

# Newsletter



Latest News from the National Office for Safeguarding  
Children in the Catholic Church in Ireland

December 2017

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## Introduction

Welcome to the final Newsletter of 2017. On behalf of the National Board and the National Office staff I wish you all a happy and a peaceful Christmas.

Reflecting upon the work over the past year, the key activity in the National Office has been to support the implementation of *Safeguarding Children 2016* across all Church bodies. Alongside this, we have been updating guidance in line with external developments, particularly in the Republic of Ireland, relating to child safeguarding legislation and statutory requirements. This Newsletter will largely focus on the changes that are imminent as we outline the new requirements under the Children First Act 2015 and the implementation of mandatory reporting and child safeguarding statements that follow from this; and will also identify guidance that is being continually developed, and the training that will be delivered in 2018 to support Church personnel to meet the additional legislative requirements.

# Children First Guidance and Supporting Documents 2017 (Republic of Ireland only)

Katherine Zappone, Minister for Children and Youth Affairs announced that the remaining sections of the Children First Act 2015 would commence on 11<sup>th</sup> December 2017. In addition she launched the revised *Children First: National Guidance for the Protection and Welfare of Children 2017*. Tusla has also launched a complementary suite of supporting documents and will add to these after December 11<sup>th</sup>. You can access these guidance and supporting documents at:

[www.safeguarding.ie/what-we-do/advice-on-effective-practice/supporting-best-practice](http://www.safeguarding.ie/what-we-do/advice-on-effective-practice/supporting-best-practice)

Two very important sections of the 2015 Act will, when commenced, have important implications for child safeguarding work in the Church. **From 11<sup>th</sup> December 2017** the provision relating to **Mandatory Reporting** will become law in the Republic of Ireland; as will the requirement for organisations that have ministry with children (Table 1 in Safeguarding Children 2016), to prepare their **Child Safeguarding Statements**.

The National Board is reviewing its own Guidance to ensure complete clarity around these two requirements, and we will issue amended guidance in the near future.

In short the following are the key expectations relating to these two sections:

## Mandated Persons (Republic of Ireland only)

- Mandated persons are people who have contact with children and/or families and who, because of their qualifications, training and/or employment role, are in a key position to help protect children from harm.
- The full list of people who are classified as mandated persons under the Act is in **Schedule 2**.
- Within a Church context a mandated person is a member of clergy and a pastoral care worker, or someone involved in child safeguarding
- Mandated persons have two main legal obligations under the Children First Act 2015.

These are:

1. To report to Tusla harm to children that is above a defined threshold; and
  2. If requested, to assist Tusla in assessing a concern which has been the subject of a mandated report.
- **Section 14(1) of the Children First Act 2015 states:**  
*...where a mandated person knows, believes or has reasonable grounds to suspect, on the basis of information that he or she has received, acquired or becomes aware of in the course of his or her employment or profession as such a mandated person, that a child– (a) has been harmed, (b) is being harmed, or (c) is at risk of being harmed, he or she shall, as soon as practicable, report that knowledge, belief or suspicion, as the case may be, to the Agency.*



- **Section 14(2) of the Children First Act 2015 also places obligations on mandated persons to report any disclosures made by a child:**

*Where a child believes that he or she–*

*(a) has been harmed,(b) is being harmed, or (c) is at risk of being harmed, and discloses this belief to a mandated person in the course of a mandated person’s employment or profession as such a person, the mandated person shall, ... as soon as practicable, report that disclosure to the Agency.*

- **Section 2 of the Children First Act 2015 defines harm as follows**

*...harm means in relation to a child–(a) assault, ill-treatment or neglect of the child in a manner that seriously affects, or is likely to seriously affect the child's health, development or welfare, or, (b) sexual abuse of the child.*

Under the legislation a mandated person is required to report any knowledge, belief or reasonable suspicion that a child has been harmed, is being harmed, or is at risk of being harmed. The Act defines harm as ‘assault, ill-treatment, neglect or sexual abuse’, and covers single and multiple instances.

The four types of abuse are described in Chapter 2 of Children First 2017: And the threshold of harm for each category of abuse at which mandated persons have a **legal** obligation to report concerns is detailed in Children First 2017 in Chapter 3, page 21 onwards. The Guidance allows for joint reporting with a DLP (page 25).

The approach agreed between the National Board and both the Department of Children and Youth Affairs and Tusla, is that allegations received by mandated persons within the Catholic Church (about Church personnel) can be jointly notified with the relevant DLP. This allows the DLP to assist in assessing whether the threshold for reporting has been reached. This does not prevent the mandated person from reporting directly.

All allegations made against clerics and religious will continue to be processed through the DLP in line with Standard 2 - Procedures for Responding to Child Protection Suspicions, Concerns, Knowledge or Allegations – [www.safeguarding.ie/images/Pdfs/Standards/Standard%202.pdf](http://www.safeguarding.ie/images/Pdfs/Standards/Standard%202.pdf) .


### **Child Safeguarding Statements (Republic of Ireland only)**

The Children First Act 2015 requires organisations that are providers of ‘relevant services’ to prepare a Child Safeguarding Statement. This is a written statement that specifies the service(s) being provided to children and young people, and the principles and procedures that are being observed to ensure, as far as is practicable, that a child availing of the service(s) is safe from ‘harm’.

A ‘Relevant Organisation’ is defined in the Children First Act 2015 as any work or activity specified in Schedule 1 of that Act.

A Child Safeguarding Statement includes an assessment of risk of ‘harm’ to a child who is availing of your service, and the statement specifies the procedures in place to manage any risks so identified. It must be understood that the Child Safeguarding Statement does not replace the Child Safeguarding Policy, but it sits alongside it and should reference the relevant sections of the policy.





In the context of the Church, this means that each Church body (in ROI) which falls within Table 1 of Safeguarding Children 2016 must have a Child Safeguarding Statement and must share the statement with all Church personnel involved in providing any service(s) to children and young people.

The Children First Act 2015 also requires that relevant Church bodies display their Child Safeguarding Statement publicly and make it available to parents and guardians, to Tusla, and to members of the public upon request.

The timeframe within which to develop a Child Safeguarding Statement is three months following the introduction of this aspect of the Act on December 11<sup>th</sup> 2017, i.e. the week leading up to St. Patrick's Day in 2018.

Tusla have provided guidance on creating a Child Safeguarding Statement here:

[www.safeguarding.ie/images/Pdfs/National\\_legislation\\_and\\_policy-ROI/4214-TUSLA\\_Guidance\\_on\\_Developing\\_a\\_CSS\\_v3.pdf](http://www.safeguarding.ie/images/Pdfs/National_legislation_and_policy-ROI/4214-TUSLA_Guidance_on_Developing_a_CSS_v3.pdf)

The National Board is currently developing a sample Child Safeguarding Statement which will reference the Church policy, and can be adapted for your use. When completed the template will be placed in the National Board's guidance, under Standard 6, at [www.safeguarding.ie/images/Pdfs/Standards/Standard%206.pdf](http://www.safeguarding.ie/images/Pdfs/Standards/Standard%206.pdf)

## Co-Operating to Safeguard Children and Young People in Northern Ireland (Northern Ireland only)

*Co-operating to Safeguard Children and Young People in Northern Ireland*, which was published in August 2017, replaces the previous *Co-operating to Safeguard Children guidance* issued in 2003. It provides the overarching policy framework for safeguarding children and young people in the statutory, private, independent, community, voluntary and faith sectors in that jurisdiction. It outlines how communities, organisations and individuals must, both in their individual capacity and in partnership with others, work to ensure that children and young people are safeguarded as effectively as possible.

The new policy was originally issued in March 2016 for consultation. It was then refreshed in August 2017 to include an updated definition of child sexual exploitation (see Section 7.2.7). In addition there is a very helpful section at 8.3 on *Information Sharing*.

### Revised Core Child Protection Policies and Procedures (Northern Ireland only)

The revised Core Child Protection Policies and Procedures have been developed using the ACPC Regional Policy and Procedures and the DoH policy document *Cooperating to Safeguard Children and Young People* revised August 2017.

#### The Core Policy and Procedures include the following:

- Responding to Abuse and Neglect.
- Referrals.
- Understanding the Needs of Children in Northern Ireland (UNOCINI).
- Child Protection investigation.
- Medical Assessment of Alleged or Suspected Child Abuse.
- Child Protection Case Conferences.
- Child Protection Register.
- Appeal Process in relation to Child Protection Registration.
- Management and Use of information about an individual of Concern.

## What are the main differences?

### **General amendments to Core Child Protection Policies and Procedures**

- Children and young people at the centre of interventions.
- Includes links to relevant documents, protocols and guidance.
- Reflects changes in practice, take cognizance of legislative changes, regional protocols and guidance.
- Takes account of issues relating to section 75 equality groups.
- Highlights the importance of consent and details principles of information sharing.
- Reflects current practice and terminology.

### **Specific Amendments to the Core Child Protection Policies and Procedures:**

#### **Responding to Abuse and Neglect**

- The categories/type of abuse includes **Exploitation** and changes in relation to **Neglect** in accordance with Cooperating to Safeguard Children and Young People revised August 2017.

#### **Referrals**

- Additional information in regard to the making, receiving and outcomes of child protection referrals.

#### **Child Protection investigation**

- Separate Policy and Procedure in relation the management of child protection investigations.

#### **Understanding the Needs of Children in Northern Ireland (UNOCINI)**

- Identifies UNOCINI Referral and Assessment Framework as the Regional platform to consider the needs of children and young people in need of protection.

#### **Child Protection Case Conferences**

- Prior to discharge of the child/young person a multi-disciplinary meeting or discussion should take place to share information which includes both hospital and community professional staff. A clear discharge plan with arrangements in place to protect the child/young person's welfare on return to the community should be agreed by the multi-disciplinary team.
- Includes links to the Regional Pre-birth Risk Assessment and Expectant Mother UNOCINI Referral.
- The responsibility for convening a Child Protection Case Conference lies with the Health and Social Care Trusts and removes this responsibility from the NSPCC to reflect practice in Northern Ireland.
- Education representation for initial Child Protection Case Conferences has been revised.
- The need to invite independent Guardian for Separated Unaccompanied Child/Young Person, child victim or potential child victim of Human Trafficking or Modern Slavery.
- Professionals should inform the case co-ordinator if they have ceased involvement with the family/associated adult.
- Sharing Case Conference Reports increased to two working days.
- The minutes of Child Protection Case Conferences will be distributed within 15 working days.
- Specific guidance around the sharing of information from the Child Protection Case Conference with parents.
- Clearer guidance in relation to chairing Core Groups.
- Following deregistration any Child in Need family support plan agreed should be reviewed within 3 months.

### **Child Protection Register**

- More detailed guidance regarding circumstances when children on the Child Protection Register move between Trusts and Jurisdictions.
- Reflects the new process in relation to missing persons.

### **Appeal Process in relation to Child Protection Registration**

- A new improved Child Protection Registration appeals process. Any request to appeal the decision of a Child Protection Case Conference should be forwarded in writing to the Child Protection Case Conference Chairperson within 15 working days of the Child Protection Case Conference rather than 14 days.
- The appellant can be accompanied by an advocate or friend.

### **Management and Use of information about an individual Persons of Concern**

- This chapter ensures continuity with the arrangements and approaches in the PPANI manual of practice. Key elements of Sharing to Safeguard are included as well as relevant considerations to be taken into account regarding the sharing of information. It also links with the child protection disclosure scheme which post-dates previous guidance. Note: there will be further reference to this section in the revision of DoH Guidance on information sharing.

## **Self - Audits**

We would like to remind each Church authority that there is a requirement to annually conduct a self-audit of its safeguarding practice in line with, Indicator 7.1 of Safeguarding Children 2016.

The National Board suggests that the self-audit is completed by the end of **December 2017** and that the Church authority notifies us by the end of **January 2018** that the self-audit has been completed.

The National Board will comment on the numbers of self-audits completed in its annual report in May 2018.

## **Proposed Review Methodology**

A paper setting out the revised Review Methodology was submitted to the Bishops' Conference (IEC) in June 2017 and to the AMRI Executive in August 2017. Staff from the National Office met with nominated Bishops and representative Religious from AMRI to review the draft. A process of legally proofing the document was then undertaken; and it has now been submitted to the National Board for approval.

The next steps are to share the amended draft with IEC and AMRI, and to seek approval from Coimirce through the Liaison Committee.

Early in 2018, one diocese and one religious congregation have agreed to trial the methodology. Following that, if further changes are required, these will be made and the Review Methodology will be resubmitted to Coimirce for final approval.



# Training and Support

All training and support is outlined in the Training and Support Strategy which can be downloaded by following this link. Upcoming training for this year is available at this link <https://www.safeguarding.ie/index.php/what-we-do/advice-on-effective-practice/training>.

## Training Manual

Following the publication of Children First Guidance and Supporting Documents alongside an updated version of Co-operating to Safeguard Children in NI, the relevant sections of the Training Manual have been revised and copies sent to all trainers across Ireland.

## Annual Training Returns

In order to maintain registration with the National Board, all trainers are required to complete a training return for each training event delivered between 1<sup>st</sup> April 2017 and the 31<sup>st</sup> of March 2018. The training returns form can be found here: [www.safeguarding.ie/images/Pdfs/StandardsDocs/5.3B%20Template%203-%20Training%20Returns%20Form.doc](http://www.safeguarding.ie/images/Pdfs/StandardsDocs/5.3B%20Template%203-%20Training%20Returns%20Form.doc)

The information from the returns is used to evaluate and update the content of the Training Manual. The statistics of training sessions delivered are reported on in the Annual Report of the National Board.

**All trainers should send returns to the Director of Training and Support, as soon as possible.**

## Training Events Delivered Since Last Newsletter

Since the last Newsletter the following training events have been delivered by the National Board

- **05/09/2017-19/10/2017- Formation Training (7 days)** - The annual formation programme was delivered to several groups of seminarians in Maynooth and to the entire community in the Pontifical Irish College in Rome.
- **13/09/2017 -Vetting Legislation Briefing with the Garda**- this event provided an opportunity to clarify requirements of the vetting legislation.
- **11/10/2017- Self Audit Training for Safeguarding Committees and Church Authorities**- This day was designed to answer questions and provide support to child safeguarding committees on the new audit framework templates.
- **12/10/2017 - Child Safeguarding and Digital Media - Practices and Challenges for Faith Groups in Ireland (co - hosted with NOTA)** - This one day conference provided participants with a greater understanding of good practice in managing the child safeguarding risks emerging from digital media in Irish society, with particular reference to faith groups. From the delivery of safe ministry with children and young people to managing respondents and supporting complainants, the range of speakers helped participants address the risks of digital media and how these can be managed in a Church context.
- **04/11/2017-9/12/2017- Train the Trainers Course**- The five day Train the Trainers course was delivered to participants from across the Church in Ireland. Upon completion of their community assessment the participants will be registered as trainers for three years to deliver the basic safeguarding training.
- **20/11/2017- Implementing the Safeguarding Standards (AMRI)** - the final of five sessions which have been delivered across the country was facilitated in the AMRI office. This was specifically for religious Church bodies. The session was designed to assist Church authorities in religious bodies with implementing the procedures to support the child safeguarding policy.



# Training and Support

## Forthcoming Training Events

All dates for national training are now available on the National Board's website here:

[www.safeguarding.ie/index.php/what-we-do/advice-on-effective-practice/training](http://www.safeguarding.ie/index.php/what-we-do/advice-on-effective-practice/training).

The following three events are being facilitated between January and March 2018:

- **21/02/2018- Safeguarding Training for New Church Authorities-** This training day is specifically for leaders of Church bodies to induct them into their strategic role in relation to child safeguarding.

The day will cover a range of topics relating to safeguarding including:

- The strategic role of the Church authority in relation to safeguarding.
  - Pastoral ministry and safeguarding.
  - The importance of support and supervision.
- **07/03/2018- Children First and DLPs-** Given the recent changes in legislation in the Republic of Ireland this day will outline the changes in the legislation around mandatory reporting and its implications in practice for DLPs.
  - **21/03/2018-Role Specific Training for new DLPs-** This training is designed for people who have recently taken on the role of Designated Liaison Person (DLP), or who have not been able to attend role specific training before. It will cover the following areas:
    - Clarifying the role of DLP.
    - Hearing safeguarding concerns and record keeping.
    - Communication and supervision.
    - Conducting an internal report on cases for the Church authority.

This training is an annual fixture in our training calendar; it was previously facilitated on the 8th of June 2016 and 5<sup>th</sup> April 2017. If you have already attended these dates you do not need to attend again.







THE NATIONAL BOARD FOR  
**SAFEGUARDING CHILDREN**  
IN THE CATHOLIC CHURCH IN IRELAND

# Practice Issue- Garda Vetting (ROI)

The National Board is aware that the Garda Vetting Bureau is conducting an audit of vetting and has sought information on the retention and storage of vetting records.

The National Board's Guidance is in line with advice from the Data Protection Commissioner as follows:

'The Church body is responsible for appointing a data protection officer to ensure that all records are retained, stored and destroyed appropriately ([see Appendix B](#)). Consideration should be given to the storage of application forms, references and any other records of vetting checks that have been carried out in line with data protection legislation. All records should be retained at least until the conclusion of the vetting process; thereafter all documentation gathered during the vetting process (for example identity check) should be returned to the applicant or destroyed. A record that a vetting check has been carried out should be retained in line with data protection legislation ([Appendix B](#)).

In ROI, the office of the Data Protection Commissioner recommends that vetting disclosures should be routinely deleted one year after they are received except in exceptional circumstances. In case of future queries or issues in relation to a vetting disclosure, the reference number and date of disclosure may be retained on file and this can be checked with an Garda Siochana. This practice is sufficient for all organisations engaged in vetting, including organisations subject to external statutory inspection of staff vetting practices. '

The National Board has written to Superintendent Myler to seek clarification on how the Garda Vetting Bureau's need for retention of records is aligned to the advice from the Data Commissioner. We will advise you further upon receipt of a response.

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THE NATIONAL BOARD FOR  
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Children in the Catholic Church in Ireland, 2017

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