reference forms, vetting disclosures, forms of identification, declarations of acceptance, volunteer agreements shall be kept securely in a locked filing cabinet by the panel.

The panel members alone will have access to these personnel records. Individual staff or volunteers may request in writing to see the information held relating to them.

These records will be updated regularly with information from the support meetings held with staff and volunteers.



## GROUP RECORDS

Membership/Registration consent forms, other parental consent forms e.g. outings, photographs, etc., and attendance records for each group are held by the clergy/staff/volunteers leading that group for the year those records pertain to. At the end of each year the clergy/staff/volunteers shall ensure that these records are handed over to the panel to be stored in the locked filing cabinet. All completed accidents and incidents books/forms will be held by the panel in the locked filing cabinet.

## DATA PROTECTION AND STORAGE OF INFORMATION

The General Data Protection Regulations and Safeguarding guidelines ([www.sg.ireland.anglican.org](http://www.sg.ireland.anglican.org)) set out the appropriate safeguards which must be in place to ensure the safe storage of information and sets out the retention period for the various records held by the panel.

**NB** The careful handling of information should not inhibit the availability of necessary information about children for those who have a need to know in relevant circumstances.

## CONVERSION OF RECORDS FROM HARD COPY TO DIGITAL COPY

Where a parish/dioceses/diocesan body or organisation wishes to convert records from hard copy to digital copy the following steps should be taken:

1. The select vestry shall agree to the conversion of the records to digital format, what records shall be converted, who shall undertake this conversion and what time period of records shall be converted. These details shall be recorded in the select vestry minutes.
2. The relevant records shall then be scanned, and the digital copy stored on a password protected external hard drive. No converted records should be stored on a cloud or on a network linked computer to avoid breaches of data protection.
3. The external hard drive shall be stored in the panel filing cabinet.
4. In order to ensure that the data on the external hard drive is not lost should the external hard drive become corrupted or is damaged, a back-up of the external hard drive should be made on a second password protected external hard drive and it should be stored in a separate location (e.g. in the Rectory or by another panel member).
5. A check should be undertaken that all the information contained on the hard copy is legible on the digital copy and no document has been missed in conversion process before the hard copy records are shredded and destroyed.
6. Due to the length of time that certain records have to be kept it is essential that the digital records are migrated or converted as technology develops as the records need to remain accessible.
7. Additional records can be converted over time, but each time records are to be converted, this should be agreed by the select vestry as above.

Before commencing conversion of records from hard copy to digital copy, consideration must be given to the time it will take to convert the records, the cost factor (if any) and the ongoing responsibility of ensuring that the digitised records will remain accessible in light of technological advances.



## **PART 7:**

# **RESPONDING TO AND REPORTING CHILD PROTECTION OR WELFARE CONCERNS**

### **INTRODUCTION**

Abuse and serious neglect occur in all sectors of society. There is no such thing as an 'abuse-free' community. In our communities there are children who are being abused, adults who have been deeply scarred by childhood abuse and people who are currently abusing, or have abused, children. The Church must do all it can to ensure the protection of children from all forms of harm and abuse.

*Safeguarding Trust* is in place to offer guidance to enable parishes, dioceses, bishops, clergy, staff and volunteers to safeguard the welfare of children with whom they work and to report any concerns they may have for the protection and/or welfare of a child.

The Church must take all reasonable steps to:

- exclude known abusers from contact with children;
- report to the statutory authorities any suspicious person or known offender attempting to make contact with children;
- report to the appropriate Tusla duty social worker and/or An Garda Síochána when there is an allegation, disclosure or concern of abuse arising from activities within the Church.

The incumbent and select vestry must take reasonable care in all the circumstances to ensure that ministry with children is managed and supervised in accordance with the principles set out in *Safeguarding Trust*.

### **RECOGNISING ABUSE<sup>5</sup>**

Child abuse can be categorised into four different types: neglect, emotional abuse, physical abuse and sexual abuse. A child may be subjected to one or more forms of abuse at any given time. Abuse and neglect occur within the family, in the community or in an institutional setting. The abuser may be someone known to the child or a stranger and can be an adult or another child. In a situation where abuse is alleged to have been carried out by another child, it should be considered a child welfare and protection issue for both children and the reporting procedures should be followed for both the victim and the alleged abuser.

The important factor in deciding whether the behaviour is abuse or neglect is the impact of that behaviour on the child rather than the intention of the parent/guardian.

<sup>5</sup> Children First: National Guidance for the Protection and Welfare of Children (2017, Department of Children and Youth Affairs) Pg.7



The definitions of neglect and abuse outlined in section (*see Part 8 - Appendices*) are not legal definitions but are taken from Children First: National Guidance for Protection and Welfare of Children 2017. They are intended to describe, in a plain-English way, the ways in which a child might experience abuse and how this abuse may be recognised.<sup>6</sup> In dealing with children, bishops, clergy, staff and volunteers need to be alert to the possibility that a welfare or protection concern may arise in relation to children they come in contact with. A child needs to have someone they can trust in order to feel able to disclose abuse they may be experiencing. They need to know that they will be believed and will get the help they need. Without these things, they may be vulnerable to continuing abuse.

Some children may be more vulnerable to abuse than others and there may be particular times or circumstances when a child may be more vulnerable to abuse in their lives. The following are some of the complicating factors and circumstances which may make children more vulnerable to harm:

- Age of child.
- Domestic and sexual violence.
- Parental mental health problems.
- Parental substance misuse.
- Parental intellectual disability.
- Children with disabilities.
- Unknown male partners and their history/association with the family.
- Families who are 'uncooperative' or 'hard to engage'.
- Poverty and social exclusion.<sup>7</sup>

It is important to remember that identifying additional vulnerability to risk of abuse does not mean that any specific child in those circumstances or settings is being abused.

Abuse is not always committed through personal contact with a child, sometimes it is perpetrated through social media or the use of information and communication technology.

## **REASONABLE GROUNDS FOR CONCERN<sup>8</sup>**

There are many reasons bishops, clergy, staff or volunteers may be concerned about the welfare or protection of a child. Tusla should be informed if there are reasonable grounds for concern that a child may have been, is being, or is at risk of being abused or neglected. If what may be symptoms of abuse are ignored, it could result in ongoing harm to the child. It is not necessary to prove that abuse has occurred to report a concern to Tusla, all that is required is that reasonable grounds for concern exist. It is Tusla's role to assess concerns that are reported to it by carefully considering any information reported along with any other information available and a child protection assessment is carried out where sufficient risk is identified. Where the concern relates to conduct which potentially amounts to a criminal offence, An Garda Síochána will also have a role in conducting a criminal investigation.

<sup>6</sup> Child Safeguarding: A Guide to Policy, Procedure and Practice (2018, Tusla) Pg.25

<sup>7</sup> Child Safeguarding: A Guide for Policy, Procedure and Practice (2018, Tusla) Pg.26

<sup>8</sup> Children First: National Guidance for the Protection and Welfare of Children (2017, Department of Children and Youth Affairs) Pg.6



Reasonable grounds for a child protection or welfare concern include:

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

Where appropriate, any issues should be checked with the parents/guardians when considering whether a concern exists, unless doing so may further endanger the child or person considering making a report. Consider, for example, whether the parent(s)/guardian(s) themselves are the person(s) in respect of whom the reasonable grounds for concern of child abuse has arisen.

Where a bishop, clergy, staff member or volunteer has a concern that meets one of the above reasonable grounds for concern they must follow the reporting procedures set out below to ensure that it is reported to Tusla.

## **RESPONDING TO A CHILD WHO DISCLOSES ABUSE<sup>9</sup>**

A child may disclose to a bishop/clergy/staff member/volunteer that they have been or are being harmed or abused. Children will often have different ways of communicating that they are being abused. If a child hints at or tells a bishop/clergy/staff member/volunteer that he or she is being harmed by someone, be it a parent/guardian, another adult or by a child (peer abuse), it should be treated in a sensitive way.

Remember, a child may disclose abuse to a bishop/clergy/staff member/volunteer as a trusted adult at any time during their work with them. It is important that bishops, clergy, staff and volunteers are aware and prepared for this.

- Be as calm and natural as possible.
- Remember that you have been approached because you are trusted and possibly liked. Do not panic.
- Be aware that disclosures can be very difficult for the child.
- Remember, the child may initially be testing your reactions and may only fully open up over a period of time.
- Listen to what the child has to say. Give them time and opportunity to tell as much as they are able and wish to.
- Do not pressurise the child. Allow him or her to disclose at their own pace and in their own language.

<sup>9</sup> Child Safeguarding: A Guide for Policy, Procedure and Practice (2018, Tusla) Pg.34-35



- Conceal any signs of disgust, anger or disbelief.
- Accept what the child has to say - false disclosures are very rare.
- It is important to differentiate between the person who carried out the abuse and the act of abuse itself. The child quite possibly may love or strongly like the alleged abuser whilst also disliking what was done to them. It is important therefore to avoid expressing any judgement on, or anger towards the alleged perpetrator while talking to the child.
- It may be necessary to reassure the child that your feelings towards him or her have not been affected in a negative way as a result of what they have disclosed.
- Reassure the child that they have taken the right action in talking to you.

### **WHEN ASKING QUESTIONS**

- Questions should be supportive and for the purpose of clarification only.
- Avoid leading questions, such as asking whether a specific person carried out the abuse. Also, avoid asking about intimate details or suggesting that something else may have happened other than what you have been told. Such question and suggestions could complicate the official investigation.

### **CONFIDENTIALITY - DO NOT PROMISE TO KEEP SECRETS**

At the earliest opportunity, tell the child that:

- You acknowledge that they have come to you because they trust you.
- You will be sharing this information only with people who understand this area and who can help. There are secrets which are not helpful and should not be kept because they make matters worse. Such secrets hide things that need to be known if people are to be helped and protected from further on-going hurt. By refusing to make a commitment to secrecy to the child, you do run the risk that they may not tell you everything (or, indeed, anything) there and then. However, it is better to do this than to tell and lie and ruin the child's confidence in yet another adult. By being honest, it is more likely that the child will return to you at another time.

### **THINK BEFORE YOU PROMISE ANYTHING - DO NOT MAKE PROMISES YOU CANNOT KEEP**

At the earliest possible opportunity:

- Record in writing, in a factual manner, what the child has said, including, as far as possible, the exact words used by the child.
- Inform the panel immediately and agree measures to protect the child, e.g. report the matter directly to Tusla.
- Maintain appropriate confidentiality.



## ONGOING SUPPORT

Following a disclosure by a child, it is important that the bishop/clergy/staff/volunteer continues in a supportive relationship with the child. Disclosure is a huge step for a child. The bishop/clergy/staff/volunteer should continue to offer support, particularly by:

- Maintaining a positive relationship with the child.
- Keeping lines of communication open by listening carefully to the child.
- Continuing to include the child in the usual activities.

Any further disclosure should be treated as a first disclosure and responded to as indicated above. Where necessary, immediate action should be taken to ensure the child's safety.

## REPORTING PROCEDURES

This is the standard reporting procedures for bishops, clergy, staff and volunteers and panel members to utilise where there is a child protection concern that meets the reasonable grounds for concern. Where a concern meets the mandated reporting threshold as set out in the Children First Act 2015, the mandated reporting procedures set out below should be utilised by the mandated persons. Where a concern includes information that a person has committed a serious offence against a child, under the Criminal Justice (Withholding of Information on Offences Against Children and Vulnerable Persons) Act 2012, this must be reported to the Gardaí in addition to Tusla.

Regardless of how a concern comes to bishop/clergy/staff/volunteer's attention, it is the bishop/clergy/staff/volunteer's responsibility to report their concerns to a panel member. The bishop/clergy/staff/volunteer can make contact with a panel member by telephone but should also provide the panel with a full written record of their concern. Even in situations where a staff member or volunteer is unsure about their concerns, they should still report to the panel so that advice can be sought in relation to their concerns.

The bishop/clergy/staff member/volunteer should try to provide the following information on their report to the panel:

- the name, address and age of any child you are concerned about.
- the nature of any injury.
- any need for medical attention.
- your reason for suspicion of abuse.
- details of what you have done already and who you have told.
- any practical information you may have, such as the name of the child's GP, school, etc.
- information as to whether or not the person, against whom a suspicion, complaint or allegation exists, has any children of his/her own.

It is the role of the panel to receive child protection and welfare concerns from bishops/clergy/staff/volunteers, to report concerns which meet the threshold of 'reasonable grounds for concern' to Tusla and to provide support to staff/volunteers who report concerns about a child



(see diagram on page 9). On receipt of a concern, the panel member, in consultation with the other panel members, will consider if reasonable grounds for concern (see above) exist or the mandated threshold is met (see mandated reporting below). The panel should also check their records to see if a concern has previously been reported to them in relation to this child/family and the alleged abuser and if so, also consider the information contained on their records in conjunction with the current concern being reported.

In considering if a concern meets reasonable grounds for the concern or the mandated threshold, the panel shall undertake the following:

1. One member of the panel shall contact Tusla to informally discuss the concern. This provides an opportunity to discuss the query in general (without identifying details) and to seek advice as to whether a formal report of the concern to Tusla is appropriate at this stage. If the concern is below the threshold for reasonable grounds for concern, Tusla may be able to provide advice in terms of keeping an eye on the child and other services that may be more suitable to meet the needs of the child and/or family. A written record of any advice received from Tusla should be kept, which should identify the advice given, the date and the person from Tusla from whom advice was received.
2. If, following consultation with Tusla, the panel determines that reasonable grounds for concern exist the panel will agree for one member of the panel to formally report the concern to the Tusla duty social worker (*see <https://www.tusla.ie/children-first/contact/>*) or if the panel determines that the mandated threshold is met, the incumbent as a mandated person will formally report the concern to the Tusla duty social worker. As much information as possible should be provided to Tusla on the Child Protection and Welfare Report form *[https://www.tusla.ie/uploads/content/Child\\_Protection\\_and\\_Welfare\\_Report\\_Form\\_FINAL.pdf](https://www.tusla.ie/uploads/content/Child_Protection_and_Welfare_Report_Form_FINAL.pdf)* (a copy of this report should be kept on the panel files). This allows the social workers to check their records to see if the child or family have had previous contact with child protection services, to prioritise cases for attention and to decide if another service would be more appropriate to help meet the needs of the child.
3. If, following consultation with Tusla, the panel decide not to make a formal report the following steps should be taken:
  - The reasons for not reporting are recorded;
  - If any actions are taken as a result of the concern, these should be recorded;
  - The bishop, clergy, staff or volunteer who raised the concern should be given a clear written explanation of the reasons why the concern is not being reported to Tusla;
  - The bishop, clergy, staff or volunteer should be advised that if they remain concerned about the situation, they are free to make a report to Tusla or An Garda Síochána.

The bishop, clergy, staff or volunteer who raised the concern should also be reassured that if they do choose to further pursue the matter, they are covered by the Protection for Persons Reporting Child Abuse Act 1998.<sup>10</sup> The 1998 Act provides that a person who, would otherwise be liable in damages in respect of a communication by him or her to an appropriate person of his or her opinion that

<sup>10</sup> Child Safeguarding: A Guide for Policy, Procedure and Practice (2018, Tusla) Pg.32



child has been or is being assaulted, ill-treated, neglected or sexually abused, or that a child's health, development or welfare has been or is being avoidably impaired or neglected, shall not be liable unless it is proved that he or she has not acted reasonably and in good faith in forming that opinion and communicating it to the appropriate person.

The panel needs to consider whether they should discuss the concern about the child with their parents/guardians before submitting a formal report to Tusla. In some circumstances, it is best practice to inform parent/guardians that the panel is reporting a concern about a child, however, parents/guardians do not need to be informed that a report is being made if by doing so the child will be placed a further risk or if the family's knowledge of the report could impair Tusla's ability to carry out an assessment. Also, it is not necessary to inform the family if the panel reasonably believe it may place them, or the bishop/clergy/staff member/volunteer who raised the concern, at risk of harm from the family. Advice should be sought from Tusla if the panel is unsure whether to discuss the concern with parents/guardians before making a formal report. The panel members should consider which of them are the most appropriate person to talk to parents/guardians. A written record should be kept of any conversations between the panel and the parents/guardians in relation to the concern.

In a situation where a bishop/clergy/staff member/volunteer and the panel feel that a child is in immediate danger and Tusla cannot be contacted, a panel member should make a report to the Gardaí without delay. Where it is not possible to contact a panel member in this situation or there is not sufficient time to contact the panel due to the urgency of the imminent danger, the bishop/clergy/staff member/volunteer should contact the Gardaí immediately and thereafter inform the panel of the report made to the Gardaí. A written record should be kept of this report.

The Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012 requires that any person who has information about a serious offence<sup>11</sup> against a child, which may result in charges or prosecution, must report this to An Garda Síochána as soon as is practicable. Failure to report under the Act is a criminal offence under that legislation. This obligation is **in addition to** any obligations under the Children First Act 2015. The 2012 Act is a complex piece of legislation and if doubts arise as to whether or not a disclosure should be made to An Garda Síochána in addition to Tusla the bishop, clergy, staff member or volunteer should discuss this with the panel and, if necessary, legal advice can be obtained. Where a bishop, clergy, staff member or volunteer receive a disclosure or have information which triggers the mandatory reporting obligation under the 2012 Act, they themselves are personally responsible for ensuring that they report same to An Garda Síochána and that obligation is not satisfied by them bringing the matter to the attention of the panel. Further details on the operation of mandatory reporting under the 2012 Act are set out in the mandatory reporting section.

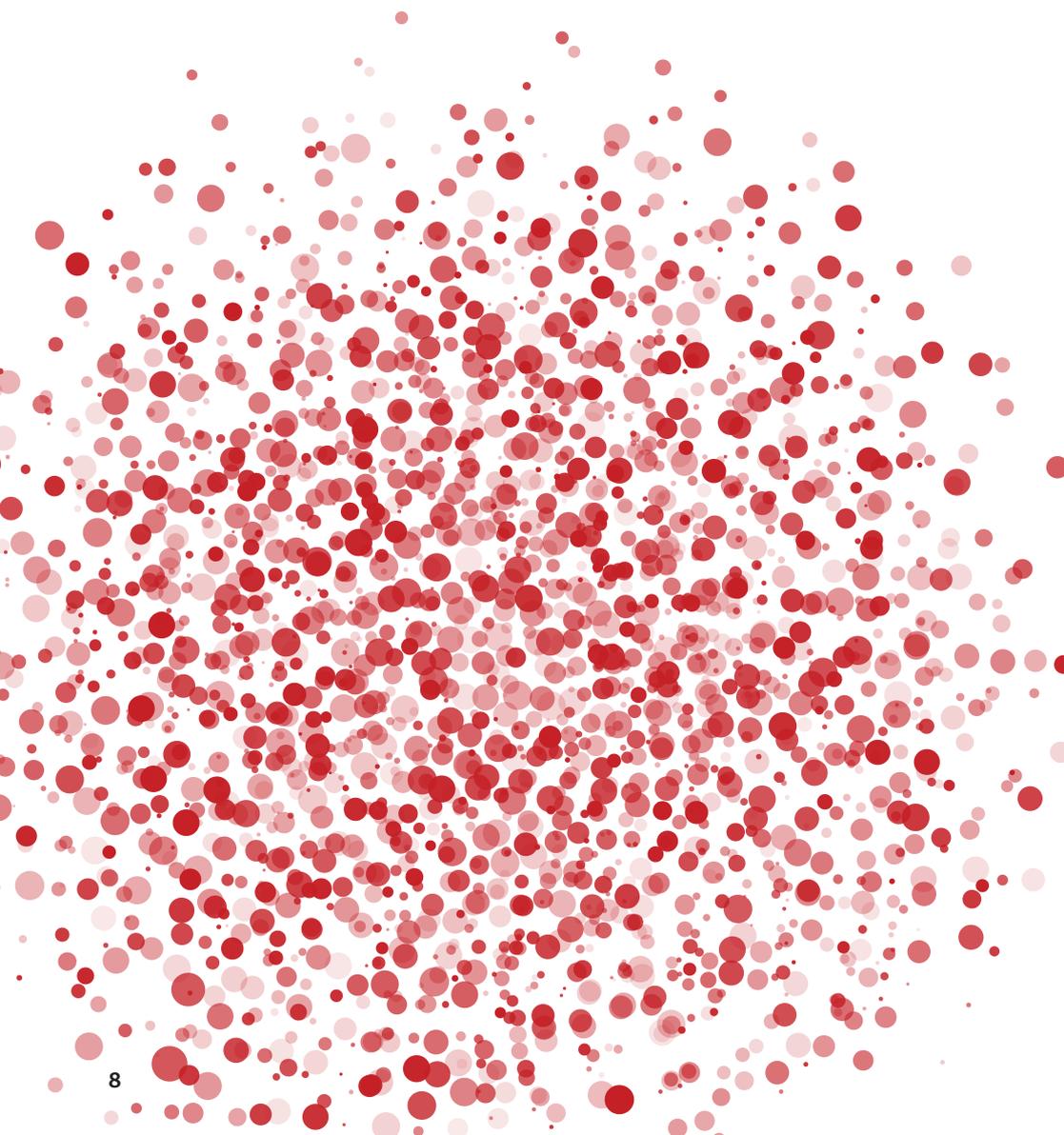
Following the making a formal report to Tusla, the panel should nominate one member of the panel to contact the Child Protection Officer and the bishop of the diocese (within 24 hours or the next working day) and advise them of the disclosure, allegation, or concern and inform them that a report has been made to Tusla. Records should be kept of any actions or attempted actions taken.

<sup>11</sup> In general terms, they are more serious offences, including murder, manslaughter, rape and a large number of sexual offences. However, some relatively less serious offences such as reckless endangerment of children, assault and threats to cause serious harm are also included. Please consult Schedule 1 of the Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012 if you are in any doubt as to whether or not a specific offence is captured.



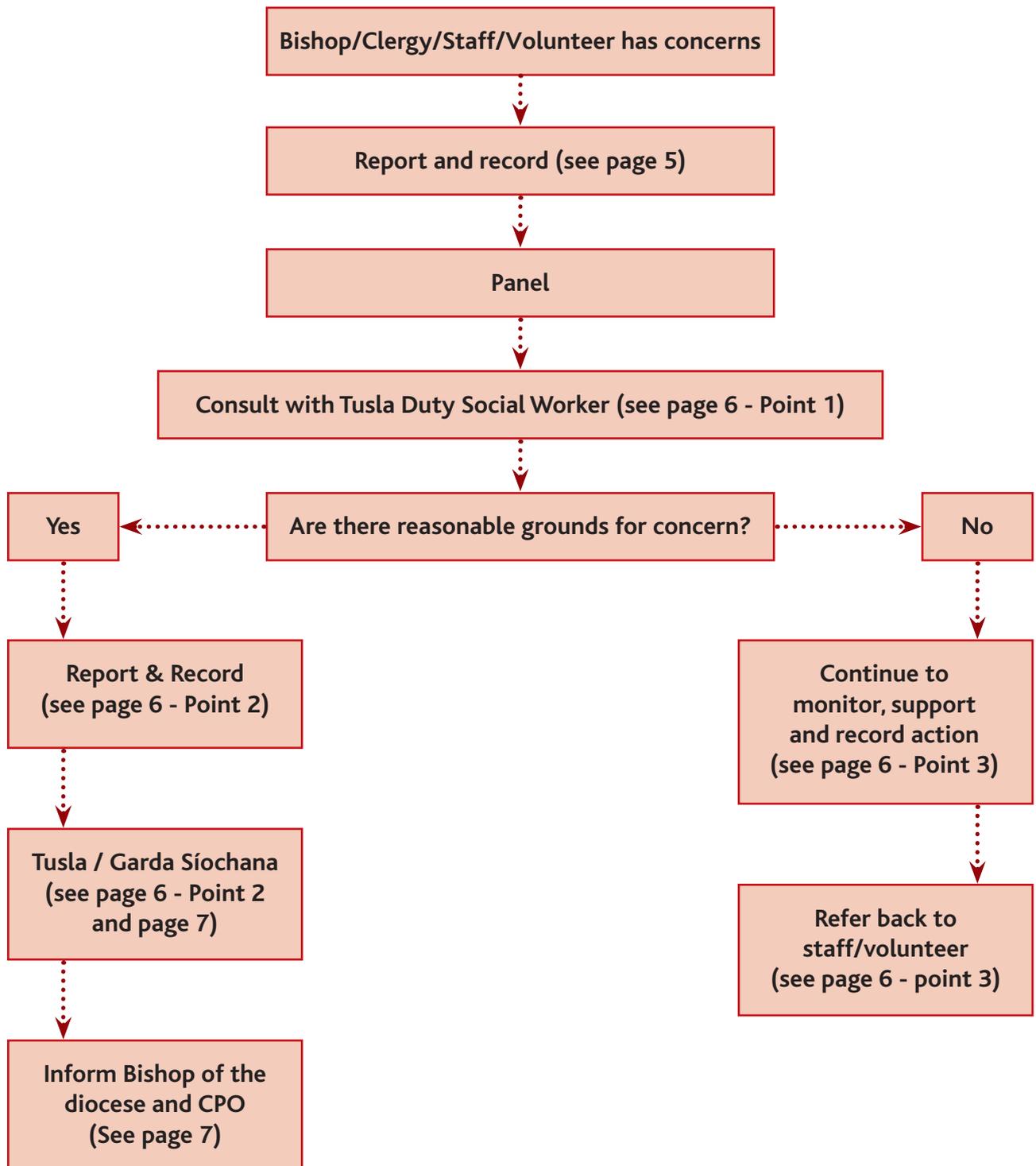
All concerns should be recorded and reported to the panel, no matter how insignificant they may seem, whether they relate to situations internal or external to the parish. For instance, concerns connected to a family or school situation should be dealt with appropriately as well as concerns related to the parish/diocese or group.

Where a child protection and welfare concern arises, information must be shared on a 'need to know' basis in the best interest of the child with the relevant statutory authorities and with parents/guardians. The matter should not be discussed with anyone outside of those outlined in the reporting procedures above.





## SUMMARY DIAGRAM OF REPORTING PROCEDURES



**NB - Bishop/Clergy/Staff member/volunteer may also need to report to Gardaí under the 2012 Act. (See page 7)**



## MANDATED REPORTING AND ASSISTING

### (i) Children First Act 2015

Mandated persons<sup>12</sup> are required under the Children First Act 2015 to report any knowledge, belief or reasonable suspicion that a child has been harmed, is being harmed, or is at risk of being harmed and to report any disclosures of harm made by a child. The Act defines harm as assault, ill-treatment, neglect or sexual abuse, and covers single and multiple instances.

The threshold of harm, at which a mandated person must report to Tusla under the Children First Act 2015, is reached when a mandated person knows, believes or has reasonable grounds to suspect that a child has been, is being or is at risk of being ill-treated, assaulted or neglected to the point where the child's health, development have been or are being seriously affected, or are likely to be seriously affected or has been, is being or is at risk of being sexually abused.

Where a mandated person has a concern that they believe meets the threshold for a mandated report, they should report the matter to the panel and a joint mandated report be made to Tusla by the mandated person and the panel as per the reporting procedures set out above but indicate on the Child Protection and Welfare Report form to Tusla that it is a mandated report. The panel cannot make the report independently of the mandated person as the mandated person must discharge their duty under the Children First Act 2015, the report can be made jointly to allow everyone discharge their duty. (see diagram on page 49)

Where a mandated person has a concern that they believe does not reach the threshold for a mandated report, they should report that concern to the panel to allow them to consider whether the concerns meet the reasonable grounds for concern and a non-mandated report needs to be made to Tusla in line with the above reporting procedures. Therefore, any concern of child abuse or neglect, regardless of threshold, should be reported to the panel.

Under the Children First Act 2015 there is also a statutory requirement for mandated person to assist Tusla in the assessment of risk of mandated reports, where requested to do so. Where such a request is received, the mandated person must provide such assistance as is required. Tusla accepts the time limitations and pressures on other professionals and will use mandated assisting only when necessary and only to the extent needed in each specific case

**The legal obligation to report as a mandated person under the Children First Act 2015 applies only to information that mandated persons acquire in the course of their professional work or employment. It does not apply to information they acquire outside of work, during a voluntary role, or information given to them on the basis of a personal rather than a professional relationship.**

### (ii) Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012

The Criminal Justice (Withholding of Information On Offences Against Children and Vulnerable Persons) Act 2012 ("the 2012 Act") incorporates additional mandatory reporting where a person knows or believes that a 'scheduled' offence<sup>13</sup> has been committed against a child and they have

<sup>12</sup> Children First Act 2015 – Schedule 2

<sup>13</sup> These are the specific offences, including murder, manslaughter, rape and a large number of sexual offences. However, some relatively less serious offences such as reckless endangerment of children, assault and threats to cause serious harm are also included. Please consult the 2012 Act itself or the panel for further information.



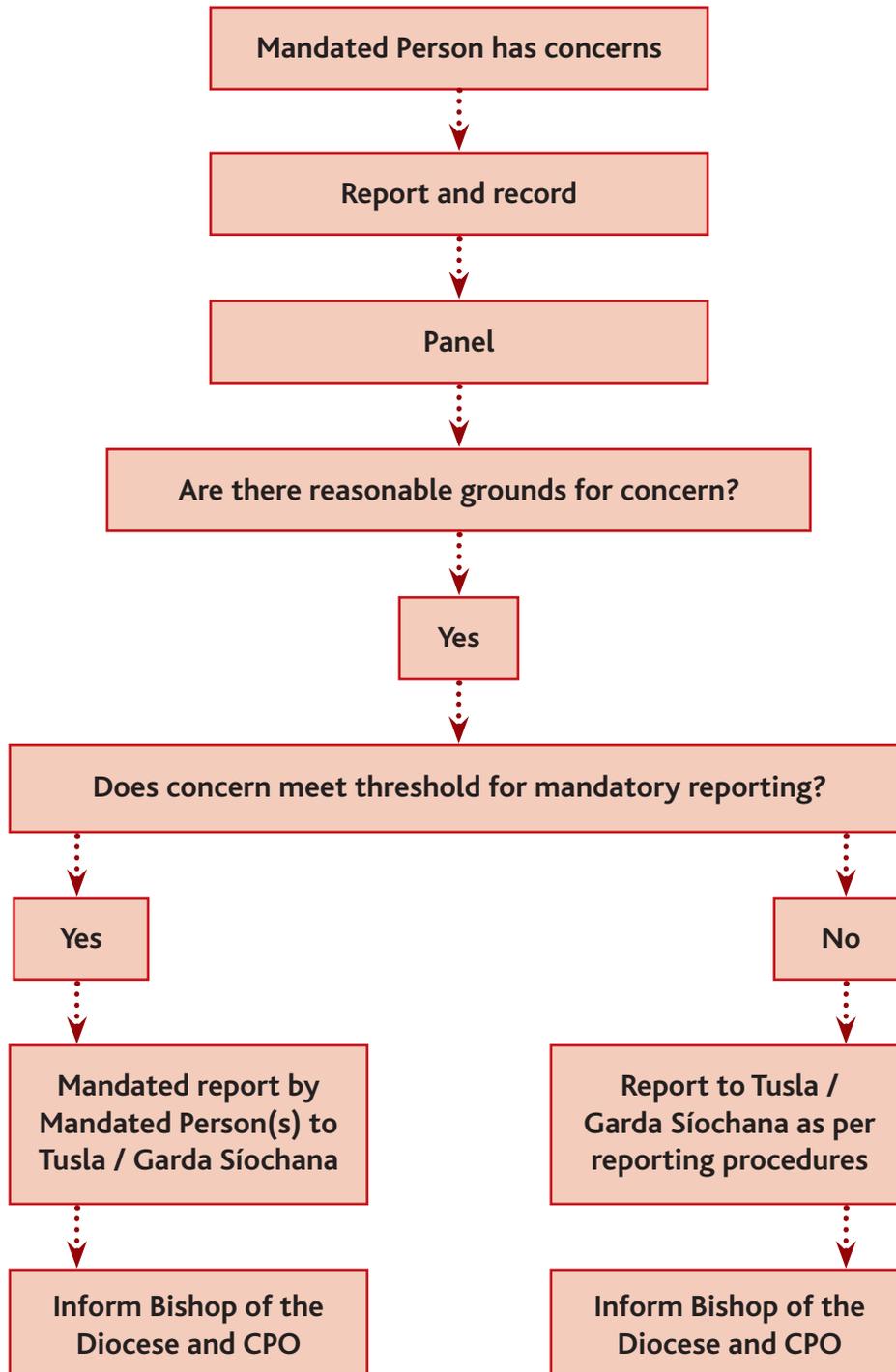
information on that offence which would assist prosecution. Where a bishop, clergy, staff member or volunteer has such information it must be reported to Gardaí. Clearly, therefore, the reporting obligation under the 2012 Act is reporting to the Gardaí, not TUSLA and this reporting obligation is separate to and over and above the reporting obligations under the Children First Act 2015 which are outlined above. Therefore, dual reporting will arise in respect of matters captured by both the Children First Act and the 2012 Act. Breach of the 2012 Act is an offence, and potentially carries custodial sentences of up to 10 years imprisonment in the most extreme cases.

**The legal obligation to report under the Criminal Justice (Withholding of Information on Offences against Children and Vulnerable Persons) Act 2012 applies to any information which comes to a bishop, clergy, staff member or volunteer's attention in any context and that bishop, clergy, staff member or volunteer is responsible for reporting the information to Gardaí. However, if a bishop, clergy, staff member or volunteer require guidance on this issue or if the bishop, clergy, staff member or volunteer are in doubt as to whether a mandatory report is required under the 2102 Act, please consult with the panel.**



## SUMMARY DIAGRAM OF MANDATED REPORTING PROCEDURES

*(see page 10 & 11)*



**NB - Bishop/Clergy/Staff member/volunteer may also need to report to Gardaí under the 2012 Act.**



## EXEMPTIONS FROM REQUIREMENTS TO REPORT

### Underage Consensual Sexual Activity<sup>14</sup>

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

There are certain exemptions from reporting underage consensual sexual activity. If a mandated person or panel is satisfied that **all** of the following criteria are met, the mandated person or panel is not required to make a report to Tusla:

- The young persons concerned are between 15 and 17 years old.
- The age difference between them is not more than 24 months.
- There is no material difference in their maturity or capacity to consent.
- The relationship between the people engaged in the sexual activity does not involve intimidation or exploitation of either person.
- The young person states clearly that they do not want any information about the activity to be disclosed to Tusla.

In effect, this means that if **all** of the above criteria are met, a mandated person or panel do not have to report consensual sexual activity between older teenagers as sexual abuse to Tusla. However, all persons must uphold the key principle that the welfare of the child is paramount and if a mandated person or panel have any concerns, even where all the above criteria are met, a report should be made to Tusla/An Garda Síochána.

Consideration should be given by bishop, clergy, staff, volunteers and panel as to whether it is in the child's best interest to inform parents of the consensual sexual activity, even if a report is not being made to Tusla/An Garda Síochána.

### Information acquired as mandated person<sup>15</sup>

A mandated person shall not be required to make a report to Tusla where the sole basis for the mandated person's knowledge, belief or suspicion is as a result of information he or she has acquired, received or become aware of:

- (a) from;
  - (i) a mandated person, or;
  - (ii) a person, other than a mandated person, who has reported jointly with a mandated person that a report has been made to Tusla in respect of the child concerned by that other person.
- (b) pursuant to his or her role in assisting the Tusla with an assessment as to whether a child who is the subject of a report or any other child has been, is being or is at risk of being harmed.

<sup>14</sup> Children First: National Guidance for the Protection and Welfare of Children (2017, Department of Children and Youth Affairs) Pg.23

<sup>15</sup> Children First Act 2015 - Part 3, section 14, subsection 4.



## **RESPONDING TO ADULTS WHO DISCLOSE CHILDHOOD ABUSE**

Some adults may disclose abuse that took place during their childhood. Such disclosures may come to light during the provision of pastoral support or through parish activities. It is recommended that bishops, clergy, staff and volunteers should let adults know that if any child protection issues arise and the alleged perpetrator is identifiable, bishops, clergy, staff and volunteers are obliged to pass the information on to Tusla, as the alleged abuser may pose a current risk to children.

Where a retrospective disclosure is made by an adult, the bishop, clergy, staff member or volunteer or mandated person should report the disclosure to the panel in the same way as if a child made the disclosure. The panel should report the disclosure to Tusla and An Garda Síochána following the above reporting procedures but use the Retrospective Abuse Report form [https://www.tusla.ie/uploads/content/Retrospective\\_Abuse\\_Report\\_Form\\_FINAL.pdf](https://www.tusla.ie/uploads/content/Retrospective_Abuse_Report_Form_FINAL.pdf).

If a bishop/clergy/staff member/volunteer/mandated person is unsure whether to report a retrospective disclosure, they should contact the panel who can consult with Tusla and seek advice as to whether a report should be made.

Retrospective reports will be assessed by Tusla to establish whether or not any child is currently at risk from the individual in question. If there are ongoing child protection concerns, Tusla will take necessary actions to ensure any child that may be at risk of harm is protected.

If the adult concerned does not feel able to participate in any investigation, Tusla may be seriously constrained in their ability to respond to the retrospective allegation.

## **PEER ABUSE**

In a situation where abuse is alleged to have been carried out by another child, it should be considered a child welfare and protection issue for both children and be reported to Tusla for both children (the victim and the alleged abuser) following the reporting procedures (see above).

## **WHAT HAPPENS AFTER A REPORT IS MADE TO TUSLA<sup>16</sup>**

Tusla has the statutory responsibility to assess all reports of child welfare and protection concerns. On receipt of a report of concern, Tusla's first consideration is the immediate safety of the child. Tusla social workers receiving reports of a concern treat all child welfare and protection concerns seriously, whatever the source. Reports of concern are reviewed by Tusla to decide whether they are the appropriate to Tusla's welfare and protection services and, if so, what intervention is appropriate to meet the needs of the child and their family.

If the concern is not appropriate to Tusla's welfare and protection services, Tusla will give information and advice on the most appropriate ways of addressing the needs of the child and their family.

When a report is received, a Tusla social worker will check to see if there is a record of any previous contact with the child's family. They may also contact other professionals (such as the general

<sup>16</sup> Children First: National Guidance for the Protection and Welfare of Children (2017, Department of Children and Youth Affairs) Pg.15



practitioner, teacher, public health nurse, speech and language therapist, child care worker, family support worker, psychologist) to see if they have any concerns about this child. The aim of this process is to help the social worker understand the child's history and circumstances, identify unmet needs, and determine if there is a risk of harm to the child. This will allow the social worker to decide on the most appropriate response.

If no child welfare or protection concern is found, then the information gathered is recorded and kept on a confidential file. This file can be reviewed by Tusla social workers if further concerns arise or more information comes to light. If concerns are found after the initial checks, further evaluation involving an assessment of all aspects of the child and family's circumstances will follow to identify any necessary interventions. Depending on the level of need or risk of abuse identified, an intervention will generally take the form of family support services or formal social work intervention.

If a panel member makes a report about a child, Tusla will normally acknowledge it, and may contact the panel member and through them the bishop/clergy/staff member/volunteer who raised the concern for further information, if necessary. It is understandable that panel members and bishops and clergy and staff and volunteers would like to be assured that the matter is being followed up. However, to protect the privacy of the child and the family, it may not be possible for Tusla to inform the panel of the progress or outcome of Tusla's contact with the child or family, unless the panel is involved in discussions around family support or child protection plans. If the bishop/clergy/staff/volunteer or panel continue to have concerns about the child, or if additional information comes to light, it should be passed on to Tusla following the reporting procedures (see above).

## RESPONDING TO ALLEGATION OF ABUSE AGAINST STAFF AND VOLUNTEERS<sup>17</sup>

An allegation of abuse may relate to a person who works with children who has:

- Behaved in a way that has or may have harmed a child;
- Possibly committed a criminal offence in relation to a child;
- Behaved towards a child or children in a way that indicates they may pose a risk or harm to a child;
- Behaved in a way that is contrary to the code of behaviour for staff and volunteers set out in section (*see Part 4 - Code of Behaviour*);
- Behaved in a way that is contrary to professional practice guidelines.

If an allegation is made against a staff member or volunteer, there is dual responsibility in respect of both the child and the staff member/volunteer. (*see diagram on page 18*) There are two separate procedures to be followed:

- The reporting procedures to Tusla in respect of the child and the alleged abuser;
- The internal personnel procedures for dealing with the staff member/volunteer.

On receipt of an allegation against a staff member/volunteer, the panel shall follow the reporting procedures laid out above and if making a formal report to Tusla advise them that the report is in

<sup>17</sup> Child Safeguarding: A Guide for Policy, Procedure and Practice (2018, Tusla) Pg. 37



relation to a staff member/volunteer in the parish/diocese/ organisation. This will allow Tusla to apply the necessary policies and procedures in relation to allegations against staff or volunteers in organisations. In addition, the parish panel shall advise the diocesan panel that an allegation has been made against a staff member or volunteer. The diocesan panel shall undertake the internal personnel procedure.

The first priority is to ensure that no child is exposed to unnecessary risk. The diocesan panel should as a matter of urgency take any necessary protective measures. These measures should be proportionate to the level of risk and should not unreasonably penalise the staff member/volunteer, financially or otherwise, unless necessary to protect children. Where protective measures may adversely impact the staff member/volunteer, it is important that early consideration be given to the case. It is very important that any protective measures taken are intended to be precautionary and not disciplinary. The protective measures are an interim measure pending the statutory authorities' consideration of the matter.

Any action taken should be guided by agreed procedures, and any applicable employment contract or volunteer arrangement and the rules of natural justice. It is not possible in these guidelines to deal with every scenario as conditions of employment can vary greatly from staff member to staff member as can the terms under which volunteers participate in Church activities. **Legal advice should be sought by the diocesan panel as quickly as possible to ensure that, if applicable employment law procedures and natural justice principles are correctly followed. Parish insurers should be advised of any issue of alleged abuse by staff or volunteers.**

The diocesan panel should privately inform the staff/volunteer of the following:

- the fact that an allegation has been made against him or her;
- the nature of the allegation;
- if applicable, the fact that the allegation will be brought to the attention of Tusla and/or An Garda Síochána.

The staff/volunteer should be afforded an opportunity to respond. The diocesan panel should note the response and pass on this information if making a formal report to Tusla and/or An Garda Síochána. The staff/volunteer should be offered the option of have representation at this stage and should be informed that any response may be shared with Tusla and/or An Garda Síochána.

At this stage it is important to stress that the staff member or volunteer against whom an allegation has been made, and his/her family, will require pastoral care, as will any alleged victims and their families. It is preferable for a different member of clergy to provide support to the alleged perpetrator.

The diocesan panel should take care to ensure that actions taken by them do not undermine or frustrate any investigations/ assessments conducted by Tusla or An Garda Síochána. To this end it is strongly recommended that the diocesan panel maintain a close liaison with the statutory authorities to ensure this.

The bishop of the diocese, in consultation with the parish and diocesan panels, should take all necessary steps to ensure that parish activities can be carried on with a minimum of disruption. The Child Protection Officer is available for advice and support and **must** be briefed regularly as any child protection issue develops.

**PART 7:**  
RESPONDING TO AND REPORTING CHILD  
PROTECTION OR WELFARE CONCERNS



The requirements of fair procedure and natural justice mean that Tusla usually will not share the details of any assessment regarding allegations of abuse against a staff member/volunteer until the staff member/volunteer has had the opportunity to fully respond to the allegation and any findings and decisions of Tusla.<sup>18</sup>

The parish and diocesan panels should be notified of the outcome of an investigation and/or assessment by Tusla and/or An Garda Síochána. This will assist them in reaching a decision about the action to be taken in the longer term concerning the staff/volunteer.

In a situation where the statutory investigation does not lead to prosecution or conviction, the Church will conduct an internal review of the issue at the end of any statutory investigation. The individual must be re-vetted as part of this internal review. This will require that a review board is convened to examine the issue, conduct a risk assessment of the person returning to their position and to meet with the individual against whom the allegation was made. The individual will have the right to have advance notice of the meeting and a precis of the matters to be discussed, to be accompanied to the meeting and to make representations and will have the right to appeal the decision of the review board to the bishop of the diocese.

The review board will prepare a report for the bishop of the diocese with recommendations in relation to the individual's suitability to return to their position, a copy of the report should also be provided to the individual. The bishop of the diocese shall accept the recommendations set out in the report unless they have good and sufficient reason for not accepting them which were not known to the review board. If the bishop of the diocese proposes to decline the recommendations of the review board for those reasons in a manner which will adversely impact the individual, the individual will be provided notice of this and an opportunity to make representations on this prior to a final decision being made. The bishop of the diocese shall revert to the review board with the reasons for not accepting these recommendations and allow them to consider same. The decision of the bishop of the diocese as to whether to reinstate a staff member or volunteer shall be final.

The bishop of the diocese shall determine the membership of the review board which should include a senior person from the diocese and someone with knowledge and experience of child protection and safeguarding issues.

**If an individual has any concerns about a person in a position of trust in the Church and feel unable to use the above procedure for dealing with an allegation against staff or volunteers, they should in the first instance contact the Child Protection Officer. If the individual feels unable to contact the Child Protection Officer or the allegation involves this person, an incumbent, a member of the clergy or a member of the panel, they should contact the bishop of the diocese, or in their absence, to the bishop's commissary or those appointed in accordance with Chapter VI of The Constitution of Church of Ireland who will follow the above procedures.**

**If an allegation involves the bishop of a diocese the matter should be referred directly to the Child Protection Officer and Chief Officer in Church House, who shall deal with the reporting procedures in relation to the child, and to the archbishop of the province or in his or her absence the archbishop of the other province who will follow the internal personnel procedures in relation to the bishop. In the case of an allegation against an archbishop, the report should be made to the archbishop of the other province or, in his or her absence, the next most senior bishop who will follow the internal personnel procedures. In these situations, the identified persons will operate the above procedures.**

<sup>18</sup> Child Safeguarding: A Guide for Policy, Procedure and Practice (2018, Tusla) Pg.39

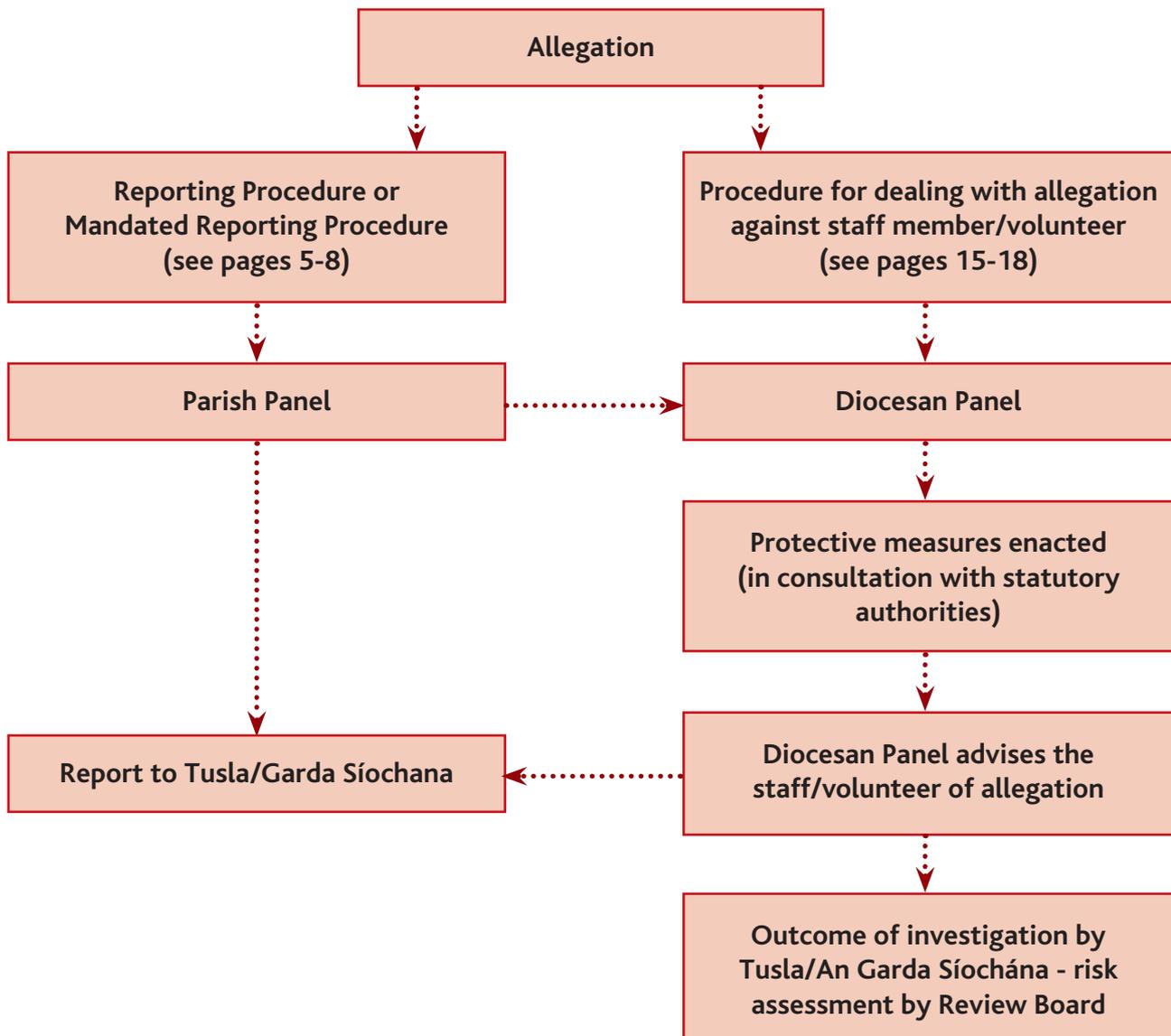


In addition to this every individual has the right to contact Tusla Social Workers and/or An Garda Síochána directly.

Bishop, clergy, staff and volunteers may find it difficult to speak out and raise concerns as they may feel they are being disloyal to their colleagues or to the church. They may also fear harassment or victimisation. The Church of Ireland is committed to supporting bishops, clergy, staff and volunteers to act responsibly and ensure that bishops, clergy, staff and volunteers can report any concerns in confidence.

Bishops, clergy, staff and volunteers should be reassured that if they raise a bona fide concern, which through the process of investigation is not validated, this does not mean that their decision to raise that concern was not justified.

**SUMMARY DIAGRAM OF REPORTING PROCEDURE WHEN DEALING WITH AN ALLEGATION AGAINST A STAFF MEMBER OR VOLUNTEER**





## MANAGEMENT OF SEX OFFENDERS IN CHURCH

Research has indicated that a significant number of individuals who have convictions for sexual offences against children, return to church.

If someone who has a conviction for a sexual offence against a child wishes to attend worship in a church setting, they are required to inform their Probation officer and Garda Liaison Officer.

The Child Protection Officer maintains a professional working partnership with the above authorities to safeguard children from harm.

If the issue of someone who has a conviction for a sexual offence against a child wishing to attend worship in a church setting arises in practice, the Child Protection Officer, the incumbent and the panel will discuss and decide on the action to be taken as a result. If any other person becomes aware of such an issue arising or potentially arising, they should bring that to the attention of the Child Protection Officer.

The Child Protection Officer, incumbent, Panel of the one part and the convicted sex offender of the other part may enter into a management arrangement in order to regulate the sex offender's return to church activities. This will be considered on a case by case basis.



## **PART 8:** **APPENDICES**

### **CHECKLISTS AND EVALUATION FORMS**

Checklist for select vestries  
Checklist for panels - care of records  
Checklist for panels and staff/volunteers - safety of activities  
Safeguarding Trust audit form

### **NOTICES AND FORMS**

Panel notice for parish premises  
Volunteer application form/Volunteer privacy notice  
Volunteer/staff reference form  
Declaration of acceptance of Safeguarding Trust  
Annual review form  
Declaration by person from abroad applying to work or volunteer in a parish in the Church of Ireland  
Sample membership registration form  
Sample Activity consent form  
Sample consent form for photographs and recorded images  
Sample consent form for social/digital media  
Accident report form  
Incident record form  
Internal reporting form

### **RESOURCE DOCUMENTS**

Definition and features of abuse  
Guidelines for a code of behaviour for members  
Anti-bullying policy template  
Complaints and disciplinary procedures template  
Grievance procedures template  
Communications policy template  
Working in partnership with parents/guardians policy template  
Diocesan Training Strategy template  
A Common Protocol for churches relating to independent organisations  
Sample interview questions

