

PATRICIAN BROTHERS

IRISH PROVINCE

incorporating the
Kenya Region

CHILD SAFEGUARDING PROTOCOL

At the heart of education is the child - his or her dignity, rights and duties. By Baptism the child is incorporated into the crucified and glorified Christ and is reborn to a sharing of the divine life. But Baptism itself is only a beginning, though it is wholly directed towards the acquiring of fullness of life in Christ.

A potent factor in education is respect for the dignity of the human person. Great is the dignity of children for they are called to communion with God. This dignity at once inspires zeal and demands respect.

Let the Brothers respect the unique personality and dignity of each pupil. Relations between Brother and child should be personal, cordial and inspired by the love of Christ.

Contents

		Page
	Important Contact Details	5
	Counselling Services Contract Details	6
	TUSLA Contact Details	7
Standards		
Standard 1	A Written Policy on Keeping Children Safe	8
Standard 2	Procedures – how to respond to child protection allegations and Suspicions <ul style="list-style-type: none"> • Reporting Procedure • Role of Province DLP • Role of Community DLPs • Safe storage of child safeguarding documents, including confidentiality 	10
Standard 3	Preventing Harm to Children <ul style="list-style-type: none"> • Safe recruitment practices • Vetting • Vetting Statutory Declaration • Code of Behaviour for those working with children • Raising allegations (whistle-blowing) 	25
Standard 4	Training and Education <ul style="list-style-type: none"> • Training needs assessment 	49
Standard 5	Communicating the Safeguarding Message	51
Standard 6	Access to Advice and Support <ul style="list-style-type: none"> • Role of NCMRG • Role of Support Person • Role of Advisor 	53
Standard 7	Implementing and Monitoring the Standards	56
Appendices		
1.	Definitions	58
2.	Children First – Definition of “Child Abuse”	60
3.	Children First – Signs and Symptoms of Child Abuse	63
4.	Standard Reporting Form	72
5.	Mandatory Reporting Provisions – extract from Criminal Justice (Withholding of Information on Offences Against Children and Vulnerable Persons) Act 2012 –	74
6.	How to handle an allegation against a Brother	77
7.	How to handle an allegation against an employee or volunteer (not a member of	79

	the Community)	
8.	<p>Responding to Reports:</p> <ul style="list-style-type: none"> (1) How to react if someone comes to you with a report/concern/a complaint. (2) Giving Children the Confidence to Speak Out (3) How to deal with a Complaint Received by Telephone (4) How to deal with concerns/reports received Anonymously or from third parties (not the victim) (5) How to respond to retrospective disclosures by adults of child abuse when they were children (6) Asking questions (7) Confidentiality – do not promise to keep secrets (8) Recording (9) Ongoing support for the complainant (10) Pastoral Meeting with the complainant 	81
9.	Complaints Procedure	88

IMPORTANT CONTACT DETAILS

Provincial:

Bro. Cormac Commins, Patrician Brothers, Newbridge, Co. Kildare
Phone: 045-431475, 087-6772940

Province Designated Liaison Person (DLP)

Bro. Camillus Regan, 10 Hawthorn Drive, Tullow, Co. Carlow.
Phone: 0599181727, 087-2244175

Community Designated Liaison Person

The Local Community Leader is the Community DLP

Local Child and Family Agency (Tusla)

Tusla General Enquiries: 01 6352854. **Local Tusla Contacts for Child Protection and Welfare Services are set out overleaf.** The Local Duty Social Work Department in your area may be contacted between 9am and 5pm, contact details set out below:

<p>Carlow Area 059 9136587 Duty Social Work Department Ground Floor St. Dymphna's Hospital Athy Road Carlow</p>	<p>Kildare Area 045 882400 Child & Family Agency Social Work Department St. Mary's Craddockstown Road Naas Co. Kildare</p>	<p>Laois Area 057 8692567 Child & Family Agency Social Work Department Child & Family Centre Dublin Road Portlaoise Co. Laois</p>
<p>Finglas Area 01 8567704 Duty Social Work Department Health Centre Wellmount Park Finglas Dublin 11</p>	<p>Galway Area 091 546366 Child & Family Agency Galway City Social Work Department Local Health Office 25 Newcastle Road Galway</p>	

An Garda Síochána

Outside of these hours in cases of emergency please contact An Garda Síochána:

Tullow: 059-9151222

Finglas: 01-6667500

Galway: 091-538000

Newbridge: 045-431212

Portlaoise: 057-8674100

Information on other local Garda Stations : www.garda.ie

National Office for Safeguarding Children in the Catholic Church

New House, St. Patrick's College, Maynooth, Co. Kildare.

Tel: 01-5053124; Fax: 01-5053026; www.safeguarding.ie

Specialist advice about child protection issues can be accessed through the National Office.

COUNSELLING SERVICES

Towards Healing is a counselling and support service for survivors of Institutional, Clerical and Religious abuse, funded by the Catholic Church. If you have suffered in this way, Towards Healing will provide services to you no matter where you are currently living. The following services are currently provided:

- *Face to face psychotherapy*: Contact with accredited psychotherapists in your area for face to face psychotherapy, with the fees arising being paid directly to your psychotherapist by Towards Healing.
- *Immediate family members*: Provision for psychotherapy for spouses/partners, parents and children of survivors of Clerical/Religious abuse.

Free access to a helpline staffed by experienced Telephone Counsellors. This operates on Mondays and Wednesdays from 11.00 am – 8.00 pm, and on Fridays from 11.00 am to 4.00 pm.

The number is **Freephone 1800 303416 (Rep. of Ireland)**

Freephone 0800 0963315 (Northern Ireland and UK).

Towards Healing, P.O. Box 5654, Dublin 14,

email: coordinator@towardshealing.ie

Fax: +353-1-2600503

CONNECT

Connect is a free phone counselling service for any adult who has experienced abuse, trauma or neglect in childhood. The service is also available to partners or relatives of people with these experiences. With Connect you can talk in confidence with a trained counsellor who can listen or help with questions you have. Connect is an out of hours service available Wednesday to Sunday, from 6-10pm. To speak to a counsellor call: **Freephone 1800 235 235**

Website: www.connectcounselling.ie

National Counselling Service (NCS)

The National Counselling Service (NCS) is for adults who were abused in childhood and was established in September 2000 in response to the recognition that a large number of adults had been abused as children while in care in State institutions in Ireland. The NCS offers confidential face to face counselling, free of charge, to adults who experienced physical, emotional, sexual abuse or neglect during childhood. Counselling is available at 60 locations throughout Ireland. For an appointment at a location of your choice Freephone: **1800 235 234**. More information at: www.hse-ncs.ie

CHILDLINE

Provides a 24 hour listening service for all children up to the age of 18. Tel: **1800 66 66 66 / www.childline.ie**

ISPCC

The Irish Society for the Prevention of Cruelty to Children

Tel: **01 6767 960 / www.ispcc.ie**

West

Service Director
John Smyth
 Child and Family Agency,
 Level 2 Primary Care Centre
 Scally Place
 Justice Walsh Road
 Letterkenny, Co. Donegal
 Tel 074 9197114
 john.smyth@hse.ie

Area Managers

Maria MacInnes
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 Euro House, Killybegs Road
 Donegal Town
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 Mayo
 Top Floor
 St Mary's Headquarters
 Castlebar, Co Mayo
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 Raheen, Limerick
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 Johnstown, Waterford
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 dermot.halpin@hse.ie

Area Managers

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 Kerry
 Pathass
 Tralee
 Co Kerry
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 oliver.mawe@hse.ie

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 Wilton Road
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 barry.murray@hse.ie

Marie Kennedy
 Child and Family Agency
 Carlow/Kilkenny/South
 Tipperary
 Community Services
 James Green
 Kilkenny
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Jim Gibson
 Child and Family Agency
 Waterford/Wexford
 2 St. Andrews Terrace
 Newtown
 Waterford
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 jim.gibson@hse.ie

TÚS LA An Gníomhaireacht um
 Leanaí agus an Teaghlach
 Child and Family Agency

**Area Management Structures,
 Contacts and Addresses**



- Dublin Mid Leinster
- Dublin North East
- South
- West

Dublin North East

Service Director
Mary Hargaden
 Child and Family Agency
 2nd Floor, Nexus Building
 Blanchardstown Corporate
 Park
 Ballycoolin Road, Dublin 15
 Tel: 8976805
 sd.dne@hse.ie

Area Managers

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 180-189 Lakeshore Drive
 Airside Business Park
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 Child and Family Agency
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 Facility
 Ballymun Civic Centre
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Jim McGuigan
 Child and Family Agency
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 Gilligan House
 C/O Community Care Centre
 Dundalk
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 jim.mcguigan@hse.ie

Gerry Lowry
 Child and Family Agency
 Cavan/Monaghan
 Support Services Building
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 gerry.lowry@hse.ie

Dublin Mid Leinster

Service Director
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Area Managers

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Standard 1¹

1. A Written Policy on Keeping Children Safe

1.1. Guiding Principles

Each child shall be cherished and affirmed as a gift from God with an inherent right to dignity of life and bodily integrity which shall be respected, nurtured and protected by all. Everyone in the Church has an obligation to ensure that the fundamental rights of children are respected. In keeping with this we in the Patrician Brothers undertake to do all in our power to create safe environments for children and young people. The welfare of the child is paramount. This Protocol is designed to ensure that we create a safe environment for children and young people. Each child has the right to be protected, treated with respect, be listened to and have their views taken into consideration.

1.2. Co-Operation with and Support from the National Board for Safeguarding Children

The most recent review by the NBSCCCI took place in 2013. Our Province will co-operate fully with any future reviews by the NBSCCCI.

1.3. Procedures

The Patrician Brothers are committed to following best practice in the Irish Church as specified by the NBSCCC. Our Province child protection policy and procedures are set out in this publication – ***Child Safeguarding Protocol, Patrician Brothers, Irish Province, Incorporating the Kenya Region 2014*** which is closely modelled on the Standards & Guidance Document produced by the NBSCCCI in 2008. All members of the Congregation, employees and volunteers are required to comply with this Protocol. At Province level, we have in place a Province DLP (“**Province DLP**”).

1.4. Prevention, and Adherence to Protocol

The Patrician Brothers are committed to providing clear codes of behaviour when engaging with children for employees and volunteers. We will endeavour to have all employees and volunteers who work with or come into contact with children/young people in the course of their employment or role, carefully recruited, vetted, selected, trained, supported and supervised. Each member of our Community, employee and volunteer must be familiar with and adhere to this Protocol. The name and contact details of the Community DLP and the Province DLP shall be clearly displayed at the entrance/foyer/reception of each Patrician Brother

¹ This is a reference to Standard 1 of the National Board for Safeguarding Children in the Catholic Church “Safeguarding Children – Standards and Guidance Document for the Catholic Church in Ireland” (2008). “A written policy on keeping children safe”.

residence/property, together with a copy of this Protocol.

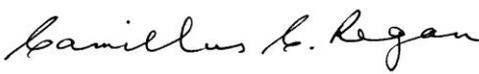
1.5. Review

This Protocol will be reviewed by the Province DLP every 2 years or more regularly if required (eg. where there are changes in the legislation, or in the structures of the Patrician Brothers).

1.6. Ratification

This Protocol was ratified and adopted by the Irish Province on 28th March 2014.

Signed: 
Provincial Leader - Brother Cormac Commins

Signed: 
Provincial Designated Liaison Person - Brother Camillus Regan

Dated: 28th March 2014

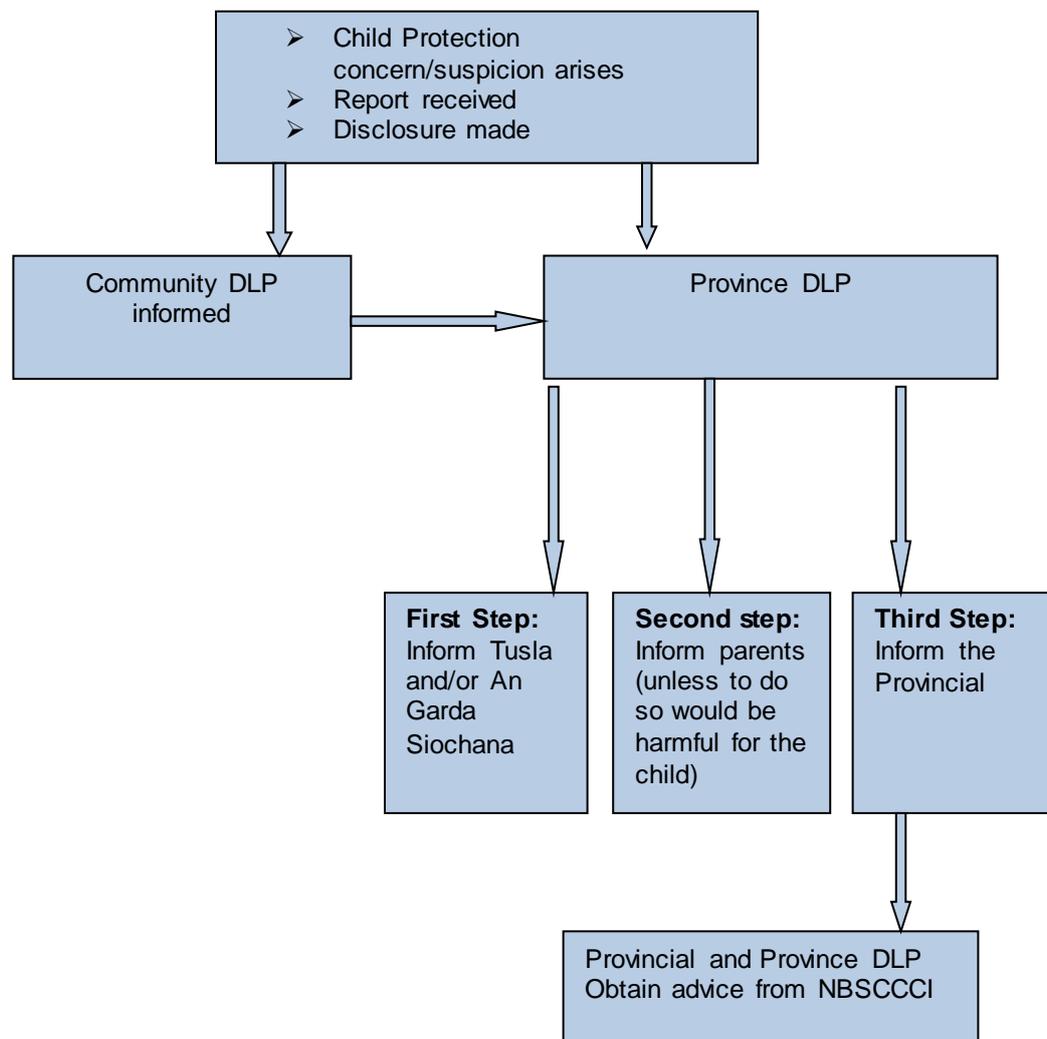
Next review date: 28th March 2016

Standard 2²

2. Procedures – how to respond to child protection allegations and suspicions

2.1. Key Principles

The **Reporting Procedures** set out below detail the action that must be taken by a member of the Community, an employee or a volunteer if any report, concern, allegation, suspicion, complaint or disclosure (historical, third party, or anonymous) is received relating to child abuse. The safety of the child is always the most important consideration. Set out below is a flow-chart summarising the **Reporting Procedures**.



² This is a reference to Standard 2 of the National Board for Safeguarding Children in the Catholic Church "Safeguarding Children – Standards and Guidance Document for the Catholic Church in Ireland" (2008). "Procedures – how to respond to child protection allegations and suspicions".

The **Reporting Procedure** summarized above, is detailed below:
This **Reporting Procedure** must be followed when someone observes child abuse, suspects child abuse, or receives a disclosure.

2.1.1 If you observe child abuse, intervene immediately. A child should not be left in a situation of risk. "Child abuse" means child abuse as defined in Children First (as more particularly detailed in **Appendix 2** of this Protocol).

2.1.2 Where a child protection concern arises about a child or a complaint is made about the behavior of a Community member/employee/volunteer/any other person, or where a report is received, or where a disclosure is made (including a historical disclosure or a disclosure made by a third party) the information is immediately passed onto the Province DLP (or the Community DLP who will immediately pass the information on to the Province DLP).

2.1.3 In all cases the child protection concern must be reported to the civil authorities by the Province DLP without delay.

2.1.4 In cases where a complaint/report/concern/disclosure/suspicion relating to a concern about a child has been received, but the Province DLP is not sure whether to make a report to the civil authorities, the Province DLP should seek appropriate advice. The Province DLP may consult Tusla, An Garda Síochána, and/or the NBSCCCI, on the appropriate steps to be taken. The Province DLP must keep a written record of the consultation with Tusla/An Garda Síochána/NBSCCCI on the Child Protection Case File. Decisions not to refer a matter must always be in consultation with Tusla, An Garda Síochána and the NBSCCCI. Where the Province DLP decides not to make a report to the civil authorities, he must immediately inform the Provincial in writing of this decision and outlining his reasons therefor.

2.1.5 When making a report to Tusla, the Province DLP shall use the SRF (see **Appendix 4**).

2.1.6 Where the Province DLP (or any other member of the Community, or employee or Volunteer) has reason to believe that the child may be in immediate danger from child abuse and the Local Duty Social Worker/Tusla cannot be contacted, the Gardai must be contacted immediately. A child must not be left in a situation of risk.

2.1.7 Where the concern relates to an offence against a child which falls under the mandatory reporting provisions set out in the Criminal Justice (Withholding of Information on Offences Against Children and Vulnerable Persons) Act 2012, a report must also be made to An Garda Síochána regardless of

whether Tusla has already been informed. For more detail on the offences covered by the mandatory reporting provisions, see [Appendix 5](#).

- 2.1.8 In the report made to Tusla/An Garda Síochána, the statutory authority should be asked in writing to confirm in writing that they have received the report and are acting upon the allegations/concerns referred to therein.
- 2.1.9 Parents/Guardians must be informed that a referral has been made, except when to do so would be dangerous for the child.
- 2.1.10 The Province DLP must inform the Provincial of all reports.
- 2.1.11 Where the report relates to a member of the Community, the Procedures outlined in [Appendix 6](#) must be followed.
- 2.1.12 Where the report relates to an employee/volunteer, the procedures outlined in [Appendix 7](#) must be followed.
- 2.1.13 A complete written record is kept in relation to the complaint or concern, including subsequent action and all communications with the civil authorities. In particular, a copy of all documentation sent to civil authorities (including but not limited to Standard Reporting Forms (“SRFs”), letters, reports etc) must be retained and stored securely by the Province DLP. The Province DLP shall carefully record in writing a contemporaneous attendance note of any telephone calls and/or meetings in person. For more detail on the data security requirements applicable to safeguarding data, please see (2.4) below.
- 2.1.14 Care must be taken to protect people’s rights to confidentiality. Information will be given to others on a ‘need to know’ basis in order to safeguard the child. For a copy of our Confidentiality Statement, see (2.4.3) below.
- 2.1.15 Remember, it is not your role or the role of the Province DLP to investigate.
- 2.1.16 Once a report is made to the civil authorities, the advice of the NBSCCCI should be sought by the Province DLP or by the Provincial.
- 2.1.17 Once a report is made to the civil authorities, the complainant should be offered a Support Person. The role of the Support Person is detailed at (6.4).
- 2.1.18 The complainant should be given the contact details of a Counselling Service. The details are set out at page 6.
- 2.1.19 Once a report is made, an Advisor should be appointed to the alleged abuser. The role of the Advisor is detailed at (6.5).
- 2.1.20 Once a report is made, the advice of the NBSCCCI should be sought on stepping-aside from Ministry and putting Precepts in

place. A summary of the role of the NBSCCCI is outlined at (6.1).

- 2.1.21 Create a child protection case file for every referral that includes a log of actions, events and information received strictly in line with the NBSCCCI Case File Template. Entries should be made as soon as possible after the event but before the end of the day. They must be timed, dated and signed by the author.
- 2.1.22 Take possession of any written records made by any person in connection with the case and place them on the Child Protection Case File.
- 2.1.23 Make enquiries to identify the present and previous appointments of the respondent in order to establish whether there were any previous concerns about his practice, or any current grounds for concern in relation to the safety and well-being of children. (Again, in cases of emergency, where a child appears to be at immediate or possible risk, an immediate referral should be made to Tusla. Where appropriate, if Tusla staff are not available, An Garda Síochána should be contacted so as to ensure that under no circumstances is a child be left in a dangerous situation pending intervention by the civil authorities).
- 2.1.24 Alert the Adviser to be on standby, without identifying the respondent. The role of the Advisor is set out at (6.5).
- 2.1.25 Conduct an initial interview with the respondent as soon as possible, unless Tusla/An Garda Síochána have requested that such an interview be deferred. The advice of Tusla/An Garda Síochána should be obtained **before** any such interview is carried out to ensure that the civil authorities are happy for the interview to proceed.
- 2.1.26 The respondent shall be given information about his or her entitlement to seek legal advice (both civil and, where appropriate, canonical) and about the child protection process. The respondent should be informed that he is not obliged, in law, to respond or to furnish evidence, but that any statement provided will be taken into account in the investigation. The Province DLP and the Provincial should then inform the respondent of the nature and detail of the allegation/concern and the name of the person raising it. The purpose of the interview is to inform the respondent of the existence of the allegation and of the process being followed. The respondent needs to be given enough detail about disclosure/allegation/concern and the person raising it, to be able to offer a response.
- 2.1.27 The respondent shall be offered the services of an Advisor.

- 2.1.28 A written record of the interview must be prepared, agreed with the respondent, signed by all those present at the interview and dated.
- 2.1.29 Arrange a meeting or consultation with the NCMRG (NBSCCCI) to obtain timely and relevant advices.
- 2.1.30 Follow the advice given by Tusla/An Garda Síochána where a child protection concern has been referred to them. Allow Tusla/An Garda Síochána to conduct their enquiries unimpeded. Do not visit the family or contact family members without prior discussion with civil investigators.
- 2.1.31 Maintain good lines of communication and dialogue with the investigating officer of An Garda Síochána and/or the relevant Social Worker to monitor the progress of the case and act on any advice they give. Details of all such contacts made should be recorded on the Child Protection Case File strictly in accordance with the template file guidance issued by the NBSCCCI.
- 2.1.32 Write to Tusla/An Garda Síochána asking about the progress of their investigation at appropriate stages during the investigation process, and for details of the outcome of their investigations at the conclusion of their investigation.
- 2.1.33 Conduct an internal investigation upon the conclusion any external investigation by the civil authorities or immediately upon being notified by the civil authorities that they are not going to investigate the matter.
- 2.1.34 Any internal investigation will be initiated in cases where child protection concerns remain or where disciplinary action/risk management needs to be considered. Such an investigation will gather and assess available information from all sources and witnesses. Every effort should be made, in consultation with Tusla/An Garda Síochána, to avoid the necessity to interview alleged complainant for the purposes of internal/disciplinary inquiries if that would cause further distress to the complainant.
- 2.1.35 This internal investigation (which takes place after the statutory enquiries have been completed, or in the event that the civil authorities have informed the Patrician Brothers that they will not be investigating the matter) should be conducted expeditiously, taking no longer than three months, wherever reasonably possible. In cases where there is a delay, and particularly where a Brother has been temporarily removed from active ministry, it is important to keep everyone informed of the progress of the investigation and to maintain records of such communications.

All members of the Community, employees and volunteers are trained to be vigilant for signs of child abuse even where they are not disclosed. For example: if a child appears malnourished, child neglect may be suspected. Where a child has injuries, physical abuse may be suspected. When any member of the Community, employee and/or volunteer observes child abuse, suspects child abuse, and/or receives a disclosure of child abuse (including a historical disclosure, an anonymous disclosure, or a disclosure from a third party other than the victim) it is their duty to immediately following the **Reporting Procedure** outlined at (2.1) above. These obligations apply in relation to all children who come into contact with the Congregation or its employees and/or volunteers or about whom they receive information (including unknown or unidentified children) which raises concerns about their safety or welfare. The obligations imposed under the **Reporting Procedure** apply to each and every member of the Community, employee and/or volunteer:

- Where child abuse is **observed**
- Where child abuse is **suspected**
- Where child abuse is **disclosed**, either by the person directly affected or by a third party or anonymously. Guidance on how to respond to a child or person who makes a disclosure is set out at **Appendix 8**.

Each member of the Community, employee and Volunteer is obliged to familiarise themselves with the guidance set out at **Appendix 8** and **(3.6)** and shall respond sensitively and appropriately to people raising a child protection concern. Where abuse is observed, suspected or disclosed the one thing you must **not** do is nothing. For the members of our Congregation, doing nothing will be treated as a most serious matter. For our employees and volunteers, doing nothing will be treated as gross misconduct and will be dealt with under the relevant Disciplinary Procedures in force in the workplace, and could result in immediate dismissal. In addition, any failure to follow this Protocol may be a criminal offence. All individuals to whom this Protocol applies must be mindful of the following pieces of criminal legislation:

Section 176 Criminal Justice Act 2006 – reckless endangerment of children: “A person having authority or control over a child or abuser, who intentionally or recklessly endangers a child by:

(a) causing or permitting any child to be placed or left in a situation which creates a substantial risk to the child of being a victim of serious harm or sexual abuse, or

(b) failing to take reasonable steps to protect a child from such risk while knowing that the child is in such a situation is guilty of an offence.

Sections 2 and 3 of the Criminal Justice (Withholding of Information on Offences Against Children and Vulnerable Persons) Act 2012: A person shall be guilty of an offence if they know or believe that an offence has been committed by another person against a child or vulnerable person, and he/she has information which he knows or believes might be of material assistance in securing the apprehension, prosecution or conviction of that other person for that offence, and fails without reasonable excuse to disclose that information as soon as it is practicable to do so to a member of An Garda Síochána.

It is the duty of each member of the Community, employee and volunteer to ensure that any concerns or suspicions are reported immediately in compliance with the terms of this Protocol. All individuals reporting concerns of child abuse shall enjoy protection under the Protection for Persons Reporting Child Abuse Act 1998 where they report child protection concerns to a designated officer of Tusla and/or a member of the Garda Síochána:

Protection from civil liability of persons who have reported child abuse:

Section 3: “A person who, apart from this section, would be so liable shall not be liable in damages in respect of the communication, whether in writing or otherwise, by him or her to an appropriate person of his or her opinion that –

- (a) A child has been or is being assaulted, ill-treated, neglected or sexually abused, or
- (b) A child’s health, development or welfare has been or is being avoidably impaired or neglected,

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.

Protection of employees from penalisation for having reported child abuse: Section 4: “An employer shall not penalise an employee for having formed an opinion of the kind referred to in section 3 of this Act and communicated it, whether in writing or otherwise, to an appropriate person if the employee has acted reasonably and in good faith in forming that opinion and communicating it to the appropriate person”.

2.2. The Child Protection Procedures are consistent with legislation on child welfare, civil guidance for child protection, and written in a clear, easily understandable way.

All child protection concerns must be reported to the civil authorities without delay. It is important that everyone in the organisation is aware that the person who first encounters a case of alleged or suspected child abuse is not responsible for deciding whether abuse has occurred. Their duty is to fully report the matter immediately to the Province DLP (or to their Community DLP who will in turn immediately inform the Province DLP) as detailed in the **Reporting Procedure** outlined above. Investigation is a task for the professional child protection agencies, following a referral to them of the concerns about the child.

2.3. Designated Liaison Person with a clearly defined role and responsibility for safeguarding children

The Congregation has a Province DLP. Appointed by the Provincial, it is the Province DLP's responsibility to:

2.3.1 Receive information about a child protection concern involving a Brother of this Province (or any third party, including but not limited to an employee of the Community and volunteers),

2.3.2 To report all concerns to the civil authorities immediately strictly in line with the **Reporting Procedures** set out at (2.1) and to manage any subsequent internal investigations.

2.3.3 The Province DLP is required to inform the Provincial of all reports made to the civil authorities, either by the Province DLP or by a Community DLP (in the event that the Province DLP is unavailable or unable to act). The Community DLP shall take full responsibility for all the functions, roles and responsibilities of the Province DLP in the event that the Province DLP is unavailable or unable to act.

2.3.4 The Provincial may appoint a Deputy Province DLP who can act in the event that the Province DLP is not able to deal with the concern.

2.3.5 The name and contact details of the Province DLP (and Community DLP) shall be clearly displayed in the foyer/reception area of each Patrician Brothers house, together with this Protocol, and both shall be available on the Patrician Brothers' website.

2.3.6 The Province DLP is responsible for liaising with outside agencies where issues relating to child protection arise.

2.3.7 When the investigation by outside civil agencies has been completed, the Province DLP will manage any subsequent internal investigations.

- 2.3.8 Advise the Provincial on how to deal with and manage all disciplinary matters relating to the continuing employment and/or voluntary services of an employee or volunteer who is the subject of an allegation. See [Appendix 7](#).
- 2.3.9 Advise the Provincial on how to deal with and manage the risk relating to a Brother who is the subject of allegations, in particular stepping aside from Ministry, putting written Precepts in place, and notifying the Congregation of the Doctrine of the Faith in appropriate cases. See [Appendix 6](#).
- 2.3.10 Make recommendations to the Provincial about any immediate action(s) that may need to be taken in order to ensure the safety of children and to manage any potential risk.
- 2.3.11 The Province DLP has a duty to:
- (a) Act as a resource to any Community member, employee or volunteer who has child protection concerns
 - (b) Ensure that the [Reporting Procedure](#) is followed.
 - (c) Ensure that suspected cases of child neglect or abuse are referred promptly to the designated person in the Tusla or in the event of an emergency and the unavailability of the Local Social Worker, to An Garda Siochana.
 - (d) Certain offences against children and vulnerable adults are subject to mandatory reporting to the Gardai. The Province DLP must ensure that in the event that the suspected case of child neglect or abuse constitutes an offence against a child or vulnerable person under the Criminal Justice (Withholding of Information on Offences Against Children and Vulnerable Persons) Act 2012, (as summarised in [Appendix 5](#)), that a report is made to An Garda Siochana without delay.
 - (e) Ensuring that all relevant records are shared with and/or made available to Tusla and/or An Garda Siochana when a child welfare or child protection issue arises.
 - (f) Ensuring that the Community cooperates fully with the civil authorities, including attending at child protection and child welfare meetings as may be organised by Tusla (including but not limited to Child Protection Case Conferences and Strategy Meetings) in order to share information and contribute to good decision making.
 - (g) Ensure that they are knowledgeable about child protection and undertake any training and refresher courses as may be necessary to keep themselves updated on new developments, and to update their skills and knowledge.

(h) To assess the training needs of each individual in the Province by way of a training needs audit at least every 12 months. See (4.2) on page 50.

2.3.12 The Province DLP must be accessible to everyone associated with the Community and will be supported by training and supervision.

2.3.13 Each Community shall designate a person or persons to be responsible for dealing with complaints or concerns regarding child abuse and to promote the safeguarding of children within that Community. The role and responsibilities of the Community DLP are outlined in (2.3.14) below. The name and contact details of the Community DLP(s) and the Province DLP shall be publicly displayed in the foyer/reception area of each Patrician Brothers' residence, (together with a copy of this Protocol) and made known to everyone involved in the organisation and its activities - e.g. each member of the Congregation, employees, workers, volunteers, children and young people, parents and guardians.

2.3.14 **Community Designated Liaison Person**

The Province DLP will be supported and assisted in his role by Community DLPs. Every Community shall have in place at least one trained Community DLP. The role of the Community DLP in the Patrician Brothers is to:

- 1 Promote the safeguarding of children and to be a resource for any person involved in the Community (employee, volunteer, child or young person, parent or guardian) about any aspect of child protection.
- 2 Be available to receive child protection concerns in relation to children involved in Community-related events.
- 3 Report all child protection concerns to the Province DLP who will in turn make a report to the civil authorities (Tusla/An Garda Síochána) without delay.
- 4 Report all child protection concerns to the civil authorities in the event that the Province DLP is unavailable or unable to act, and to fulfil the functions, roles and responsibilities of the Province DLP in the event that the Province DLP shall be unable to act in the matter.
- 5 Promote awareness of these Protocols and the Community's safeguarding message.
- 6 Ensure that contact details of the relevant civil authorities and the Province DLP are clearly displayed in the foyer/reception area of all buildings of the Community, together with a copy of this Protocol.

- 7 Organise with the Province DLP to provide 'best practice' information for those working for and in the community, with children and young people.
- 8 Assist the Province DLP, and others engaged in work with young people in the Community, to develop and establish best practices and procedures for Community activities.
- 9 Complete an audit of all Community activities that involve children and young people, and forward copy of same to the Provincial and the Province DLP when complete. The audit should be updated annually.
- 10 Meet with (*either in groups or individually*) all those listed on the audit form and brief them on best practice and procedures in regard to preventing harm to children.

2.4. There is a process for recording incidents, allegations and suspicions and referrals. These will be stored securely so that confidential information is protected and complies with relevant legislation.

2.4.1. The protocol for recording incidents, allegations, suspicions and referrals is outlined above at (2.1).

2.4.2. All child protection documents will be stored securely. The following procedures apply to all child protection records held by the Patrician Brothers (including but not limited to reports of disclosures, suspicions/concerns, third party information, retrospective disclosures etc):

- Records must be prepared contemporaneously or as soon as possible after an incident or meeting.
- Records must be signed by the person who prepared them, and dated.
- Record must be recorded carefully, preferably typed but in any event using clear handwriting.
- Personal information is recorded and stored confidentially and may only be accessed by the Province DLP or the Community DLP.
- **Physical records** will be stored in a locked filing cabinet located in a room to which only the Province DLP and/or the Community DLP have a key. This room is locked when either the Province DLP or the Community DLP is not occupying the room.
- **Electronic records** (including those in email form, documents/records stored on a computer, stored on a USB stick, or stored on any other portable format) are password protected and encrypted with an appropriate level of encryption software.

- It is important that all sensitive or confidential materials are retained in a case file and stored securely.
- Files containing sensitive or confidential data should be locked away and access to the relevant fire proof safe(s) or filing cabinets and keys should be strictly controlled.
- Access to the files needs to be limited to people in named roles i.e. the Provincial, the Province DLP, and the Community DLP, who either need to know about the information in those records and/or who have a responsibility to manage the records/files.
- Any information of a sensitive/confidential nature if stored electronically must always be password-protected. It is recommended to have two backup copies.
- Arrangements need to be made for knowledge of the relevant files and their location and storage arrangements to be passed from one Province DLP to their successor.
- There may be occasions when Child Protection Records may have to be taken out of the secure filing system referred to above, eg. to attend a Tusla Care Conference relating to a particular case. Child Protection Records may not be taken out of the building unless the Provincial has given their prior written permission for this to happen, and practical and robust security arrangements are put in place to preserve the confidentiality and security of the records.
- No undertaking regarding secrecy can be given. This must be made clear to all parties involved. However, all legal requirements will be followed with regard to keeping information confidential. For the avoidance of any doubt, the provision of information to the statutory agencies for the protection of a child is not a breach of confidentiality, a breach of privacy, or a breach of data protection.
- Information is shared on a need-to-know basis in the best interests of the child with the relevant civil authorities (ie Tusla and An Garda Siochana). The Patrician Brothers have a clear policy on co-operating fully with Tusla and An Garda Siochana on the sharing of their records where a child welfare or child protection issue arises. This includes a clear commitment on the part of the Province DLP or the Community DLP to attending at child protection and child welfare meetings as may be organised by Tusla (including but not limited to Child Protection Conferences and Strategy Meetings) in order to share information and contribute to good decision making.

- Giving confidential information to others for the protection of a child or young person is not considered a breach of confidentiality.
- All records kept in relation to the Patrician Brothers' handling of any child-protection matter (including correspondence, notes of meetings/discussions, incident report logs etc) shall be treated as highly confidential and stored securely in the Province DLP's secure filing system (as detailed above). Where the documents are stored electronically (i.e. on a computer, on a USB stick) they must be password protected and have an adequate level of encryption.
- Parents/Guardians, children and young people have the right to know if personal information is being shared, unless doing so could put the child at further risk. The Province DLP or the Community DLP who intends to make a report should inform the parents or guardians that a report is being submitted to Tusla or to An Garda Siochana, unless doing so is likely to endanger the child. When informing the parents/guardians, the Province DLP or the Community DLP **should not disclose any names or details capable of identifying the person against whom the complaint/report has been made**, as this may lead to a claim under the Defamation Act 2009³. The Province DLP shall inform the parent/guardian of the name and contact details of the relevant person dealing with the report in Tusla/An Garda Siochana. The Tusla/An Garda Siochana may decide to disclose the name and detail of the person against whom the complaint/report has been made to the parent/guardian of the child/young person concerned.
- Every measure will be taken in order to ensure that the confidentiality and welfare of our victims are prioritised above every other consideration.
- Freedom of Information does not apply to the Patrician Brothers
- Data Protection Acts: the Patrician Brothers are a data controller for the purposes of the Data Protection Acts 1988 and 2003 (as amended).
- All records relating to child protection will be stored indefinitely and will not be destroyed. The levels of

³ Although the Province DLP may have a defence on the grounds of "qualified privilege", this is a defence, not an exemption to a claim of defamation and would have to be pleaded in court. It is more prudent to leave the naming or identification of the person concerned to Tusla.

security and confidentiality set out above will apply to all child protection records, regardless of how old they are or when they were created.

- The Province shall retain all case management files and safeguarding records for a period of 100 years.
- All other records pertaining to safeguarding should be stored for a period of 20 years unless there is a legitimate reason for retaining them past this period.
- When situations become vacant those responsible in the Community have a responsibility to receive from each individual concerned, a completed 'statutory declaration form'. (See 3.3 below). The application forms, statutory declaration forms and all other documentation should be stored securely. Access will be restricted to the Provincial, the Province DLP and/or the Community DLP.
- Other records with identifying personal information, e.g recruitment documents and vetting outcomes; Activity attendance records; consent forms; accident forms etc must be stored in a secure locked cabinet.

2.4.3. The Patrician Brothers recognise the importance of preserving people's rights to confidentiality. We are committed to maintaining a strict code of confidentiality. However, in relation to child protection and welfare we acknowledge that confidential information must be shared with civil authorities in order to serve the best interests of the child or young person. However, in relation to child protection and welfare we undertake that:

- Information will be forwarded on a 'need to know' basis in order to safeguard the child.
- Giving such information to others for the protection of a child is not a breach of confidentiality.
- We cannot guarantee total confidentiality where the best interests of the child are at risk.
- Primary carers and children have a right to know if personal information is being shared and/or a report is being made to the Tusla/An Garda Siochana, unless doing so could put the child at further risk.
- Images of a child will not be used for any reason without the consent of the parent/carer (however, we cannot guarantee that cameras/videos will not be used at public liturgies/events or events at which third parties such as other parents/carers are present).
- Procedures will be put in place in relation to the use of images of children;

- Procedures have been put in place for the recording and storing of information in line with our confidentiality policy. See 2.4.2 and 2.4.3 above.

2.5. There is a process for dealing with complaints made by adults and children about unacceptable behaviour towards children, with clear timescales for resolving the complaint.

All reports in relation to child abuse will be dealt with under the Reporting Procedures outlined at 2.1 above. In the event that the complaint relates to something other than child abuse but which constitutes unacceptable behavior towards children, the Complaints Procedure set out in Appendix 9 will be applied. Please note that the Complaints Procedure is **not** for allegations/complaints of child abuse.

2.6. There is guidance on confidentiality and information-sharing which makes clear that the protection of the child is the most important consideration. The Seal of Confession is absolute.

See (2.4.2) and (2.4.3) above.

2.7. The procedures include contact details for local child protection services (eg. Tusla and HSE).

See “Important Contact Details” set out on page 5.

Standard 3⁴

3. Preventing Harm to Children

Children should have access to good role models they can trust, who will respect and nurture their spiritual, physical and emotional development. They also have a right to an environment free from abuse and neglect. The Patrician Brothers can minimize the risk of children and young people being abused by:

- **Having safe recruitment and vetting practices – preventing those who pose a risk to children from holding positions of trust. See 3.1 below for safe recruitment practices, and section 3.2 below for vetting practices.**
- **Codes of Behaviour – having clear guidelines that set out what is and is not acceptable behaviour as an essential part of keeping children safe.**
- **Operating Safe Activities for Children – to ensure a safe environment for children.**

3.1. Having safe recruitment and selection practices

It is to be noted that the Patrician Brothers do not offer or administer any services to or for children or young people. The Congregation does not organise, run or administer any activities for children or young people. However, in the unlikely event that the Patrician Brothers (or any of its members) should become involved in running or administering any activities for children or young people, the following principles shall be respected and applied strictly by all members of the Community, employees and volunteers. When situations become vacant those responsible for filling them should be aware of best practice in recruiting of employees and volunteers for work with children – this will include interview, independent references (which are verbally checked) and statutory declaration form confirming their suitability to working with children and young people. All documentation (including application forms, declaration forms and all other documentation) should be stored securely. Access will be restricted to the Province DLP.

The following should be observed in the recruitment and selection process in order to make sure that those selected are fully suited to working with children. The following steps must be adhered to:

- a) The post must be advertised/publicised as widely as possible.

⁴ This is a reference to Standard 3 of the National Board for Safeguarding Children in the Catholic Church “Safeguarding Children – Standards and Guidance Document for the Catholic Church in Ireland” (2008). “Preventing Harm to Children”.

- b) The advertisement for the post must stipulate a clear definition of the role and responsibilities, as well as the expected skills of the successful applicant.
- c) Candidates are required to complete an application form which contains a clear job description and asks for all relevant information about the applicant, including past experience of working with children.
- d) Candidates are furnished with information about the organisation and its activities.
- e) Candidates are furnished with an application form for completion, prior to being called for interview.
- f) The application form shall require the applicant to provide the following:
 - Their name
 - Their address
 - A photograph of themselves
 - Their signature
- g) Candidates will be asked to sign a declaration form, stating that there is no reason why they would be unsuitable to work with children or young people. See Vetting Statutory Declaration set out at (3.3).
- h) An interview with each applicant will be carried out by a panel of two or more representatives from the Patrician Brothers, using an agreed set of criteria.
- i) At least two written references should be supplied by each candidate, and these must be subsequently confirmed by phone, letter or a personal visit. References from family members are not acceptable. There shall be a rigorous checking of all references prior to any candidate being offered a position.
- j) Candidates must be asked to consent to Garda vetting. Garda vetting is a condition of employment/volunteering with the Patrician Brothers.
- k) Garda vetting clearance must be sought before the final selection is made, and any appointment is made subject to a clear Garda vetting outcome. There may be certain minor offences/convictions which may not exclude a candidate from being offered a job (eg. a conviction for failure to pay a TV licence). A decision will be made by the recruiting panel on a case by case basis. The recruitment panel will take the following considerations into account when reaching such a decision:
 - The paramount importance of child protection, child welfare
 - The reputation and Christian ethos of the Patrician Brothers
 - The need to maintain and uphold an orderly, respectful workplace.
 - The importance of harmony within the Patrician Brothers and its wider community, and in particular the preservation of the good working relationship which the Patrician Brothers have with An Garda Síochána.
- l) Taking into account all information received about the candidates through application forms, interviews and Garda vetting, the person

deemed most suitable for the position should be selected and then contacted.

- m) Once the position has been filled, all unsuccessful candidates must be notified.
- n) All successful candidates will be offered a written contract of employment, containing a probationary period. They will be monitored closely during their probationary period to ensure satisfactory performance.
- o) The contract of employment requires the employee to comply with all Policies currently in place within the Patrician Brothers, including this Child Protection Protocol. Contracts of Employment will be agreed by management and workers. Failure to comply with the Child Protection Protocol constitutes a disciplinary matter and will be dealt with under the relevant employment disciplinary procedure, and could result in their immediate dismissal.

3.2. Safe Vetting Practices in line with best practice guidance

It is to be noted that the Patrician Brothers do not offer or administer any services to or for children or young people. The Congregation does not organise, run or administer any activities for children or young people. However, in the unlikely event that the Patrician Brothers (or any of its members) should become involved in running or administering any activities for children or young people, the following principles in relation to Garda Vetting shall be respected and applied strictly by all members of the Community, employees and volunteers. Garda Vetting is one component of a good practice recruitment framework, which includes such practices as verification of identity, gathering of personal details, interview and references. See (3.1) above. Garda Vetting will be conducted for:

- Community Members dealing with children/young people
- Employees/volunteers dealing with children/young people

For the purposes of this section, “Applicant” refers to those individuals applying for Garda Vetting. “Organisation” refers to the Patrician Brothers, including the Province itself - which has required that Garda Vetting be sought and to which the applicant is directly accountable. Where “relevant information” is mentioned, it refers to disclosures within the Garda Vetting process of all convictions and/or prosecutions, successful or not, pending or completed, in the State or elsewhere. (The scope of disclosures may change depending on future legislation).

Garda Central Vetting Unit

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

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

The Province Authorised Signatory is: **Bro. Camillus Regan**

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

All correspondence and inquiries for the Province Authorised Signatory – also known as the **Province Garda Vetting Administrator** – can be addressed to: Patrician Brothers, 10 Hawthorn Drive, Tullow, Co. Carlow

Recruitment / Vetting best practice

In accordance with best practice, Garda Vetting should be sought in respect of each applicant prior to the offer of employment/engagement and approximately every 5 years thereafter, or at any time or times within the said 5 year period as deemed necessary. Applicants should be informed early of the requirement for Garda Vetting - ideally at the time of advertising. It is recommended that no person should start work (paid or unpaid) or be engaged, until Garda Vetting procedures have been completed. This is discretionary depending on whether working with children or vulnerable adults is involved, or where the individual will be in a position of trust. For example it may be possible for an applicant to start work, subject to vetting, but not with children or vulnerable adults or in a position of trust until the vetting process has been completed. However, advice should be sought in advance of entering into any such arrangement, and a Garda Vetting Form should be completed before taking up any duty, and their taking up position must be made conditional upon a satisfactory vetting outcome.

Vetting Process in the Province

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

1. The Garda Vetting Forms are available from the **Province Garda Vetting Administrator** ('Administrator').
2. The applicant is responsible for completing the form truthfully and fully and returning it to the organisation. Applicants are required to make a full and complete statutory declaration. Any non-disclosure or false disclosure will be considered to be gross misconduct and may result in the immediate dismissal of the volunteer/employee. Please

note that a false declaration will be viewed very seriously and may affect the offer of employment/engagement. Where the employee/volunteer is in post, it may result in the employee/volunteer being immediately dismissed for gross misconduct under this Disciplinary Policy.

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

Data Confidentiality

A Province database/filing system will be maintained which will track the progress of an application, and will contain information regarding Garda Vetting. The information on this database/filing system will be securely retained by the Province and, in line with data protection laws and (2.4.2) and (2.4.3) above. It will be retained only for as long as is reasonably necessary and in line with the Office of the Data Protection Commissioner's guidance on the retention periods for vetting outcomes. All information passed to other appropriate and relevant staff must only be done on a basis required by the recruitment process. Any employee of the Province who breaches confidentiality in the management of vetting information may face disciplinary action up to and including dismissal. Other serious sanctions may apply in respect of non-staff members. All organisations who avail of this service from the Province are required to be vigilant about

confidentiality and will be expected to treat breaches of confidentiality on the part of any employee in similar fashion to the Province. In the case of a review meeting, the applicant's information must be protected.

After receipt of information from the Garda Central Vetting Unit (GCVU):

Consideration of holding a Process Review Meeting

The Garda provides the organisation with details of all prosecutions, successful or not, pending or completed, and/ or convictions. If this form contains none of the above, no Process Review Meeting is necessary. Consideration for a Process Review Meeting will occur when an application is returned from the GCVU with relevant information attached. The organisation should clarify any information received from the GCVU with the applicant. If information is received which gives rise to concern, a Process Review Meeting is strongly recommended. Advice can be sought from the **Province Garda Vetting Administrator** in relation to holding a Process Review Meeting.

The Process Review Meeting

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

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

- The Garda Central Vetting Unit will conduct further checks as necessary in respect of the applicant and write back to the Province Garda Vetting Administrator who will communicate the response to the Organisation.

Risk Assessment Guidelines

A conviction, prosecution or case pending will not necessarily bar an applicant from being considered for employment/engagement. The decision making process is fundamentally to assess the suitability of an applicant. Any information, which arises from the Garda Vetting process, may influence the decision of the organisation to offer employment/engagement.

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

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

The following areas must also be considered with care:

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

3.3 Vetting Statutory Declaration

All those who have the opportunity for regular contact with children, or who are in positions of trust, complete a form declaring any previous court convictions and undergo other checks as required by legislation and guidance and this information is then properly assessed and recorded. Set out below is the statutory declaration which is to be completed:

Vetting Statutory Declaration

This Statutory Declaration must be completed prior to a person being appointed to any position (voluntary or paid) with the Patrician Brothers (including a Brother):

I _____ of _____ in the County of _____, Ireland, aged 18 years and upwards do SOLEMNLY AND SINCERELY DECLARE as follows:

To be completed by the declarant:

- a) Do you have any prosecutions pending or have you ever been convicted or a criminal offence or been the subject of a caution or of a Bound Over Order?

Yes.

No.

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

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

Yes.

No.

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

c) Full name _____

d) Any surname previously known by: _____

e) Address: _____

f) Date of birth: _____

g) Place of birth: _____

1. That to the best of my knowledge and belief there is nothing from a child protection perspective in relation to my conduct, character or personal background of any nature that would adversely affect the position of trust in which I would be placed in relation to children or vulnerable adults by virtue of my appointment to any position (paid or unpaid).

2. Within a child-protection context:
 - a. I hereby confirm my irrevocable consent to the Patrician Brothers to the making of such enquiries as they deem necessary in respect of my suitability for the post(s) in respect of which the application is made.
 - b. I hereby accept and confirm the entitlement of the Patrician Brothers to reject my application and/or terminate my employment (paid or unpaid) if I have omitted to furnish the Patrician Brothers with any relevant information.
 - c. I understand and accept that any false or misleading information (including non-disclosure and omission) submitted by me in relation to my application for a position or my continuing employment (paid or unpaid) with the Patrician Brothers will render me liable to automatic disqualification from the application process, and/or render me liable to immediate dismissal if employed with the Patrician Brothers
3. I make this solemn declaration conscientiously believing same to be true and by virtue of the Statutory Declarations Act 1938.

<hr/> Signed	<hr/> Date
<hr/> Name Printed	
	<p>Declared before me _____ a notary public/commissioner for oaths / peace commissioner/ practising solicitor by _____</p> <p>*who is personally known to me, or</p> <p>*who is identified to me by _____ who is personally known to me.</p> <p>*whose identity has been established to me before the taking of this Declaration by the production to me of passport number _____ issued on _____ by the authorities of [issuing state] which is an authority recognised by the Irish Government,</p> <p>OR</p> <p>*National identity card number _____ issued on _____ by the authorities of [issuing state] [which is an EU Member State, the Swiss Confederation or a Contracting Party to the EEA Agreement]</p> <p>OR</p> <p>[Aliens Passport number _____ issued on _____ by the authorities of [issuing state] which is an authority recognised by the Irish Government]</p> <p>OR</p> <p>Refugee travel document no. _____ issued on _____ by the Minister for Justice, Equality and Law Reform</p> <p>OR</p> <p>Travel document (other than refugee travel document) number _____ issued on _____ by the Minister for Justice Equality and Law Reform</p> <p>At _____ in the City/County of _____ on</p>

	<p>the ___ _day of _____ 20__</p> <hr/> <p>Practising Solicitor/Commissioner for Oaths/Notary Public/Peace Commissioner</p> <p>*Delete as appropriate</p>
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3.4. Codes of Behaviour

The Patrician Brothers have clear guidelines that set out what is and is not acceptable behaviour as an essential part of keeping children safe. This provides guidance on appropriate/expected standards of behaviour of adults towards children. Set out below is the Code of Behaviour for Members of the Community, Employees and Volunteers:

CODE OF BEHAVIOUR FOR MEMBERS OF THE COMMUNITY, EMPLOYEES AND VOLUNTEERS

The code should be read, understood and signed by every employee and volunteer before starting in their role. For existing members of the Community, employees and volunteers, it should be brought to their attention, explained to them. Each individual should be asked to sign the Code of Behaviour, confirming that they have read and understood it.

General Conduct

- 1 Provide an example of good conduct you wish others to follow.
- 2 Operate within the Congregation's principles and guidance and any specific procedures.
- 3 Be visible to others when working with children whenever possible.
- 4 Develop a culture where children can talk about their contacts with employees and others openly.
- 5 Respect each child's boundaries and help them to develop their own sense of their rights as well as helping them to know what they can do if they feel that there is a problem.
- 6 Never sexually harm, or speak to a child using sexually explicit language.
- 7 Do not spend time alone with a child or young person. Should circumstances arise where this is unavoidable, immediately inform another responsible adult, by telephone if necessary. Make a diary note that the meeting with the young person took place, including the reasons for it.
- 8 Observe best practice in relation to travel with children and young people. Members of the Community, employees and volunteers should not undertake any car or minibus journey alone with a child or young person. If in certain circumstances only one adult is available, there should be a minimum of two children or young people present for the entire journey. In the event of an emergency where it is necessary to make a journey alone with a child, make a record of this and inform the child's parents or guardians as soon as possible. Inform a colleague at the time if the parents/guardians are not available.

- 9 Unless there are at least two adults present avoid permitting children and young people to work or remain in Community property.
- 10 Treat all children and young people with equal respect; favouritism is not acceptable.
- 11 Never discriminate on the basis of race, culture, age, gender, disability, religion, sexuality, membership of the traveller community, or political views.
- 12 Never show different treatment or favour particular children to the exclusion of others.
- 13 Be cognisant of the imbalance in power inherent in adult-child relationships.
- 14 Challenge and report potentially abusive behaviour.
- 15 Do not engage in or tolerate any behaviour – verbal, psychological or physical – that could be construed as bullying.
- 16 Do not spend a disproportionate amount of time with any particular child or group of children.
- 17 Under no circumstances, give alcohol, tobacco or drugs to children or young people.
- 18 Do not use alcohol, tobacco or drugs when supervising or working with children and young people.
- 19 Use only age-appropriate language, media products and activities when working with children and young people. Sexually explicit or pornographic material is never appropriate, and will be considered gross misconduct to be dealt with under the disciplinary procedure, the consequence of which could include immediate dismissal.

Meetings with Children and Young People

- 1 Never take children to your own home, especially when they might be alone with you.
- 2 If the pastoral care of a young person necessitates the arrangement of a meeting alone with them, do not meet in isolated environments. Meet them in a public place where others are present and/or nearby.
- 3 Schedule meetings at times and at designated locations that allow for transparency and accountability (for example, rooms with a clear glass panel or window, an open door, and in buildings where other people are present).
- 4 Scheduling meetings with a child or young people by text messages is inappropriate and should not be done.
- 5 Limit both the length and number of meetings.
- 6 Inform parents or guardians that the meeting(s) are taking place, except in circumstances where to do so might place the child in danger. In that case, inform a colleague in advance of the meeting. Seek the consent of the parent and child in writing for the meeting.

- 7 Do not encourage visits to, or conduct meetings in, private homes or personal living quarters.
- 8 When the need for a visit to the home of a child or young person arises, professional boundaries must be observed at all times.

Discipline

- 1 Corporal punishment of children is never permitted under any circumstances.
- 2 Discipline problems should be handled in partnership with parents and guardians, and should never involve physical punishment or any other forms of degrading or humiliating treatment.
- 3 Members of the Community, employees and volunteers must never hit or otherwise physically assault or physically abuse children, develop sexual relationships with children, develop relationships with children which could in any way be deemed exploitative or abusive, or act in ways that may be abusive or may place a child at risk of abuse.

Respect for Physical Integrity

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

Respect for Privacy

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

Poor Practice

Members of the Community, employees and volunteers must avoid actions or behaviour which could be construed as poor practice or potentially abusive, for example, they should never:

1. Use language, make suggestions or offer advice which is inappropriate, offensive or abusive.
2. Behave physically in a manner which is inappropriate or sexually provocative.
3. Have a child/children with whom they are working to stay overnight at their home unsupervised.
4. Sleep in the same room or bed as a child with whom they are working.
5. Do things for children of a personal nature that they can do for themselves.
6. Condone or participate in, behaviour of children which is illegal, unsafe or abusive.
7. Act in ways intended to shame, humiliate, belittle or degrade.
8. Discriminate against, show different treatment or favour particular children to the exclusion of others.

Photography and film

- 1 Always ensure that the content of the photo/film is appropriate
- 2 One-to-one photo sessions with children must be supervised.
- 3 Parents and children must give consent to the use of an image and that this is recorded
- 4 Photographs/ images likely to be published in press or on the Internet should avoid using children's full names (first name and surname) and detailed addresses which may expose the child to the risk of grooming or exploitation.
- 5 Parents and children must be made aware in advance of the way the image will be used to represent the organisation or activity

3.5 There is guidance on expected and acceptable behaviour of children towards other children (Anti-Bullying Policy)

It is to be noted that the Patrician Brothers do not offer or administer any services to or for children or young people. The Congregation does not organise, run or administer any activities for children or young people. However in the event that children and/or young people become involved in activities run by or related to the Patrician Brothers, a code of behaviour for children and young people involved in Community-related activities should be drawn up, in consultation with children and parents/guardians. The issue of the appropriate response to breaches of discipline and to disruptive behavior should be covered in the code. A copy of the code should be given to all children and young people participating in activities and to their parents or guardians. It should be read, understood and signed by every child or young person and their parents or guardians. Where possible children and young people should be encouraged to draw

up a code of behaviour which is specific to the activity they are involved in. This code of behaviour should include:

- General behaviour issues e.g. language, punctuality, use of phones etc
- Respecting ourselves, others in the group, leaders, property, information shared
- A prohibition against discrimination and making it clear that discriminatory behaviour or language in relation to any of the following is not acceptable: race, culture, age, gender, disability, religious, sexuality, political views, or membership of the traveller community.
- Participation in activities
- Consequences for breaking the code of behaviour
- Where to take concerns or anxieties
- No young person under 18 should ever be expected to take on a responsibility better suited to an adult.
- This list should also cover anti-bullying procedures (including cyber-bullying) and especially use of electronic communications equipment, with emphases on respect for the rights to privacy etc of others.

How to respond to Cyber Bullying

1. **Ignore**; - Do not respond.
2. Take 'Screen Grab' or 'Screen Print' **and** save it for evidence.
3. Tell a **Parent** or a **Trusted Adult** immediately (Older brother/sister, Uncle, Aunt)

Above all, if a child or young person feels unsafe, they should:

- Say No
- Get Away
- Tell Someone
- Keep Telling Someone.

Parents/Guardians will receive a copy of the 'Code of Behaviour' with 'Permission Forms' (See Resource 7 of the NBSCCCI Resources) and will sign an 'Acknowledgement and Acceptance' of the Code.

3.6 There are clear ways in which Church personnel can raise allegations and suspicions about unacceptable behaviour towards children by other Church personnel or volunteers ("Whistleblowing") confidentially if necessary.

Allegations and suspicions about unacceptable behaviour towards children by other Church personnel or volunteers will be treated confidentially. Such allegations and suspicions should be brought to the attention of the Province DLP in line with the **Reporting Procedures** outlined in 2.1 above.

How to respond to people raising a concern/report

It is often very difficult for people to talk about abuse so it is important to make sure that you are patient, listen carefully and actively, and create a safe environment in which they feel able to tell you as much as they can remember. This will help those people whose responsibility it is to investigate the incident(s) do so as thoroughly as possible. In addition, when a member of the Community/employee/volunteer comes forward with a report of child abuse or unacceptable behaviour relating to another member of the Community/employee/volunteer (“whistle-blowing”) they should be listened to and asked to bring their concerns to the Community DLP and/or the Province DLP in line with the **Reporting Procedures**, confidentially if necessary.

People may tell you about:

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

Where information is given in person, consider the following:

- Listen carefully to that person, but do not ask intrusive or leading questions.
- Stay calm, take what the person raising the concern says seriously, and reassure them.
- Allow the person to continue at his/her own pace.
- Check with the person to make sure that you have understood what they actually said. Do not suggest words, but use theirs.
- Make no promises that cannot be kept, particularly in relation to secrecy, but listen carefully to what is being sought.
- Explain these procedures and the referral procedures to the person.
- Offer a **Support Person** (see (6.4)).
- Do not make any comments about the respondent, make assumptions or speculate.
- Be aware that a person’s ability to recount his or her concern or allegation will depend on age, culture, nationality and upon any disability which may affect use of language and range of vocabulary.
- Adopt a listening style which is compassionate, calm and reassuring. If the information given to you shocks, disgusts or distresses you, do not allow these feelings to show. If you do, you may inadvertently dissuade the person from giving any further information.
- Avoid statements about your belief or otherwise, of the information given.

- Do not question beyond checking what has been said. It is the job of Tusla/An Garda Síochána to investigate. There must be no probing for detail beyond that which has been freely given.
- Listening does not mean telling a person to stop when they are freely recalling events because some facts are only ever told once, the information given must be fully and accurately recorded. However, it is better that such detail is given directly to a professional from one of Tusla/ An Garda Síochána to allow proper procedures to be observed and to avoid the distress of having to repeat the account more than once.

3.7 There are processes for dealing with children’s unacceptable behaviour that do not involve physical punishment or any other form of degrading or humiliating treatment

A Code of Behaviour, which respects the dignity and rights of the child is set out in this Protocol. This applies to members of the Community, employees and volunteers in regard to their work with children and young people. It states that corporal punishment of children is never permitted and that discipline problems should be handled in partnership with parents and guardians. See “Code of Behaviour” above – Discipline (2) “Discipline problems should be handled in partnership with parents and guardians, and should never involve physical punishment or any other forms of degrading or humiliating treatment.” In the event that any issue arises which breaches this Code of Behaviour, the matter shall be dealt with under the disciplinary procedure in place for the employee/volunteer. This Code must be read, understood and signed by every employee and volunteer before starting in their role. It must be brought to the attention of existing employees/volunteers, explained to them, and signed by each employee/volunteer.

3.8 Guidance to staff and children makes it clear that discriminatory behaviour or language in relation to any of the following is not acceptable: race, culture, age, gender, disability, religion, sexuality or political views.

In relation to staff, see “Code of Behaviour” above – General Conduct (11) “Never discriminate on the basis of race, culture, age, gender, disability, religion, sexuality, membership of the traveller community, or political views”.

In relation to children, see (3.5) above “A prohibition against discrimination and making it clear that discriminatory behaviour or language in relation to any of the following is not acceptable: race, culture, age, gender, disability, religious, sexuality, political views, or membership of the traveller community.”

3.9 Policies include guidelines of the personal/intimate care of children with disabilities, including appropriate and inappropriate touch. Guidance on Personal / Intimate care of Children with Disabilities.

It is to be noted that the Patrician Brothers do not offer or administer any services to or for children or young people. The Congregation does not organise, run or administer any activities for children or young people. However, in the unlikely event that the Patrician Brothers (or any of its members) should become involved in running or administering any activities for children or young people, the following principles shall be respected and applied strictly by all members of the Community, employees and volunteers. Intimate care is any care which involves washing, touching or carrying out an invasive procedure such as cleaning up a child after they have soiled themselves or assisting a disabled child to use toilet facilities. The issue of intimate care is a sensitive one and will require members of the Community/employees/volunteers to be respectful of the child's needs. The child's dignity should always be preserved with a high level of privacy, choice and control. The child will be supported to achieve the highest level of autonomy that is possible given their age and abilities. The Patrician Brothers recognise that in some circumstances, some of the children with whom they come into contact with may have special needs which necessitate them requiring assistance with tasks of a personal nature. Individuals with such special needs can be very vulnerable, and all individuals involved with their care must be particularly sensitive to their needs. In the event that an individual has special needs, their parent/guardian must advise the Patrician Brothers of those special needs and of any special arrangements which will need to be put in place. The Patrician Brothers will then consult with the parents/guardians in order to put in place a tailored procedure to be followed in particular circumstances. In particular this tailored procedure should stipulate any communication tools and/or additional resources which should be employed for a child with communication difficulties. When developing any tailored procedure consultation with the parents/guardians, the Patrician Brothers will ensure that the best interests of the child are protected at all times. Key consideration will be given to preserving the child's dignity and privacy. The following principles of best practice shall be observed in all cases:

Best Practice

The points outlined below are not exhaustive:

- No adult should do anything for the child that the child is capable of doing for him or herself.
- The child's attempts to help with tasks should be encouraged and they should be allowed to do any task that they are capable of doing.

- No young person under 18 years will be asked to carry out a task more suited to an adult.
- Personal or intimate care must always be undertaken with the consent and permission of the child and parent.
- Prior permission for intimate care tasks should be gained after discussion with parent and/or child and agreement reached on how the specific tasks will be conducted.
- While physical contact/touching may be used to comfort, reassure or assist a child, the following should be factors in determining its appropriateness: Is it acceptable to the child? Is it open and non-secretive?
- Only employees/volunteers who have been vetted are to be assigned to intimate care tasks.
- The carer should be the same sex as the child to ensure the dignity of child is respected. Particularly for toileting, a person(s) of the same sex as the child will attend to the child.
- The child's reaction to a situation needs to be accepted as the guide to the child's wishes.
- Where there are speech, language, hearing or cognitive difficulties, an agreed method of communication is arrived at beforehand and time taken to familiarise the child with the method.
- It is best practice to call parents in the case of a child soiling/wetting him/herself.
- If employees/volunteers must clean/change the child, two persons, familiar to the child will attend to him/her. Parents/guardians will be notified of such incidents. A record of the incident should be kept.
- In the case of tours/outings children with special needs who need assistance with intimate care tasks should always be accompanied by a family member/carers.
- Concerns about anything during intimate care should be reported.

3.10 There is guidance on assessing all possible risks when working with children – especially in activities that involve time spent away from home.

It is to be noted that the Patrician Brothers do not offer or administer any services to or for children or young people. The Congregation does not organise, run or administer any activities for children or young people. However, in the unlikely event that the Patrician Brothers (or any of its members) should become involved in running or administering any activities for children or young people, the following principles shall be respected and applied strictly by all members of the Community, employees and volunteers.

Parental Consent

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

See a Parental Consent form template in Resource 7 of the NBSCCCI Resources.

Trips Away From Home

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

- All trips need careful advance planning including adequate provision for safety in regard to transport, facilities, activities, and emergencies. Adequate insurance should be in place. Leaders must be properly qualified and supervised for activities undertaken
- Written parental consent specifically for each trip and related activities must be obtained well in advance. Contact details for the duration of the trip are necessary. Written permission for leaders to make decisions of an emergency nature should be obtained in case of accidents.
- A copy of the itinerary and contact telephone numbers should be made available to parents or guardians.
- There must be adequate, gender-appropriate, supervision for boys and girls.
- Training must be provided for all leaders.
- All leaders (including volunteers) shall be fully vetted and shall supply the relevant Statutory Declaration confirming that they are suitable to work with children and young people. (See (3.3) on page 32).
- Arrangements and procedures must be put in place to ensure that rules and appropriate boundaries are maintained in the relaxed environment of trips away. These rules and boundaries must be clearly outlined to all leaders during preparation/training for the event.
- Particular attention should be given to ensuring that the privacy of young people is respected when they are away on trips.
- Sleeping areas for boys and girls should be separate and supervised by two adults of the same sex as the group being supervised.
- Under no circumstances should any adult share a bedroom with a child or young person.
- If, in an emergency situation, an adult considers it necessary to be alone in a children's dormitory or bedroom without another adult they should (a) immediately inform another adult in a position of responsibility and (b) make a diary note of the circumstances.

Health and Safety

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

Record Keeping – Activities

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

Dealing with Incidents and Accidents

It is vitally important to take health and safety concerns into account when considering the issue of child protection. Listed below are several precautions that must be taken in this area as well as the steps which should be taken in the event of an accident:

- The Patrician Brothers must maintain up-to-date records of the contact details of all children with whom they come into contact and their parents/guardians.
- Numbers for emergency services should be prominently displayed.
- First aid kits should be easily accessible and regularly re-stocked.
- Staff members and volunteers should be familiar with the location of first aid kits and receive basic training in first aid.
- Children and young people should be made aware of any potential health and safety risks to themselves and others.
- Extra precautions must be taken for activities or events which take place off-site.
- If a child or young person gets injured, the adult present must immediately contact the emergency services if necessary.
- The Provincial and the child or young person's parent/guardian must also be notified.
- It is important not to touch or move the child or young person more than absolutely necessary and to try to keep other children or young people away from the scene as much as possible.
- Once the emergency services arrive, the member of the Community/employee/volunteer must ensure that everyone present complies with their instructions.
- All details of the accident must be recorded afterwards into the Incident File, which is kept in the office of the Province DLP. The Incident File details all accidents, incidents and near-misses. It is the obligation of each employee/volunteer to complete a report log in the Incident File if they witness any accident.
- Those involved in the accident must be kept informed of any action that may be taken as a follow up to the incident.
- The Patrician Brothers have in place an appropriate insurance policy relating to public liability and occupiers' liability. In the event of any accident occurring, a notification must be made to the insurance company as soon as possible (even if no claim is being made).

3.11 When operating projects/activities children are adequately supervised and protected at all times.

At Community level, the local Community Leader will be responsible for ensuring that any activities that are run under the aegis of the Patrician Brothers are provided in a manner that ensures the safety and security both of the young people and of the leaders involved. The person or

people who manage the Community facilities that are being loaned to groups, or rented to groups, should be aware that the parties wishing to use them either have their own 'child protection policy' or that they endorse **in full and in writing** our Protocol before use of the facilities is permitted. The contact details of the Community DLP and the Province DLP should be carefully noted. Each Group will be responsible for storing in a confidential way an accurate record for each activity involving children or young people, e.g. programme details, attendance, parental consent, necessary medical information etc.

See above at (3.10). In addition, recommended supervision ratios are set out below:

Recommended Supervision Ratios

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

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

3.12 Guidelines existing for appropriate use of information technology (such as mobile phones, email, digital cameras, websites, the internet) to make sure that children are not put in danger and exposed to abuse and exploitation.

It is to be noted that the Patrician Brothers do not offer or administer any services to or for children or young people. The Congregation does not organise, run or administer any activities for children or young people. However, in the unlikely event that the Patrician Brothers (or any of its members) should become involved in running or administering any activities for children or young people, the following principles shall be respected and applied strictly by all members of the Community, employees and volunteers.

- Generally speaking leaders shall NOT share their person phone number(s)/mobile numbers with children/young people.
- Where it is necessary for organisation purposes, permission slips / forms from parents must ask: 'Can Leaders send messages by text to participants about upcoming meetings?' NB: It is best practice to copy all texts to parent/guardian.
- Volunteer or paid leaders who receive a 'Friend Request' from a child/young person via a social media website or via email in their activity SHOULD ALWAYS CLICK 'IGNORE' or otherwise not respond to the "friend request".

- Always ensure that the content of recorded / photographed material is appropriate.
- All recording on phone, camera or other devices must be supervised.
- Parents and children must give consent to the use of material/images that is recorded.
- Recorded material/images likely to be shared/published in press or on the internet should avoid using children's full names (first name and surname) and detailed addresses.
- Parents and children must be made aware in advance of the way the data/images will be used to represent the organisation or activity.
- Where IT is available and used by children or young people, the organisers will attempt to ensure that unsuitable sites are blocked, to make sure children are not coming in contact online with sites or web users which pose a threat or which would be unsuitable or age-inappropriate.
- If the websites cannot be blocked, all computer time should be closely monitored.

Standard 4⁵

4. Training and Education for Keeping children safe

4.1. All personnel who work with children are inducted into the Patrician Brothers' Protocol on child protection when they begin working within the Patrician Brothers.

It is to be noted that the Patrician Brothers do not offer or administer any services to or for children or young people. The Congregation does not organise, run or administer any activities for children or young people. However, in the unlikely event that the Patrician Brothers (or any of its members) should become involved in running or administering any activities for children or young people, all members of the Community, employees and volunteers who will work with children will be inducted into the Patrician Brothers' Protocol on child protection.

4.2. Identified Church personnel are provided with appropriate training for keeping children safe with regular opportunities to update their skills and knowledge.

The Patrician Brothers recognise that all personnel need to develop and maintain necessary attitudes, skills and knowledge to keep children safe. It is noted that the Patrician Brothers do not offer or administer any services to or for children or young people. The Congregation does not organise, run or administer any activities for children or young people. However, it is acknowledged that the appropriate child protection training must be provided, and that those filling positions of responsibility (including the Province DLP) must be appropriately trained. In order to promote a good, healthy culture of safeguarding in the Patrician Brothers, appropriate training (appropriate to their needs) will be provided to members of the Community, employees and volunteers. In order to assist in identifying what sort of training might be appropriate, the following Identification of Training Needs will be completed, and a budget will be made available for training:

⁵ This is a reference to Standard 4 of the National Board for Safeguarding Children in the Catholic Church "Safeguarding Children – Standards and Guidance Document for the Catholic Church in Ireland" (2008). "Training and Education for keeping children safe".

Who needs to be trained?	What training do they need?	How could the identified training needs be met?	Priority? High=4 Low=1	Resources / costs	Timespan for training
Province DLP	Safeguarding training	Internal training Local Providers NBSCCCI events.	4		
Community DLP	Safeguarding training	Internal training	4		
Members of the Community	Induction to Protocol	Local Providers			
New employees/volunteers	Introduction, induction to Protocol	Staff training day			
Existing employees/volunteers	Refresher in relation to the Protocol	Induction, staff briefing			

4.3. Training is provided to those with additional responsibilities such as recruiting and selecting safe, dealing with complaints, disciplinary processes, managing risk, acting as Designated Liaison Person.

The Province DLP shall assess the training needs of each individual in the Province by way of a training needs audit at least every 12 months.

4.4. Training programmes are approved by the NBSCCCI and updated in line with current legislation, guidance and best practice.

The Provincial and the Province DLP shall attend training events organised or recommended/approved by the NBSCCCI.

Standard 5⁶

5. Communicating the Patrician Brothers' Safeguarding Message

5.1. This Protocol is openly displayed and available to everyone.

A copy of this Protocol shall be displayed in the Reception/Foyer of each Patrician Brothers residence/property.

5.2. Children are made aware of their right to be safe from abuse and who to speak to if they have concerns.

It is noted that the Patrician Brothers do not offer, organise, run or administer any services to or for children or young people. Notwithstanding this, the name and contact details of the Province DLP shall be displayed in the Reception/Foyer of each Patrician Brothers residence/property so that children are aware of who they should speak to if they have concerns.

5.3. Everyone in the Patrician Brothers knows who the Province DLP is and how to contact them.

The name and contact details of the Province DLP shall be displayed in the Reception/Foyer of each Patrician Brothers residence/property so that everyone is aware of who they should speak to if they have concerns.

5.4. The Contact details are clearly displayed for the local child protection services (Tusla, Social Workers, An Garda Siochana, telephone helplines and designated person).

The name and contact details of the local child protection and law enforcement services (Tusla and An Garda Siochana) shall be displayed in the Reception/Foyer of each Patrician Brothers residence/property.

5.5. The Patrician Brothers have established good links with the statutory child protection agencies to develop a good working relationship in order to keep children safe.

The Patrician Brothers have good links and open communication lines with their local An Garda Siochana and the designated person from the statutory child protection agency.

⁶ This is a reference to Standard 4 of the National Board for Safeguarding Children in the Catholic Church "Safeguarding Children – Standards and Guidance Document for the Catholic Church in Ireland" (2008). "Training and Education for keeping children safe".

5.6. The Patrician Brothers have a communications policy which reflects a commitment to transparency and openness.

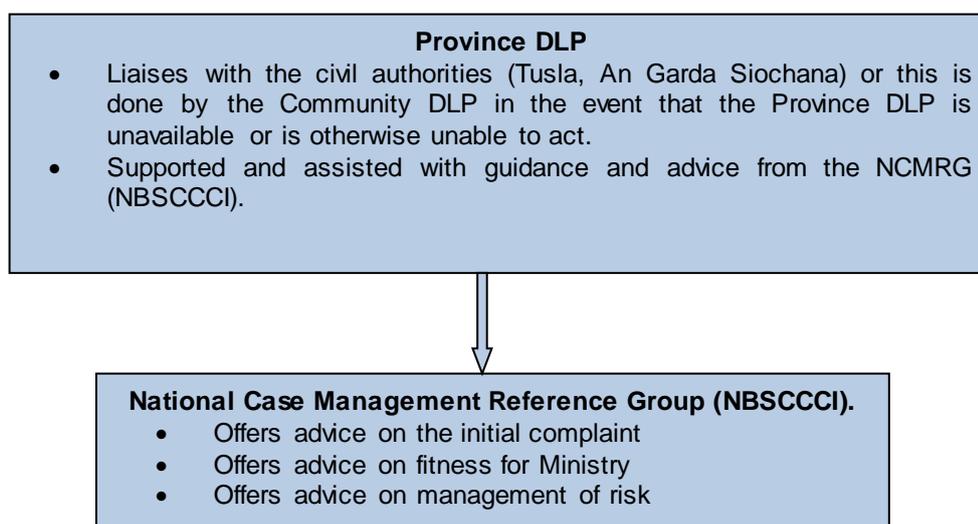
We do not have a written “Communications Policy” however the small size of our Congregation facilitates easy and clear internal communication.

Standard 6⁷

6. Access to Advice and Support

6.1. Personnel with special responsibilities for keeping children safe have access to specialist advice, support and information on child protection.

Due to the small size of the Congregation in Ireland, and the relatively small number of complaints, the Province does not have a Safeguarding Committee or an Advisory Panel. These functions are fulfilled by the services of the NCMRG (detailed below). The NCMRG supports the Province DLP and provides tailored advice and guidance on complaints, fitness for ministry and risk management. See the structure chart set out below.



6.2. Contacts are established at a national and/or local level with the relevant child protection/welfare agencies and helplines that can provide information, support and assistance to children and Church personnel.

The Patrician Brothers are committed to working in partnership with civil authorities to ensure that all aspects of child welfare are managed promptly, professionally and justly. We will adhere to statutory policy, notably ‘Children First’: National Guidance for the Protection and Welfare of Children (2011), ‘Child Protection and Welfare’ Practice Handbook (2011) and to Church Guidance including “Safeguarding Children Standards and Guidance Document for the Catholic Church in Ireland” (2008). All child safeguarding concerns must be reported to the civil authorities without delay. See

⁷ This is a reference to Standard 4 of the National Board for Safeguarding Children in the Catholic Church “Safeguarding Children – Standards and Guidance Document for the Catholic Church in Ireland” (2008). “Training and Education for keeping children safe”.

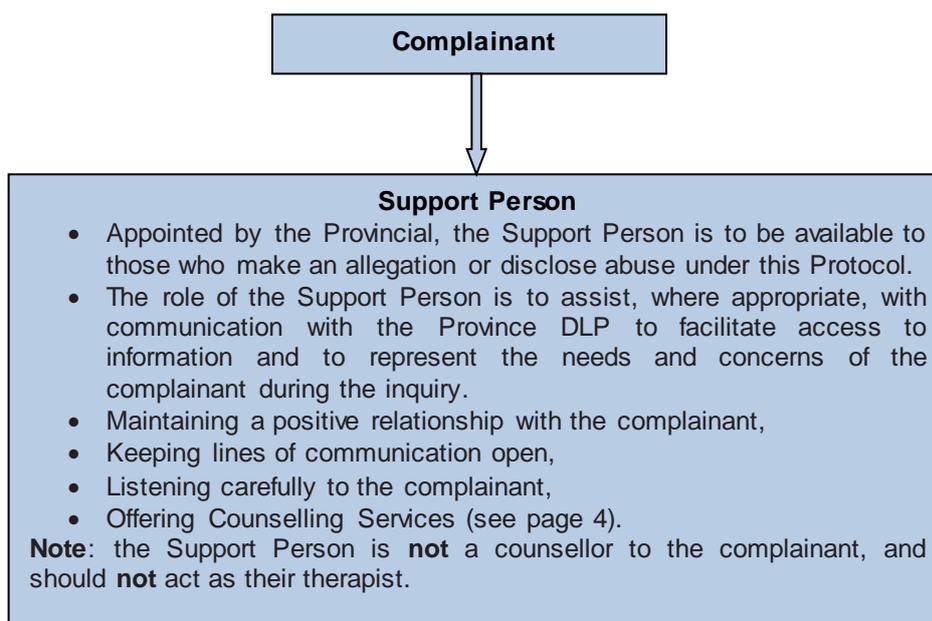
the Contact details set out at “Important Contact Details” at page 3.

6.3. There is guidance on how to respond to and support a child who is suspected to have been abused, whether that abuse is by someone within the church or in the community, including family members or peers.

See **Appendix 8** (“Responding to Reports”) and (3.6) (“How to respond to people raising a concern/report”).

6.4. Information is provided to those who have experienced abuse on how to seek support.

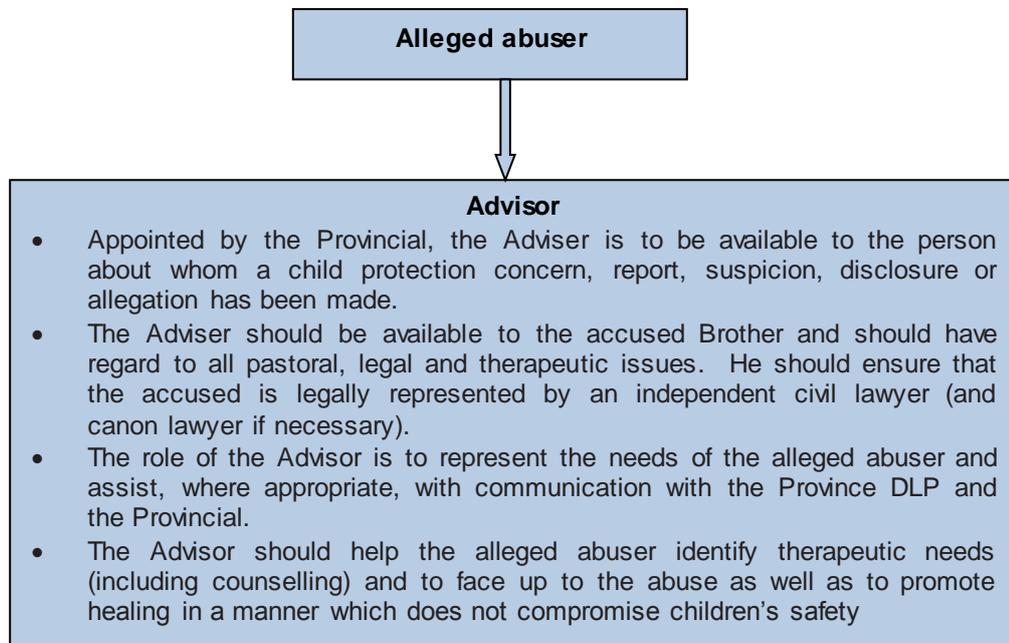
Those who have suffered child abuse should receive a compassionate and just response and should be offered appropriate pastoral care to rebuild their lives. Each complainant should be offered Counselling. See page 4 for the appropriate contact details of counselling organisations. Each complainant should also be offered a Support Person, see the details below:



6.5. Appropriate Support is provided to those who have perpetrated abuse to help them to face up to the reality of abuse as well as to promote healing in a manner which does not compromise children’s safety.

Those who harmed others should be helped to face up to the reality of abuse as well as to promote healing in a manner which does not compromise children’s safety. Those who are the subject of an investigation – civil or canonical - may be asked to step aside from their ministry and duties for the duration of the investigation. While

the matter is pending the respondent enjoys the presumption of innocence and the right to his or her good name. An Advisor is appointed to an accused Brother. Their role is set out below. The role of the Support Person and the Advisor are very different. Under no circumstances should the same Support Person be provided for the child/adult making the complaint and for the alleged abuser. Both the Support Person and the Advisor requires appropriate training, and to be supported in their role.



Standard 7⁸

7. Implementing and Monitoring Standards

7.1. There is a written plan showing what steps will be taken to keep children safe, who is responsible for implementing these measures and when these will be completed.

This Protocol has been ratified by the Provincial and the DLP on 28th March 2014. It will be distributed to all Communities and will be brought to the attention of the members of the Congregation in each Community. Each Community should address the specific requirements arising from the nature of the varied activities being undertaken by that particular Community.

7.2. The human or financial resources necessary for implementing the plan are made available.

The Patrician Brothers will dedicate such necessary human and financial resources as are necessary for implementing this Protocol and promoting our safeguarding message generally.

7.3. Arrangements are in place to monitor compliance with this Protocol.

The Province DLP shall monitor compliance with this Protocol while carrying out an assessment of training needs each 12 months – see (4.2).

7.4. Processes are in place to ask parishioners (children and parents/carers) about their views on policies and practices for keeping children safe.

It is noted that the Patrician Brothers do not administer any parishes, nor do they offer, organise, run or administer any services to or for children or young people. In the event that the Patrician Brothers ever do any of these things, they will ask parishioners, children and parents/carers their views on the policies and practices for keeping children safe as set out in this Protocol.

⁸ This is a reference to Standard 4 of the National Board for Safeguarding Children in the Catholic Church “Safeguarding Children – Standards and Guidance Document for the Catholic Church in Ireland” (2008). “Training and Education for keeping children safe”.

7.5. All incidents, allegations/suspicious of abuse are recorded and stored securely.

The Patrician Brothers recognise the importance of preserving people's rights to confidentiality. See the guidelines of safe storage (2.4.2) and confidentiality (2.4.3).

Appendix 1

Definitions

In this document, the following terms shall have the following definitions:

“CDF”:	Means the Congregation of the Doctrine of the Faith.
“child”:	Means a person under the age of 18years old, other than a person who is or has been married.
“child abuse”:	Means child abuse as defined in Children First (as more particularly detailed in Appendix 2 of this Protocol).
“Children First”	Means the National Guidance for the Protection and Welfare of Children published by the Department of Children and Youth Affairs 2011.
“civil authorities”	Means Tusla and/or An Garda Síochána.
“Community”:	Means the Congregation of the Patrician Brothers and each and every member of the Congregation.
“Community DLP”	Means the Community Designated Liaison Person.
“disclosure”	Means a report of child abuse (either current or historical) either from the victim, from a third party, or from an anonymous source.
“employee”:	Means anyone employed by the Congregation of the Patrician Brothers (paid or unpaid, full-time or part-time).
“NBSCCCI”	Means the National Board for Safeguarding Children in the Catholic Church in Ireland.
“NCMRG”	Means the National Case Management Review Group established by the NBSCCCI.
“parent”:	Means all parents, guardians, foster-parents, carers and/or persons in loco parentis where appropriate.
“Province DLP”	Means the Province Designated Liaison Person.
“report”	Means a report, allegation, suspicion, concern, historical disclosure, third party disclosure, anonymous disclosure, relating to child abuse.
“Signs and Symptoms of Child Abuse”	Means the signs and symptoms of child abuse as set out in Children First, as more particularly defined in Appendix 3 of this Protocol.
“SRF”:	Standard Reporting Form for reporting child protection and/or welfare concerns to Tusla. See Appendix 4.

“Tusla”	Means the Child and Family Agency established under the Child and Family Agency Act 2013.
“volunteer”:	Means anyone volunteering for the Congregation of the Patrician Brothers or any project or service administered.

Appendix 2

What is Child Abuse?

Extract from Children First, Chapter 2

2.2 Definition of “neglect”.

- 2.2.1 Neglect can be defined in terms of an omission, where the child suffers significant harm or impairment of development by being deprived of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, attachment to and affection from adults, and/or medical care.
- 2.2.2 Harm can be defined as the ill-treatment or the impairment of the health or development of a child. Whether it is significant is determined by the child’s health and development as compared to that which could reasonably be expected of a child of similar age.
- 2.2.3 Neglect generally becomes apparent in different ways over a period of time rather than at one specific point. For example, a child who suffers a series of minor injuries may not be having his or her needs met in terms of supervision and safety. A child whose height or weight is significantly below average may be being deprived of adequate nutrition. A child who consistently misses school may be being deprived of intellectual stimulation.
- 2.2.4 The threshold of significant harm is reached when the child’s needs are neglected to the extent that his or her wellbeing and/or development are severely affected.

2.3 Emotional Abuse

- 2.3.1 Emotional abuse is normally to be found in the relationship between a parent/carer and a child rather than in a specific event or pattern of events. It occurs when a child's developmental need for affection, approval, consistency and security are not met. Unless other forms of abuse are present, it is rarely manifested in terms of physical signs or symptoms. Examples may include:
 - ii. the imposition of negative attributes on a child, expressed by persistent criticism, sarcasm, hostility or blaming;
 - iii. conditional parenting in which the level of care shown to a child is made contingent on his or her behaviours or actions;
 - iv. emotional unavailability of the child’s parent/carer;
 - v. unresponsiveness of parent/carer and/or inconsistent or inappropriate expectations of the child;
 - vi. premature imposition of responsibility on the child;

- vii. unrealistic or inappropriate expectations of the child's capacity to understand something or to behave and control himself or herself in a certain way;
- viii. under- or over-protection of the child;
- ix. failure to show interest in, or provide age-appropriate opportunities for the child's cognitive and emotional development;
- x. use of unreasonable or over-harsh disciplinary measures;
- xi. exposure to domestic violence;
- xii. exposure to inappropriate or abusive material through new technology.

2.3.2 Emotional abuse can be manifested in terms of the child's behavioural, cognitive, affective or physical functioning. Examples of these include insecure attachment, non-organic failure to thrive, unhappiness, low self-esteem, educational and developmental underachievement, and oppositional behaviour. The threshold of significant harm is reached when abusive interactions dominate and become typical of the relationship between the child and the parent/carer.

2.4 Physical Abuse

2.4.1 Physical abuse of a child is that which results in actual or potential physical harm from an interaction, or lack of interaction, which is reasonably within the control of a parent or person in a position of responsibility, power or trust. There may be single or repeated incidents. Physical abuse can involve:

- i. severe physical punishment;
- ii. beating, slapping, hitting or kicking;
- iii. pushing, shaking or throwing;
- iv. pinching, biting, choking or hair-pulling;
- v. terrorising with threats;
- vi. observing violence;
- vii. use of excessive force in handling;
- viii. deliberate poisoning;
- ix. suffocation;
- x. fabricated/induced illness (see [Appendix 1 of Children First](#) for details);
- xi. allowing or creating a substantial risk of significant harm to a child.

2.5 Definition of “sexual abuse”

2.5.1 Sexual abuse occurs when a child is used by another person for his or her gratification or sexual arousal, or for that of others. Examples of child sexual abuse include the following:

- i. exposure of the sexual organs or any sexual act intentionally performed in the presence of the child;
- ii. intentional touching or molesting of the body of a child whether by a person or object for the purpose of sexual arousal or gratification;
- iii. masturbation in the presence of the child or the involvement of the child in an act of masturbation;
- iv. sexual intercourse with the child whether oral, vaginal, or anal;
- v. sexual exploitation of a child includes inciting, encouraging propositioning, requiring or permitting a child to solicit for, or to engage in, prostitution or other sexual acts. Sexual exploitation also occurs when a child is involved in the exhibition, modelling or posing for the purpose of sexual arousal, gratification or sexual act, including its recording (on film, video tape or other media) or the manipulation, for those purposes, of the image by computer or other means. It may also include showing sexually explicit material to children which is often a feature of the “grooming” process by perpetrators of abuse;
- vi. consensual sexual activity involving an adult and an underage person. In relation to child sexual abuse, it should be noted that, for the purposes of the criminal law, the age of consent to sexual intercourse is 17 years for boys and girls. An Garda Síochána will deal with the criminal aspects of the case under the relevant legislation.

2.5.2 It should be noted that the definition of child sexual abuse presented in this section is not a legal definition and is not intended to be a description of the criminal offence of sexual assault.

Appendix 3
Signs and Symptoms of Child Abuse
Extract from Children First – Appendix 1.

1. Signs and symptoms of neglect

Child neglect is the most common category of abuse. A distinction can be made between 'wilful' neglect and 'circumstantial' neglect. 'Wilful' neglect would generally incorporate a direct and deliberate deprivation by a parent/carer of a child's most basic needs, e.g. withdrawal of food, shelter, warmth, clothing, contact with others. 'Circumstantial' neglect more often may be due to stress/inability to cope by parents or carers.

Neglect is closely correlated with low socio-economic factors and corresponding physical deprivations. It is also related to parental incapacity due to learning disability or psychological disturbance.

The neglect of children is 'usually a passive form of abuse involving omission rather than acts of commission' (Skuse and Bentovim, 1994). It comprises 'both a lack of physical caretaking and supervision and a failure to fulfil the developmental needs of the child in terms of cognitive stimulation'.

Child neglect should be suspected in cases of:

- abandonment or desertion;
- children persistently being left alone without adequate care and supervision;
- malnourishment, lacking food, inappropriate food or erratic feeding;
- lack of warmth;
- lack of adequate clothing;
- inattention to basic hygiene;
- lack of protection and exposure to danger, including moral danger or lack of supervision appropriate to the child's age;
- persistent failure to attend school;
- non-organic failure to thrive, i.e. child not gaining weight due not only to malnutrition but also to emotional deprivation;
- failure to provide adequate care for the child's medical problems and developmental problems;
- exploited, overworked.

2. Characteristics of neglect

Child neglect is the most frequent category of abuse both in Ireland and internationally. In addition to being the most frequently reported type of abuse; neglect is also recognized as being the most harmful. Not only does neglect generally last throughout a childhood it also has long term consequences into

adult life. Children are more likely to die from chronic neglect than from one instance of physical abuse. It is well established that severe neglect in infancy has a serious negative impact on brain development.

Neglect is associated with but not necessarily caused by poverty. It is strongly correlated with parental substance misuse, domestic violence and parental mental illness and disability.

Neglect may be categorised into different types: (adapted from Dubowitz, 1999):

- **disorganised/chaotic neglect:** this is typically where parenting is inconsistent and is often found in disorganized and crises prone families. The quality of parenting is inconsistent, with a lack of certainty and routine often resulting in emergencies regarding accommodation, finances and food. This type of neglect results in attachment disorders, promotes anxiety in children and leads to disruptive and attention seeking behaviour, with older children proving more difficult to control and discipline. The home may be unsafe from accidental harm, with a high incident of accidents occurring.
- **depressed or passive neglect:** this type of neglect fits the common stereotype and is often characterized by bleak and bare accommodation, without material comfort and with poor hygiene and little if any social and psychological stimulation. The household will have few toys, and those that are there may be broken, dirty or inappropriate for age. Young children will spend long periods in cots, playpens or pushchairs. There is often a lack of food, inadequate bedding and no clean clothes. There can be a sense of hopelessness, coupled with ambivalence about improving the household situation. In such environments children frequently are absent from school and have poor homework routines, Children subject to these circumstances are at risk of major developmental delay.
- **chronic deprivation:** this is most likely to occur where there is the absence of a key attachment figure. It is most often found in large institutions where infants and children may be physically well cared for but where there is no opportunity to form an attachment with an individual carer. In these situations children are dealt with by a range of adults, and their needs seen as part of the demands of a group of children. This form of deprivation will also be associated with poor stimulation and can result in serious developmental delays.

The following points illustrate the consequences of different types of neglect for children:

- Inadequate food - failure to develop

- Household hazards – accidents
- Lack of hygiene – health and social problems
- Lack of attention to health – disease
- Inadequate mental health care – suicide or delinquency
- Inadequate emotional care – behaviour and educational
- Inadequate supervision – risk taking behaviour
- Unstable relationship – attachment problems
- Unstable living conditions – behaviour & anxiety, risk of accidents
- Exposure to domestic violence – behaviour, physical and mental health
- Community violence - anti social behaviour

3. Signs and symptoms of emotional neglect and abuse

Emotional neglect and abuse is found typically in a home lacking in emotional warmth. It is not necessarily associated with physical deprivation. The emotional needs of the children are not met; the parent's relationship to the child may be without empathy and devoid of emotional responsiveness.

Emotional neglect and abuse occurs when adults responsible for taking care of children are unaware of and unable (for a range of reasons) to meet their children's emotional and developmental needs. Emotional neglect and abuse is not easy to recognise because the effects are not easily observable. Skuse (1989) states that 'emotional abuse refers to the habitual verbal harassment of a child by disparagement, criticism, threat and ridicule, and the inversion of love; whereby verbal and non-verbal means of rejection and withdrawal are substituted'.

Emotional neglect and abuse can be defined with reference to the indices listed below. However, it should be noted that no one indicator is conclusive of emotional abuse. In the case of emotional abuse and neglect, it is more likely to impact negatively on a child where there is a cluster of indices, where these are persistent over time and where there is a lack of other protective factors

- rejection;
- lack of comfort and love;
- lack of attachment;
- lack of proper stimulation (e.g. fun and play);
- lack of continuity of care (e.g. frequent moves);
- serious over-protectiveness;
- inappropriate non-physical punishment (e.g. locking in bedrooms);
- family conflicts and/or violence;
- every child who is abused sexually, physically or neglected is also emotionally abused;
- inappropriate expectations of a child's behaviour, relative to his/her age and stage of development.

Children who are physically and sexually abused and neglected also suffer from emotional abuse.

4. Signs and symptoms of physical abuse

Unsatisfactory explanations or varying explanations, frequency and clustering for the following events are high indices for concern regarding physical abuse:

- bruises (see below for more detail);
- fractures;
- swollen joints;
- burns/scalds (see below for more detail);
- abrasions/lacerations;
- haemorrhages (retinal, subdural);
- damage to body organs;
- poisonings – repeated (prescribed drugs, alcohol);
- failure to thrive;
- coma/unconsciousness;
- death.

There are many different forms of physical abuse, but skin, mouth and bone injuries are the most common.

Bruises

Accidental

Accidental bruises are common at places on the body where bone is fairly close to the skin. Bruises can also be found towards the front of the body, as the child usually will fall forwards.

Accidental bruises are common on the chin, nose, forehead, elbow, knees and shins. An accident-prone child can have frequent bruises in these areas. Such bruises will be diffuse, with no definite edges. Any bruising on a child before the age of mobility must be treated with concern.

Non-accidental

Bruises caused by physical abuse are more likely to occur on soft tissues, e.g. cheek, buttocks, lower back, back, thighs, calves, neck, genitalia and mouth.

Marks from slapping or grabbing may form a distinctive pattern. Slap marks might occur on buttocks/cheeks and the outlining of fingers may be seen on any part of the body. Bruises caused by direct blows with a fist have no definite pattern, but may occur in parts of the body that do not usually receive injuries by accident. A punch over the eye (black eye syndrome) or ear would be of concern. Black eyes cannot be caused by a fall on to a flat surface. Two black eyes require two injuries and must always be suspect. Other distinctive patterns of bruising may be left by the use of

straps, belts, sticks and feet. The outline of the object may be left on the child in a bruise on areas such as the back or thighs (areas covered by clothing).

Bruises may be associated with shaking, which can cause serious hidden bleeding and bruising inside the skull. Any bruising around the neck is suspicious since it is very unlikely to be accidentally acquired. Other injuries may feature – ruptured eardrum/fractured skull.

Mouth injury may be a cause of concern, e.g. torn mouth (frenulum) from forced bottle-feeding.

Bone injuries

Children regularly have accidents that result in fractures. However, children's bones are more flexible than those of adults and the children themselves are lighter, so a fracture, particularly of the skull, usually signifies that considerable force has been applied.

Non-accidental

A fracture of any sort should be regarded as suspicious in a child under 8 months of age. A fracture of the skull must be regarded as particularly suspicious in a child under 3 years.

Either case requires careful investigation as to the circumstances in which the fracture occurred. Swelling in the head or drowsiness may also indicate injury.

Burns

Children who have accidental burns usually have a hot liquid splashed on them by spilling or have come into contact with a hot object. The history that parents give is usually in keeping with the pattern of injury observed. However, repeated episodes may suggest inadequate care and attention to safety within the house.

Non-accidental

Children who have received non-accidental burns may exhibit a pattern that is not adequately explained by parents. The child may have been immersed in a hot liquid. The burn may show a definite line, unlike the type seen in accidental splashing. The child may also have been held against a hot object, like a radiator or a ring of a cooker, leaving distinctive marks. Cigarette burns may result in multiple small lesions in places on the skin that would not generally be exposed to danger. There may be other skin conditions that can cause similar patterns and expert paediatric advice should be sought.

Bites

Children can get bitten either by animals or humans. Animal bites, e.g. dogs, commonly puncture and tear the skin, and usually the history is definite. Small children can also bite other children.

Non-accidental

It is sometimes hard to differentiate between the bites of adults and children since measurements can be inaccurate. Any suspected adult bite mark must be taken very seriously. Consultant paediatricians may liaise with dental colleagues in order to identify marks correctly.

Poisoning

Children may commonly take medicines or chemicals that are dangerous and potentially life threatening. Aspects of care and safety within the home need to be considered with each event.

Non-accidental

Non-accidental poisoning can occur and may be difficult to identify, but should be suspected in bizarre or recurrent episodes and when more than one child is involved. Drowsiness or hyperventilation may be a symptom.

Shaking violently

Shaking is a frequent cause of brain damage in very young children.

Fabricated/induced illness

This occurs where parents, usually the mother (according to current research and case experience), fabricate stories of illness about their child or cause physical signs of illness. This can occur where the parent secretly administers dangerous drugs or other poisonous substances to the child or by smothering. The symptoms that alert to the possibility of fabricated/induced illness include:

- (a) symptoms that cannot be explained by any medical tests; symptoms never observed by anyone other than the parent/carer; symptoms reported to occur only at home or when a parent/carer visits a child in hospital;
- (b) high level of demand for investigation of symptoms without any documented physical signs;
- (c) unexplained problems with medical treatment, such as drips coming out or lines being interfered with; presence of unprescribed medication or poisons in the blood or urine.

5. Signs and Symptoms of Sexual Abuse

Child sexual abuse often covers a wide spectrum of abusive activities. It rarely involves just a single incident and usually occurs over a number of years. Child sexual abuse most commonly happens within the family.

Cases of sexual abuse principally come to light through:

- (a) disclosure by the child or his/her siblings or friends;
- (b) the suspicions of an adult;
- (c) physical symptoms.

Colburn Faller (1989) provides a description of the wide spectrum of activities by adults which can constitute child sexual abuse. These include:

Non-contact sexual abuse

- 'Offensive sexual remarks', including statements the offender makes to the child regarding the child's sexual attributes, what he or she would like to do to the child and other sexual comments.
- Obscene phone-calls.
- Independent 'exposure' involving the offender showing the victim his/her private parts and/or masturbating in front of the victim.
- 'Voyeurism' involving instances when the offender observes the victim in a state of undress or in activities that provide the offender with sexual gratification. These may include activities that others do not regard as even remotely sexually stimulating.

Sexual contact

- Involving any touching of the intimate body parts. The offender may fondle or masturbate the victim, and/or get the victim to fondle and/or masturbate them. Fondling can be either outside or inside clothes. It also includes 'frottage', i.e. where offender gains sexual gratification from rubbing his/her genitals against the victim's body or clothing.

Oral-genital sexual abuse

- Involving the offender licking, kissing, sucking or biting the child's genitals or inducing the child to do the same to them.

Interfemoral sexual abuse

- Sometimes referred to as 'dry sex' or 'vulvar intercourse', involving the offender placing his penis between the child's thighs.

Penetrative sexual abuse, of which there are four types:

- 'Digital penetration', involving putting fingers in the vagina or anus, or both. Usually the victim is penetrated by the offender, but sometimes the offender gets the child to penetrate them.
- 'Penetration with objects', involving penetration of the vagina, anus or occasionally mouth with an object.
- 'Genital penetration', involving the penis entering the vagina, sometimes partially.
- 'Anal penetration' involving the penis penetrating the anus.

Sexual exploitation

- Involves situations of sexual victimisation where the person who is responsible for the exploitation may not have direct sexual contact with the child. Two types of this abuse are child pornography and child prostitution.
- 'Child pornography' includes still photography, videos and movies, and, more recently, computer generated pornography.
- 'Child prostitution' for the most part involves children of latency age or in adolescence. However, children as young as 4 and 5 are known to be abused in this way.

The sexual abuses described above may be found in combination with other abuses, such as physical abuse and urination and defecation on the victim. In some cases, physical abuse is an integral part of the sexual abuse; in others, drugs and alcohol may be given to the victim.

It is important to note that physical signs may not be evident in cases of sexual abuse due to the nature of the abuse and/or the fact that the disclosure was made some time after the abuse took place.

Carers and professionals should be alert to the following physical and behavioural signs:

- bleeding from the vagina/anus;
- difficulty/pain in passing urine/faeces;
- an infection may occur secondary to sexual abuse, which may or may not be a definitive sexually transmitted disease. Professionals should be informed if a child has a persistent vaginal discharge or has warts/rash in genital area;
- noticeable and uncharacteristic change of behaviour;
- hints about sexual activity;
- age-inappropriate understanding of sexual behaviour;
- inappropriate seductive behaviour;
- sexually aggressive behaviour with others;
- uncharacteristic sexual play with peers/toys;
- unusual reluctance to join in normal activities that involve undressing, e.g. games/swimming.

Particular behavioural signs and emotional problems suggestive of child abuse in **young children (aged 0-10 years)** include:

- mood change, e.g. child becomes withdrawn, fearful, acting out;
- lack of concentration, especially in a educational setting;
- bed wetting, soiling;
- pains, tummy aches, headaches with no evidence of physical cause;
- skin disorders;
- reluctance to go to bed, nightmares, changes in sleep patterns;

- school refusal;
- separation anxiety;
- loss of appetite, overeating, hiding food.

Particular behavioural signs and emotional problems suggestive of child abuse in **older children (aged 10+ years)** include:

- depression, isolation, anger;
- running away;
- drug, alcohol, solvent abuse;
- self-harm;
- suicide attempts;
- missing school or early school leaving;
- eating disorders;

All signs/indicators need careful assessment relative to the child's circumstances.

Appendix 4 Standard Reporting Form



An Ghníomhaireacht um
Leanaí agus an Teaghlach
Child and Family Agency

FORM NUMBER: CC01:01:01

STANDARD REPORT FORM (For reporting CP&W Concerns)

A. To Principal Social Worker/Designate: _____

1. Date of Report

2. Details of Child

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

3. Details of Persons Reporting Concern(s)

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

4. Parents Aware of Report

		Yes	No
Are the child's parents/carers aware that this concern is being reported	- Mother	<input type="checkbox"/>	<input type="checkbox"/>
	- Father	<input type="checkbox"/>	<input type="checkbox"/>
Comment	<input type="text"/>		

5. Details of Report

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

STANDARD REPORT FORM

(For reporting CP&W Concerns)

6. Relationships

Details of Mother		Details of Father	
Name:		Name:	
Address: (if different to child)		Address: (if different to child)	
Telephone No's:		Telephone No's:	

7. Household composition

Name	Relationship	DOB	Additional Information e.g. School/ Occupation/Other:

8. Name and Address of other personnel or agencies involved with this child

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

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

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

10. Details of person completing form

Name:		Occupation:	
Address:		Telephone No's:	
Signed		Date:	

Appendix 5

Extract from CRIMINAL JUSTICE (WITHHOLDING OF INFORMATION ON OFFENCES AGAINST CHILDREN AND VULNERABLE PERSONS) ACT 2012

Offences against children for purposes of offence under *section 2*

1. Murder.
2. Manslaughter.
3. Common law offence of false imprisonment.
4. Rape.
5. Rape under section 4 of the Criminal Law (Rape) (Amendment) Act 1990 .
6. Sexual assault.
7. Aggravated sexual assault within the meaning of section 3 of the Criminal Law (Rape) (Amendment) Act 1990 .
8. An offence under section 1 of the Punishment of Incest Act 1908 (incest by males).
9. An offence under section 2 of the Punishment of Incest Act 1908 (incest by females of or over 17 years of age).
10. An offence under section 6 (1) of the Criminal Law (Sexual Offences) Act 1993 .
11. An offence under section 2 of the Criminal Law (Sexual Offences) Act 2006 (defilement of child under 15 years of age).
12. An offence under section 3 of the Criminal Law (Sexual Offences) Act 2006 (defilement of child under the age of 17 years).
13. An offence under either of the following provisions of the Child Trafficking and Pornography Act 1998 —
 - (a) section 3 (child trafficking and taking, etc., child for sexual exploitation),
 - (b) section 4 (allowing child to be used for child pornography).
14. An offence under section 2 of the Sexual Offences (Jurisdiction) Act 1996 insofar as it relates to an offence specified in the Schedule to that Act that is also specified in this Schedule.
15. An offence under any of the following provisions of the Criminal Law (Human Trafficking) Act 2008 —
 - (a) section 2 (trafficking, etc., of children),
 - (b) section 5 insofar as it relates to a child who has been trafficked for the purpose of his or her exploitation (soliciting or importuning for purposes of prostitution of trafficked person),
 - (c) section 7 insofar as it relates to an offence under section 2 of that

Act or section 3 (other than subsections (2A) and (2B)) of the Child Trafficking and Pornography Act 1998 .

16. An offence under section 249 of the Children Act 2001 (causing or encouraging sexual offence upon a child).
17. An offence under section 176 of the Criminal Justice Act 2006 (reckless endangerment of children).
18. An offence under any of the following provisions of the Non-Fatal Offences against the Person Act 1997 —
 - (a) section 3 (assault causing harm),
 - (b) section 4 (causing serious harm),
 - (c) section 5 (threats to kill or cause serious harm),
 - (d) section 13 (endangerment),
 - (e) section 15 (false imprisonment),
 - (f) section 16 (abduction of child by parent, etc.),
 - (g) section 17 (abduction of child by other persons).
19. An offence under section 246 of the Children Act 2001 (cruelty to children).
20. An offence under any of the following provisions of the Criminal Justice (Female Genital Mutilation) Act 2012 —
 - (a) section 2 (offences of female genital mutilation, etc.),
 - (b) section 3 (offence of removal from State for purpose of female genital mutilation),
 - (c) section 4 (acts, etc., done outside State).

**Offences Against Vulnerable Persons for the purposes of an offence
under Section 3**

1. Common law offence of false imprisonment.
2. Rape.
3. Rape under section 4 of the Criminal Law (Rape) (Amendment) Act 1990 .
4. Sexual assault.
5. Aggravated sexual assault within the meaning of section 3 of the Criminal Law (Rape) (Amendment) Act 1990 .
6. An offence under section 1 of the Punishment of Incest Act 1908 (incest by males).
7. An offence under section 2 of the Punishment of Incest Act 1908 (incest by females of or over 17 years of age).
8. An offence under either of the following provisions of the Criminal Law (Sexual Offences) Act 1993 —
 - (a) subsection (1) of section 5 insofar as it provides for an offence of having sexual intercourse, or committing an act of buggery, with a

person who is mentally impaired within the meaning of that section (other than a person to whom the alleged offender is married or to whom he or she believes with reasonable cause he or she is married),

- (b) subsection (2) of section 6 insofar as it provides for an offence of soliciting or importuning a person who is mentally impaired within the meaning of that section (whether or not for the purposes of prostitution) for the purposes of the commission of an act that would constitute an offence under section 5(1) (insofar as it is referred to in *paragraph (a)*) of that Act or an offence referred to in section 2 of the Criminal Law (Rape) (Amendment) Act 1990 .

9. An offence under section 2 of the Sexual Offences (Jurisdiction) Act 1996 insofar as it relates to an offence specified in the Schedule to that Act that is also specified in this Schedule to the extent that it is so specified.

10. An offence under any of the following provisions of the Criminal Law (Human Trafficking) Act 2008 —

- (a) section 4 (trafficking of persons other than children),
- (b) section 5 insofar as it relates to a person in respect of whom an offence under subsection (1) or (3) of section 4 of that Act has been committed (soliciting or importuning for purposes of prostitution of trafficked person),
- (c) section 7 insofar as it relates to an offence under section 4 of that Act.

11. An offence under section 3 of the Non-Fatal Offences against the Person Act 1997 (assault causing harm).

Appendix 6

How to handle an Allegation against a Brother

This guidance should be followed once the Reporting Procedures have been initiated. The Provincial shall (in consultation with and following the advices and recommendations of the Province DLP):

1. When an allegation/report is received, it should be assessed promptly and carefully.
2. The welfare of the child is paramount, and this be recalled at all times to ensure that there is no delay in reporting under the **Reporting Procedures**.
3. The first priority is to ensure that the child or young person is not exposed to any unnecessary risk.
4. The Patrician Brothers will, as a matter of urgency, take any necessary protective measures. These measures shall be proportionate to the level of risk and shall not unreasonably penalise the Brother, financially or otherwise, unless necessary to protect children.
5. The Province DLP (or the Community DLP where the Province DLP is unavailable or cannot act) will take full responsibility for making a report to the civil authorities in line with the **Reporting Procedures** set out in this Protocol.
6. Action taken in reporting an allegation of child abuse against a Brother should be based on an opinion formed “reasonably and in good faith”.
7. Consider the duties and activities of the accused. If the Brother is in a teaching role, Tusla/An Garda Siochana should be immediately asked in writing to communicate the report to the school in which the Brother is teaching and to advise the school on the appropriate child safeguarding measures to be taken.
8. Consider whether the Brother needs to be stepped aside from Ministry.
9. Consider whether a written Precept needs to be put in place, pending the outcome of the civil investigation and any consequential internal or canonical investigation.
10. Obtain the advices of the NBSCCCI.
11. Consider appropriate pastoral response to the wider community.
12. Consider whether any public statement needs to be made in relation to stepping aside from Ministry.
13. Province DLP meets with the person against whom the complaint has been made.
14. Inform the accused that a complaint has been made.
15. Inform him of his rights e.g Right to silence, Right to representation i.e. canon or civil lawyer, Right to the support of his Congregation.
16. Advise the Brother that in the event of a disclosure/admission being

- made, same will be passed on to the civil authorities.
17. Put the kernel of the allegation to him and who made it.
 18. Ask him if he wants to make a comment, having been informed of the allegation.
 19. Inform him of the proposed action by the Congregation in accordance with the procedures which are in place.
 20. Assure him of the availability of counselling and support.
 21. Offer him the support of an Advisor (see (6.5)).
 22. Brothers may be subjected to erroneous or malicious allegations. Therefore any allegation of abuse should be dealt with sensitively and support provided for the Brother including counselling where necessary. The primary goal is to protect the child while taking care to treat the Brother fairly.
 23. In the case of an unjust accusation assure him that every effort will be made to restore his good name.
 24. Take a full, detailed note of the meeting, and ask the accused Brother to sign same as an accurate reflection of what has been discussed at the meeting.
 25. At the conclusion of the statutory investigation (or where the civil authorities have informed the Congregation that they will not be investigating the matter) an internal investigation will be mounted in the case that there are disciplinary or child protection matters to consider. The requirements of Canon Law will be observed.
 26. In cases where there has been an acquittal pursuant to a civil prosecution, or where there was a decision not to prosecute by the Gardai or the DPP, there may nonetheless be sufficient evidence to meet the civil standard of proof of the concern/allegation that has been made. The Patrician Brothers will consider the continued role of the Brother carefully.
 27. The Patrician Brothers may obtain the advices of a Canon Lawyer in relation to the canonical process and any preliminary investigation as may be required pursuant to same. A further written Precept may be put in place, as appropriate.
 28. A report may be made to the CDF as appropriate.

During and subsequent to the above protocol pastoral concern must be shown to everyone involved: the complainant and his or her family, the accused, his family and Community as well as the broader local community.

Appendix 7

How to handle an allegation against an Employee or Volunteer (but not a member of the Community)

Each Community shall follow the following procedures where there is an allegation, report, suspicion, or disclosure of child abuse in regard to an employee or volunteer. Our Protocols outline the ways in which members of the Community, employees and volunteers can raise allegations, reports, suspicions, or disclosures of child abuse or concerns about unacceptable behaviour towards children by other individuals. In the event of an allegation of child abuse being made against an employee or volunteer, the protection of the child or young person is the paramount consideration. The first priority is to ensure that no child is exposed to unnecessary risk. These kinds of allegations constitute a very serious concern for the Patrician Brothers. The Patrician Brothers have put the following procedures in place to deal with the matter immediately:

1. When an allegation/report is received, it should be assessed promptly and carefully.
2. The welfare of the child is paramount, and this be recalled at all times to ensure that there is no delay in reporting under the **Reporting Procedures**.
3. The first priority is to ensure that the child or young person is not exposed to any unnecessary risk.
4. The Patrician Brothers will, as a matter of urgency, take any necessary protective measures. These measures shall be proportionate to the level of risk and shall not unreasonably penalise the employee, financially or otherwise, unless necessary to protect children.
5. The Province DLP (or the Community DLP where the Province DLP is unavailable or cannot act) will take full responsibility for making a report to the civil authorities in line with the **Reporting Procedures** set out in this Protocol.
6. Action taken in reporting an allegation of child abuse against an employee or volunteer should be based on an opinion formed “reasonably and in good faith”.
7. Two separate people (neither of whom shall be the Province DLP and/or the Community DLP) must be assigned to the matter.
 - One person will be allocated to provide support to the complainant (the “**Support Person**”). For more information in relation to the role and responsibility of the Support Person, see (6.4).
 - One person will be allocated to provide support to the employee, and attend as a support person during their meetings with

Tusla/An Garda Siochana. Note: This person shall not be considered the same as an “Advisor” as per (6.5).

8. The Provincial will take responsibility for implementing the provisions of any Disciplinary Procedure, although that Disciplinary Procedure may be “paused” pending the conclusion of any investigation/assessment being conducted by Tusla and/or An Garda Siochana.
9. The Provincial will arrange a private meeting with the employee as soon as possible to privately inform them of:
 - The fact that an allegation has been made against him/her
 - The nature of the allegation.
10. Advise the employee/volunteer that in the event of a disclosure/admission being made, same will be passed on to the civil authorities.
11. The employee/volunteer should be given an opportunity to respond.
12. The response of the employee/volunteer shall be noted, and passed on to Tusla (and/or An Garda Siochana) if a formal report is being made.
13. All stages of the process must be fully and carefully recorded. These records must be prepared, stored and maintained in accordance with the procedures outlined at (2.4.2) and (2.4.3).
14. Any action following an allegation against an employee/volunteer should be taken in consultation with Tusla and the Gardaí.
15. The Patrician Brothers will take care to ensure that actions taken by them do not undermine or frustrate any investigation/assessments conducted by Tusla or An Garda Siochana. Through the Province DLP, the Patrician Brothers will maintain a close liaison with the civil authorities to achieve this.
16. Where an investigation/assessment is being conducted by a statutory authority, the Patrician Brothers will in the first instance consider whether placing the individual on administrative leave with pay, pending the conclusion of the investigation/assessment being carried out by the civil authorities.
17. While the matter is pending the respondent enjoys the presumption of innocence and the right to his or her good name.
18. Staff/volunteers may be subjected to erroneous or malicious allegations. Therefore any allegation of abuse should be dealt with sensitively and support provided for the employee/volunteer including counselling where necessary. The primary goal is to protect the child while taking care to treat the employee/volunteer fairly.
19. The Patrician Brothers will ensure that any action taken should be guided by agreed procedures (if any), the employee’s employment contract, and the rules and principles of natural justice.
20. The accused employee/volunteer must all be informed of actions planned and taken.
21. In some cases, it may be necessary to seek legal advice.

Appendix 8

Responding to Reports

This section includes guidance on:

1. How to react if someone comes to you with a report/concerns/a complaint
2. Giving Children the Confidence to Speak out
3. How to deal with a Complaint Received by Telephone
4. How to deal with concerns/reports received Anonymously, or from Third Parties (not the victim)
5. How to respond to retrospective disclosures by adults of child abuse when they were children
6. Asking Questions
7. Confidentiality – Do not promise to keep secrets
8. Recording
9. Ongoing Support for the Victim
10. Pastoral Meeting with the Victim

How to react if someone comes to you with a report/concerns/a complaint

A person (including a child) may disclose abuse to a trusted adult. Children must be made aware of their right to be safe from abuse, and who to speak to if they have concerns. Accordingly, it is important that all members of the Community, employees and volunteers are aware and prepared for any disclosure from an adult or child. If any person comes to a member of the Community, an employee or a volunteer to disclose abuse, they should adhere to the following guidelines:

1. Be as calm and natural as possible.
2. Remember that you have been approached because you are trusted. Do not panic.
3. Be aware that disclosures can be very difficult for the person.
4. Remember, the complainant may initially be testing your reaction and may only open up fully over a period of time.
5. Calm the person down, but be careful not to trivialise their concerns by playing down the gravity of the situation.
6. Treat the person seriously.
7. Listen to what the person has to say.
8. Maintain a neutral approach.
9. Give them the time and opportunity to tell you as much as they are able to tell you, and wish to tell you.

10. Do not pressurise the person. Allow him or her to disclose at their own pace and in their own language.
11. Conceal any signs of disgust, anger or disbelief.
12. Accept what the person has to say – false disclosures are very rare.
13. It is important to differentiate between the person who carried out the abuse and the act of abuse itself. The person quite possible may love or strongly like the alleged abuser while also disliking what was done to them. It is important therefore to avoid expressing any judgment on, or anger towards, the alleged perpetrator while talking with the person.
14. It may be necessary to reassure the person that your feelings towards him or her has not been affected in a negative way as a result of what they have disclosed.

Giving Children the Confidence to Speak out

For many complex reasons, children who are abused often hide their experience, and do not tell even adults that they know and trust. One of the reasons for this may be that the child has experienced abuse in which an adult has exercised control and power over them. The adult may also have used threats to harm them or their family if they do tell, or manipulated the child to believe that they are at fault in some way, or the cause of the abuse, or that they are complicit and should be ashamed. Different children respond to different experiences in different ways, but many children do not speak out about being abused. There are some things that we can do to promote an openness and receptive environment for children to share any concerns or reports:

1. Openly discuss the Patrician Brothers' safeguarding Protocol, Code of Behaviour etc (see 3.4 above) and make sure that they know who to turn to if they have a worry or concern.
2. Ask children what makes them feel safe and not safe. Really listen and take account of what they say – make sure it is not tokenistic – and make sure that they know you are listening.
3. Display posters or have information leaflets especially for new children who join about child safeguarding and children's helplines.
4. Publicise details of the name of the Province DLP and give details of how they can be contacted if the child has any concerns.
5. Make sure that the posters and leaflets make clear that certain behaviour is totally unacceptable, such as bullying, racist language, or threatening behaviour etc. they should also state what will happen if the behaviour does not stop.
6. Conduct short questionnaire or run groups to check on how things are going.
7. Have a copy of the Code of Behaviour (see 3.4) and Complaints Procedure (see Appendix 9) on display in the organisation and as

brochures available to all employees, volunteers, children and young people, families, visitors and partners.

8. Have a suggestion box. This provides a confidential or less intimidating way for children and young people to make suggestions or complaints about the organisation and the activities or events in which they participate.
9. Consider how disabled children can communicate their complaints especially if they have verbal communication difficulties. Remember how vulnerable disabled children are to abuse. It is especially important that their communication needs are not forgotten.

How to deal with a Complaint Received by Telephone

1. The complainant should be encouraged to give their name and address.
2. The complainant should be encouraged to speak to somebody at a place and time to be agreed. This person should have special training to deal with the issues and arrangements should be made to contact the complainant to set up such a meeting.
3. The complainant should be encouraged to give sufficient information without going into detail and should cover, if possible, the following :-
 - a. The name of the person against whom the complaint is made.
 - b. When the alleged incident(s) took place.
 - c. Where the alleged incident(s) took place.
 - d. Name, address and telephone number of the complainant.
4. It is not advisable to have an in depth interview at this stage on the phone, if it is possible to avoid it. This may occur if the complainant is refusing to give his/her name and address or is refusing to give other relevant information or is refusing to agree to meet with somebody who would interview him/her in depth at a later date.
5. The complainant should be given every reassurance that the matter would be dealt with seriously and sensitively.
6. The complainant should be offered Counselling. See page 4.
7. No guarantee of confidentiality can be given to the complainant but he/she can be assured that every effort will be made to safeguard confidentiality so that only those who need to know will receive the information about the complaint. It is very important to record what is said in the telephone message and to check with the complainant the accuracy of what has been recorded.
8. Arrangements should be made to communicate again with the complainant in whatever way suits the complainant and any commitments made in that regard should be met.
9. Without any delay whatsoever the **Reporting Procedure** should be set in motion without delay.
10. Where a complaint is received in any other way other than by telephone it should be immediately reported to the Provincial and the **Reporting**

Procedures should be followed.

How to deal with concerns/reports received Anonymously, or from Third Parties (not the victim)

The Patrician Brothers recognise that not all allegations, reports, suspicions or concerns will be disclosed in person or by the victim directly affected by the abuse. Some reports may be made through third parties, or reported anonymously.

- 1. Anonymous Complaint/Report:** In the event that an anonymous complaint/report is received, the Community will follow the **Reporting Procedures** outlined in this Protocol. The matter will be fully reported to the Community DLP/Province DLP who will in turn make all necessary reports to Tusla and/or the Garda Síochána.
- 2. Third Party Report:** In the event that the allegation, report, suspicion or concern is made through a third party, the Patrician Brothers will follow the **Reporting Procedures** outlined in this Protocol. The matter shall be fully reported to the Community DLP/Province DLP, who will in turn report such details as have been received from the third party to Tusla and/or the Garda Síochána and will also pass on the contact details of the third party to Tusla/Gardai.

How to respond to retrospective disclosures by adults of child abuse when they were children

The Patrician Brothers accept and recognise that an increasing number of adults are disclosing abuse that took place during their childhoods, and that disclosures may be received from individuals who are adults. Their disclosures should be reported to the Province DLP in compliance with the **Reporting Procedures** outlined in this Protocol. The Patrician Brothers recognise that it is essential to establish whether there is any current risk to any child who may be in contact with the alleged abuser. All members of the Community, employees and volunteers are required to follow the **Reporting Procedures** of this Protocol carefully, and ensure that any such disclosures are immediately and fully reported to the Province DLP. The adult who made the disclosure should be offered counselling to assist in supporting them. The contact numbers for helpful counselling organisations are set out at Appendix 2.

Asking Questions

1. Do not ask leading questions. For example, do not ask whether a specific person carried out the abuse.
2. Questions should be supportive and for the purpose of clarification only.
3. Avoid asking about intimate details or suggesting that something else may have happened other than what you have been told.
4. Whenever possible and practical, without interrupting the flow of conversation, take notes during the conversation. Always ask permission

to do this and explain the importance of recording all information. Where it is not appropriate to make notes at the time, make a written record as soon as possible afterwards and in any case before the end of the day.

Confidentiality – Do not promise to keep secrets

1. Do not promise to keep the disclosure a secret.
2. Explain that there are secrets which are not helpful and which 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 ongoing hurt.
3. Acknowledge that they have come to you because they trust you.
4. Reassure the person that you will act in their best interests.
5. Tell the person that you will be sharing this information only with people who understand this area and who can help.

By refusing to make a commitment to secrecy to the person, the member of the Community, employee or volunteer runs the risks that the person may not tell them everything (or indeed anything). However, it is better to do this than to tell a lie, and ruin the person's confidence. Be honest with the person. By being honest, it is more likely that the person will return to the member of the Community, employee or volunteer at another time.

Recording

Immediately after receiving a disclosure, the member of the Community/employee/volunteer must:

1. Record in writing, in a factual manner, what the complainant has said.
2. Insofar as is possible, the exact words used by the complainant should be recorded.
3. Record the time, date, location (or if the matter has been communicated by letter or telephone), and persons present. The record should be signed and dated by the author.
4. Do not be selective. Include detail, which to you may seem irrelevant. It may prove invaluable at a later stage in an investigation.
5. Inform the Community DLP, or the Province DLP immediately.
6. All original records, including rough notes, must be passed immediately to your Community DLP who will in turn pass them on to the Province DLP. Any copies of records retained must be kept secure and confidential – see the requirements set out at (2.4.2) and (2.4.3).
7. Not all persons raising a concern will wish to go through the recording and reporting process. Nonetheless, information about the existence of a potential allegation must always be communicated to your Community DLP and/or the Province DLP.
8. The Province DLP shall report the matter directly to Tusla (or to the Gardai where there is an immediate risk to the child and Tusla cannot be

contacted, or where the matter is mandatorily reportable – see Appendix 5).

9. Consideration should, in all cases, also be given to whether an immediate referral is necessary in order to preserve, and safeguard against the possibility of any loss, deterioration or destruction of potential evidence or forensic evidence.
10. Agree measures to protect the child.
11. Maintain appropriate confidentiality. It is important not to discuss the incident/concern with anyone other than those detailed in this Protocol. See clauses (2.4.2) and (2.4.3).
12. Ensure that all records are stored securely, and only those who need to have access to them can do so (ie only the Community DLP, and the Community DLP). Where records are stored electronically, ensure that adequate levels of encryption are maintained to an appropriate standard. See (2.4.2).

Ongoing Support for the Complainant

Following a disclosure by a complainant, it is important that the person to whom they made the disclosure continues in a supportive relationship with the complainant, if possible. A complainant should be offered the services of a Support Person, whose role and responsibilities are outlined at (6.4). The Support Person should, if appropriate, continue to offer support, particularly through:

- Maintaining a positive relationship with the complainant,
- Keeping lines of communication open,
- Listening carefully to the complainant,
- Offering Counselling Services (see page 4)

Note: the Support Person is not a counsellor for the complainant and should not provide therapy or counselling services to the complainant. Any further disclosures should be treated in the same manner as the first disclosure.

Meeting with the Victim

Where the Province DLP meets with the complainant on a pastoral basis, the following principles should be observed:

1. Do not meet with complainant alone.
2. Suggest that the complainant brings a friend or relative with them to the meeting for support.
3. Offer to appoint a Support Person to the complainant, to help and support them during this difficult stage.
4. Assure the complainant that you are there to listen to them, and will take their complaint seriously.
5. Invite the complainant to tell their story, only ask questions for clarification:
 - (a) Who did what, where and when?

- (b) Did anyone else know?
 - (c) Who knew?
 - (d) Did you tell anyone?
 - (e) What happened when you told?
6. Offer counselling services – see page 4.
 7. Take notes, read them back to the complainant at the end of the meeting and ask them to confirm that the notes are an accurate reflection of the conversation. Inform the complainant if you are passing a copy of the notes to the civil authorities in line with this Protocol. Have the notes signed by all present at the meeting.
 8. Record facts only with no interpretation of the facts.
 9. As soon as possible after the meeting, type-up the notes and send a copy to the complainant.
 10. All necessary information is to be given to the civil authorities as soon as possible after the meeting.

Appendix 9 Complaints Procedure

The Patrician Brothers has a Complaints Procedure in force. For the avoidance of doubt, this relates to complaints relating to issues such as unacceptable behaviour (which does **not** amount to child abuse as defined in this Protocol), quality of services, accidents which may occur on Congregational grounds etc. It does **not** relate to child protection complaints. Complaints which relate to child protection issues will be dealt with under the **Reporting Procedures** outlined in this Protocol, and will not be handled under this Complaints Procedure. In addition, complaints from one employee/volunteer against another employee/volunteer (which do not raise child protection issues) will be dealt with under the Patrician Brothers' employment Grievance Procedure or Disciplinary Procedure as appropriate, and will not be dealt with under this Complaints Procedure.

The Patrician Brothers shall make sure that children and young people and their parents or guardians receive a copy of this Complaints Procedure. This Complaints Procedure must be brought to the attention of all members of the Community, employees and volunteers. All complaints should be recorded in writing.

If any person (having reached the age of 18) makes a verbal complaint to any member of the Community, employee or volunteer which is not related to child abuse, that member of the Community, employee or volunteer is obliged to inform the person that the Patrician Brothers have a Complaints Procedure in place for resolving complaints unrelated to child abuse, and to direct them to the appropriate section of this Protocol for further guidance. Where the complaint is raised by a child under the age of 18, all members of the Community, employees and/or volunteers should be willing to assist the child (in an age-appropriate manner) to explain how they can make a complaint under this Complaints Procedure and to obtain the assistance and support of their parent/guardian to do so.

Complaints Procedure: The procedure outlined below must be followed closely, and each stage carefully documented and detailed written notes taken retained.

Stage 1 – Informal

1. In the first instance, if an individual or a parent/guardian of a child (the "**Complainant**") wishes to make a complaint against any member of the Community, employee and/or volunteer, they should raise their complaint directly with that person.

2. The member of the Community, employee and/or volunteer should use their best endeavours to resolve the complaint.

Stage 2 – Written Complaint

3. If the complaint is unresolved, or the Complainant is unhappy with the outcome, then the Complainant is entitled to make a complaint in writing. Only those complaints given in writing and signed by the individual or the parent/guardian will be investigated by the Patrician Brothers.
4. The Patrician Brothers will appoint a senior member of staff, unconnected with the complaint, to investigate the complaint.
5. The appointed senior member of staff shall bring the complaint to the attention of the member of the Community, employee and/or volunteer concerned and seek to resolve the matter between the parties to their mutual satisfaction.
6. Both the member of the Community, employee and/or volunteer and the Complainant shall be informed in writing of the outcome of the resolution process initiated by the appointed senior member of staff within 5 days of receipt of the written complaint outlined at (3) above.

Stage 3 – Management Investigation

7. If the complaint has not been resolved at Stage 2, and Complainant wishes to pursue the matter further, they should write to the Provincial outlining their continued objections.
8. The Provincial will consider the matter, and the Provincial shall inform the member of the Community, employee and/or volunteer that the investigation is proceeding to the next stage.
9. The member of the Community, employee and/or volunteer will be furnished with a copy of the written letter provided by the Complainant.
10. The member of the Community, employee and/or volunteer will be afforded an opportunity to make a presentation to the Provincial and can be accompanied by one person at that meeting, such person to be member of the Community, employee and/or volunteer of the Patrician Brothers.
11. The Provincial may arrange a meeting with the Complainant if they consider it to be necessary.
12. The Provincial may consult with Tusla and/or other external agencies for advice as appropriate.
13. Within 10 days of the receipt of the initial letter of complaint referred to at (7) above, the Provincial shall consider the matter and issue his decision in his absolute discretion. The decision of the Provincial shall be final.
14. The teacher and the member of the Community, employee and/or volunteer will be informed of the outcome of the complaint within 5 days of the meeting referred to at (12) above.