

proibhínse fhroinsíasach na h-éireann  
franciscan province of ireland  
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# Franciscan Policy for Safeguarding Children 2014 – 2015 (updated March 2015)



# OFM Policy for Safeguarding Children

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# OFM Policy for Safeguarding Children

## Forward:

The Franciscan Province of Ireland recognises that the welfare of the child is paramount and that every child has a right to be protected, treated with respect, listened to and have their views taken into consideration. Respect for the innate dignity of every person is a fundamental principle emanating from the Gospel and in particular Jesus' respect for Children.

In 2009 the Irish Franciscan Province produced a *Franciscan Policy for Safeguarding Children: Procedures and Guidelines*. That document was based on the 2009 guidelines *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland* and on the civil guidelines of the two jurisdictions of the island of Ireland. This current *Franciscan Policy for Safeguarding Children* outlines protocol and guidelines for all those working with children at both provincial and community level.

This document is intended to guide and direct friars and co-workers, in the safeguarding of children with whom they interact.

Through the implementation of the policies and procedures outlined in this document, the Irish Franciscans are determined to provide the highest level of protection for all children who are involved in any way in activities with the Irish Franciscan Province.

A further and important aim in developing these policies and procedures is to create a secure and supportive atmosphere in which those who have suffered abuse in the past can be assured of a sensitive, caring and compassionate response, and be offered appropriate pastoral care for themselves and their families.

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### Procedures and Guidelines:

These policies and procedures also include measures to ensure that the rights, in natural justice, of a person against whom an accusation of abuse is made, are respected and that appropriate pastoral care is provided for them and their families.

The Provincial Council at its meeting in November 2014 unanimously approved the policies and procedures contained in this document. Each friar, community and work is bound to adhere to and engage with this document and in a concerted effort to protect children and to cherish the gift that they are for our future.

As Minister Provincial of the Franciscan Province of Ireland I sign this document to become operational from 1 December 2014.

A handwritten signature in black ink that reads "Hugh McKenna, OFM". The signature is written in a cursive style.

Hugh McKenna, OFM  
Minister Provincial

Date: 16 November 2014

## Franciscan Safeguarding Statement:

The Franciscans recognise and uphold the dignity and rights of all children and are committed to ensuring their safety and well-being. Members of the Irish Province (Franciscans) and their co-workers have an obligation to ensure that the fundamental rights of children are respected.

The Province recognises that each child should 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.

The Province undertakes to do everything possible to create safe environments where the welfare of children and young people is paramount.

In partnership with their primary carers the Province encourages and values the involvement of children and young people in liturgies and activities that enhance their spiritual, social, emotional and intellectual development.

This Safeguarding Policy adheres to the principles and guidelines set out in *Safeguarding Children: Standards and Guidance Document for the Catholic Church in Ireland (2009)* as well as the civil laws and guidelines of the two jurisdictions on the island of Ireland.

The Province is committed to:

- Best practice to ensure that children are listened to and treated with respect, and have both their rights protected and their welfare promoted;
- Minimizing risks in order to safeguard the interests of children;
- Ensuring that all Franciscans and their co-workers are carefully recruited, selected, trained, supported and supervised;
- Providing appropriate support for survivors of child sexual abuse;
- Providing appropriate training for members and co-workers;
- Working in partnership with statutory authorities for the prompt, just and professional management of complaints;
- Making this Safeguarding Policy widely known, accessible and understood, and implementing procedures and protocols that contribute to keeping safe children who participate in its services.

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## Definitions:

- **Child:** A person under the age of Eighteen years.
- **Abuse:** A violation of a person's fundamental right to respect and to bodily integrity. Abuse may consist of a single act or repeated acts. Child abuse is generally categorised into four broad groups: neglect, emotional abuse, physical abuse and sexual abuse. A child may be subject to more than one form of abuse.
- **Neglect:** The persistent failure to meet a child's physical, emotional and/or psychological needs. It is a form of omission, where the child suffers significant harm or impairment of development by being deprived of food, clothing, warmth, hygiene, intellectual stimulation, medical care, supervision and safety, or attachment to and affection from adults.
- **Physical Abuse:** Physical abuse of a child is that which results in actual or physical harm from an interaction or lack of interaction which is reasonably within the control of a person in a position of responsibility or power. There may be single or multiple incidents.
- **Emotional Abuse:** Occurs when a child's developmental need for affection, approval, consistency of care and security are not met.
- **Sexual Abuse:** Occurs when a child is used by another person for his or her own sexual gratification or sexual arousal, or for that of others.
- **Child Pornography:** The viewing, use, trade, transmittal or transference of abuse sexual images of children engaged in real or simulated explicit sexual activity or showing of their private parts including genitals, for the purpose of sexual gratification.
- **Whistleblowing:** The term used to describe the action of someone who reveals/discloses wrongdoing within an organisation to the public or to those in positions of authority. It enables them to report concerns in a way that will not be seen as disloyal to their settings or colleagues.
- **Bullying:** Repeated aggression conducted by an individual or a group against another or others; such aggressive behaviour may be verbal, psychological or physical, including racist or sexist remarks or emotional intimidation such as isolating or excluding. For more details, see Resource 1 in the Franciscan Safeguarding Folder.

## Recognising Child Abuse:

Every Franciscan and co-worker has a responsibility and duty to take action where there is a concern for the safety of a child. The following information should alert you to the possible signs of child abuse.

### **Recognising Physical Abuse:**

Cuts and bruises on the bony parts of a child's body, like elbows, knees and shins are common occurrences. Unexplained bruises or injuries, injuries in unusual places like the cheek or thighs, unlikely explanations that do not fit the injury and delays in seeking medical treatment are a cause of concern.

Physical signs of abuse may include:

- Unexplained bruising, marks or injuries on any part of the body;
- Bruises that reflect hand marks or finger tips;
- Cigarette burns;
- Bite marks;
- Broken bones;
- Scalds.

Changes in behaviour which can indicate physical abuse may include:

- Fear of parents being approached for an explanation;
- Aggressive behaviour or severe temper outbursts;
- Flinching when approached or touched;
- Reluctance to get changed, for example in hot weather;
- Depression;
- Withdrawn behaviour;
- Running away from home.

### **Recognising emotional abuse:**

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

The physical signs of emotional abuse may include:

- A failure to thrive or grow, particularly if the child puts on weight in other circumstances e.g. in hospital or away from the primary care-takers;
- Sudden speech disorders;
- Developmental delay, either in terms of physical or emotional progress.

Changes in behaviour which can indicate emotional abuse may include:

- Being unable to play;
- Fear of making mistakes;
- Neurotic behaviour e.g. sulking, hair-twisting, rocking;
- Self-harm;
- Fear of parent being approached regarding their behaviour.

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## Recognising sexual abuse

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

The physical signs of sexual abuse may include:

- Pain or itching in the genital area;
- Bruising or bleeding near genital area;
- Sexually transmitted disease; | Vaginal discharge or infection; | Stomach pains;
- Discomfort when walking or sitting down;
- Pregnancy.

Changes in behaviour which can also indicate sexual abuse include:

- Sudden or unexplained changes in behaviour e.g. becoming aggressive or withdrawn;
- Fear of being left with a specific person or group of people;
- Having nightmares;
- Running away from home;
- Sexual knowledge which is beyond their age or developmental level;
- Sexual drawings or language beyond their age or developmental level;
- Bedwetting;
- Eating problems such as overeating or anorexia;
- Self-harm or mutilation, sometimes leading to suicide attempts;
- Saying they have secrets they cannot tell anyone about;
- Substance or drug abuse;
- Suddenly having unexplained sources of money;
- Not allowed to have friends (particularly in adolescence);
- Acting in a sexually explicit way towards adults.

## Recognising neglect:

Neglect can be a difficult form of abuse to recognise.

The physical signs of neglect may include:

- Constant hunger, sometimes stealing food from other children;
- Constantly dirty or 'smelly';
- Loss of weight, or being constantly underweight;
- Inappropriate dress for the conditions.

Changes in behaviour which can also indicate neglect may include;

- Complaining of being tired all the time;
- Not requesting medical assistance and/or failing to attend appointments;
- Having few friends;
- Mentioning their being left alone or unsupervised.

### Responding to an Allegation/Concern of Child Abuse:

At all times action must be taken in instances where child abuse is:

- **Observed:** Immediate intervention is required in order to provide a safe place for the child. Report the intervention to the Designated Liaison Person or Deputy Designated Liaison Person (henceforth DLP/DDLP).
- **Disclosed:** When there is a disclosure of current or historical child abuse either by the individual directly affected or by a third party this must be reported to the DLP/DDLP.
- **Suspected:** Any concern that a child is at risk must be brought to the attention of the DLP/DDLP who will see advice from the Child and Family Agency in the Republic of Ireland (henceforth Tusla) or the Health and Social Care Trust Gateway Team in Northern Ireland (henceforth HSC). It is not the responsibility of the individual who has a concern or the DLP/DDLP to investigate the matter or to decide whether abuse has taken place.

If you receive a concern or allegation about a Franciscan or Co-Worker:

- Act immediately – refer the matter to the DLP/DDLP who will consult/refer to the Tusla/HSC and/or Garda Síochána/PSNI as appropriate.
- If required the Franciscan Province Safeguarding Committee (Henceforth) FSC will assist you in contacting DLP/DDLP.
- Make a written record as soon as possible afterwards using as many of the person's own words as possible on the Franciscan Recording Form. This initial recording will form the first entry in a file and will be retained by the DLP. All original notes and records will be passed on to the DLP. Any copies of records must be stored in a secure and confidential place.
- Not all persons will wish to make a formal report. Nonetheless all information about the existence of a concern must be communicated to the DLP.
- Do not be selective. Include details which may seem irrelevant. It may prove invaluable at a later stage in an investigation.
- In case of emergency, where a child appears to be at immediate and serious risk, contact the Tusla/HSC directly. Where the appropriate Tusla/HSC staff are not available, An Garda Síochána/PSNI should be contacted to ensure that under no circumstances a child is left in a dangerous situation. Inform the DLP/DDLP as soon as possible.
- Explain to the person raising the concern what will happen next. Indicate who will be made aware of the information given by them. Give him/her the contact details of the DLP/DDLP and Support Person.
- The allegation is revealed to others only on a “need to know” basis.

Feedback to the Referrer:

Persons who refer child welfare concerns to the DLP/DDLP should have their reports acknowledged within 24 hours and be informed of what will most likely happen next.

Dissatisfaction with the outcome of the report:

If you do not agree with the outcome of your report to the DLP, outline your on-going concerns to the DLP, contact Tusla directly, inform the DLP of the outcome.

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## Disclosure by a Child:

Children have a right to be listened to and be heard. Any allegation or suspicion of the sexual abuse of a child should be reported to the civil authorities and if the allegation/suspicion refers to a Franciscan or co-worker it should also be reported to the church authorities. Children who suffer abuse often hide the experience; it may be that the child has been abused by an adult who exercises power and control over them or the adult may have used threats to harm the child or his/her family if the child discloses the abuse. The child may be manipulated into believing that the abuse is his/her fault or that they are equally to blame and should be ashamed of what has happened. Children who are very young or have a disability or communication difficulties may need skilled help to communicate their message. Children whose first language is not English may also need extra help

### DO:

- Stay calm, listen carefully and patiently;
- Reassure the child she/he is right to tell you;
- Explain, in an age-appropriate manner, that you will have to inform the appropriate authorities;
- Record what the child said as soon as possible after the meeting using the child's own words as far as possible;
- Tell the child what will happen next;
- Complete the Franciscan Safeguarding Recording Form, sign and date it, and forward it to DLP/DDLP;
- Inform the parent or Guardian except when it is not safe to do so;
- Remember: it is not your role to investigate or decide if abuse has taken place.

### Do Not:

- Make judgements about the alleged abuser;
- Promise to keep this a secret;
- Tell the child stories about other people;
- Tell the child that everything will be fixed straight away;
- Press for details, except to clarify;
- Fill in words or finish sentences for the child;
- Show anger, shock or embarrassment, or give your opinion;
- Leave a child in a dangerous situation.

### In an Emergency:

- If a child is at *immediate and serious risk*, Tusla or the HSC should be contacted without delay. If a child is at immediate risk after office hours, contact the Gardaí in the ROI. In Northern Ireland the HSC Trust Gateway Team operates an out-of- hours service.

### Seal of confession

- An ordained Franciscan must be clear about the status of any conversation. He should make sure that there is no misunderstanding about whether or not the seal of confession applies.

### Disclosure by an adult

- It is often very difficult for people to talk about abuse, therefore:
- Be patient;

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- Listen carefully and actively;
- Create a safe environment in which the person feels able to tell as much as they can remember.

## **People may tell about:**

- Child abuse that is happening now – current;
- Child abuse that happened some time ago – historical;
- Something that they have been told and that they strongly believe to be true;
- Seeing signs of abuse that they have noticed e.g. unexplained physical injuries on a child;
- Something that they have witnessed, such as inappropriate behaviour of an adult to a child:

## **Where information is given in person, consider the following:**

- Listen carefully to that person, but do not ask intrusive or leading questions;
- Stay calm, taking the concern being raised seriously, and reassure the person that raising the concern that telling is the right thing to do;
- 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, use theirs;
- Make no promises that cannot be kept, particularly in relation to secrecy. This information will be reported to the civil and Church authorities.
- Explain the referral procedures;
- Offer to accompany the person to the DLP/Support Person to Tusla/HSC or to the Gardaí / PSNI as appropriate;
- Do not make any comments about the respondent or make assumptions. 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 or 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/HSC and or An Garda Síochána / PSNI to investigate. There must be no probing for detail beyond that which has been freely given;
- An ordained Franciscan must be clear about the status of such a conversation.
- Make sure there is no misunderstanding about whether or not the Seal of Confession applies;

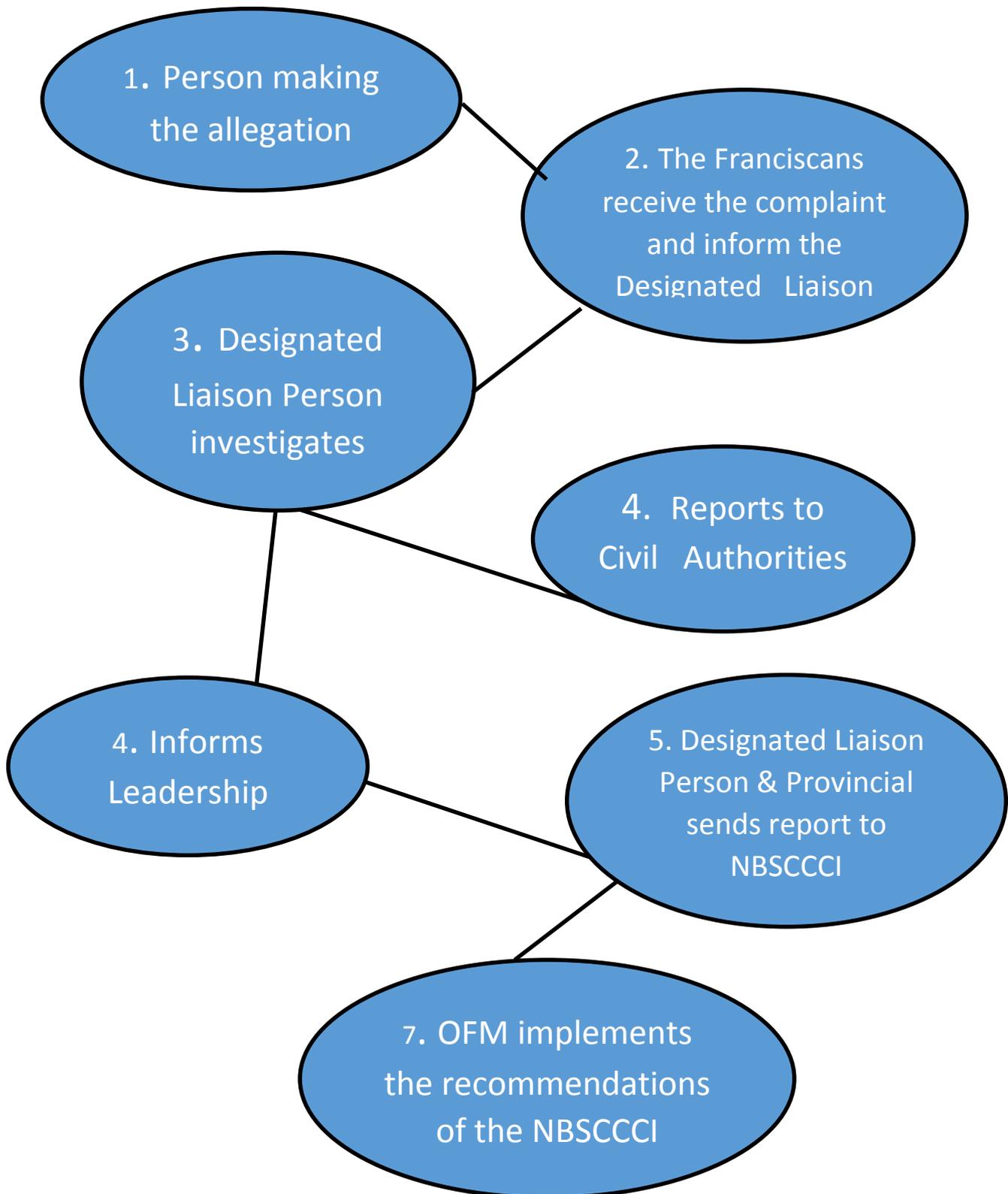
## **Listening to a person who admits abusing a child**

It is necessary to tell a person who admits an offence against a child or young person (outside of Confession) that such information cannot be kept confidential. If such an admission is made, even where the admission relates to something which happened a long time ago, the matter must be referred to the DLP as soon as possible, and s/he will follow the procedures for referral to Tusla/HSC and An Garda Síochána/PSNI.

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## Reporting Procedure:

This procedure must be followed by all Franciscans and co-workers when a concern about the sexual abuse of a child, either current or historical, is raised regarding a Franciscan or co-worker in the Irish Province.



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- All safeguarding concerns and allegations concerning Franciscans or co-workers should be passed on to the Franciscan DLP;
- The DLP will report the concern/allegation to Tusla /HSC or An Garda Síochána/PSNI without delay;
- If the DLP or person reporting is unsure if there are reasonable grounds for concern, the DLP will seek the advice of Tusla/HSC;
- A complete written record is kept in relation to the concern including the subsequent action and all communication with the civil authorities;
- The DLP will inform the Provincial Leader of all reports and contacts with the civil authorities. If a child is in *immediate danger*, contact Tusla directly or the Gardaí out of hours, then inform the DLP;
- If the concern relates to a Franciscan, the DLP will inform the National Board for Safeguarding Children in the Catholic Church in Ireland (NBSCCCI);
- Care must be taken to protect a person's right to confidentiality. Information will be given to others on a 'need to know' basis;
- Any person may report directly to the civil authorities. If such a report concerning a Franciscan or co-worker is made, the DLP should be informed as soon as possible;
- It is not the role of the DLP or the person reporting to investigate the concern/allegation;
- Any allegation of child sexual abuse made against a former Franciscan will be reported to the relevant civil and church authorities as per this policy.

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## Complaints Procedure:

This complaints procedure does not deal with the reporting of a child safeguarding concern; it deals with complaints made in relation to:

- The handling of an allegation/concern/issue;
- Unacceptable behaviour towards a child.
  
- Where the complaint relates to how a complaint of abuse was handled, the person making the complaint can contact the:
  - Franciscan Provincial Office;
  - Provincial Definitory;
  - National Board for Safeguarding Children in the Catholic Church in Ireland (NBSCCCI);
  - Tusla.

A written request for a review should be forwarded to one of the previously mentioned bodies within three calendar months of the conclusion of the investigation of the initial concern.

If the complaint concerns unacceptable behaviour of a Franciscan or co-worker towards a child:

- Speak directly to the person responsible;
- If the issue is not resolved it may be brought to the attention of the Guardian or DLP to be dealt with promptly and fairly;
- If the issue is still not resolved at that level it may be referred to the Provincial Definitory;
- If a satisfactory resolution cannot be arrived at within a further month, the complainant is invited to put the complaint in writing for consideration by a mutually agreed mediator, who will be invited to dialogue with all concerned;
- The determination of the mediator will be final.

## Franciscan Safeguarding Structures:

### **Franciscan Safeguarding Representative**

In every Franciscan Community there is a named Safeguarding Representative (the Guardian). The Guardian promotes and monitors safeguarding in the community. It is hoped that each community will also appoint a lay person to help with this role.

### **Designated Liaison Person**

The Designated Liaison Person (DLP) and Deputy Designated Liaison Person (DDL) for the Franciscan Province in Ireland is appointed by the Provincial to receive allegations of child sexual abuse by Franciscans or their co-workers, record and report them to the relevant Church and state authorities.

### **Support Person for Survivors and their Families**

The Support Person for Survivors and their Families is appointed by the Provincial to assist those who make an allegation or disclose abuse. The Support Person will assist, where appropriate with communication with the DLP to facilitate access to information and to represent the needs and concerns of those who make the allegation.

### **Adviser**

The Provincial, in consultation with the person to whom the complaint is made against, appoints an Adviser to be available to any Franciscan against whom an allegation of sexual abuse has been made. The Adviser shall represent the needs of the respondent to the Provincial Definitory and assist, where appropriate, with communication between the respondent, the Designated Liaison Person and the Definitory. The respondent's adviser cannot act as the respondent's therapist or spiritual adviser. Under no circumstances should the same person act as Adviser for respondent and Support Person for the survivor.

### **Franciscan Safeguarding Committee**

The Franciscan Safeguarding Committee is both supportive and developmental. It supports the work of the DLP and advises it, and the Provincial Definitory, on a range of matters including:

- Creating, maintaining and monitoring a safe environment for children in all aspects of Franciscan life and activity;
- The safe recruitment of volunteers and staff;
- The provision of training for all Franciscan in ministry and their co-workers;
- Human resources required for implementing best safeguarding practice across the Province;
- The development and implementation of policies;
- The review of policies;
- Assisting in identifying emerging needs and priorities;
- The development of audits to ensure adherence to policies and procedures;

The members of the Franciscan Safeguarding Office, with the Provincial and Definitory and the Safeguarding Committee, devise and revise safeguarding policies, determine and present appropriate training to different groups within the Province, and co-operate and comply with the church and civil authorities' laws and policies.

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## **Advisory Panel**

- The Advisory Panel is a consultative panel, set up to advise and assist the Provincial at all stages of the investigative process into alleged child sexual abuse by members of the Province. The Panel provides him with a consistent and accessible source of guidance. The Advisory Panel may provide advice whether specialist risk assessment should be sought in relation to a Child Safeguarding Concern. The Advisory Panel will collectively provide the expertise, experience and impartiality necessary in the field of safeguarding. No member of the panel shall act in a professional capacity to either the person making the allegation or the respondent. The OFM uses the NCMRG as its Advisory Panel.

## **MONITORING GROUP**

- Due to an allegation / conviction of child sexual abuse having been made against him, a Franciscan may be placed under precept (restriction guidelines) and supervision in a Franciscan Community. A Health Care and Safety Plan is drawn up for each respondent by the Provincial, in consultation with the Franciscan Monitoring Panel, Tusla/HSC and An Garda Síochána / PSNI to ensure that the respondent does not pose a risk to children. The number and severity of the restrictions placed on a respondent will be commensurate with the nature of the accusation. The purpose of the Monitor (Therese Gaynor) is to monitor the adherence of the respondent to the precept placed on him.

## **External Supervisor**

An External Supervisor oversees the adherence of respondents to the precepts placed on them and reports to the Monitoring Panel.

The External Supervisor:

- Visits the respondents on a regular basis, planned and un-planned;
- Notes their concerns;
- Reports to the Monitoring Panel on the adherence of the respondents to their precepts;
- Advises the Monitoring Panel on any action that is deemed necessary to ensure that the risk to children is minimised.

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## Roles and Responsibilities:

### **The Role of the Franciscan Safeguarding Representative**

Every community shall have a trained Franciscan Safeguarding Representative, who is the Guardian or his delegate (i.e. a suitable lay person). The role of the Franciscan Safeguarding Representative is to:

- Raise awareness of what safeguarding involves;
- Ensure that key safeguarding information is disseminated;
- Co-operate with the Franciscan Safeguarding Office in relation to the monitoring of safeguarding practices, including the annual safeguarding audit;
- Assist Franciscans/co-workers, if required, to contact the DLP or the Support Person;

The Franciscan Safeguarding Representative is responsible for:

- Ensuring that any activity taking place in his/her community operates in a manner which facilitates the safety and wellbeing of the children involved;
- Briefing the community on best practice principles;
- Publicising the contact details of the child safeguarding services and the relevant civil authorities;
- The overall responsibility for safeguarding children in each Franciscan Community remains with the person in charge, i.e. the Guardian.

### **The Role of the DLP**

The Designated Liaison Person's role is: to receive information about a concern, allegation or disclosure of abuse relating to a Franciscan or co-worker, and to report all child-safeguarding concerns, allegations and disclosures to the civil and ecclesial authorities without delay.

The DLP is required to:

- Receive allegations/concerns of child abuse;
- Report the concern to the statutory authority without delay regardless of whether the respondent is alive or not;
- Create a child protection case file for every referral that includes a log of actions, events and information. Entries should be made as soon as possible after the event but before the end of the day. They must be timed and dated by the author;
- Take possession of any written records made by any person in connection with the case and place them on the Child Protection Case File;
- Explain the procedures for addressing the concern, allegation or disclosure to the person who has raised the concern;
- Contact emergency or appropriate service where a child appears to be at immediate and serious risk of harm;
- Seek appropriate advice from Tusla/An Garda Síochána/NBSCCCI. The DLP must keep a written record of the outcome in the Franciscan Safeguarding Case File. Decisions not to report a matter must be made by Tusla;
- Inform the Provincial and the NBSCCCI that a complaint has been made and make a recommendation about any immediate action that needs to be taken in order to ensure the safety of children;

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- Make enquiries to identify the present and previous appointments of the respondent in order to establish whether there are any previous concerns about his/her practice, or any current grounds for concern in relation to the safety and well-being of children;
- Consult the Provincial regarding the appointment of an Adviser;
- Conduct an initial interview with the respondent as soon as possible, if the Health and Social Services / An Garda Síochána / PSNI have agreed that the interview can take place. 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/she is not obliged, in law, to respond or to furnish evidence but that anything he/she says will be taken into account in the investigation. The DLP and the Provincial (or his delegate) 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 the disclosure/allegation/concern, and the person raising it, to be able to offer a response. The respondent is told not to contact the complainant. The respondent shall be offered the services of an Adviser. A written record of the interview must be prepared, agreed with the respondent, signed and dated;
- Implement the Reporting Policy as outlined in Sections 5 of this document
- Ensure the availability of the Advisory Panel, if required, and convene the Advisory Panel at an appropriate time;
- Allow Tusla/HSC / An Garda Síochána / PSNI to conduct their enquiries unimpeded;
- Maintain a dialogue with the Investigating Officer or Social Worker to monitor the progress of the case and act on any advice given. Details of contacts made should be recorded chronologically on the Child Protection Case File;
- Ask for an update from Tusla/HSC / An Garda Síochána / PSNI about the outcome of their investigations; this request should be made in writing;
- Conduct an internal investigation at the conclusion of any police investigation or where no such civil investigation takes place. Any internal investigation will be initiated in cases where child protection concerns remain or where disciplinary action needs to be considered. Such an investigation will gather and assess available information from all sources and witnesses. Every effort should be made, in consultation with Tusla/HSC / An Garda Síochána / PSNI, to avoid the necessity to interview child witnesses for the purposes of disciplinary inquiries;
- This investigation (which takes place after the statutory enquiries have been completed) should be conducted expeditiously. In cases where there is a delay, and where a Franciscan has been temporarily removed from active ministry or a lay person suspended from duties, it is important to keep everyone informed of the progress of the investigation and to maintain records of such communications;
- Where an investigation concerns a Franciscan, the requirements of Canon Law will be observed. A Canonical investigation of a Franciscan will be carried out by the Province after the statutory investigation is completed. Where an allegation or suspicion is made against the DLP, the information must be passed to the Deputy DLP and the process as outlined should be carried out by him/her.

# OFM Policy for Safeguarding Children

## Role of Support Person

- The Support Person is to be available to those who make an allegation/disclose sex abuse under these procedures. The role of the Support Person is to:
- Assist, where appropriate, with communication between the child or adult making an allegation/disclosure and the DLP and the Province;
- Facilitate the child or adult in gaining access to information and help;
- Represent the concerns of the survivor during the inquiry process.
- The Support Person will also extend appropriate pastoral support to family members of survivors;
- The Support Person will be clear about his/her role and should receive appropriate training;
- The Support Person is not a counsellor to the child or adult, and must not be or act as their therapist;
- Support Persons must be particularly attentive to the expressed needs and objectives of the child or adult, and the fact that some may be reluctant to seek help;
- Support Persons should, therefore, consider how any therapeutic or spiritual needs of a child or adult who has made an allegation/ disclosed abuse may be met, and will be mindful of his/her on-going vulnerability during this process.

*In addition, the Support Person should:*

- Consider any wishes of the child or adult disclosing abuse, in regard to a pastoral response by the Franciscan to his or her family;
- Be available to the child or adult throughout the course of the inquiry process, and thereafter as required;
- Ensure the child or adult is kept informed of developments in relation to them;
- Arrange, if considered helpful, a meeting between the child or adult and the Minister Provincial or member of the Safeguarding team.

### **NB**

Under no circumstances should the same Support Person be provided for both the child or adult making the allegation / disclosure of abuse and for the respondent.

## Access to Advice and Pastoral Support:

Through its Safeguarding Office, the Franciscan Province wants to reach out to survivors of sexual abuse, and their families, who are seeking pathways of recovery.

### **For those who have been abused:**

Anyone who has been abused should be assisted and supported in seeking help and reporting the crime:

- The Franciscan Safeguarding Office will provide information about what to do and where to go for help;
- The Support Person for Survivors and their Families will be available to provide pastoral support to those who make an allegation or raise a concern. See Section 8.3 for Role and Responsibilities of the Support Person.

### **For those who have abused:**

Franciscans or co-workers who have sexually abused children should be helped to face up to the reality of the harm they have caused, as well as being assisted in a manner which does not compromise the safety of children.

An Adviser will be appointed to be available to the Franciscan against whom a child safeguarding concern/allegation has been made. See Role of Adviser at 7.4 above.

### **For Franciscan Personnel:**

Child abuse, both current and historical, is distressing and can be difficult to deal with. The Province recognises that it has a duty to ensure that advice and support is available to assist Franciscans and co-workers to play their part in protecting children and assisting adults who have been abused.

Section 4 of this document gives guidance on how to respond to a child or adult who raises a concern or makes an allegation.

All Franciscans and co-workers can access support about safeguarding issues from the Franciscan Safeguarding Office, civil authorities and the National Board for Safeguarding – see Appendices A and B for their contact details.

## Confidentiality / Data Protection

### Confidentiality

The Province recognises the importance of protecting an individual's right to confidentiality and is committed to keeping confidential all personal information about complainants and respondents. When there is a safeguarding of children issue, or welfare concerns arise in relation to a child, the information will be shared on a "need to know" basis in the best interest of the child. Providing such information to a Designated Liaison Person or relevant Church/statutory authority for the protection of a child is not a breach of confidentiality.

The Protections for Persons Reporting Child Abuse Act (1998), provides immunity from civil liability to persons who report child abuse to the relevant authorities "reasonably and in good faith". Even if a reported suspicion of child abuse proves unfounded, a plaintiff who took an action would have to prove that the reporter had not acted 'reasonably and in good faith' in making the report. The main provisions of the Act are:

- The provision of immunity from civil liability to any person who reports child abuse "reasonably and in good faith" to designated officers of Tusla or any member of An Garda Síochána;
- The provision of significant protections for employees who report child abuse. These protections cover all employees and all forms of discrimination up to and including, dismissal;
- The creation of a new offence of false reporting of child abuse where a person makes a report of child abuse to the appropriate authorities "knowing that statement to be false". This is a new criminal offence designed to protect innocent persons from malicious reports.

### Data Protection

The Province is required under the Data Protection Acts of 1988 & 2003 to ensure the security and confidentiality of all personal data it collects and processes.

Personal data must be:

- a. Obtained and processed fairly;
- b. Kept only for one or more specified explicit and lawful purpose;
- c. Used and disclosed only in ways compatible with the purpose for which it was obtained;
- d. Kept safe, secure, accurate, adequate, complete and up to date;  
Retained for no longer than is necessary for the purpose or purposes for which it was collected.

### Retention and Security of Records

- Records which contain personal information should be stored in a secure, locked container away from unauthorised access;
- Only persons who are approved by the Provincial have access to personal files;
- All computers/laptops used for the purpose of record keeping must be password protected and encrypted;
- Persons who store information on shared computers/laptops must use individual passwords. All case management safeguarding files must be retained for a period of 100 years;

## OFM Policy for Safeguarding Children

- Where there is no legal requirement to retain records beyond closure, destruction should be undertaken by shredding.

### **Access to Information**

- Persons wishing to access their own records will be provided with same, provided that such provision is not prohibited by Data Protection considerations or by other legal constraints;
- Such applications must be made in writing to the Provincial.

## Safe Recruitment:

When a situation becomes vacant or a new position is created those responsible for filling them should be aware of best practice in the recruitment of employees and volunteers. All positions of employment require a safe practice at every stage of the recruitment process in order to promote the welfare of children. Safe recruitment requires a consistent and thorough process of obtaining, collating, analysing, and evaluating information from and about applicants. The following must be observed:

- Clear job descriptions, skills descriptions and person specifications for all paid and voluntary posts;
- All vacancies for volunteers or paid staff should be openly advertised;
- Application Forms should be used for recruitment to all posts, including those to be filled by volunteers. Applications must include Photo ID;
- Application Forms should include a Declaration Form which applicants are required to sign, stating that they do not have criminal charges, cautions or convictions against them, or any other reason why it may be inappropriate for them to work with children;
- Garda vetting;
- A specific reference to suitability to work with children if the position entails such contact;
- Written references should be obtained in respect of all candidates being considered for paid or voluntary appointment. All written references must be followed up by verbal contact with referees;
- An interview panel of at least two people with appropriate competence and authority;
- Transparent interview procedures that are recorded and stored securely until the process is fully complete;
- Verification that the successful applicant has the academic or vocational qualifications claimed;
- Verification of previous employment history and experience.

For more details of Recruitment see Franciscan Policy Recruitment Document.

# OFM Policy for Safeguarding Children

## Vetting:

### Introduction

All Franciscans in ministry and their co-workers are required to complete the vetting process before they start work or act as a volunteer. If it is necessary that a person takes up work before the Garda Vetting process is concluded, they must sign a Declaration Form and their contact with children should be closely supervised until the Garda /Police Vetting process is complete.

### Vetting Procedure

**Application:** The applicant is asked to complete a Vetting Application Form and return it to the Guardian who sends completed forms to the Franciscan Vetting Officer - Fr. Joseph MacMahon, OFM.

- The completed Application Form is forwarded by the Provincial to the Vetting Administrator who forwards it to the Garda Central Vetting Unit (GCVU);
- Garda Central Vetting Unit returns applications and outcome of the vetting process to the FVO who in turn forwards them to the Provincial. The Provincial informs the applicant of the outcome of the vetting process through the Guardian;
- If the returned application contains information relevant to the employment / retention of the applicant, the Provincial must consider whether or not a Process Review Meeting is appropriate.

### Responsibilities of Applicant

The applicant is responsible for completing the Vetting Application Form truthfully and in its entirety and for returning it to the relevant person in the Province. The applicant is required to make a full and complete declaration; failure to do so may jeopardise the offer of employment or retention in his/her present post.

### Process Review Meeting

The Garda Central Vetting Unit provides the Provincial with details of all prosecutions, successful or not, pending or completed, and/ or convictions. No Process Review Meeting is required where none of the above is identified. Consideration for a Process Review Meeting will occur when an application is returned from the GCVU with relevant information attached. The Provincial will clarify any information received from the GCVU with the applicant. If the information received gives rise to concern, a Process Review Meeting is strongly recommended. In the event of a Process Review Meeting being held, the following steps are taken:

- Provincial or Guardian arranges the meeting.
- The applicant is invited to attend and may be accompanied by a support person if he/she wishes.
- The meeting has two purposes; firstly to verify the applicant's identity and secondly, to give the applicant an opportunity to discuss his/her application in the light of the information received from the GCVU.
- An applicant who asserts that his/her Garda / Police Vetting Disclosure may be inaccurate must provide satisfactory evidence to support his/her assertion.

## OFM Policy for Safeguarding Children

- If the applicant provides satisfactory evidence to support his/her assertion that his/her Garda Vetting Disclosure may be inaccurate, the Provincial 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 required in respect of the applicant and write back to the Provincial who will communicate the response to the applicant.
- The Provincial keeps a written record of the meeting.

### **Risk Assessment Guidelines**

A conviction, prosecution or case pending will not necessarily prevent an applicant from being considered for employment / retention. The decision-making process is fundamentally to assess the suitability of an applicant.

Any information which arises from the Vetting process may influence that decision.

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 applicant 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 re-offending.

### **Data Confidentiality**

- Information passed to other appropriate and relevant staff must only be done on a basis required by the recruitment / retention process;
- All applications received by the Provincial are entered onto the Franciscan Vetting Database. The database contains information such as full name, position applied for/currently held, date of application, date of outcome, renewal date. Access to the database is restricted to named Franciscan personnel and the data is stored securely;
- Only those who are entitled to see the application (or any data disclosed as part of the vetting process) as part of their duties will be allowed to do so. Under this Policy and Data Protection laws, applicants can request access to any personal data held about them, such requests to be made in writing to the Provincial.

# OFM Policy for Safeguarding Children

## Training and Education

It is essential that all Franciscans and co-workers are provided with appropriate child-safeguarding training along with regular opportunities to update their skills and knowledge. Maintaining a high standard of training and education protects:

- Children, by ensuring that they are in a safe environment and minimises risk of abuse;
- Franciscans and co-workers, by outlining best practices and procedures;
- The integrity of the Franciscan Province and its mission, by making clear its commitment to keeping children safe and modelling best practice;

### **The Province requires:**

- All Franciscans in any form of ministry to undertake a recognised programme of child safeguarding training approved by the NBSCCCI;
- All Franciscans and co-workers to receive induction into the Franciscan Safeguarding policy and procedures.

### **The Franciscan Safeguarding Committee will:**

- Identify the training needs of Franciscans and co-workers;
- Ensure that all training is evaluated and presented by suitably qualified trainers;
- Monitor the training of all Franciscans and co-workers;

# OFM Policy for Safeguarding Children

## Code of Behaviour:

### **Interaction with Children**

Adults should:

- Avoid spending time alone with a child or young person. Should circumstances arise where this is unavoidable, inform another responsible adult and keep a note of what took place and why;
- Treat children and young people in a manner that fully respects their dignity and rights;
- Provide an example of good conduct at all times;
- Respect each child's boundaries, avoid unnecessary physical contact;
- Help children develop an awareness and understanding of their own right to protection and a respect for the rights of others;
- Provide children with information on how, and from whom, they can seek help if they have a concern;
- Be visible to others if working alone with a child;
- Challenge and report behaviour that is abusive or potentially abusive;
- Develop a culture where children are encouraged to talk openly about their contacts with staff and others;
- Unless there are at least two adults present, avoid permitting children and young people to work or remain in the chapel, friary or property.

### **Franciscans or their co-workers must never:**

- Hit or otherwise physically assault or abuse a child;
- Develop sexual relationships with a child;
- Engage in inappropriate conversations with children;
- Develop relationships with children that could in any way be deemed exploitative / abusive;
- Act in ways that may place a child at risk of abuse;
- Take children to their bedrooms;
- Use alcohol, tobacco or non-prescriptive drugs when in the company of children;
- Offer alcohol, tobacco or non-prescriptive drugs to minors;

### **Franciscans and their co-workers must avoid actions and behaviour that could be construed as poor practice or potentially abusive. They should never:**

- Use language, make suggestions or offer advice which is inappropriate, offensive or abusive;
- Behave physically in a manner which is inappropriate or sexually provocative;
- Have a child or children stay overnight at their place of residence unsupervised;

## OFM Policy for Safeguarding Children

- Sleep in the same room or bed as a child;
- Do things of a personal nature for children that they can do for themselves;
- Condone or participate in behaviour by children which is illegal, unsafe or abusive;
- Act in ways intended to shame, humiliate, belittle or degrade children;
- Exclude or discriminate against particular children or show favour towards particular children.

### **Implementation**

Any member of the Province or co-worker who becomes aware of a breach of this Code of Conduct should bring the matter to the attention of the Guardian, Designated Liaison Person or Provincial. If there is a risk to a child the matter is dealt with as outlined in Section 5 of this document – Reporting Procedure.

# OFM Policy for Safeguarding Children

## Working Safely with Children:

### **Activities Involving Children**

(if not covered by either school or parish safeguarding policies)

#### **Planning:**

- Franciscans and co-workers should be fully aware of their roles and responsibilities;
- Leaders should be aware of children's relevant medical conditions including allergies;
- Leaders working with a mixed group must be drawn from both genders;
- There should be a clearly designated Group Leader for all activities;
- Parents/guardians and children must complete a Consent Form including relevant medical details, any special needs and emergency contact numbers.
- Accident / Incident Report Forms should always be completed whenever an incident occurs – for Accident Report Form.
- All children are checked in to an activity on a Registration Form.
- All activities must be planned and managed in a way that minimises risk;
- An initial safety check for hazards should be done on each occasion before premises are used;
- Games and icebreakers should be structured to take into consideration the age of participants, risk of physical injury and personal space issues;
- Adequate insurance cover must be in place;
- Ensure proper safety standards and bear in mind that extra insurance may be necessary for some activities;
- Prescribed medication may only be administered to a child with the written consent of parent / carer.

#### **Supervision of Children**

Having clearly defined supervision arrangements minimises the risk of accidents occurring and also protects children from intentional harm. When planning activities for children and young people, there should always be a minimum of two adults to accompany the group. The recommended ratios for children of 8 years and over are:

- Two adult supervisors for every 20 children (15 children for outdoor activity);
- There should be one additional adult supervisor for every extra 10 children;

# OFM Policy for Safeguarding Children

- For residential retreats and pilgrimages this ratio should be lower to allow for adequate free time for leaders;
- This ratio may change from time to time; always check with the relevant authority.

## Guidance on Photographing Children and Young People

### Care must be taken to avoid:

- The identification of individual children;
- The identification of children in vulnerable circumstances which may cause embarrassment / distress;

### Reason and purpose:

Photographs should only be taken by an authorised person who has a suitable reason relating to the child or organisation i.e. is a parent, a relative, a leader of an activity or a member of staff. Unless photographs are taken as part of activities such as sporting events, plays and concerts, they should not be used for a public purpose e.g. not posted on the internet and not passed on to others unconnected to the child.

### Appropriateness of images

- No images of children are to be taken, which capture them in what are commonly understood as non-public activities like toileting or changing clothes, or which show body parts not usually visible in public settings;
- Children should be fully clothed;
- Images involving groups should be about that activity and not the individual child;
- Photographs of children should not show them in breach of rules, or behaving in a reckless or dangerous fashion.

### Identification of subjects

A photograph should not allow an unauthorised person to identify a child or their whereabouts. If the full name of a child or young person is used, there should be no photograph; if a photograph is being used, the full name should not be given.

### Photography for public display;

Parents and children must consent to the use of an image and this consent is recorded.

### Use of mobile phones

Permission to use mobile phones will vary according to the nature of the activity that is being organised/conducted. It is the responsibility of the event organiser to make it clear to the participants what level of use is deemed appropriate in the context of the activity being organised. Because mobile phones can be used for taking photographs the guidelines outlined above also applies.

# OFM Policy for Safeguarding Children

## Communication and Data Technology

Leaders will not share their phone numbers with children. When necessary for organisational purposes, permission is sought from the parent asking if the leaders can send messages by text to participants about future meetings; it is best practice to copy all texts to parents. Franciscans and co-workers who receive a 'Friend Request' from a child in their activity should always click 'NO'.

## Intimate Care Policy

Intimate care involves those activities that people generally do for themselves, such as, washing, dressing and toileting. Franciscan personnel are not ordinarily involved in the provision of intimate care and are not authorised to carry out such tasks.

There are organisations that, for example, care for children with disabilities where intimate care is provided. The members of such organisations are authorised to provide such care by virtue of their membership of the organisation. They are subject to the policies and procedures of the organisation. Children who go on the Franciscan pilgrimage to Lourdes may require some degree of intimate care. The volunteers who accompany the children are given guidance and direction on these matters by the committee that organises the pilgrimage.

School children (generally aged at least 17) who accompany the (adult) pilgrims are not permitted to provide intimate care for the sick pilgrims. Such care is provided by the nursing and other adult volunteers. School children are required to wear blue shirts to ensure that they are easily distinguishable from the other volunteers and do not find themselves in a situation where they are asked to provide such care.

It is not possible to anticipate every eventuality and situations can arise when adults are required to depart from normal practice.

In general, adults should not do for children what children can do for themselves. A child who has a toileting accident, for example, may need some adult assistance but that does not necessarily mean accompanying the child to the toilet.

Touching children may be appropriate in certain situations, for instance, in comforting a distressed child. Some rules apply.

Offering physical comfort/reassurance should always be done in response to the child's needs and wishes. Adults need to be sensitive to what is being communicated by the child's behaviour (children who are not comfortable being touched will draw back from contact).

Any physical contact should take place in the presence of others. Children should only be touched over their clothes and above the waist (and away from the breast area for girls).

As in all such situations, knowing as much as possible about the children for whom the adults are responsible will help the adult staff and volunteers respond appropriately to their needs.

Groups that are involved in planning activities and trips away should always ask the parents of the children whether there is any information that needs to be shared with the adult carers.

## Anti-Bullying Policy:

Definition of bullying: Bullying is defined as unwanted behaviour, verbal, psychological or physical conducted by an individual or group against another person (or persons) and which is repeated over time.

The types of bullying behaviour are included in this non-exhaustive definition:

- Deliberate exclusion, malicious gossip and other forms of relational bullying;
- Cyber bullying;
- Identity-based bullying such as homophobic bullying, racist bullying, bullying based on a person's membership of the Travelling community and bullying of those with disabilities or special educational needs.

## OFM Policy for Safeguarding Children

Placing a once-off offensive or hurtful public message, image or statement on a social network site or other public forum where that message, image or statement can be viewed and/or repeated by other people will be regarded as bullying behaviour.

### Types of Bullying:

The following are some of the types of bullying behaviour that can occur amongst pupils:

- Physical aggression: pushing, shoving, punching, kicking, poking and tripping people
- Intimidation: such as very aggressive body language with the voice being used as a weapon; a facial expression which conveys aggression and/or dislike.
- Isolation/exclusion and other relational bullying: isolating, excluding or ignoring one person by some or all of the group.
- Cyber bullying such as text, social network sites, e-mail, instant messaging (IM), apps, gaming sites, chat-rooms and other online technologies.
- Name calling: Persistent name-calling directed at the same individual(s) which hurts, insults or humiliates.
- Damage to property: defacing, breaking, stealing, hiding or interfering with personal belongings such as clothing, mobile phone or other devices, school books and other learning material.
- Items of personal property may be defaced, broken, stolen or hidden. Personal property can be the focus of attention for bullying behaviour. This may result in damage to extortion: demands for money often accompanied by threats.

The Franciscans OFM, recognise the very serious nature of bullying and the negative impact that it can have on the lives of children and young people and is therefore committed to preventing and tackling bullying behaviour. It does this by

- Promoting a positive culture and climate which:
  - Is welcoming of difference and diversity and is based on inclusivity
  - Encourages children to disclose and discuss incidents of bullying behaviour in a non-threatening environment; and
- Promotes respectful relationships between children;
- Having a shared understanding of what bullying is and its impact;
- Implementing education and prevention strategies (including awareness raising measures) that...
  - Build empathy, respect and resilience among children and young people, and
  - Explicitly address the issues of cyber-bullying and identity-based bullying including in particular, homophobic and transphobic bullying;
- Effective supervision and monitoring of children;
- Consistent recording, investigation and follow up of bullying behaviour;
- Ongoing evaluation of the effectiveness of the anti-bullying policy.

# OFM Policy For Safeguarding Children

## Franciscans out of Ministry:

Franciscans who are prohibited from ministry because of allegations made against them are to abide by the policies and procedures of this document and must also abide by the precepts placed on them by the Provincial.

## Franciscans Working in Schools, Parishes and other Ministries:

Franciscans contracted by schools, dioceses or other institutes are governed and regulated by the safeguarding policies, procedures and codes of practice of the institutes and organisations that contracted them. Franciscans so contracted must familiarise themselves with the policies and procedures of those institutes.

## OFM Policy For Safeguarding Children

### Friars from other Provinces:

#### **Friars appointed to the Irish Province**

Any Franciscan from another Province appointed to Ireland must be in possession of a letter of good standing and a completed Reference Form from his Provincial, explicitly stating that there is nothing in the Franciscan's background that would indicate unsuitability to work with or interact with minors nor has any continuing alcohol/substance abuse issues. Ordained members must also be in possession of a valid *celebret*. Documentation is to be presented to the local Guardian for processing in the Province.

#### **Friars Temporarily Residing in the Irish Province**

Any Franciscan arriving in the Irish Province whether for a study program or temporary ministry who is temporarily resident in a Franciscan community must be in possession of a letter from his Provincial. This letter must explicitly state that there is nothing in the Franciscan's background that would indicate unsuitability to work with or interact with minors nor has he any continuing alcohol / substance abuse issues. In the case of ordained members, the letter must confirm that he has a valid *celebret*. Documentation is to be presented to the local Guardian for processing in the Province.

# OFM Policy For Safeguarding Children

## Whistleblowing

### Introduction

- The Franciscans are committed to the highest possible standards of openness and accountability;
- Franciscans and their co-workers are expected and encouraged to voice any concerns about activities involving children to local superior/manager;
- All have a right to raise a concern about perceived unacceptable practice or behaviour;
- All concerns will be treated, as far as possible, in the strictest confidence and every effort will be made not to reveal the identity of the complainant, if requested. If, however, concerns require further action, the complainant may at a future date have to act as a witness and/or provide evidence;
- Whistleblowing can be difficult and stressful. Advice and support are available in the first instance from the Franciscan DLP or the National Board for Safeguarding Children in the Catholic Church in Ireland;
- No action will be taken against a complainant if the concern proves to be unfounded and was raised in good faith. This is in line with the Protection for Persons Reporting Child Abuse Act 1998;
- Malicious allegations will also be treated in line with the Protection for Persons Reporting Child Abuse Act 1998.

### How to raise a concern

- Voice your concerns, suspicions or unease as soon as you can. The earlier a concern is expressed the easier and sooner action can be taken;
- Try to pinpoint exactly what practice is concerning you and why;
- Approach your immediate superior/supervisor/manager;
- If your concern is about your immediate superior/supervisor/manager then contact either the Designated Liaison Person, a member of the Provincial Definitory, the National Office for Safeguarding Children in the Catholic Church, Tusla or the Gardaí;
- Note your concerns in writing, outlining the background and history, giving names, dates and places;
- Note the response you receive and if not satisfied you may wish to take it to another level;
- You are not expected to prove the truth of an allegation but will need to demonstrate sufficient grounds for the concern.

# OFM Policy For Safeguarding Children

## **What happens next?**

- You should be given information on the nature and progress of any enquiries;
- Your supervisor/superior/manager has a responsibility to protect you from harassment or victimisation;
- No action will be taken against you if the concern proves to be unfounded and was raised in good faith. This is in line with the Protection for Person Reporting Child Abuse Act, 1998;
- Malicious allegations may be considered a disciplinary offence.

## OFM Policy For Safeguarding Children

### Communicating the Franciscan Safeguarding Message:

Contact details of the Franciscan Safeguarding Personnel, civil authorities and support services will be circulated by every means possible

The latest edition of the Franciscan Safeguarding Policy will be available on the Franciscan website: [www.franciscans.ie](http://www.franciscans.ie)

#### **Franciscan Safeguarding Policy**

All members of the Province and their co-workers will be given a copy of this Franciscan Safeguarding Policy and will be asked to sign an Agreement Form confirming that they have read the policy and agree to abide by it.

#### **Safeguarding Notices**

Every Franciscan Community in Ireland will clearly display a copy of the latest "Franciscan Safeguarding Children Notice" in all its properties to which the public have access. This Safeguarding Notice will detail:

- The Franciscan Safeguarding Policy Statement, clearly stating the Province's commitment to safeguarding children, specifically indicating that the welfare of the child is of paramount importance;
- The names and contact details of the Designated Liaison Person and Support Person for the Province;
- Contact Numbers of Tusla in the surrounding region;
- Contact number of An Garda Síochána in the surrounding region;

Each Franciscan Community will be notified when there are changes to the detail on this Notice and each Community will be immediately issued with an updated Safeguarding Children Notice by the Franciscan Safeguarding Office to replace those already in existence.

#### **Contact Details**

All who work with children and/or young people in or on behalf of the Province will be made aware of contact numbers for Tusla, Garda Síochána, the Designated Liaison Person, the Support Person and all other pertinent information in terms of advice, help and support.

#### **Updates and information**

The Franciscan Safeguarding Office will give updates of developments in safeguarding children by means such as the Provincial Website which is available to all members of the Province and their co-workers. This will contain the contact details of the Designated Liaison Person and the Support Person for Survivors and their families.

# OFM Policy For Safeguarding Children

## Implementation of Policy:

The Franciscan Province of Ireland is committed to the implementation of all policies, procedures and protocols that contribute to keeping safe children who avail of its services. To this end checks will be put in place at Provincial and Community level to ensure full policy implementation.

### **Implementation by the Franciscan Communities**

- The Franciscan Safeguarding Office will maintain regular contact with each Franciscan Community in terms of monitoring and implementation of best practice in safeguarding children. This will be done collaboratively with the Community Leader and the Franciscan Safeguarding Representative;
- Each Community is recommended to have an annual meeting to discuss safeguarding issues;
- An annual Safeguarding Audit will be undertaken by each Franciscan Community.

**The views of agencies involved inside and outside of Church organisations will be sought to help improve the effectiveness of measures taken.**

**An annual meeting of Franciscan Safeguarding Representatives will be convened by the Franciscan Safeguarding Office.**

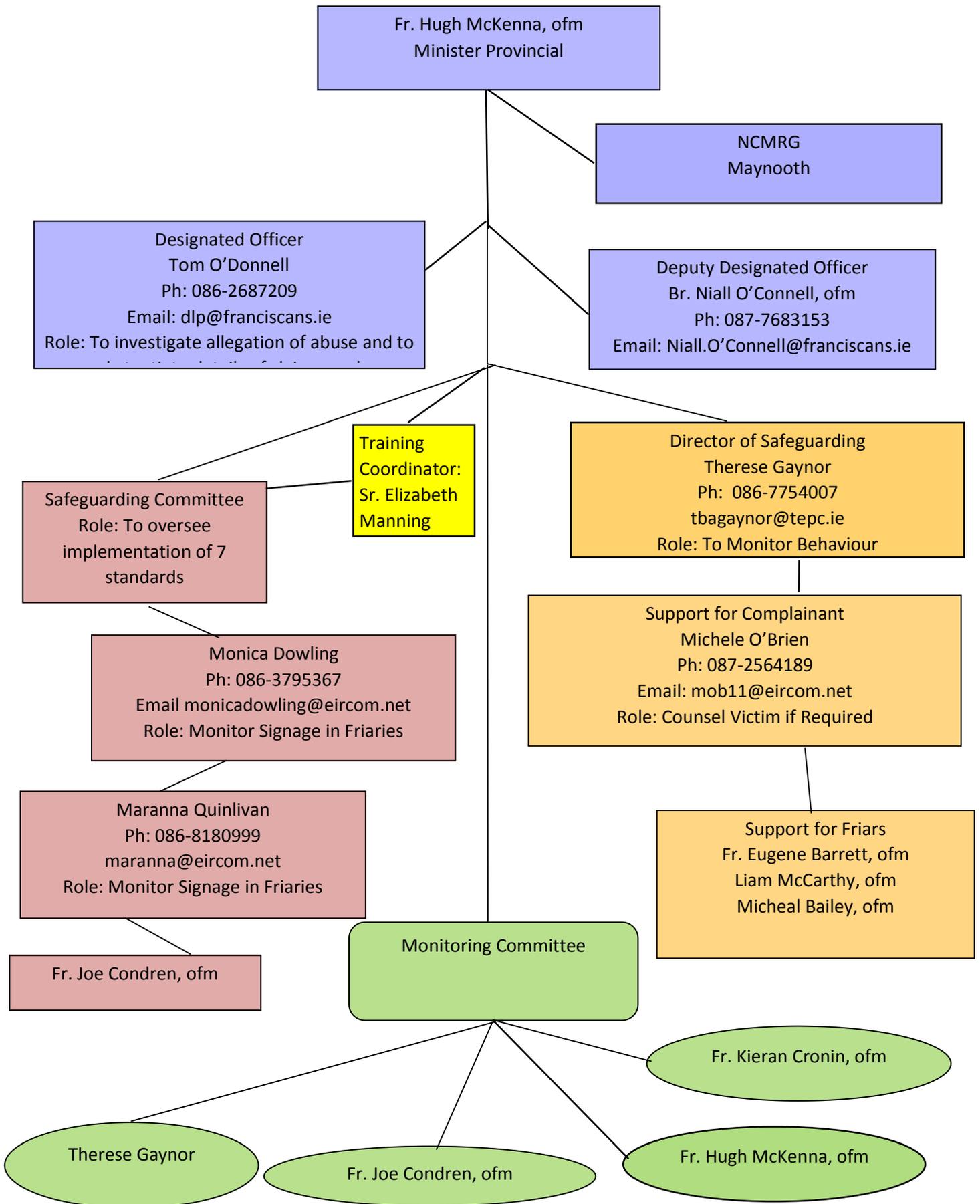
**The Province will co-operate fully with any review/audit by civil authorities and the National Board for Safeguarding Children in the Catholic Church in Ireland.**

### **Franciscan Safeguarding Committee and Franciscan Safeguarding Office**

- It will be the responsibility of the Franciscan Safeguarding Committee and the Franciscan Safeguarding Office to ensure that the Franciscan Safeguarding Policy and Procedures are implemented.
- The FSC will support implementation by offering support and guidance as required. They will also ensure that the principles of best practice in recruitment and vetting form part of its various communications and training initiatives.
- This policy will be reviewed after two years and up-dated in line with new legislation.

# OFM Policy For Safeguarding Children

## Appendix A



## OFM Policy For Safeguarding Children

An Garda Síochána, Sexual Assault Unit, Harcourt Square, Dublin 2. Tel: 01-6663435  
(A list of all Garda Stations in the country is available on [www.garda.ie/stations](http://www.garda.ie/stations))

Police Service of Northern Ireland (PSNI) Tel: 0044 (0) 845 600 8000 – Website:  
[www.psni.police.uk](http://www.psni.police.uk)

Tusla, Child and Family Agency, Block D, Park Gate Business Centre, Dublin 8. Tel: 01-6352854 Email: [info@tusla.ie](mailto:info@tusla.ie) Website: [www.tusla.ie](http://www.tusla.ie)

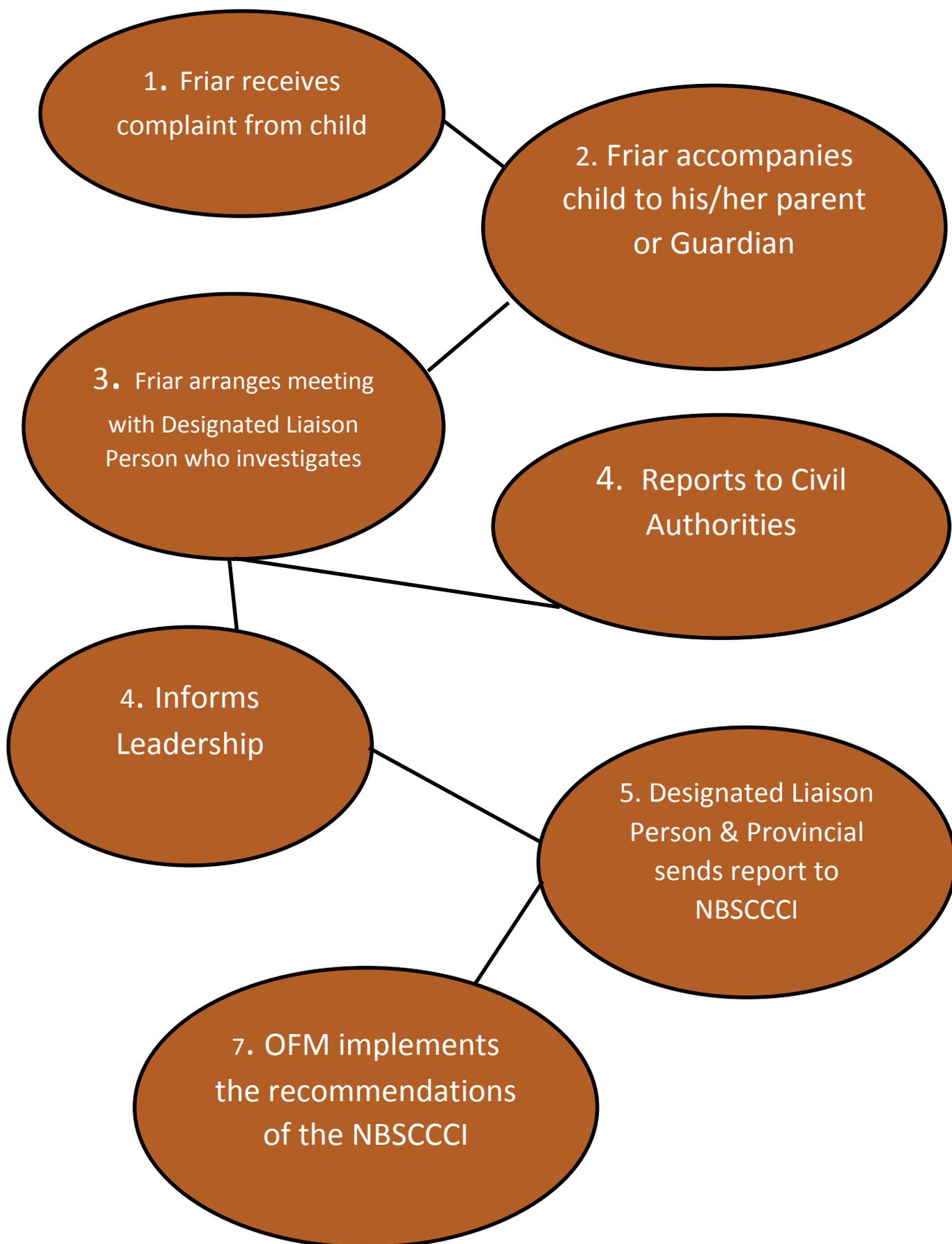
Health Service Executive (HSE), Local Community Care Areas can be contacted at:  
Tel: 1850 24 1850 Website: [www.hse.ie/eng/services](http://www.hse.ie/eng/services).

Department of Health Social Services and Public Safety – contact details of local Health and Social Services Board (Eastern, Northern, Southern or Western) are available at: [www.dhsspsni.gov.uk/child\\_protection\\_guidance](http://www.dhsspsni.gov.uk/child_protection_guidance)

National Board For Safeguarding Children in the Catholic Church in Ireland – Tel: 01-5053018 (Office) Website: [www.safeguarding.ie](http://www.safeguarding.ie)

# OFM Policy For Safeguarding Children

## Appendix B



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## Appendix C

### Franciscan Social Media Policy

#### Preach the Gospel at All Times Guidelines for Evangelizing Through Social Media

#### INTRODUCTION

Pope Francis constantly urges us to “go into the streets, to the outer reaches of society” with words of mercy and hope. Social media is one potent way of doing this. As Pope Benedict has said, “The world of digital communication, with its almost limitless expressive capacity, makes us appreciate all the more St. Paul’s exclamation, ‘Woe to me if I do not preach the Gospel.’”

Since the time of St. Francis himself, Franciscans have been on the cutting edge of spreading the Gospel message in new ways and to new places. It’s no wonder, then, that so many in the Franciscan family have found the modern tools of electronic communication to be a fruitful and powerful way to continue that tradition of evangelization. Social media and electronic communication provide friars and partners-in-ministry with a way to exchange information and ideas faster and farther than ever before. Because this electronic frontier is also one with its own dangers and pitfalls, it is the hope that this Social Media Guideline can help navigate that new territory so that Franciscans might make the best use of these exciting tools of communication and evangelization.

As background, the online encyclopedia Wikipedia defines social media as “media designed to be disseminated through social interaction, using highly accessible and scalable publishing techniques. Social media use Web-based technologies to transform and broadcast media monologues into social media dialogues.” Social media commonly refers to (but is not limited to) the following Web- or app- based protocols: Facebook, Twitter, blogs, and YouTube. Since the landscape of social media is constantly changing, this list could be in a near constant state of evolution.

Through photos, words and videos, social networking sites can be used to post a variety of items and themes – announcements, homilies, reflections, event dates, links, catechetical and prayer resources, and follow-up about significant events. In addition to communicating specific information, they can strengthen the sense of community both within provinces and among our partners-in-ministry.

There is little doubt that the Internet provides those who serve the Gospel with a creative opportunity to share the Word and the uniqueness of our Franciscan way of life in imaginative, immediate, and engaging ways.

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Social media offer both opportunities and challenges to those who use them. Precisely because of the ability to disseminate information worldwide so quickly and easily, it is essential that these resources be used in a professional, mature and responsible manner.

## Franciscan Social Media Policy

### GUIDELINES

The following guidelines and cautions are provided as an aid to effective use of social media. Sloppy use of this means of communication will result in constituents being confused by the information offered, or worse, by receiving a negative impression of the Franciscans. When using social media and other electronic communications, Franciscan organizations — including friars, staff and volunteers — are advised to keep in mind the following:

1. All communication by friars and partners-in-ministry mirrors the Church and the Order. Social media are a global platform. Once something is posted, it is available and visible to anyone in the world who visits that site. Mindful of the public nature of social media, all content should be characterized by charity and should not contradict the vision and mission of our Franciscan way of life. Staff members and ministry volunteers are encouraged to keep in mind these guidelines.
2. All publicly available online information (profile information, postings, updates, and the like) should be consistent with the same professional Codes of Conduct followed in other public areas of ministry.
3. Images (photos, videos and graphics) are powerful. Care should be taken in the selection of the images posted assuring that all photos and videos are appropriate and respectful. Specifically, the following should never be posted:
  - a. Images that contain any level of nudity
  - b. Images that are provocative or suggestive
  - c. Images that contain a child alone or children by themselves (with no adult in the photo) unless specifically ministry related and the permission of a parent or guardian has been obtained in line with the policies of your respective province and diocese.
  - d. Images that contain personal or identifying information (names, addresses, phone numbers, license plates, etc.)
  - e. Images that depict an illegal act or activity
  - f. Images that contain vulgar symbols or gestures
  - g. Images that are likely to be offensive to a reasonable person
4. The fact that online information is widely available should always be kept in mind. Though privacy settings are available, very little information can be limited to a small audience. Deleting information, posts, photos and comments is often possible but sometimes difficult. What is posted will be visible for a long time.

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5. Interaction with minors through social media requires caution. Because the safety of children is always our priority in ministry, a few important reminders regarding appropriate interaction with minors through social media should be kept in mind:
  - o Be sure to obtain permission from a minor's parent/guardian before contacting the minor via social media or before posting pictures, video, and information that may identify that minor. Frequently, written permission is obtained.
  - o Make parents aware if social media are being used by their minor children in relation to your ministry.
  - o Save copies of conversations whenever possible, especially those that concern personal sharing. (This may be especially important with text messaging.)
  - o Adhere to the policy of your local diocese
6. Aim to keep posts appropriate, clear, respectful and always characterized by charity.
7. Be responsible. When in doubt about the content or tone of a post, leave it out. Although the style of social media text is informal, text should avoid sounding immature or unprofessional.
8. Be mindful that text does not always convey tone. Be cautious in the wording of posts (especially sarcasm meant as humour) since tone can often be misunderstood.
9. Identify yourself: authenticity and transparency are driving factors in the blogosphere and social media. When appropriate, provide your name and your role at your organization when you blog about topics that are related to your mission.
10. Respect the privacy of others. Do not publish or cite personal details and photographs of employees, volunteers, members of a ministry community, etc., without their permission.
11. Always comply with copyright laws and requirements.
12. Post a clear Code of Conduct for visitors to organizational websites and/or social media accounts. Do not allow defamatory, libellous, or slanderous speech. Example: "All posts and comments should be marked by charity and respect for the truth. They should be on topic and presume the good will of other posters. Discussion should take place primarily from a faith perspective. No ads please. Violations to these rules will be deleted."
13. Monitor postings regularly and remove posts that do not abide by site policy or individual standards. It's your site/page and you can police it as you see fit.
14. If problems arise with objectionable posts, consider strengthening privacy settings as a way to prevent postings from people whose topics or tone may be objectionable.
15. While anyone is free to create and maintain personal websites and social media content, users should be mindful that even personal sites must reflect Catholic and Franciscan values. It is important to understand that we are witnessing to the faith and to our Franciscan way of life through all social networking, whether organizational or individual. On personal sites like blogs, it is recommended to include a disclaimer, such as "The views expressed on this site are mine alone and do not necessarily reflect the views of my employer."
  - a. Be careful about online associations. The people and organizations (pages, groups) with whom you connect ("like" or join) convey an image. (Ex: A status update such as "Br.

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John likes 'Let's burn down churches' would arouse curiosity and probably concern.) On social media sites, be alert to the links on your profile page and what they convey. The image and intent of followers and friends affect one's own image.

- b. Never disclose confidential information about yourself, individuals or the organizations you serve.

### CONCLUSION

The English Speaking Conference of the Order of Friars Minor strongly encourages the use of social media by its members. These tools serve as an effective way to spread the Gospel and our Franciscan spirituality, to make visible the good works that we do in so many places, and to prove to be a valuable way to recruit vocations to our way of life.

By keeping in mind that every post and comment — both text and images — convey an impression of a person, our Franciscan ministry and a province, the posts can be a valuable method of sharing the Gospel. As is attributed to St. Francis, "preach the Gospel and, when necessary, use words."

The Designated Officer and Deputy Designated Officer are available to provide advice and support to those who are worried about the safety and welfare of children. Tom O'Donnell can be contacted on 086 - 2687209 or [dlp@franciscans.ie](mailto:dlp@franciscans.ie) and Br Niall O'Connell can be contacted on 01-6742541.

Additional information is available from a variety of resources, including:

- Website of the United States Conference of Catholic Bishops, from which sections of this document are based  
<http://www.usccb.org/about/communications/social-media-guidelines.cfm>
- Pontifical Council for Social Communications, "The Church and the Internet"  
[http://www.vatican.va/roman\\_curia/pontifical\\_councils/pccs/documents/rc\\_pc\\_pccs\\_doc\\_20020228\\_church-internet\\_en.html](http://www.vatican.va/roman_curia/pontifical_councils/pccs/documents/rc_pc_pccs_doc_20020228_church-internet_en.html)
- Praesidium <http://www.praesidiuminc.com/>

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Developed by the Communications Committee of the English Speaking Conference of the Order of Friars Minor • October 2013 Approved by the Provincial Ministers of the English Speaking Conference, October 10, 2013