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Creating and Maintaining Safe Environments Guidance for Indicator 1.10



1.10B Template 1: Example International Child Safeguarding Policy

Child Safeguarding Policy Statement of [INSERT NAME OF CHURCH BODY] ministering in [INSERT NAME OF COUNTRY]

The [INSERT NAME OF CHURCH BODY] ministering in [INSERT COUNTRY] are involved with the following ministry with children [INSERT TYPE OF CHILDREN'S MINISTRY].

In carrying out this ministry we recognise and uphold the dignity and rights of all children, are committed to ensuring their safety and well-being, and will work in partnership with parents/guardians to do this. We recognise each child as a gift from God, and we value and encourage the participation of children in all activities that enhance their spiritual, physical, emotional, intellectual and social development.

All our members and those who volunteer and work with us under our authority (including clergy, religious, staff and volunteers) have a responsibility to safeguard children through promoting their welfare, health and development in a safe and caring environment that supports their best interests and prevents abuse.

Details of person to contact if you are concerned about the welfare and safety of a child.

Identified person within the Church body:

Police (if safe and appropriate):

Child protection and welfare Service:



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Principles

In developing and implementing the Child Safeguarding Policy, this Church body is guided by the following foundations:

1. Gospel

Children have a key place in the heart of Jesus who said: 'Whoever does not receive the kingdom of God like a child shall not enter it' (Luke 18:17). This places a sacred obligation on the Church to ensure that children are welcomed, cherished and protected in a manner consistent with their central place in the life of the Church.

2. Children's Rights, National Law and Canon Law

The United Nations Convention on the Rights of the Child (UNCRC) outlines the forty-two fundamental rights to be implemented in national law by signatories to the Convention (this includes the Holy See and [INSERT NAME OF COUNTRY OF MINISTRY]). Full realisation of these rights will ensure that children will be 'brought up in a spirit of peace, dignity, tolerance, freedom, equality and solidarity', whilst respecting the cultural identity of each child.

[INSERT NAME OF CHURCH BODY] as part of our charism [INSERT REFERENCE TO CHARISM OF THE CHURCH BODY] commits to upholding our obligations under the following:

[INSERT RELEVANT CHILD CARE LEGISLATION, VETTING LEGISLATION, CRIMINAL JUSTICE LEGISLATION AND ASSOCIATED GUIDANCE OF COUNTRY OF MINISTRY].

[INSERT NAME OF CHURCH BODY] also recognises the requirements under canon law which states [INSERT RELEVANT CANON LAW INFORMATION].

Commitments

Together with the Principles outlined above, this Church body, as part of the Catholic Church, commits to:

1. Mandatory reporting

Each of us has a duty to notify the statutory authorities of suspicions, concerns, knowledge or allegations that a child is being or has been abused:

Ô physically

Ô emotionally

Ô sexually

Ô through neglect

Suspicions, concerns, knowledge or allegations may relate to possible abuse by a member of Church personnel, but they can also relate to incidents in the child's family, or elsewhere in the community.



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2. Caring for the welfare of all children and the adults who work with them

Measures to create and maintain environments that are safe for children, that prevent abuse and that create nurturing, caring conditions within the Church for children and the adults who work with them, will continue to be strengthened and reviewed. This will be done through training, support, communications and quality assurance

3. Responding appropriately to child protection suspicions, concerns, knowledge or allegations

Anyone who brings any suspicion, concern, knowledge or allegation of current or past abuse of a child to the notice of the Church will be responded to sensitively, respectfully, actively and in a timely manner, in line with statutory child protection procedures and Church requirements.

All suspicions, concerns, knowledge or allegations that reach the threshold for reporting to the civil authorities (apart from those received in the Sacrament of Reconciliation¹) will be reported through the appointed Church representative. This will be done irrespective of the status of the person (lay, cleric or religious) who is suspected of having been abusive to a child. If the allegation relates to a lay member of [INSERT NAME OF CHURCH BODY], in addition to notifying the statutory authorities, the allegation must be reported to the lead person in the [INSERT NAME OF CONGREGATION].

If the allegation relates to a cleric or religious from Ireland, in addition to notifying the statutory authorities, the allegation must also be reported to the Church authority and the National Board for Safeguarding Children in the Catholic Church in Ireland.

All Church personnel will co-operate with the statutory authorities in all cases.

4. Caring pastorally for complainants and other affected persons

Those who have suffered child abuse by Church personnel will receive a compassionate and just response, and will be offered appropriate pastoral care, counselling and support as they seek to rebuild their lives.

An appropriate pastoral response to the family, parish, congregation or order and to the wider community will be provided, with due regard to the right of privacy of those directly involved, and to the administration of justice.

Caring pastorally for respondents and other affected persons

1. The sacramental seal is inviolable; therefore it is absolutely forbidden for a confessor to betray in any way a penitent in words or in any manner and for any reason, Code of Canon Law, c.983.1, in Catholic Church (1983), The Code of Canon Law: Latin-English Edition (Washington, DC: Canon Law Society of America).



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5. Caring pastorally for respondents and other affected persons

This [INSERT NAME OF CHURCH BODY] in its response to suspicions, concerns, knowledge or allegations of child sexual abuse will respect the rights under civil law and canon law of an accused cleric or religious or other Church personnel. A legal presumption of innocence will be maintained during the statutory and Church inquiry processes. As the processes develop, additional assessment, therapy and support services may be offered to the respondent.

The [INSERT TITLE OF CHURCH AUTHORITY] will take responsibility for ensuring that any cleric or religious who is considered to constitute a danger to children is managed according to a risk management plan.

All requisite steps will be taken to restore the good name and reputation of anyone who has been wrongly accused of abusing a child.

Respondents belong to families and diocesan or religious communities. The [INSERT TITLE OF CHURCH AUTHORITY] will be mindful of the need to provide support to members of families and communities affected by the respondent's changed situation.

Scope of the Policy

This policy applies to all members, and those who work with [INSERT NAME OF CHURCH BODY] (lay staff and volunteers) who are required to comply with it. Full understanding of and adherence to this policy should lead to a deepening in the understanding of, and respect for, the rights of children and young people to participate as people of faith in the life of the Church.

The care and protection of children involved in Church activities is the responsibility of the whole Church, and is a requirement that applies regardless of the nature of the Church activities in which children are involved. Everyone who participates in the life of the Church has a role to play in creating an environment in which children can develop and be safe.

Putting the Policy into Action

The [INSERT NAME OF CHURCH BODY] will implement this policy by ensuring that all our ministry and activities comply with the following:

1. Creating and Maintaining Safe Environments.
2. Procedures for Responding to Child Protection Suspicions, Concerns, Knowledge or Allegations.
3. Care and Support for the Complainant.
4. Care and Management of the Respondent.
5. Care and Support for others.
6. Implementation of the Policy



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Commitment by the Church Authority

On behalf of this [INSERT NAME OF CHURCH BODY] in [INSERT COUNTRY OF MINISTRY], I commit to safeguarding children by agreeing to follow this Child Safeguarding Policy.

I will abide by and uphold the standards listed above in our entire ministry and contacts with children.

Church Authority Signature

Date



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Standards

1. Creating environments that are safe for children

The [INSERT NAME OF CHURCH BODY] recognises that children are precious and may be vulnerable in our care and that it is essential that safeguards are put in place to ensure they are not placed at risk. The following approach will be adopted by all our ministries:

- Ô Clear codes of behaviour when conducting ministry with children which sets out that it is never acceptable to touch a child in a sexual way; to engage a child in inappropriate conversation; to view child pornography; to physically assault a child etc.
- Ô Guidance on the vetting of priests, religious, paid staff and volunteers
- Ô Guidance on one to one contact with a child
- Ô Guidance on the use of IT and online communication
- Ô [INSERT ADDITIONAL PROCEDURES HERE]

2. Procedures for Responding to Child Protection Allegations

In line with canon law, a child is defined as anyone under the age of 18 for the purposes of any ministry provided by [INSERT NAME OF CHURCH BODY].

Children can be abused in the following ways:

(INSERT LOCAL DEFINITIONS OF ABUSE)

Any form of sexual behaviour with a minor, whether child or adolescent, is always sexual abuse. It is both immoral and criminal in both civil and canon law. This includes abuse of children through digital media.

When ministering with [INSERT NAME OF CHURCH BODY] any abuse of a child will not be tolerated and will be responded to by reporting to the statutory authorities and disciplinary action.

Physical abuse will not be used to discipline a child while the child is in the care of [INSERT NAME OF CHURCH BODY].

The paramount consideration in all matters relating to children is their safety and protection from all forms of abuse.

To create and maintain a safe environment, [INSERT NAME OF CHURCH BODY] must respond effectively to ensure all allegations and suspicions of abuse are reported, both within the Church and to statutory authorities. This responsibility to report is mandatory, and the only exception to this rule is the receipt of any information by a cleric under what is termed as the sacramental Seal of Confession. If it is not possible or safe to report to the Police, internal Church action must be transparent and have at its core a focus on the safety of children. Abuse of children is a crime in civil and in canon law and must not be covered up in any way, but addressed through a senior member who has the authority to ensure that the alleged perpetrator does not have access to children.

The following action should be taken when an allegation is received:



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A report is made to the Ordinary who will:

- Ô ensure it is reported to the statutory authorities
- Ô make a decision about removing the accused from public ministry
- Ô ensure support is offered to the complainant
- Ô ensure support is offered to the accused

Following police inquiry, if the matter relates to a cleric or religious an inquiry under canon law should be initiated. If there is a case to answer in canon law, the case should be referred to the CDF (ordained clerics) or to the Superior General (non ordained religious).

Following inquiries by the statutory authorities, if the matter relates to a lay person a disciplinary inquiry should be activated. If there is a finding against the lay person, consideration should be given to dismissing the person.

4. Care of Victims

We [INSERT NAME OF CHURCH BODY] wish to respond with compassion and understanding attitude to anyone who informs us of an allegation of child abuse against any of our members, staff or volunteers. We know that it takes courage and confidence to come forward. We are aware that the experiences and responses of victims can vary and that cultural values need to be given consideration here.

Victims may often find it difficult to trust those in positions of authority or pastoral care and even to believe or trust in God. They may go through a long period of silence, denial and repression. Others may even refuse to believe the victims, thereby reinforcing the sense of guilt and shame.

The intensity of the effects of abuse on the victims will vary. Some of the factors involved are the age and personality of the victim, the relationship with the offender, the duration and frequency of the abuse, the particular form of the abuse, the degree of force used and the threats used to compel secrecy.

A compassionate response to the alleged victim - the one bringing the complaint - must be the first priority in all cases of abuse. If the victim is a child, make sure you meet them with a trusted adult (parent/guardian). Take care when meeting with children who disclose abuse as you may not have the appropriate skills to respond, consider consulting with social services.

You should:

- Ô Treat the victim with respect.
- Ô Listen to the victim.
- Ô Treat each case as unique.
- Ô It is advisable to have another person present and invite the victim to have a support person for his or her assistance during the initial interview.
- Ô Offer pastoral support and spiritual assistance.
- Ô Make a record of what the victim tells you advise what you will do with the information (report to [INSERT TITLE OF CHURCH AUTHORITY], statutory authorities etc).



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If you are unsure of how to proceed, seek advice from the Conference of Major Superiors in your area.

4. Care and Management of Respondents

Those who have been accused of abusing a child are presumed innocent until guilt is either admitted or determined by due process. However, a member [INSERT NAME OF CHURCH BODY] (or staff or volunteer) accused of abuse must step aside from external ministry while the matter is pending in order to avoid minimising the accusation. Nonetheless, it is to be clearly understood that the person is on leave and that no admission of guilt is implied by this fact.

Any investigation by the statutory authorities must be allowed to proceed prior to any internal church or disciplinary investigation. Following conclusion of the statutory authorities investigation the following will be initiated by the [INSERT TITLE OF THE CHURCH AUTHORITY]:

- Ô If the allegation is against a cleric or religious the preliminary investigation under canon law will proceed. This will include:
 - Ô The appointment of an independent person to interview the respondent; the victim and gather any corroborating evidence.
 - Ô A report will be drafted for the Ordinary who will determine if there is a case to answer. The Ordinary may seek external advice.
 - Ô If there is no case to answer the respondent will be returned to ministry
 - Ô If there is a case to answer further canonical action will proceed:
 - Ô For ordained clerics the CDF will be informed
 - Ô For Vowed Religious the Superior General will be informed
 - Ô Action in relation to restricting the respondents ministry on a permanent basis will be determined by the canonical process in consultation with the CDF/Superior General
- Ô In the case of allegations against members who are deceased it may not be possible to establish the credibility of the allegations. However, in all cases pastoral care, counselling and support will be offered to the person who makes the allegation to the extent possible.
- Ô In the case of allegations against former members although the Congregation is no longer responsible for them, the allegations will be reported to the Civil authorities and efforts will be made to provide records to establish if there is any information that can be corroborate them. In all cases pastoral care, counselling and support will be offered to the person who makes the allegation to the extent possible.
- Ô The accused has a right to legal advice.
- Ô Remind the accused to have no contact with the alleged victim.
- Ô Therapy should be offered to the member
- Ô If there is a case to answer a safety plan should be put in place which seeks to reduce risk to children. Care needs to be given to the placement of the respondent (in a safe place, not near a school or near a place where minors congregate). In most cases, some type of supervision will be required.



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- Ô Offer the accused spiritual assistance.
- Ô Determine who information should be shared with e.g. if the respondent is in ministry in a Diocese it may be required that the Bishop be informed of the allegation. Have due regard to data protection legislation.
- Ô Put in writing the restrictions on the Member.

5. Care for Others

We acknowledge that the wider community is also affected by sexual abuse. We should strive to offer pastoral care and support in providing psychological and spiritual healing of those persons who, as well as the victims, have been seriously affected by incidents of abuse. The effect on the family of the victim can be profound. Disclosure can be very difficult for the victim and the wider family/community and we should guard against any rejection of the victim rather than facing reality. Parents can feel guilty that they did not protect their child more effectively.

Therefore, we recommend as far as possible that truthful explanation is given to families affected, communities affected, confreres and co-workers of the place where the respondent ministered. A meeting between the [INSERT TITLE OF THE CHURCH AUTHORITY] and those affected can be of great healing to all concerned.

There will be times when it is essential to share information e.g. in relation to a safety plan so as to reduce risk to children. Each case should be considered on its own merits.

It is possible that in sharing information that other allegations might emerge.

At all stages, whilst respecting an individual's right to privacy and his good name, you must avoid any appearance of a cover-up or any type of mitigation or denial of truth. In all cases be mindful of the data protection rights and confidentiality of all parties concerned: follow civil laws regarding what can or cannot be divulged and what must be divulged.

6. Implementation of Safeguarding Policy

[INSERT NAME OF CHURCH BODY] has the following governance structure in place:

The [INSERT TITLE OF CHURCH AUTHORITY] has overall responsibility for Child Safeguarding, but has appointed the following to manage all aspects of child safeguarding [INSERT NAME AND ROLE]

To ensure the implementation of safeguarding policies in the Unit, training and support will be provided in the following ways:

- Ô Superiors are to provide training on the prevention of all forms of abuse through their initial and on-going formation programs.



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- Ô Workshops will be delivered on:
 - Ô What is abuse
 - Ô How to create safe environments for children
 - Ô Responding to allegations
 - Ô Caring for all affected
- Ô Supervision will be offered to all who have roles in child safeguarding
- Ô Members will sign a document stating that they have read and understood the safeguarding policy.
- Ô Annually a report will be written for the [INSERT TITLE OF CHURCH AUTHORITY] on implementation of this policy [INSERT DETAIL OF ROLE HOLDER].