

Introduction: What is this handbook about?

The Order of Discalced Carmelites in Ireland follow the Safeguarding Children Policy and Standards for the Catholic Church in Ireland 2016, the overarching policy on Safeguarding Children for all bodies in the Catholic Church in Ireland. This policy applies to all friars, to those defined as OCD personnel and to the ministry activities of the communities in Derry, Loughrea and Dublin (St. Teresa's, Avila and St Joseph's, Berkeley Road. A copy of the policy signed by the Provincial forms the first part of this Handbook.

Guidance to support the policy is provided by the National Board for Safeguarding Children in the Catholic Church in Ireland and was launched on June 29th, 2016
(<http://www.safeguarding.ie/index.php/guidance>)

The Order uses procedures based on this guidance to implement the standards and demonstrate the Order's adherence to safe practice. In the case of some procedures the language/content of the guidance has been nuanced or amended to more precisely fit Discalced Carmelite contexts but without any diminishment of substance/intent. Berkeley Road Parish is run by Carmelite friars and, while the policy is one and the same, the safeguarding procedures followed there are those of the Archdiocese of Dublin.

As Church bodies vary greatly in scale and operations, so too the safeguarding structures needed by them vary. This handbook, OCD Safeguarding Structures and Procedures, provides an overview of the Order's safeguarding structure and the roles and responsibilities of personnel involved in policy implementation, whether Prevention or Risk/Case management. It contains Terms of Reference for the Order's Safeguarding Committee for Ireland (SCI) and for the three Local Safeguarding Committees (LSC) in Derry, Dublin and Loughrea.

It supersedes any earlier OCD publications on safeguarding as all references are to the governing policy of 2016, its standards and related guidance. Numbering of various procedures used by the Order replicates that of the National Board Guidance, making for easy cross-referencing and correlation with any updates. It is a resource for easy reference.

Only the most commonly used procedures are included; decisions on the Order adopting/adapting procedures are made at SCI level, following which the templates/forms can then be added to this handbook. The handbook does not contain all the detail entailed in the safeguarding roles and responsibilities of the Church authority or DLP and therefore does not pretend to be comprehensive. However, the complete index of all items available in the NBSCCCI Guidance is provided as an

Appendix, making for easy accessibility/cross-referencing when/if a particular procedure is revised/required. It is anticipated that required procedures will be made available electronically; hard copy packs, aimed at various user-bodies (such as those with direct ministry with children) will be made available depending on need.

There are four main sections:

- the policy,
- the Order's safeguarding structure describing roles of key personnel and terms of reference for the safeguarding committees,
- commonly accessed procedures
- and related contextualization and appendices.

Just as each of the Seven Standards in Safeguarding Children Policy and Standards for the Catholic Church in Ireland 2016 form a vital part of one jigsaw, likewise the best outcomes for safeguarding are achieved when each and every one of us in the safeguarding structure takes responsibility for our own role in this ministry of safeguarding children.

We trust that those with particular roles, such as priors/local safeguarding representatives, safeguarding committees and community members and those who work with young people under the

auspices of the Discalced Carmelites will find this
this handbook a useful accompaniment to the
governing policy.

Michael Mc Goldrick, OCD

Fr Michael Mc Goldrick OCD
Provincial/OCD Authority for Child Safeguarding in
Ireland

September 20th 2017

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Section 1

Child Safeguarding Policy Statement and contact details

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

All Church personnel (including clergy, religious, staff and volunteers) have a responsibility to safeguard children through promoting their welfare, health and development in a safe and caring environment that supports their best interests and prevents abuse.

Anyone with child safeguarding concerns regarding Discalced Carmelite personnel in Ireland should contact:

OCD Designated Liaison Person (DLP)

Mr. Tom O'Donnell mobile: 00 353 (0) 87 268 7209
Or

Deputy Designated Liaison Person/DDLP

Fr Vincent O'Hara OCD: 00 353 (0) 87 675 6850

Statutory Authorities

**Republic of Ireland
An Garda Siochana**

Garda National Protective Services Bureau,
Harcourt St. Dublin 2: 01 666 3430/3435
Child Sexual abuse Garda Free-phone number:
1800 555 222

TUSLA Child and Family

Dublin South Central
Duty Social Work Department, Carnegie Centre, 21-
25 Lord Edward Street, Dublin 2
Tel: 01 6486500

Dublin South East
Duty Social Work Department, Our Lady's Clinic,
Patrick Street, Dun Laoghaire, Co. Dublin.
Tel: 01 6637300

Child Protection Social Work Department, Primary
Care Centre, St. Brendan's Campus, Lake Road,
Loughrea, Co Galway
Tel: 091-872700

Central Clerical Reporting Office, 2nd Floor, Unit
4.5 Nexus Building, Blanchardstown Corporate Park
1, Ballycoolin, Dublin 15. Phone number: 01-
8976888 (yet to be activated)

Northern Ireland

Police Service of Northern Ireland (PSNI):
Tel: 0044 (0) 845 600 8000 www.psnipolice.uk

Department of Health and Social Care in Northern
Ireland:

Derry Gateway Office - Whitehill, 106 Irish Street,
Derry, BT47 Tel: 028 7131 4090
<http://www.hscni.net/>

Foundations

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

1. Gospel

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

2. Children's rights, international and national law

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

A number of the child protection rights contained in the UNCRC are already present in key pieces of

national law, canon law, and child and family policy and guidance, including:

3. Republic of Ireland law, policy and guidance

- Children First Act, 2015
- Better Outcomes Better Futures, DCYA, 2014
- National Vetting Bureau (Children and Vulnerable Persons Act), 2012
- Criminal Justice (Withholding of Information on Offences Against Children and Vulnerable Persons) Act, 2012
- Children First: National Guidance for the Protection and Welfare of Children, DCYA, 2011
- Criminal Justice Act, 2006
- Our Duty to Care, DCYA, 2002
- Protection for Persons Reporting Child Abuse Act, 1998
- Child Care Act, 1991
- The Constitution of Ireland

Northern Ireland law, policy and guidance

- Safeguarding Board Act (NI), 2011
- Our Duty to Care (Volunteer Now), 2011
- Our Children and Young People: Our Pledge, 2006
- Cooperating to Safeguard Children, 2003
- Children (NI) Order, 1995
- Criminal Law Act (NI), 1967

In the laws of both jurisdictions, where there is a conflict between the best interests of the child and the interests of other parties, the best interests of the child are considered to have paramourty.

4. Learning from the past

In his Ad Limina address to the Irish Bishops on 28 October 2006, Pope Benedict XVI stressed the need to (i) establish the truth of what happened in the past; (ii) to take whatever steps are necessary to prevent it from occurring again; (iii) to ensure that the principles of justice are fully respected; and (iv) above all, to bring healing to the victims and to all those affected by these egregious crimes.

The statutory reports into historical child abuse that have involved the Catholic Church in Ireland, as well as the reports of the reviews conducted by the National Board of individual Church bodies, highlight past errors and recommend how child safeguarding can be significantly improved.

As a Church we commit to this journey of justice, truth, healing, reconciliation and abuse prevention.

Commitments

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

Mandatory reporting

Each of us has a duty to notify without delay the statutory authorities of suspicions, concerns,

knowledge or allegations that a child is being or has been abused:

- physically
- emotionally
- sexually
- through neglect

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

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

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

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

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

All suspicions, concerns, knowledge or allegations that reach the threshold for reporting to the statutory authorities (apart from those received in the Sacrament of Reconciliation) will be reported without delay via the designated liaison person to the appropriate statutory authorities. This will be done irrespective of the status of the person (lay, cleric or religious) who is suspected of having been abusive to a child. If the allegation relates to a lay member of Church personnel, in addition to notifying the statutory authorities, the allegation must be reported to the Church authority. If the allegation relates to a cleric or religious, in addition to notifying the statutory authorities, the allegation must also be reported to the Church authority and the National Board for Safeguarding Children in the Catholic Church in Ireland. All Church personnel will cooperate with the statutory authorities in all cases.

In responding to complaints of child sexual abuse relating to clergy and all those in forms of consecrated life, Church authorities will act in accordance with the requirements of civil law and canon law, and so will respect the rights and uphold the safeguards afforded in these, both to the complainant and respondent.

Caring pastorally for complainants and other affected persons

Those who have suffered child abuse by Church personnel will receive a compassionate and just response, and will be offered appropriate pastoral

care, counselling and support as they seek to rebuild their lives.

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

Caring pastorally for respondents and other affected persons

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

The Church authority will take responsibility for ensuring that any cleric or religious who is considered to constitute a danger to children is managed according to a risk management plan.

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

Respondents belong to families and diocesan or religious communities. The Church authority will be mindful of the need to provide support to members

of families and communities affected by the respondent's changed situation.

Scope of the Policy

This policy applies to all Church bodies and is addressed to all Church personnel who are required to comply with it. Full understanding of and adherence to this policy should lead to a deepening in the understanding of, and respect for, the rights of children and young people to participate as people of faith in the life of the Church.

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

Putting the Policy into Action

This Church body will implement this policy by ensuring that all our ministry and activities comply with applicable indicators of the seven safeguarding standards.

- Creating and Maintaining Safe Environments.
- Procedures for Responding to Child Protection Suspicions, Concerns, Knowledge or Allegations.
- Care and Support for the Complainant.
- Care and Management of the Respondent.

- Training and Support for Keeping Children Safe.
- Communicating the Church's Safeguarding Message.
- Quality Assuring Compliance with the Standards.

Commitment by the Church Authority

On behalf of this Church body, as part of the Catholic Church in Ireland, I commit to safeguarding children by agreeing to follow this Child Safeguarding Policy.

I will abide by and uphold the seven standards and the applicable indicators in our entire ministry and contacts with children.

The Discalced Carmelites will use procedures based on the Guidance of the NBSCCCI to implement this Child Safeguarding Policy.

Michael Mc Goldrick, OCD

Fr Michael Mc Goldrick, OCD
Provincial/Church Authority

On behalf of Order of Discalced Carmelites

September 16, 2016

Section 2 - OCD Safeguarding structure and roles – how the parts relate to one another

The diagram below shows the structure for key personnel involved within child safeguarding in the Order of Discalced Carmelites and those with whom the Order engages in the work of safeguarding and protecting children as part of the ministry of the Catholic Church in Ireland.

Leadership

**Creating and Maintaining Safe Environments/
Case Management
OCD Safeguarding Structure**

This diagram illustrates the two main interconnected but distinct parts to Child Safeguarding:

Standards 1, 3, 5, 6: the work of Creating Safe Environments/Prevention

Standards 2, 3, 4: the work of Risk and Case Management

Standard 7: the work of Quality Assurance

Roles and Responsibilities of key personnel in the structure for Prevention/Creating Safe Environments (Standards 1, 5, 6, 7) and Risk/Case Management (Standards 2, 3, 4)

OCD Provincial

The OCD Provincial has overall responsibility for the implementation of all safeguarding practices and procedures in the island of Ireland as a

constituent part of the Anglo-Irish Province. He exercises this responsibility by

- ensuring that the appropriate child safeguarding structures, procedures, resources including key trained personnel are in place and functioning, principally the two key Safeguarding personnel, Designated Liaison Person (risk/case management) and Safeguarding Coordinator for Training (Prevention /Creating safe environments);
- ensuring the appointment of suitable persons to the Safeguarding committees at local level, of Local Safeguarding Representatives (LSRs) for each local community and such other roles as are required (Support Person for Complainant, OCD Internal Supervisor, Adviser for Respondent, etc.);
- liaising with the Congregations of the Holy See, as appropriate in relation to the various Standards ;
- ensuring compliance with canon and civil law regarding areas such as vetting, safe recruitment, adult-to-child ratios, codes of conduct and risk assessment, reporting allegations;
- ensuring all necessary checks are done on persons coming to Ireland from overseas to undertake ministry;
- writing annually to the National Board for Safeguarding Children in the Catholic Church in Ireland (NBSCCCI) to confirm that an internal annual report has been completed;

- inviting the NBSCCCI to conduct reviews as necessary;
- carrying out systematic assessments of the implementation of the standards through visits to local areas of responsibility;
- upholding the seven standards in practice and behaviour.

All the elements of the structure are accountable to the Provincial as Safeguarding Authority through the roles of Designated Liaison Person (Risk/Case Management) and Safeguarding Coordinator for Training (Prevention).

Safeguarding Committee for Ireland (SCI)

The SCI comprises representatives from the three Local Safeguarding Committees in Ireland. It works directly with the Safeguarding Coordinator for Training and the Provincial/Council. Its work is supportive and developmental. The SCI supports the work of the OCD Safeguarding Coordinator for Training and the Provincial/Provincial Council on the range of matters involved in creating, maintaining and monitoring a safe environment for children in all aspects of OCD life and activity. See Terms of Reference (following section) for how it promotes child safeguarding.

The SCI is chaired by the OCD Safeguarding Coordinator for Training/Prevention (SCT) and will meet three times per year to evaluate its work and account to the Provincial for the discharge of its responsibilities.

OCD Safeguarding Coordinator for Training /Prevention (SCT)

The SCT is responsible for implementation and coordination of safeguarding procedures and practices as follows.

- Support the Provincial in the creation and management of safe environments through the establishment, development and revision of procedures for the Province.
- Liaise with the NBSCCCI Director of Training, ensuring that all child safeguarding personnel have appropriate levels of training and are kept up to date with practice, as communicated from the NBSCCCI.
- Liaise with the different levels of leadership – Local Leadership <-> Provincial leadership to ensure implementation of practices, requirements and procedures in the local communities and ministries.
- Oversee and maintain the structure that drives the Standards in Ireland.
- Co-ordinate Safeguarding Committees and related activities e.g. training, monitoring of the Standards
- Ensure a person is nominated and appointed to LSR role, co-ordinate and train the LSRs re

implementation of the Standards with members, staff and volunteers.

- Ensure the annual audit, and annual safeguarding report on Standards 1, 5 and 6 is made to the Provincial including correlation of records for training related activities.
- Ensure the completion of training needs assessments across the various safeguarding roles in the Province Safeguarding structure.
- With the Provincial ensure that appropriate safeguarding personnel are in place.
- Prepare for and attend annual accountability review meeting with the Provincial regarding the overall safeguarding structure and progress report on the strategic safeguarding plan to drive the Standards in Ireland.
- Ensure that there are clear procedures and mechanisms to communicate the One-Church Safeguarding Policy 2016 and the Order's associated procedures, including annual updating of the website data, newsletters, leaflets etc.
- To participate in on-going professional development consistent with the post and changing safeguarding demands in light of State/NBSCCCI audit outcomes.
- To inform the Provincial (or delegate) of developments and communicates the concerns, needs and requests of persons who have sought assistance.

Local Safeguarding Representative (LSR)

Every OCD community has a prior elected by the Provincial and Council and is normally appointed as the OCD Local Safeguarding Representative (LSR). In exceptional cases another friar in the community may be appointed LSR. The LSR is a member of the LSC. His role as LSR is to:

- raise awareness of what safeguarding involves in the OCD community and its ministry outreaches at least once annually;
- ensure that key safeguarding information is disseminated in the community and wider;
- co-operate with the OCD Safeguarding Coordinator for Training in relation to the monitoring of safeguarding practices, including the annual safeguarding audit (7.1C Template 1) and keep a copy on file;
- if necessary, assist an OCD friar or anyone requesting this to contact the DLP or Support Personnel;
- check and ensure that any activity taking place in the community or its ministries operates in a manner which facilitates the safety and wellbeing of the children involved, in line with the Safeguarding Children Policy and Standards for the Catholic Church in Ireland 2016 and the procedures used by the Discalced Carmelites;
- work closely with the LSC and notify the SCT if a ministry involving minors is to be initiated or there is a change in personnel with ministry/work involving minors;

- liaise with the SCI and SCT around areas where further child safeguarding advice and support are required;
- ensure the Policy Statement with contact details of the DLP, Gardaí/PSNI and TUSLA/HSCT is displayed in areas frequented by the public;
- uphold the seven standards in practice and behaviour.

N.B. The overall responsibility for safeguarding children in each OCD Community remains with the prior of the community and the appointed Local Safeguarding Representative. The LSR is supported in his role by an OCD Local Safeguarding Committee (LSC).

Terms of Reference for OCD Committees

I. OCD Local Safeguarding Committee (LSC)

There are three LSCs in Ireland: Dublin, Derry and Loughrea.

Purpose of LSC

The purpose of the LSC is to create, maintain and monitor a safe environment for children in allty aspects of OCD life and activity in the local area, working with the SCT to drive the seven standards in accordance with the Safeguarding Children Policy and Standards for Catholic Church in Ireland 2016.

Membership

- Chair: agreed by the Committee members

- LSR (local prior)
- At least two lay representatives
- Safeguarding Coordinator for Training to attend one LSC meeting per year.
- Designated Liaison Person to attend one meeting per year.

The Chairperson may from time to time invite others with particular expertise to attend part of the LSC meetings.

Appointments to the LSC and Term of Office

The members will include lay people drawn from a variety of backgrounds, expertise and contexts. Members are nominated by the local prior and are appointed by the Provincial for a period of three years which term shall be renewable for a further period of three years.

Membership will terminate by completion of the term of appointment, resignation made to the Provincial, dismissal, non-attendance over three consecutive meetings, breach of confidentiality, determination of which shall be at the discretion of the Provincial.

Responsibilities of the LSC

It is the responsibility of the LSC to ensure that all necessary procedures around creating and maintaining safe environments derived from the NBSCCCI Guidance (June 2016) and adopted/adapted by the SCI for use in OCD locations are in place and implemented locally. The LSC will:

- implement the three-year child safeguarding plan including the establishment and monitoring of local child safeguarding procedures;
- support the LSR in his role;
- ensure that issues relating to local practice are raised and resolved with the LSR or whatever level may be appropriate;
- conduct an audit of all organizations using the property, identifying those who have work with minors and ensure necessary safeguarding actions are taken;
- develop audits to ensure local adherence to required procedures;
- play a supportive role in the recruitment and selection of staff and volunteers who will have unsupervised role with minors;
- ensure that relevant and up to date information relating to safeguarding is posted in areas of the property used by the public;
- assess training needs and arrange for delivery of appropriate training and information to OCD personnel - local communities, staff and volunteers as and when required;
- help with correlation of records for training-related activities for OCD personnel - local community, staff and volunteers;
- ensure compliance with related civil laws and policies at local level;
- assist in identifying emerging needs and priorities;
- monitor and evaluate the effectiveness of its own work with annual review of roles to

include the values of confidentiality, respect and team work;

- ensure active communication with lay faithful, including children, guardians and other personnel in the compilation and effectiveness of a communications plan;
- work with the LSR to complete the end-of-year audit, consider the outcomes/gaps and prioritize necessary actions/follow-up;
- account to the SCT through the Safeguarding Committee for Ireland (SCI);
- uphold the seven standards in practice and behavior;
- any other unplanned safeguarding matters that may arise.

Frequency of meetings

There will be three meetings each year, convened by the Chair. Extraordinary meetings shall occur as necessary and shall be convened by the Chairperson or at the request of any three members. A quorum of half the committee members plus one shall be necessary for all meetings.

Communication and record-keeping

The agenda as drawn up by the Chair and issued ahead of the meeting. Minutes are kept in a standardised format and circulated to all members and the SCT within two weeks of the LSC meeting having occurred.

A copy of the Minute, signed by the Chair, is to be retained for Provincial Safeguarding files and a copy is to be retained locally.

Confidentiality

There is an annual review of roles and representation to include confidentiality, respect and team work.

2. OCD Safeguarding Committee for Ireland (SCI) - Terms of Reference

Purpose of SCI

The purpose of SCI is to work directly with the SCT and OCD Provincial/Council to create, maintain and monitor a safe environment for children in all aspects of OCD life and activity in accordance with the Safeguarding Children Policy and Standards for Catholic Church in Ireland 2016.

Membership

- Chair: Safeguarding Coordinator for Training
- OCD Provincial
- DLP representing the risk/case management aspect of Safeguarding.
- LSRs and one representative from each of the three Local Safeguarding Committee (LSC) in Derry, Dublin and Loughrea. The representative is agreed by each LSC.

Responsibilities include the following areas:

- Developing and implementing the three-year child safeguarding plan.
- Establishing and adopting safeguarding procedures based on the NBSCCCI Guidelines (2016).
- Coordinating local safeguarding representatives (LSRs).
- Coordinating activities related to child safeguarding, e.g. training for all OCD personnel.
- Ensuring the annual audit by the local communities, considering these and planning in relation to any matters arising.
- Ensuring that records for activities related to child safeguarding are produced and stored appropriately, including records for training.
- Ensuring the completion of training needs assessments across the various child safeguarding roles in the Order and delivery of training.
- Ensuring, with the Provincial, that the appropriate child safeguarding personnel are in place.
- Ensuring the safe recruitment of volunteers and staff who deal directly with children.
- Assisting in identifying emerging needs and priorities.
- The development of audits to ensure adherence to policies and procedures.
- Monitoring and evaluating the effectiveness of its own work with annual review of roles to include the values of confidentiality, respect

and team work and accounting to the Provincial.

- Developing and reviewing procedures and implementing and monitoring practices.
- Upholding the seven standards in practice and behavior.
- Any other unplanned safeguarding matters that may arise.

Frequency of Meetings

There will be three meetings each year, convened by the Chair. Extraordinary meetings shall occur as necessary and shall be convened by the Chairperson or at the request of any three members. A quorum of half the committee members plus one shall be necessary for all meetings.

Communication and Record Keeping

The Agenda is drawn up by the Chair and issued ahead of the meeting. Minutes are kept in a standardised format and circulated to all members within two weeks of the meeting having occurred. A copy of Minutes is signed by the Chair and is to be retained in the Provincial Safeguarding file.

Confidentiality

There is an annual review of roles and representation to include confidentiality, respect and team work.

Information Sharing with Safeguarding Committees

The Order agrees in principle that the Safeguarding Committees (LSC & SCI) are put in place to assist the Order to create and maintain a safe ministry environment. It follows that if the Order has information relevant to the safety of the environment it is to be shared with the committees for two reasons:

- to honour their safeguarding role in maintaining a safe environment for ministry;
- to increase awareness of a potential risk to the safety of the environment.

Any such sharing of information must comply with data protection requirements and respect the right of a person to privacy and their good name in the level of detail to be disclosed.

Information is shared at two levels, local (LSC) and national (SCI).

- At the SCI level appropriate information is shared orally and the Chair makes a judgement call regarding the extent of information to be recorded in the minutes in consultation with the risk manager/DLP.
- At the LSC level, appropriate information is shared orally and the Chair makes a judgement call as to the detail to be recorded in the minutes – often a more abbreviated version of that of the SCI in consultation with the Safeguarding Co-ordinator (SCT).

Section 3

Risk and Case Management work – overview of related safeguarding roles and responsibilities - Standards 2, 3, 4

Designated Liaison Person (DLP)

The Designated Liaison Person (DLP) is appointed by the Provincial. A deputy DLP (DDLDP) is also appointed who can act in the event that the DLP is not available to deal with the concern or where there is a declared conflict of interest. A panel of specialists in the field of Child Protection and Family Services and other relevant disciplines is available to assist the work of the DLP.

The DLP's role is threefold:

- (i) to receive information about a concern, allegation or disclosure of abuse relating to a Discalced Carmelite friar or Discalced Carmelite personnel, and to report and record all child-safeguarding concerns, allegations and disclosures to the civil and ecclesial authorities without delay;
- (ii) to be responsible for Risk/Case Management;
- (iii) to be responsible for carrying out an annual audit and completing an annual report

regarding compliance with Standards 2, 3 and 4 for the Provincial.

Risk Management responsibilities of DLP

It is the responsibility of the DLP to:

- receive allegations/concerns of child abuse;
- explain the procedures for addressing the suspicion, concern, allegation or disclosure to the person who has raised the concern; inform this person that their identity and the identity of the respondent and complainant will be shared with the statutory authorities. Leave contact details of the DLP if the referrer needs to ask questions later. The incident/concern should not be shared with anyone other than those who need to know, apart from the statutory authorities and appropriate Church authorities as detailed in these procedures;
- report on an individual case-by-case basis a concern to the statutory authorities without delay regardless of whether the respondent is alive or not. Consider with them the appropriate actions to take in terms of notifying the respondent and of managing risk where there are reasonable grounds for concern. No action by the Provincial should be taken that may interfere with any criminal or statutory inquiries being conducted by state agencies;
- notify an allegation in writing to the statutory authority agencies using the child protection referral form (Guidance 2.1A Template 1). All

fields should be completed, and if the information is not known this should be stated;

- forward a copy of this form to the NBSCCCI, and retain a copy on the case file;
- keep a written record of any contacts and/or meetings with statutory authority agencies and keep securely in the respondent case file;
- give written confirmation to the person making the referral that the information has been passed on to the statutory authorities. If this has not happened, an explanation should be recorded (this will not be possible when dealing with anonymous allegations);
- 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. See 2.2B Guidance on Case Management records;
- take possession of any written records made by any person in connection with the case and place them on the Child Protection Case File;
- work with the DDLP as required e.g. in the event of a conflict of interest, or to offer choice to children or adults coming forward;
- contact the emergency or appropriate service where a child appears to be at immediate and serious risk of harm;
- seek appropriate advice from TUSLA/HSCT, An Garda Síochána/PSNI, and NBSCCCI. The DLP must keep a written record of the outcome in the OCD Safeguarding Case File.

Decisions not to report a matter must be made by the TUSLA/HSCT;

- 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. No action by the Provincial should be taken that may interfere with any criminal or statutory inquiries being conducted by state agencies;
- 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 for the respondent;
- conduct an initial interview with the respondent as soon as possible, if TUSLA/HSCT, An Garda Síochána/PSNI have agreed that the interview can take place. (The purpose of agreeing this is to ensure that the Provincial is not prejudicing any criminal investigation. See Guidance 4.2A);
- give the respondent 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 anything he 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 procedures according to Standard 2.1 and as outlined in the relevant templates in NBSCCCI Guidance. (2.1A to 2.1J);
- notify the NCMC (Advisory panel), prepare the case submission dossier and submit the case for the agenda of the next meeting of the NCMC and attend that meeting with the Provincial as required;
- liaise with the National Board Office and have an overview of all matters dealt with under these procedures within the Order in the island of Ireland as a constituent of the OCD Anglo-Irish Province;
- allow TUSLA/HSCT, 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/HSCT, An Garda Síochána/PSNI about the outcome of their investigations; this request should be made in writing;
- ensure that the person raising the concern, disclosing abuse, or making an allegation and anyone who is implicated by that are regularly informed about the progress of the inquiry process;
- keep the Provincial updated regarding the health and well-being of the complainant;
- share information with the local diocese as required;
- share information with Safeguarding Committees as necessary and appropriate to the presenting case;
- liaise with the support person for the complainant to ensure that support, advice and pastoral care is offered to the complainant. If relevant safeguarding concerns are raised with the support person by the complainant, the DLP must ensure that these are passed on to the civil authorities and to the National Board for Safeguarding Children in the Catholic Church in Ireland (NBSCCCI).

Internal preliminary canonical investigation

Prior to proceeding with the internal preliminary canonical investigation in the case of clergy, or gathering the proofs in the case of a religious, written confirmation should be received from the statutory authority agencies, stating that their investigations have concluded (for clergy see Guidance 4.3A; for non-ordained religious see Guidance 4.3D) or where no such investigation takes place.

The Provincial commissions the internal investigation and appoints a competent person with the appropriate skill-set to carry out the investigation and submit the report with its recommendation to him. An internal investigation will be initiated in cases where child protection concerns remain or where disciplinary action needs to be considered. This internal investigation of an OCD friar will be carried out by the Order to meet the requirements of Canon Law. It should be conducted expeditiously and should be completed within three months, if possible. In cases where there is a delay, and where a friar 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.

Such an investigation will gather and assess available information from all sources and witnesses with regard to imputability. Every effort should be made, in consultation with the TUSLA/HSCT, An Garda Síochána/ PSNI, to avoid

the necessity to interview child witnesses for the purposes of disciplinary inquiries.

Where an allegation or suspicion is made against the DLP (if he is a friar) the information must be passed to the Deputy DLP and the process as outlined above should be carried out by him/her.

Case Management role of DLP - and related structures & roles

Case management is central to the DLP's role. The DLP is responsible for ensuring the establishment, functioning and monitoring of the various structures and roles set out in the sections which follow. The DLP is responsible to the Provincial for keeping and updating records in consultation with the Church and civil authorities as required.

Covenant of Care/Safety Plan Monitoring Structure

An OCD friar may be placed under precept and supervision in an OCD Community due to an allegation/conviction of child sexual abuse having been made against him. The number and severity of the restrictions placed on a respondent will be commensurate with the nature of the accusation. Adherence to this Covenant of Care/Safety Plan ensures that the respondent does not pose a risk to children.

The DLP creates a Covenant of Care for each respondent, in consultation in the first instance with the Civil Authorities - Child and Family

Agency/TUSLA or HSCT and An Garda Síochána or PSNI, to include consultation with the Provincial.

Aspects of monitoring

There are six aspects to monitoring:

- Internal supervision
- External supervision
- Monitoring Panel
- National Case Management Committee(NCMC)
- Adviser/Fraternal support for Respondent
- Support for Complainant

Internal Supervisor: OCD Friar

The internal supervisor for the respondent, normally the local prior, is appointed by the Provincial. His responsibilities are as follows:

- to comply with role induction training as provided by the external supervisor/OCD DLP;
- to comply with role training provided by the NBSCCCI;
- to call a formal meeting with respondent to introduce the Safety Plan/Covenant of Care/penal precept and to seek an undertaking of compliance and to remind him of the Code of Behaviour for all OCD/Church personnel – the schedule for monitor meetings is set out in the Covenant of Care/Safety Plan;
- to complete the Recording Template provided and forward to External supervisor/DLP who is the person responsible for managing the case file;

- to attend the Monitoring Panel accountability meeting with the Provincial convened by the External supervisor/OCD DLP - to include Church and/or civil authorities as required;
- to uphold the seven standards in practice and behaviour;
- to refer to external supervisor/OCD DLP as a source of support and guidance as needed.

External Supervisor: The DLP

The responsibilities of the DLP are as follows:

- to put in place and liaise with internal supervisors and respondents to monitor and oversee adherence of respondents to Covenant of Care /penal precepts/safety plan in consultation with the TUSLA/HSCT, & Gardaí/PSNI, NBSCCCI etc.;
- to convene the Monitoring Panel meeting with the Provincial on the adherence of respondents to their precepts or safety plan/covenant of care as referenced in foregoing paragraph on Internal supervisor (3rd bullet point);
- to advise on any action that is deemed necessary to ensure that the risk to children is minimised;
- to liaise with the civil and Church authorities: TUSLA/HSCT, Gardaí/PSNI, Diocese, NBSCCCI as required;
- to liaise with the Safeguarding Coordinator Training/Prevention and LSCs to educate and support communities with risk cases with

regard to risk identification, prevention and victim reduction;

- to keep records: the DLP ensures that relevant information regarding contact with the respondent is recorded and stored appropriately in the case file;
- to manage case files/all associated documents and storage in accordance with NBSCCCI guidelines and data protection;
- to liaise with Specialist and Advice Agencies as required e.g. GP, Psychiatrist, Psychologist, Child and Family Social Worker etc.;
- to uphold the seven standards in practice and behaviour;
- to refer to the civil authorities as a source of support and guidance.

Monitoring Panel

The DLP is responsible for putting in place a monitoring panel to assist in creating and monitoring compliance with the Covenant of Care/Safety Plan/Precepts etc.

The panel is convened and chaired by the DLP and consists of the Internal Supervisor and the Provincial/Councillor and may include Church representatives and/or civil authorities representative as required.

The DLP is responsible for record keeping and the sharing of information as directed by the panel.

Meetings are generally convened twice per year but may be called at any time on a need-basis.

The panel may consider referring a case to the NCMC for further advice and guidance on risk management matters arising if required.

National Case Management Committee (NCMC)

This is a consultative panel which is used to advise and assist the Provincial at all stages of the investigative process into alleged child sexual abuse by members of the Order. 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 Advisory Panel for the Discalced Carmelites is the National Case Management Committee (NCMC).

Adviser Role for Respondent

The NBSCCCI guidance recommends that each respondent has an adviser whose clearly defined role is “to listen to and represent the pastoral needs of the respondent” (Standard 4.1) with detailed

responsibilities described by the NBSCCCI included below.

Each OCD friar (Respondent) against whom an allegation of sexual abuse has been made has an adviser of his own choosing appointed by the OCD Provincial.

The adviser's role is as follows:

- to comply with appropriate training provided by the NBSCCCI;
- to offer fraternal support and a listening presence not counsellor or spiritual director;
- to be available to accompany to meetings as requested until matter resolved and closed;
- to advise of his right to obtain advice in both civil and canon law;
- to identify any therapeutic or other needs and suggest how these might be met;
- to represent the needs, concerns and wishes of the respondent to the Provincial/Local Prior and/or inform the respondent of same or attend meeting with DLP and respondent;
- to act as a sounding board for decisions/actions and point to sources of help as appropriate;
- to do 'fun' things together to ease burden of social isolation;
- to attend the enlarged six-month/annual review accountability meeting with the Provincial convened by the External Supervisor/OCD Case Manager;

- to refer to the external supervisor as a source of support and guidance as needed;
- other needs that may arise.

Information regarding meetings between the adviser and the respondent must be stored safely and securely (Appendix B). The following should be used as a guide to information that must be recorded:

- The date and time the meetings took place.
- Any relevant child safeguarding issues that have arisen.
- If the respondent has knowledge of a crime.
- Any requests for support or representations that the respondent wishes to make to the Church authority.

Information regarding the above points must be forwarded to the DLP for placing in the minutes of meetings section of the case file (Guidance 2.2B). It is advisable to share this record with the respondent prior to sending to the DLP.

If there are personal concerns about the respondent, if for example they are suffering from a mental health condition or are suicidal, this information should be passed to the DLP who will in turn pass it to the Church Authority who will record it in the respondent's personnel file. The record that is kept in the safeguarding file by the DLP should simply record that a private matter – not of a child

safeguarding nature was passed to the Church Authority.

Support structure for the Complainant

Support Person for Complainants and their Families

The Support Person for complainants and their families is appointed by the Provincial to be available to assist those who make an allegation or disclose abuse under these procedures. Under no circumstances should the same Support Person be provided for the complainant and for the respondent. There is a panel of support persons available, lay and religious, male and female, together with a list of Support Agencies in accordance with the presenting need and in order to offer choice. Outreach support through counselling is routinely offered.

Role of Support Person for Complainant

The responsibilities of the Support Person for Complainants are as follows:

- to comply with the appropriate training provided by the NBSCCI;
- to assist, where appropriate, with communication between the complainant (child or adult) making an allegation/disclosure and the DLP and the Order;
- to facilitate the child or adult in gaining access to information and help;
- to keep the complainant informed of the progress of the case;

- to help direct the complainant to counselling and support, mindful of the complainant's on-going vulnerability during this process;
- to represent the needs and concerns of the complainant during the inquiry process and thereafter as required;
- to consider any expressed wishes of the complainant, in regard to a pastoral response by the Order to his/her individual needs, and the fact that some may be reluctant to seek help;
- to record any meetings or contact they have with the complainant;
- to pass on any records as appropriate to the DLP in the course of regular meetings – noting that the DLP is responsible for managing the case file;
- to uphold the seven standards in practice and behaviour;
- to refer to the DLP as a source of support and guidance as needed.

If the complainant is a child, the support person should liaise with the parents or guardians of the child. The support person is not a counsellor to the complainant, and must not be or act as their therapist.

Frequency of meetings

The frequency of contact/meetings should be dictated by the complainant, but the support person needs to initiate contact at least once a year on an ongoing basis, unless the complainant explicitly

states that he does not want any further contact. This is to ensure that the OCD authority continues to make every effort to offer a supportive and pastoral response to complainants.

Appendix: Definitions

Child

A person under the age of eighteen years of age.

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 a single incident 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 abusive 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 organization 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.

Recognizing Child Abuse

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.

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.