

## Missionary Society of St. Columban

### *Guidelines for Policy Development for Preventing and Dealing with the Abuse of Minors and Vulnerable Adults*

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#### **Section 1 Introduction:**

These Guidelines are intended as a starting point for leadership teams in each Columban Region/Mission Unit to assess and progress policies and practices for the prevention of the abuse of minors or vulnerable adults and the management of any case that is notified to the Region/Mission Unit. The document sets out some practical guidance and sample documents. It aims to provide guidance on handling child safeguarding cases (including allegations of neglect, sexual, emotional or physical abuse). The Society does not run educational or care institutions. The experience of the Society to date has shown that the primary focus of our efforts needs to be on the prevention of sexual abuse and the management of cases where allegations have been made against our members. This document however includes all categories of abuse against children and vulnerable adults.

These Guidelines refer to two overlapping sets of obligations. The first relates to the duty of each member and associate<sup>1</sup> to protect children and vulnerable adults from any kind of abuse or neglect, which includes ensuring that such abuse does not occur. This requires education, training, vigilance, and appropriate procedural and boundary safeguards for members and associates. The second set of obligations relates to the duties of each member and associate when abuse or neglect has occurred. The second set of obligations is wider as it can include situations where a member and associate becomes aware of abuse or neglect occurring within or outside the Columban community. The document ensures that members and associates are aware of their moral responsibility (and in some countries their legal responsibility) to take appropriate action to protect children and vulnerable adults who may be or have been abused (no matter what the source or the cause of such abuse or neglect may be). The document aims to encourage a culture of proactive engagement in abuse prevention, starting firstly with a Society wide practice of transparency and reporting to the local civil authorities.

These Guidelines refer to both children and vulnerable adults. They take as their definition of “vulnerable adult” the conception that exists in many common law countries of a vulnerable adult being someone who is over the age of 18 but whose ability to manage their own affairs, understand their personal situation and protect themselves from harm is compromised by a psychiatric or psychological injury or disorder. In short, for the purposes of this

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<sup>1</sup> In these guidelines, the term “associates” includes students, lay missionaries, employees, volunteers and contractors who work with us in our name

document a vulnerable adult is someone suffering from a psychiatric or psychological problem which reduces their ability to look after themselves. The difficulty with providing for general procedures in respect of abuse of vulnerable adults is that different legal systems deal with vulnerable adults in very different ways. This document therefore has an additional check list for matters relating to vulnerable adults. This checklist functions in addition to the checklist for child protection policies but contains additional elements relevant to the protection of vulnerable adults. Due to the disparate legal treatment of the abuse of vulnerable adults in different legal jurisdictions, this document does not contain a template vulnerable adult protection policy but incorporates references to vulnerable adults in the Child Protection Policy.

Many Regions/Mission Units will already have appropriate policies and procedures in place. Such Regions/Mission Units must self-audit these policies and procedures with the checklist set out in Section 2. The checklist gives the details of what such policies need to have *as a minimum*. There are many matters which could be set out in these policies which are not set out in the checklist but would be appropriate to include in a Region/Mission Unit's policy. The checklist summarises the basic requirements for such policy. It is of course open to any Region/Mission Unit to have elements over and above what is set out in the checklist provided these additional elements do not contradict other points of the checklist.

The Society recognises that in many countries, awareness of abuse against minors is only developing. In many Regions/Mission Units therefore, there may have been no pressing need or legal requirement to develop a child protection policy. With this in mind, the Society has provided, in Section 4, a template policy for adaption for use in any Region/Mission Unit. Where a Region/Mission Unit already has a policy in place, portions of the template policy can be incorporated into the existing policy to augment it. The policy is designed to be a practical aid to our members and associates on a day to day basis. It is however a generic document, which does not relate to the legal situation in any one country. Before formal adoption therefore, the template document should be reviewed and customised depending on the legal obligations and structures of a particular country.

The purpose of these Guidelines is to ensure that there is a clear statement of Society policy on Child Protection at all levels of the Society and in all Regions/Mission Units. The Guidelines do not require that each Region/Mission Unit has the same policy, merely that the policy that is in place conforms to the minimum standards of the checklists set out in sections 2 and 3. A sample policy is provided in this document to assist Regions/Mission Units in drafting their policy. This sample policy can be adapted or adopted in whole or in part by each Region/Mission Unit as they deem appropriate. It is the responsibility of each Regional Director/Mission Unit Coordinator to ensure that their Region/Mission Unit has a child protection policy which corresponds with the checklists. Before a policy is formally ratified by local leadership, or before any significant changes to an existing policy are ratified, the draft should be submitted to the General Council to ensure that it is acceptable on the basis of the Society-wide norms set out in these Guidelines.

It should be noted that it is not the intention of the Society to supersede any local policies. Many Regions/Mission Units are based on countries where the local Church already has a Child Protection Policy which applies to all Church entities and must be adopted by each Church entity. Where this is the case, the Society does not require that the Region/Mission Unit has two Child Protection policies (a Society policy and a Church policy). The Society does however require that each Region and Mission Unit has an appropriate policy in place which meets the

minimum standards set out in the checklist below. Similarly, the Society does not require that a particular Region/Mission Unit duplicate bodies or structures which exist already in the local Church and to which the Region/Mission Unit can subscribe to or be bound by. Where there is a local Church Child Protection Policy or structure, but this policy or structure does not reach the minimum standards set out in these Guidelines, the Region/Mission Unit will have to consider how best to augment the local Church child protection regime in order to reach the minimum standards required by the Society. For example, this may require the adoption of a more stringent reporting policy or the creation of a particular panel or committee to replace or complement existing local structures.

Finally, the draft policy set out in these Guidelines should not be adopted blindly. Portions of it will require local legal and canonical advice. Each local policy should be drafted with an awareness of local legal parameters and cultural norms e.g. reporting, offender management etc.

## **Section 2: Child and Vulnerable Adult Protection Policy Procedures Checklist**

This document is not a sample or template policy but is a checklist for individual Regions and Mission Units of the Missionary Society of St. Columban to assess their own child and vulnerable adult protection policy. It is a guideline only but each Region and Mission Unit should be able to certify that its written policies and active procedures contain at least the elements listed in this document. When new or amended policies are drafted, they will be assessed and approved by the Superior General (in consultation with his Council) on the basis of these checklists prior to ratification by the Region/Mission Unit.

It is designed to be of use regardless of the legal jurisdiction of the Region/Mission Unit and makes no reference to local legislation or law. In most cases, what is required in this checklist may exceed what is required by local legislation or regulations. The Regional Director/Mission Unit Coordinator should ensure that the Society's policies and procedures for that Region comply with all civil and criminal requirements in the country, particularly where local legislation or regulation has more onerous or different requirements than the Society's guidelines. What follows is not legal advice and each Region/Mission Unit should consider whether it should seek legal advice prior to adopting a new policy or amending its existing policy. This is particularly so in relation to the requirement to report matters to the local civil authorities.

Sample wording is given in some sections and this can be used "as is" or may be adapted/customised for each Region/Mission Unit.

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1.	<b>Introduction from Regional Director/ Mission Unit Coordinator</b>	<b>Check</b>
1.1.	Introduction gives date of adoption of policy.	
1.2.	Introduction sets out the commitments of the Society in relation to:	
	<ul style="list-style-type: none"> <li>• Adhering to best practice for child protection</li> </ul>	
	<ul style="list-style-type: none"> <li>• Implementing the policy</li> </ul>	
	<ul style="list-style-type: none"> <li>• Working with civil authorities</li> </ul>	
	<ul style="list-style-type: none"> <li>• Working with victims of abuse and listening to them</li> </ul>	
	<ul style="list-style-type: none"> <li>• Reaching out to victims of abuse</li> <li>• Working within the norms established in the country by the law and by the relevant civil authorities</li> </ul>	
1.3.	Introduction contains the Society's policy statement in relation to ensuring the safety of children, encouraging their participation in the work of the Church and in faith based activities and in relation to the special duty of care the Society and the broader Church have in working with children.	
1.4.	Introduction identifies the current Regional/ Mission Unit Child Protection Committee (RMUCPC)	
1.5.	Introduction is signed by current Regional Director/ Mission Unit Coordinator.	

<b>2.</b>	<b>Contact Details for Regional/Mission Unit Child Protection Officer, civil authorities etc.</b>	<b>Check</b>
2.1.	Name and contact details (phone number, email address, postal address) of Society's RMUCPO and, if appropriate, their photograph to facilitate easy identification for complainants.	
2.2.	Name and contact details (phone number, email address, postal address) of Society's Regional/Mission Unit Deputy Child Protection Officer and, if appropriate, their photograph to facilitate easy identification for complainants.	
2.3.	Name and contact details (phone number, email address, postal address) of appropriate contact person/office in the police or appropriate local law enforcement agency.	
2.4.	Name and contact details (phone number, email address, postal address) of appropriate contact person/office in appropriate government department/agency for child protection.	

3.	Interpretation of Terms Used in the Policy	Check
3.1.	While the age of majority and the age of consent for sexual activity vary from country to country, Article One of the United Nations Convention of the Rights of the Child 1989 defines a child as someone under the age of 18. The Society endorses this definition and for the purposes of child protection treats anyone under the age of 18, regardless of any national law to the contrary <sup>2</sup> , as someone who is entitled to protection as a child. The Regional/Mission Unit policy must reflect this.	
3.2.	For the purposes of this document a vulnerable adult is a person who has reached the age of 18 who has a disorder of the mind or an intellectual disability which is sufficiently serious to restrict their ability to protect themselves from sexual or physical exploitation or abuse. In order to ensure that the document remains clear and easy to read, the Guidelines take it that such a vulnerable adult is in fact a child and all references to a child or children in this document should be taken to include vulnerable adults. <sup>3</sup>	
3.3.	Abuse should be described as including all four aspects listed below – physical, sexual, emotional and neglect. The descriptions included below detail what will constitute physical abuse, emotional abuse, sexual abuse and neglect – local variations in the definition may be required depending on statutory requirements in each country. Equally, cultural norms and practical considerations in a particular country may mean that while similar treatment elsewhere might be considered abusive and while the treatment is less than what children everywhere might deserve, in a particular country (where poverty is rife or government resources are scarce) it is too common to warrant being listed as abuse. In such a case consideration must be given to whether the descriptions below need to be varied. A common sense approach must prevail in policy drafting and the principles set out in this document will not apply unchanged in every country.	
3.4.	<b>Physical abuse</b> includes <ul style="list-style-type: none"> <li>• causing any kind of physical harm to a child</li> <li>• failing to act to protect a child who is being harmed</li> <li>• allowing a child to be physically harmed</li> <li>• physical punishment or use of excessive force in handling</li> </ul>	

<sup>2</sup> In a number of jurisdictions, a person under 18 who is in military service, who is married or who is in prison is no longer treated as a child. The Society does not make such distinctions.

<sup>3</sup> This is in accordance with Art.6 s §.1 of the *Normae de Gravioribus Delictis* (15<sup>th</sup> July 2010) which states that “a person who habitually lacks the use of reason is to be considered equivalent to a minor.”



	<ul style="list-style-type: none"> <li>the fabrication of symptoms or deliberately inducing illness in a child (e.g. Munchausen's syndrome by proxy).</li> </ul>	
3.5.	<p><b>Emotional abuse</b> can arise in the context of a relationship between a parent/carer and a child or in a series or pattern of events. It occurs when a child's developmental need for affection, approval, consistency and security are not met. Unless other forms of abuse are present, it is rarely manifested in terms of physical signs or symptoms. It includes:</p> <ul style="list-style-type: none"> <li>(a) the imposition of negative attributes on a child, expressed by persistent criticism, sarcasm, hostility or blaming;</li> <li>(b) premature imposition of responsibility on the child;</li> <li>(c) under- or over-protection of the child;</li> <li>(d) failure to show interest in, or provide age-appropriate opportunities and objectives for the child's cognitive and emotional development;</li> <li>(e) use of unreasonable or over-harsh disciplinary measures;</li> <li>(f) exposure to domestic violence;</li> <li>(g) exposure to inappropriate or abusive material through new technology.</li> </ul>	
3.6.	<p><b>Sexual abuse</b> occurs when a child is used by another person for his/her sexual gratification or sexual arousal or that of others. Such activities may involve physical or non-physical contact, 'grooming', exploitation of the child for sexual purposes or consensual sexual activity between an adult and a person below the age of legal consent for such sexual activity.</p>	
3.7.	<p><b>Neglect</b> can be defined in terms of an omission, where the child suffers significant harm or impairment of development by being deprived of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, attachment to and affection from adults, and/or medical care.</p>	
3.8.	<p>The Policy should give some assistance to members and associates to allow them to recognise possible signs of abuse e.g. typical symptoms of different types of abuse.</p>	

3.9.	In drafting the policy, the Region/Mission Unit should discuss whether a code of conduct giving members of the Society guidance on how to safely interact with children and vulnerable adults would be of benefit to members of the Columban community in that country.	
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4.	<b>Action to be taken when a concern or allegation of abuse is received</b>	<b>Check</b>
4.1.	The provisions of this section in relation to reporting will normally apply in every jurisdiction. Deviation from the standards set out in this document will only be allowed where the Superior General (in consultation with his Council) accepts that specific local circumstances in that Region/Mission Unit mean that reporting of allegations to the civil authorities in the manner set out below is not appropriate. This may be due to local issues with law enforcement, local customs or local historical contingencies.	
4.2.	Whomsoever makes a complaint or raises a suspicion of child or vulnerable adult abuse of any kind or neglect of a child should be strongly encouraged to bring that information to the attention of the local law enforcement agency and/or child protection agency.	
4.3.	Any person making a complaint or raising a suspicion should immediately be told that, where appropriate, all such information will be passed by the Society to the local law enforcement agency and/or child protection agency.	
4.4.	Any person making a complaint or raising a suspicion should not be given any assurance that the information will be kept secret. It will be shared on a need to know basis, depending on what steps are necessary to protect the child in question.	
4.5.	If the information relates to a member or associate of the Society, the initial contact person must immediately report the information to the RMUCPO.	
4.6.	On receipt of information from any person, whether from a complainant, another member or associate, a third party or an anonymous complaint, the RMUCPO shall report that information to the local law enforcement agency and/or child protection agency. It should be made clear in the policy that all information will be reported regardless of whether the respondent is still alive or still a member of the Society. The requirement to report to the civil authorities may need to be varied in certain countries where there are local issues with law enforcement, problems with corruption or where local law enforcement agencies are ineffective.	
4.7.	As soon as possible, after receiving information related to the protection of a child or vulnerable adult protection, the RMUCPO shall open a case file for the information received.	
4.8.	The RMUCPO will produce a note of the information given to him, shall give a copy of this to the person making the complaint or raising the concern, shall place a copy of this on the case file and shall send a	

	copy of it to the local law enforcement agency and/or child protection agency in a manner which allows for verification of receipt e.g. registered/recorded postal delivery or email.	
4.9.	The policy should include a clear workflow highlighting the above steps and clarifying who needs to take which action and when.	
4.10.	The policy should give clear guidance to members and associates about how to engage with someone who is making a complaint and what action should be taken. It should also highlight that where a meeting with a complainant has been pre-arranged, it should be attended by at least two people (and if appropriate that one of those should be female) authorized by the Society. This is for the protection of the complainant and the Columban representatives meeting them.	

5.	<b>Action to be taken where a complaint is received of inappropriate behaviour towards a child.</b>	<b>Check</b>
5.1.	The Policy should have a procedure for investigating complaints of inappropriate behaviour towards children which do not amount to abuse.	
5.2.	The policy should clearly state what the threshold of this inappropriate behaviour is or give examples of it e.g. behaviour that involves teasing, name calling, use of age inappropriate language, age inappropriate topics of conversation, insensitive or unfeeling comments etc.	
5.3.	This procedure should make clear that the complaint will be investigated and that the Society can take such steps as are necessary to resolve the complaint.	
5.4.	The procedure should provide that the RMUCPO will be responsible for dealing with such complaints and will keep an appropriate record of them.	
5.5.	The Policy should set out the timelines for the various steps in the procedure.	
5.6.	The RMUCPO will be empowered to act as an investigator and if necessary a mediator between the complainant and the respondent.	
5.7.	The RMUCPO will be empowered to receive complaints, in writing or otherwise and to seek a response to the complaint from the respondent in writing or otherwise.	
5.8.	Having considered the submissions and having heard both sides, the RMUCPO can make a formal finding that complaint is well founded or that it is not well founded.	
5.9.	<p>The RMUCPO can, on foot of his/her finding, direct the respondent to do any of the following:</p> <ol style="list-style-type: none"> <li>1. Undertake to never behave in the manner again</li> <li>2. Apologise to the complainant</li> <li>3. Undertake specific training</li> <li>4. Undertake under supervision the work out of which the complaint arose.</li> <li>5. Work with a mentor or named person.</li> </ol>	
5.10.	The Policy should provide for an appeal from any decision (including the initial finding or any direction following on that finding) to the Regional Director/Mission Unit Coordinator or similar person within a particular period e.g. 21 days.	

6.	Reaching out to and caring for victims of abuse	Check
6.1.	The Society is first and foremost a Christian organisation. We are obliged by the teachings of Christ and our founders to reach out to the vulnerable and hurt in our world. Victims of abuse, particularly when they are victims of abuse at the hands of members or associates of an organisation such the Society, are amongst the most vulnerable of all.	
6.2.	Without inquiring into the truth of any allegation, or the legal responsibility of the Society for any hurt done, the Society shall ensure that a support person is made available to any complainant. The support person shall not act as a counsellor or therapist but will act as a liaison between the RMUCPO and the complainant.	
6.3.	A male and female support person should be available to ensure that complainants can have access to a support person of either sex.	
6.4.	Without inquiring into the truth of any allegation, or the legal responsibility of the Society for the hurt done, the Society shall assist the complainant in obtaining counselling or appropriate therapy, including, where appropriate providing financial assistance to pay for such counselling or therapy.	
6.5.	Where legal proceedings have been taken or are possible, legal advice should be sought on how the Society can discharge its pastoral obligations to victims of child abuse.	

7.	<b>Managing respondents/persons against whom allegations have been made</b>	<b>Check</b>
7.1.	Where the person about whom a complaint has been made (the respondent), is a member or associate of the Society, they should be informed of the allegation(s) made, they should be advised to seek independent legal advice and should be told that the information has been passed to the appropriate civil authorities. As already stated above, the civil authorities should be notified and consulted first. The alleged wrongdoer should only be informed <u>after</u> the appropriate reports have been made to the civil authorities. Subject to local legal advice, the respondent should be placed on paid administrative leave/furlough and told that no decision has been taken as to the veracity of the allegations but that the respondent's absence from the workplace is required to ensure a fair investigation of the allegations. The Society should immediately obtain appropriate legal advice before proceeding any further.	
7.2.	Where the person about whom a complaint has been made (the respondent), is a member of the Society and once the appropriate civil authorities have been informed, a) He should be informed of the allegation(s) made, b) He should be advised to seek independent legal advice – both from canon and civil lawyers and if necessary and appropriate, provided with the means to enable him seek such advice, c) He should be told that the information has been passed to the appropriate civil authorities, d) He should be informed of the procedures which will be followed, e) He should be informed that he is not required to make any statement or response to the allegations but that if he does so, this will be passed to the civil authorities and may be later used in any investigation or canonical process.	
7.3.	Where the RMUCPO has any doubts over the veracity of the complaint or the credibility of the complainant, the RMUCPO will work with the Regional Director/Mission Unit Coordinator to make an initial assessment of the complaint/allegation. An initial assessment <b><u>will not</u></b> be required in every case, the presumption being that most allegations will not be vexatious or malicious. The Policy should make provision for the initial assessment of complaints by the RMUCPO working with the Regional Director/Mission Unit Coordinator. While most allegations will be made in good faith, it should be noted that allegations can be made on the basis of a mistake	

	or error e.g. mistaken identity, incorrect recollection. Also, while it is uncommon, allegations can be made in malice or as a result of mental health problems. The Policy should provide that if the initial assessment is that the complaint or allegation does not have a ring of truth about it, the Regional Director/Mission Unit Coordinator can direct the RMUCPO to note the complaint without taking any further action. As such a direction can have serious consequences if the initial assessment is incorrect, such a step should only be taken where the allegation is patently unfounded.	
7.4.	If the respondent is a member of the Society, the Policy should suggest that consideration be given as to whether he should be immediately sent to an appropriate medical practitioner/psychiatrist or institution for an assessment as to his risk to children. This assessment should result in a report which will assist the Regional Director/Mission Unit Coordinator as to what restrictions on the ministry of the respondent might be appropriate.	
7.5.	<p>While waiting for receipt of the risk assessment report, the respondent member (the member against whom an allegation has been made) should be placed under a formal written precept from his Superior requiring that</p> <ul style="list-style-type: none"> <li>a) He has no public ministry, that he celebrate no public sacraments and can only celebrate mass within the Columban House provided there are no members of the public present,</li> <li>b) He cannot have access, supervised or unsupervised, to children,</li> <li>c) He should reside in a particular, named Columban House and report on a daily basis to a particular named House Leader or Superior.</li> </ul> <p>Such additional restrictions as may be appropriate in the circumstances must be included in the precept. A support person should be immediately appointed for the respondent and counselling offered if that is appropriate.</p>	
7.6.	On receipt of the risk assessment report the Regional Director/Mission Unit Coordinator shall decide, in consultation with the RMUCPO and the Regional/Mission Unit Child Protection Committee what action should be taken next. If a further written precept is put in place (for example if police or civil investigations are ongoing), a decision must be taken as to the appropriate duration of the precept taking into account the respondent's right to his good name and his right to fair procedure/due process.	
7.7.	The RMUCPO will not be responsible for making decisions in relation to standing aside from ministry or the nature of the	



	<p>appropriate precept – this is exclusively a matter for the Regional Director and his Council or the Mission Unit Coordinator and his Coordinating Committee as applicable. The Regional Director/Mission Unit Coordinator shall be responsible for monitoring the wellbeing of each person against whom allegations have been made or concerns have been raised. The Regional Director/Mission Unit Coordinator must give appropriate consideration to putting in place structures or appointing an appropriate person to ensure that the respondent member is properly supervised and adheres to the restrictions contained in the precept. The Regional Director/Mission Unit Coordinator must also ensure that appropriate support is given to a respondent member. If the allegation is not true, then support will plainly be very necessary and if the allegation is true, the clinical evidence is that putting in place appropriate support will reduce the chances of the respondent reoffending.</p>	
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<b>8.</b>	<b>Reporting to the Congregation for the Doctrine of Faith and the Civil Authorities</b>	<b>Check</b>
8.1.	Where appropriate and at an appropriate stage, the matter should be reported in full to the CDF in accordance with canonical norms. This can normally only happen when the civil authorities have completed their investigation. A copy of the summary sent to the CDF should be retained on the Case File together with a copy of all documents sent to the CDF.	
8.2.	The Policy should set out the process for reporting to the CDF including the person responsible in the local Region/Mission Unit, for overseeing the process and the fact that the report should be processed through the Society's Procurator General.	
8.3.	As highlighted above, the matter must be reported in detail to the civil authorities and records maintained of the report and all subsequent contact.	
8.4.	The policy must also set out the practice for reporting information concerning abuse where the alleged wrongdoer is a religious but is not a member of the Society. It must also describe the process for recording such concerns and communicating these to the civil authorities.	

9.	<b>Dealing with a complaint/information after an investigation has taken place.</b>	<b>Check</b>
9.1.	<p>The Policy should detail how to deal with the following situations:</p> <ul style="list-style-type: none"> <li>(a) Where a respondent is not convicted but there are still concerns about him.</li> <li>(b) Where a complaint is unfounded/false – reintegration into the community, restoration of ministry and good name etc.</li> <li>(c) Where a respondent is convicted of abuse or is deemed to be a risk – options for treatment, supervision etc.</li> </ul>	

10.	Record Keeping	Check
10.1.	When the RMUCPO receives information, s/he must immediately open a case file.	
10.2.	The salient details of the case should be recorded in a Case Summary at the beginning of the file. This Case Summary should be kept up to date by the RMUCPO and should record reviews of the file etc.	
10.3.	<p>A template Case Summary record is set out at Appendix 1 and should at least record the following</p> <ul style="list-style-type: none"> <li>a) The nature and details of the complaint</li> <li>b) Reports made to civil authorities</li> <li>c) Details of all investigations, civil authorities, canonical, CDF and by the Society</li> <li>d) Details of risk assessment and written copies of the precept etc.</li> </ul> <p>The Case Summary should act as a prompt and work file for the steps required in each case.</p>	
10.4.	Where any member or associate of the Society has contact with any agency, person or authority, a written memo of the contact should be created as soon as possible, dated and signed and placed on the Case File. If any correspondence is received or sent, a copy should be placed on the Case File. The Case File must be comprehensive and accurate.	
10.5.	In maintaining the Case File and preparing notes for it, one must be mindful of the fact that in some jurisdictions, if a person is mentioned in the file, they may be entitled to copies of any information concerning them. This could lead the victim of the alleged abuse being entitled to see the portions of the file in which their name is mentioned. One must also be mindful that portions of the Case File may later be used or read out in civil or criminal proceedings. Care should be taken to ensure that what is recorded or filed is correct (in so far as this is possible).	
10.6.	Each Case File should be reviewed annually by the Region's/Misson Unit's Child Protection Committee and by the RMUCPO. These reviews should be recorded in the Case Summary.	
10.7.	When local leadership changes, there should be a formal handover of each file and briefing from the outgoing to the incoming leadership and these should be recorded in the Case Summary.	
10.8.	Case Files should be both comprehensive and definitive and there should not be secondary or alternative files kept elsewhere. The Case File should include all correspondence and issues relating to that case.	
10.9.	Case Files need to be securely stored and accessible only by	

	appropriate personnel. Where records are stored on computer they should be password protected and encrypted.	
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11.	<b>Confidentiality and information sharing</b>	<b>Check</b>
11.1.	No undertaking of secrecy should be given. Information will be kept confidential but will be shared where this is necessary to protect or safeguard any child from ongoing or potential abuse.	
11.2.	All persons to whom information is given should be aware that in some jurisdictions, civil law may require that certain classes of information must be reported to the civil authorities.	
11.3.	Canon law provides that the seal of the confessional is absolute <sup>4</sup> and the Society affirms this basic tenet of our priestly function. When drafting the Policy, consideration should be given to highlighting that while this provision of canon law may conflict with mandatory reporting civil law provisions in certain jurisdiction, as clerics, Columbans are bound by Canon Law.	
11.4.	The policy should clearly state the procedure for passing information from one Region/Mission to another. Many countries have restrictions on what information can be furnished to another party (e.g. from Mission Unit to Mission Unit or from Regional Director to Regional Director) and the policy must respect these restrictions – whether by requiring that the consent of the priest involved be sought or otherwise. In any event the policy must provide that where a priest is being transferred from a particular Region or Mission Unit to another Region or Mission Unit, the transfer cannot take place until there has been a full transfer of all relevant child protection related information to the receiving Region/Mission Unit including all relevant notifications being made to the civil law enforcement agencies and child protection authorities in <u>both</u> the sending and receiving state.	

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<sup>4</sup> Canon 983 uses the term “inviolable”.

12.	Recruitment and vetting	Check
12.1.	Many countries now have legal requirements about the manner in which all persons working with children must be vetted or the subject of assessment before they are allowed to work with children. The policy should undertake that vetting will be conducted as a matter of course in conjunction with the appropriate state/government agency.	
12.2.	Members who are working in particular sectors, e.g. education, parish work or education may be obliged to be vetted at regular intervals. The policy should take account of such sector specific requirements in the particular country. The policy should also identify the appropriate body to undertake such vetting – in some countries it will be done by a department of the Police, in others it falls under the remit of the Child Protection Services.	
12.3.	Records relating to vetting outcomes need to be stored securely and for an appropriate period.	
12.4.	The Contract of Employment must clearly state that the employee must notify his/her employer in the event of their being charged or prosecuted for any offence (subsequent to their vetting after taking up employment with the Columbans).	
12.5.	In drafting the policy thought needs to be given to the appropriate procedures for recruitment as regards signing up to a code of behaviour, checking references, having applicants self-certify that they have never been prosecuted, convicted or the subject of a workplace disciplinary procedure in relation to child protection.	
12.6.	A database should be maintained by the RMUCPO to ensure that members and associates undergo vetting at whatever intervals are required by local legislation or regulations.	

13.	<b>Boundaries and Safe Contact</b>	<b>Check</b>
13.1.	The policy should emphasise the necessity of maintaining and respecting appropriate boundaries with children and vulnerable adults.	
13.2.	The policy should highlight that the particular ministry of the priest will dictate what level and type of contact is necessary or appropriate with a child.	



14.	Training and Education for members/volunteers	Check
14.1.	Prior to commencing employment, all volunteers/employees must undergo induction training in the Region/Mission Unit's Child Protection Policy and Procedures.	
14.2.	Appropriate training should be regularly provided for all members and associates who come into contact with children during their work or ministry whether in schools, home visits, parish work or otherwise.	
14.3.	No member or associate should be allowed to have contact with children through work or ministry if they have not undergone child protection training within the previous 12 months. Depending on practical local considerations this requirement may be varied on application to the Superior General or his Vicar.	
14.4.	A database should be maintained by the RMUCPO to ensure that members or associates undergo annual refresher training for this work. Depending on practical local considerations this requirement may be varied on application to the Superior General or his Vicar.	
14.5.	The support person(s) for complainants and the support person for respondents should receive appropriate training and refresher courses to allow them undertake their work properly. They may also require support or access to advisory services themselves.	

<b>15.</b>	<b>Publication and Promulgation of the Policy</b>	<b>Check</b>
15.1.	A copy of the Society's Child Protection Policy should be distributed to all members and associates of the Society.	
15.2.	A copy of the Society's Child Protection Policy should be available for review in the all the Society's houses and premises.	
15.3.	The Society's Child Protection Policy must be placed on the homepage of the Region/Mission Unit's website, easily accessed through a "Safeguarding" Icon.	
15.4.	The Region/Mission Unit's website should have an icon or link to allow victims of abuse communicate with the RMUCPO by email or otherwise.	
15.5.	The website should list the appropriate contact details (and photograph if appropriate) for the RMUCPO (and deputy if one is appointed).	
15.6.	The contact details for the RMUCPO should be displayed at appropriate public places in Society buildings and premises together with the contact details for the appropriate civil authorities.	

16.	<b>Role of Regional/Mission Unit Child Protection Officer</b>	<b>Check</b>
16.1.	The Regional/Mission Unit Child Protection Officer (RMUCPO) can be a member of the Society or a lay person with appropriate qualifications or experience.	
16.2.	The RMUCPO will act the primary conduit for information between complainants and the Society and between the Society and the civil authorities.	
16.3.	<p>The RMUCPO will have primary responsibility for</p> <ul style="list-style-type: none"> <li>a) Receiving and managing complaints in relation to the abuse of children or vulnerable adults,</li> <li>b) Contact and communicating with complainants,</li> <li>c) Reporting to and liaising with the civil authorities,</li> <li>d) Where legal proceedings issue, liaising with the Society's lawyers,</li> <li>e) Creation and maintenance of Case Files,</li> <li>f) Management of all child protection matters,</li> <li>g) Organising training for Society members and associates,</li> <li>h) Updating and reviewing Society child protection policies and procedures,</li> <li>i) If it is felt appropriate, putting in place and monitoring the implementation of a contract of good behaviour with a wrongdoer or respondent.</li> </ul>	

17.	<b>Regional/Mission Unit Child Protection Committee</b>	<b>Check</b>
17.1.	In drafting the policy, consideration should be given as to whether a Regional/Mission Unit Child Protection Committee (RMUCPC) should be appointed. In certain countries, diocesan or church structures mirroring the function of the RMUCPC may already be in place and the existence of such a body may hence obviate the need for the Society in a particular Region/Mission Unit to have such a RMUCPC. This requirement may be waived in smaller Mission Units where this is not sufficient personnel to allow for or indeed to require a RMUCPC.	
17.2.	The RMUCPC should be composed of members of the Society and where possible, lay persons with appropriate experience.	
17.3.	The Policy should provide for the committee to meet at appropriate and realistic intervals. If the Region/Mission Unit has few or no cases to manage or review the RMUCPC may only need to meet annually or every other year.	
17.4.	The role of the committee shall be to oversee the work of the Regional/Mission Unit Child Protection Officer, report back to the Regional Council/Mission Unit Coordinating Committee or Regional Director/Mission Unit Coordinator after each review of the Policy and case files and after each such review to make recommendations in relation to child protection matters affecting the Society in that jurisdiction.	
17.5.	If it is appropriate, the policy should allow for the Regional/Mission Unit Child Protection Committee to appoint a Child Protection Advisory Panel composed of experts in the various fields including canon law, civil law, child care, risk management, psychology and victim support. The Child Protection Advisory Panel can be asked for input in particular cases or can be mandated to review each case file at certain intervals (quarterly or annually or every other year) on a 'no names' basis. If necessary appropriate agreements with the Advisory Panel should be put in place (e.g. Data Processing Agreement, confidentiality agreement). The recommendations of the panel can then be put before the Regional/Mission Unit Child Protection Committee for consideration.	

18.	Review of Policy	Check
18.1.	The Region/Mission Unit's child protection policy should provide that the effectiveness, use and implementation of the policy shall be reviewed at intervals, set by the Region/Mission Unit (perhaps every three years), by the RMUCPO and the Regional/Mission Unit Child Protection Committee or such external experts as may be contracted by the Society to undertake such a review.	
18.2.	This annual review should be recorded and a report given to the Regional Council/Mission Unit Coordinating Committee highlighting whatever action may be necessary with regards to updating or improving the policy.	

19.	Review of Child Protection Files	Check
19.1.	The policy should provide that each Case File shall be reviewed at intervals set by the policy (annually or every other year or every three years). This review should be undertaken by the RMUCPO and Regional/Mission Unit Child Protection Committee if they have been appointed. Otherwise the Policy should clarify what other personnel will undertake the review in the Region/Mission Unit. This review could also be undertaken, resources allowing, by an external child protection consultant or social work agency, to ensure that it is fully independently audited. The Regional/Mission Unit Child Protection Committee could benefit from having its work externally reviewed by an appropriate expert. The reviewer's comments should be noted and his/her recommendations followed.	
19.2.	This review, and any recommendations or actions arising from it, shall be recorded in the Case Summary.	

20.	Procedural and Preliminary Matters	Check
20.1.	The policy should be drawn up in consultation with local statutory or state agencies.	
20.2.	The Policy should record that it has been submitted to the Superior General for approval and the Superior General (in consultation with his Council) has confirmed that the policy meets the standards of the Society (as set out in this checklist) and is appropriate given the civil, political and social circumstances of the country/countries in which the Region/Mission Unit operates.	
20.3.	<p>If the draft policy of the Region/Mission Unit varies from that of the Society, the Superior General (in consultation with his Council) is satisfied that it does so for the following reasons:</p> <ul style="list-style-type: none"> <li>i) Local circumstances (legal structures, social and cultural norms) mean that the Society's requirements, structures, or procedures or are not appropriate and training, reporting or investigation will be carried out in a different way, to a lesser extent or in a different jurisdiction.</li> <li>ii) The Region/Mission Unit has signed up to a local Church policy or set of procedures which meet the Society's minimum standards and the Region/Mission Unit is therefore not required to have its own policy.</li> <li>iii) There is/are sufficient and appropriate local Church structures/bodies which obviate the need for local Region/Mission Unit structures/bodies.</li> <li>iv) The Region/Mission Unit has adopted a policy which augments existing local Church policies and procedures to ensure that the Region/Mission Unit's Child Protection commitments considered as a total of local Church policy and Region/Mission Unit policy meets the minimum standards of the Society.</li> </ul>	
20.4.	The policy should be formally adopted and ratified at a meeting of the Regional Council/Mission Unit Coordinating Committee. This decision should be formally recorded in the minutes of the meeting and a copy retained on file.	
20.5.	If appropriate, legal advice should be sought prior to the finalisation of the policy.	

### Section 3: Vulnerable Adult Policy Checklist

	<b>Introduction from Regional Director/Mission Unit Coordinator</b>	<b>Check</b>
1.1.	Does the Policy define “vulnerable adult” in a way that dovetails with national legal requirements?	
1.2.	Are there any local legal requirements that the policy must include e.g.	
	• Reporting for offences against vulnerable adults.	
	• Working with a particular social work or protection authority.	
	• Registration with a particular authority.	
1.3.	Does the Policy clearly set out reporting, recording and management procedures for dealing with complaints of abuse against vulnerable adults?	



## **Section 4: Template Child Protection Policy**

### **Table Of Contents of Template Child Protection Policy:**

1. Introduction from the Regional Director/Mission Unit Coordinator
2. Contact Details for Regional/Mission Unit Child Protection Officer (RMUCPO), civil authorities etc.
3. Interpretation of Terms Used in the Policy
4. Action to be taken when a concern or allegation of abuse is received
5. Action to be taken when a complaint is received of inappropriate behaviour towards a child
6. Reaching out to and caring for victims of abuse
7. Managing respondents/persons against whom allegations have been made
8. Reporting to the Congregation for the Doctrine of Faith and the Civil Authorities
9. Dealing with a complaint/information after an investigation has taken place
10. Record Keeping
11. Confidentiality and information sharing
12. Recruitment and vetting
13. Boundaries and safe contact
14. Training, education and support for members and associates
15. Publication and promulgation of policy
16. Role of Regional/Mission Unit Child Protection Officer (RMUCPO)
17. Regional/Mission Unit Child Protection Committee (RMUCPC)
18. Review of Policy
19. Review of Child Protection Files
20. Procedural and Preliminary Issues
21. Appendix One – Template Case Summary
22. Appendix Two – Guide to signs of abuse.

### **NOTE:**

- 1.1. **THIS IS A TEMPLATE POLICY TO BE ADOPTED OR ADAPTED TO THE NEEDS OF EACH REGION/MISSION UNIT.**
- 1.2. **IT CONTAINS A NUMBER OF INFORMATION NOTES (SUCH AS THIS ONE) WHICH MUST BE DELETED BEFORE THE POLICY IS FINALISED FOR ADOPTION.**
- 1.3. **IT ALSO CONTAINS A NUMBER OF SUGGESTED SENTENCES WHICH CAN BE INCLUDED OR EXCLUDED.**
- 1.4. **ANYTHING ENCLOSED IN SQUARE BRACKETS [] SHOULD BE GIVEN CAREFUL CONSIDERATION.**

### 1.5. Introduction from the Regional Director/Mission Unit Co-ordinator

- 1.1. This policy sets out our commitment to child protection in all aspects of our work and ministry. It sets out how we work to prevent any abuse of the sacred trust which has been given to us, and where an allegation is made of a breach of that trust, this policy describes the procedure we follow.
- 1.2. This policy was formally adopted by the Region/Mission Unit of XXXXXX on the DD MM YYYY. The XXXXXX Region includes the countries of AAAAA,BBBBB, and CCCCC.
- 1.3. This policy confirms our commitment to adhere to all aspects of best practice of child protection. As a Society, and as individual priests and associates, we are aware of the vital importance of children in the life and future of our faith; a truth declared by Christ himself and affirmed by His Holiness Pope Francis. Our child protection policy is an essential part of our work to include children in our ministry, and to do so in a way that respects and safeguards them. We recognise and uphold the dignity and rights of all children. We are committed to ensuring their safety and well-being. We value and encourage the participation of children and young people in the life of the Church. We recognise that, while the safeguarding of children is everyone's responsibility, all involved in working with children and young people have a special duty of care towards them.
- 1.4. We are keenly aware of the terrible and permanent consequences of a breach of trust, particularly where the person injured by such a breach is a child. In concrete terms, we are committed to working with victims of abuse, listening to them and reaching out to them pastorally. Where information is brought to our attention, we will bring that information to the appropriate civil authorities and assist the authorities as best we can. In our ministry and work, we are committed to working within the law and legal norms of INSERT NAME OF COUNTRY/COUNTRIES and in accordance with the policies and procedures set out in this policy.
- 1.5. This policy was drafted, reviewed and approved by the Regional/Mission Unit Child Protection Committee. The [INSERT NAMES OF LOCAL CIVIL AUTHORITIES/LAW ENFORCEMENT] were consulted in relation to it.

Signed \_\_\_\_\_

Fr. AAAA BBBB

Regional Director/Mission Unit Coordinator

## 2. Contact Details for Regional/Mission Unit Child Protection Officer, civil authorities etc

Name, photograph and contact details (phone number, email address, postal address) of Society's RMUCPO:

Name, photograph and contact details (phone number, email address, postal address) of Society's Regional/Mission Unit Deputy Child Protection Officer:

Name and contact details (phone number, email address, postal address) of appropriate contact person/office in the police or appropriate local law enforcement agency:

Name and contact details (phone number, email address, postal address) of appropriate contact person/office in appropriate government department/agency for child protection:

## 3. Interpretation of Terms used in this Policy

3.1. This document refers to the Columban members and associates in a particular Region/Mission Unit. The associates are composed of students, lay missionaries, employees, volunteers and contractors who work with us or in our name.

3.2. How we understand abuse or inappropriate behaviour with a child is the foundation of any child protection policy. It is our belief that no child should ever suffer from physical abuse, sexual abuse, emotional abuse or neglect.

3.3. [Note: This definition includes reference to physical abuse, emotional abuse, sexual abuse and neglect – local variations in the definition may be required depending on statutory requirements in each country. In some countries, the forms of abuse listed below may not be considered by the countries legal code to be abuse. While the Society holds its members to a high moral responsibility with children, regardless of whether local laws reach that threshold or not, it may be that the below definitions may require variation prior to adoption in different Regions/Mission Units. DELETE THIS NOTE BEFORE FINALISING THE POLICY!]

3.4. **Sexual abuse** occurs when a child is used by another person for his/her sexual gratification or sexual arousal or that of others. Such activities may involve physical or non-physical contact, 'grooming', exploitation of the child for sexual purposes or consensual sexual activity between an adult and a person below the age of legal consent for such sexual activity.

3.5. **Physical abuse** includes

- causing any kind of physical harm to a child

- failing to act to protect a child who is being harmed
- allowing a child to be physically harmed
- physical punishment or use of excessive force in handling
- the fabrication of symptoms of or by deliberately inducing illness in a child (e.g. Munchausen's syndrome by proxy).

3.6. **Emotional abuse** can arise in the context of a relationship between a parent/carer and a child or in a series or pattern of events. It occurs when a child's developmental need for affection, approval, consistency and security are not met. Unless other forms of abuse are present, it is rarely manifested in terms of physical signs or symptoms. It includes:

- the imposition of negative attributes on a child, expressed by persistent criticism, sarcasm, hostility or blaming;
- premature imposition of responsibility on the child;
- under- or over-protection of the child;
- failure to show interest in, or provide age-appropriate opportunities and objectives for the child's cognitive and emotional development;
- use of unreasonable or over-harsh disciplinary measures;
- exposure to domestic violence;
- exposure to inappropriate or abusive material through new technology.

3.7. **Neglect** can be defined in terms of an omission, where the child suffers significant harm or impairment of development by being deprived of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, attachment to and affection from adults, and/or medical care.

#### 4. Action to be taken when a concern or allegation is received

- 4.1. Whomsoever makes a complaint or raises a suspicion of child abuse of any kind or neglect of a child should be strongly encouraged to bring that information to the attention of the local law enforcement agency and/or child protection agency.
- 4.2. This policy applies to all disclosures of abuse, even where the victim of the abuse no longer a child.
- 4.3. Members and associates should be alert to the potential signs of abuse. Some of these detailed in Appendix Two of this document.

#### 4.4. Where the Complainant is a child:

If a child or young person comes to a member of the Columban community to disclose concerns of abuse, that person should adhere to the following guidelines:

- If at all possible, ensure that another adult is present during the conversation. In some situations this may not be appropriate. It should be recalled that victims of abuse are intensely vulnerable but the position of the person receiving the information is also very exposed. Having two people offer support to a child ensures that there are no doubts about the content of the conversation afterwards or how the information was received.
- Be as calm and natural as possible.
- Remember that you have been approached because you are trusted. Do not panic.
- Be aware that disclosures can be very difficult for the child.
- Remember, the child may initially be testing your reaction and may only open up fully over a period of time.
- Calm the child or young person down, but be careful not to trivialise their concerns by playing down the gravity of the situation.
- Treat the child or young person seriously.
- Listen to what the child has to say.
- Maintain a neutral approach.
- Give them the time and opportunity to tell you as much as they are able to tell you, and wish to tell you.
- Do not pressurise the child. Allow him or her to disclose at their own pace and in their own language.
- Conceal any signs of disgust, anger or disbelief.
- Accept what the child has to say – false disclosures are very rare.
- It is important to differentiate between the person who carried out the abuse and the act of abuse itself. The child quite possible may love or strongly like the alleged abuser while also disliking what was done to them. It is important therefore to avoid expressing any judgment on, or anger towards, the alleged perpetrator while talking with the child.
- It may be necessary to reassure the child that your feelings towards him or her has not been affected in a negative way as a result of what they have disclosed.

#### **Asking Questions**

- Do not ask leading questions. For example, do not ask whether a specific person carried out the abuse.
- Questions should be supportive and for the purpose of clarification only.

- Avoid asking about intimate details or suggesting that something else may have happened other than what you have been told.

### **Confidentiality – Do not promise to keep secrets**

- Do not promise to keep the disclosure a secret.
- Explain that there are secrets which are not helpful and which should not be kept because they make matters worse. Such secrets hide things that need to be known if people are to be helped and protected from further ongoing hurt. Explain in age and situation appropriate terms that information will be received within the terms of this policy and will only be shared with those who need to know i.e. the civil authorities and those in authority in the Columban Society.
- Acknowledge that they have come to you because they trust you.
- Reassure the child or young person that you will act in their best interests.
- Tell the child that you will be sharing this information only with people who understand this area and who can help.

By refusing to make a commitment to secrecy to the child, the member/associate runs the risk that the child may not tell them everything (or indeed anything). However, it is better to do this than to tell a lie, and ruin the child's confidence in yet another adult. Be honest with the child. By being honest, it is more likely that the child will return to the member/associate at another time.

- 4.5. Any person making a complaint or raising a suspicion should immediately be told that, where appropriate, all such information will be passed by the Society to the local law enforcement agency and/or child protection agency.
- 4.6. Any person making a complaint or raising a suspicion should not be given any assurance that the information will be kept secret. It will be shared on a need to know basis, depending on what steps are necessary to protect the child in question.
- 4.7. The initial contact person must immediately report the information to the RMUCPO.
- 4.8. Where the RMUCPO has any doubts over the veracity of the complaint or the credibility of the complainant, the RMUCPO will work with the Regional Director/Mission Unit Coordinator to make an initial assessment of the complaint/allegation. **An initial assessment will not be required in every case**, the presumption being that most allegations will not be vexatious or malicious. While most allegations are made in good faith, it should be noted that allegations can be made on the basis of an error or mistake e.g. mistaken identity. Also, while it is uncommon, allegations can be made in malice or as a result of mental health problems. If the initial assessment is that the complaint or allegation does not have a ring of truth about it, the Regional Director/Mission Unit Coordinator can direct the RMUCPO to note the complaint **without taking any further action** (i.e. with reporting the complaint, having the respondent assessed or placed on administrative etc.) As such a direction can have very serious consequences (including criminal sanctions against the RMUCPO, Regional Director/Mission Unit

Coordinator in some countries) if the initial assessment is incorrect, such a step should only be taken where the allegation is patently unfounded e.g. that the respondent was not in the country at the time, or that the allegation has been made to spite or injure the respondent and appears to have no evidential foundation.

- 4.9. Subject to the results of any initial assessment referred to in paragraph 5.7 above, on receipt of information concerning abuse or neglect of a child or a vulnerable adult from any person, whether from a complainant or another member, or associate, the RMUCPO shall report that information to the local law enforcement agency and/or child protection agency. [See Note in Checklist in relation to this requirement to report being varied in certain countries. DELETE THIS NOTE BEFORE FINALISING THE POLICY!] All information concerning abuse will be reported to the civil authorities regardless whether the alleged wrongdoer is a member of the Columban community, is alive or dead or has continued access to children or not. Common sense should be used here and while the policy must always be to report abuse, in certain cases reporting will serve no possible purpose and therefore will be necessary.
- 4.10. As soon as possible, after receiving child protection information relating to a member of the Columban community, the RMUCPO shall open a case file for the information received.
- 4.11. If the information received relates to someone who is not a member of the Columban community, the RMUCPO will make a record of the information and will keep a copy of any correspondence with the civil authorities in relation to the information. Although a case file for such information is not necessary, it must still be reported and an appropriate record kept of this report.
- 4.12. The RMUCPO will produce a note of the information given to him, shall give a copy of this to the person making the complaint or raising the concern, shall place a copy of this on the case file and shall send a copy of it to the local law enforcement agency and/or child protection agency in a manner which allows for verification of receipt e.g. registered/recorded postal delivery or email.
- 4.13. The person who has initial contact with a complainant needs to be very careful and gentle in how they engage with them. If someone has suffered abuse, coming forward with information about that abuse is among the most difficult things they will ever have to do. Complainants need to be dealt with very gently, they need to understand that they are being listened to, that they are being taken seriously and that action will be taken on foot of what they have communicated. In many cases, the person to whom the complaint is first communicated may not have any counselling qualifications. All that is asked is a Christian response of empathy and support. The complainant should be given no assurances of secrecy and at an appropriate time, should be made aware of the Society's policy on reporting to the Civil Authorities. The complainant should be given the contact details for the RMUCPO and given the option of contacting him/her directly or of being contacted by him/her. The complainant should also be made aware of the Society's practice of offering a support person to assist them and reach out to them. Where appropriate the complainant should be offered counselling or therapy at the expense of the Society.

## **5. Action to be taken where a complaint is received of inappropriate behaviour towards a child**

- 5.1. Where the Region/Mission Unit receives a complaint of inappropriate behaviour towards children which does not amount to abuse, it shall be dealt with in line with this procedure.
- 5.2. The Society distinguishes between behaviour which is abusive and which comes within the definitions of abuse set out above, and behaviour which is not abusive but is still inappropriate. Examples of such behaviour might be
  - a) teasing,
  - b) name calling,
  - c) use of age inappropriate language,
  - d) age inappropriate topics of conversation,
  - e) insulting behaviour,
  - f) insensitive or unfeeling comments etc.
- 5.3. All such complaints will be investigated and the Society shall take such steps as are necessary to resolve the complaint.
- 5.4. The RMUCPO will be responsible for dealing with such complaints and will keep an appropriate record of them.
- 5.5. All such complaints will be dealt within 4 weeks of the RMUCPO receiving the complaint and the RMUCPO shall where possible and subject to receiving the full co-operation of both parties, deliver his finding within that timeframe.
- 5.6. The RMUCPO will be empowered to act as an investigator and if necessary a mediator between the complainant and the respondent.
- 5.7. The RMUCPO will be empowered to receive complaints, in writing or otherwise and to seek a response to the complaint from the respondent in writing or otherwise.
- 5.8. The RMUCPO may set out time periods within which she/he wishes to receive information or response from either the complainant or the respondent.
- 5.9. The RMUCPO may, in his/her absolute discretion decide that a mediated meeting, full hearing or informal meeting is appropriate or necessary in a particular case.
- 5.10. Having considered the submissions and having heard both sides, the RMUCPO can make a formal finding that complaint is well founded or that it is not well founded.
- 5.11. The RMUCPO may, on foot of his/her finding, direct the respondent to do any of the following:
  - a) Undertake to never behave in the manner again.
  - b) Apologise to the complainant.
  - c) Undertake specific training.
  - d) Undertake the work as part of which the complaint arose in question under supervision.
  - e) Work with a mentor or named person.



- 5.12. The Policy should provide for an appeal from any decision (including the initial finding or any direction following on that finding) to the Regional Director/Mission Unit Coordinator or similar person within 21 days of the decision being communicated to the parties.

## **6. Reaching out to and caring for victims of abuse**

- 6.1. The Society is first and foremost a Christian organisation. We are obliged by the teachings of Christ and our founders to reach out to the vulnerable and the hurt in our world. Victims of abuse, particularly when they are victims of abuse at the hands of members or associates of an organisation such the Society, are amongst the most vulnerable of all.
- 6.2. Without inquiring into the truth of any allegation, or the legal responsibility of the Society for the hurt done, the Society shall ensure that a support person is made available to any complainant. The support person shall not act as a counsellor or therapist but will act as a liaison between the RMUCPO and the complainant.
- 6.3. A male and female support person should be available to ensure that complainants can have access to a support person of either sex.
- 6.4. Without inquiring into the truth of any allegation, or the legal responsibility of the Society for any hurt done, the Society shall assist the complainant in obtaining counselling or appropriate therapy, including, where appropriate providing financial assistance to pay for such counselling or therapy.
- 6.5. Where legal proceedings have been taken or are possible, legal advice should be sought on how the Society can discharge its pastoral obligations to victims of child abuse.

## **7. Managing respondents/persons against whom allegations have been made**

- 7.1. Where possible, once an allegation has been made, the civil authorities should be contacted before the alleged wrongdoer is told of the allegation. The Regional Director/Mission Coordinator/RMUCPO must balance this with the right of the alleged wrongdoer to know of the substance of the allegations as soon as possible. When making a report to the civil authorities, it is good practice to inform them of the Society's procedure of bringing the complaint to the attention of the alleged wrongdoer. *[Note: The practice and understanding varies from country to country, but in some countries the police dislike alleged wrongdoers being tipped off in advance of the wrongdoer being contacted/interviewed by the police and sometimes view it as obstructing the investigation. The police sometimes see tipping off as giving an alleged wrongdoer the opportunity to destroy evidence, intimidate witnesses or even to abscond. DELETE THIS NOTE BEFORE FINALISING THE POLICY!]*
- 7.2. Where the person about whom a complaint has been made (the respondent), is an associate of the Society, they should be informed of the allegation(s) made, they should be advised to seek independent legal advice (and if necessary/appropriate provided with the means and opportunity to obtain such advice) and should be told that the information has been passed to the appropriate civil authorities. Subject to local legal advice, the respondent should be placed on paid administrative leave/furlough and told that no

decision has been taken as to the veracity of the allegations but that the respondent's absence from the workplace is required to ensure a fair investigation of the allegations. The Society should immediately obtain appropriate legal advice before proceeding any further.

- 7.3. Once the appropriate reports have been made to the Civil Authorities, where the person about whom a complaint has been made (the respondent), is a member of the Society,
  - 7.3.1. He should be informed that he is not required to make any statement or response to the allegations but that if he does so, this may be given to the civil authorities and may be used in any investigation<sup>5</sup> or canonical process.
  - 7.3.2. He should be informed of the allegation(s) made, the content of the allegations and the identity of the complainant. He should be provided with enough information to make a response to the complaint but need not be given the full detail or a copy of the complaint unless this is necessary on the basis of the facts of the case.
  - 7.3.3. He should be advised to seek independent legal advice – both from canon and civil lawyers.
  - 7.3.4. He should be told that the information has been passed to the appropriate civil authorities.
  - 7.3.5. He should be informed of the procedures which will be followed.
  - 7.3.6. A written record of the interview should be prepared and agreed with the respondent before being signed by all parties present and then dated.
  - 7.3.7. [Consideration should be given as to whether it is possible to obtain an appropriate assessment in a particular Region/Mission Unit] If the respondent is a member of Society, the respondent should be immediately sent to an appropriate medical practitioner, psychiatrist or institution for an assessment as to his risk to children. Assessment is a complex and specialized procedure which must be carried out by a multi-disciplinary team of clinicians, trained and experienced in assessing sexual proclivities, who work together to achieve a comprehensive understanding of the accused person. The validity and reliability of assessment will depend on the clinicians having access to all available information. The assessment clinicians must undertake to discuss their findings with the Columban assessed and present this person with a comprehensive report. The assessment should be conducted on the clear understanding that the report will be made available to the Regional Director/Mission Unit Coordinator.
  - 7.3.8. A comprehensive assessment of the person alleged to have abused requires considerable time, during which information can be gathered and cross-checked. Depending on the mental state of the person being assessed, the level of risk, the nature of the allegations, his location and the availability of services this may be carried out on an out-patient or an in-patient basis.
- 7.4. While waiting for receipt of the risk assessment report or while the matter is being investigated, the respondent member should be placed under a formal written precept<sup>6</sup> from his Regional Director/Mission Unit Coordinator requiring that:

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<sup>5</sup> See Canon 1728

- 7.4.1. He has no public ministry, that he celebrate no public sacraments and can only celebrate mass within a particular Columban/the Columban community provided there are no members of the public present.
- 7.4.2. He cannot have access, supervised or unsupervised, to children.
- 7.4.3. He cannot contact the alleged victim or the accuser.
- 7.4.4. He should reside in a particular, named Columban house and report on a daily basis to a particular named House Leader or Superior.
- 7.5. The written precept should also set out such other restrictions as may be appropriate in the circumstances.
- 7.6. A support person should be immediately appointed for the respondent and counselling offered if that is appropriate.
- 7.7. On receipt of the risk assessment Report, the Regional Director/Mission Unit Coordinator shall decide, in consultation with the RMUCPO and the Regional/Mission Unit Child Protection Committee what action should be taken next. If a further written precept is put in place (for example if police, civil, church or CDF investigations are ongoing), a decision must be taken as to the appropriate duration of the precept taking into account the respondent's right to his good name and his right to fair procedure/due process.
- 7.8. The RMUCPO will not be responsible for making decisions in relation to standing aside from ministry or the nature of the appropriate written precept – this is exclusively a matter for the Regional Director and his Council or the Mission Unit Coordinator or his Coordinating Committee as may be applicable. The Regional Director/Mission Unit Coordinator shall be responsible for monitoring the wellbeing and putting in place appropriate monitoring/supervision/risk management procedures for each person against whom allegations have been made or concerns have been raised. The Regional Director/Mission Unit Coordinator must also ensure that appropriate support is given to a respondent member. If the allegation is not true, then support will plainly be very necessary and if the allegation is true, the clinical evidence is that putting in place appropriate support will reduce the chances of the respondent reoffending.
- 7.9. The next steps in the process will largely depend on the approach of local law enforcement/child protection agencies. Obviously if a state body is investigating the matter, any church investigation should be commenced and immediately put on hold until the state's inquiries are completed or until the local law enforcement/child protection agency confirms in writing that the church investigation can continue. In the main, complaints which come under this policy will relate to reserved delicts<sup>7</sup> as defined in Article

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<sup>6</sup> See Canon 1722

<sup>7</sup> Reserved delicts are offences which the Society is not empowered to deal with and can only be dealt with by the CDF, these include the ordination of women, the distribution of some forms of child pornography and certain forms of child sexual abuse.

6 of *Normae de Gravioribus Delictis* (15<sup>th</sup> July 2010). The CDF will therefore be the only church entity with authority to investigate such matters.

## **8. Reporting to the Congregation for the Doctrine of Faith and the Civil Authorities**

- 8.1. Where appropriate (i.e. where the matter complained of relates to a reserved delict) and at an appropriate stage, the matter should be reported in full to the CDF in accordance with canonical norms. A copy of the summary sent to the CDF should be retained on the Case File together with a copy of all documents sent to the CDF.
- 8.2. As highlighted above, the matter must be reported in detail to the civil authorities and records maintained of the report and all subsequent contact with the civil authorities. A written record of the report must be kept, and where possible the RMUCPO should seek written acknowledgement of receipt of the report from the authority in question.
- 8.3. If the matter relates to a reserved delict, this does not imply that the local Regional Director/Mission Unit Coordinator will not retain the power to deal with the alleged wrongdoer during the period of investigation by the CDF. During this period, the local Regional Director/Mission Unit Coordinator can investigate the matter to ascertain what, if any, risks might attach to allowing the wrongdoer continue in ministry or to continue to have access to children. The local Regional Director/Mission Unit Coordinator can require the wrongdoer to undergo a formal risk assessment and can restrict and limit the wrongdoer's ministry as appropriate and for an appropriate period.

## **9. Dealing with a complaint/information after an investigation has taken place**

- 9.1. Dealing with a case of a person who is not convicted but in respect of whom there are still concerns
  - 9.1.1. If allegations are made and then investigated, the local prosecutorial service may decline to prosecute or may unsuccessfully prosecute. In such a circumstance, this may not conclude the matter. Concerns may still be present. While there may not be enough evidence to convict or prosecute the alleged wrongdoer, there may be enough evidence to warrant restricting the ministry of the alleged wrongdoer. In such a case, a full risk assessment must be undertaken and consideration given to putting in place an appropriate precept for an appropriate period.
- 9.2. Dealing with unfounded/false complaints
  - 9.2.1. Not all allegations are well-founded or true. They can be based on mistaken identity or can be malicious. However, false reports are extremely rare. Because an accused person is presumed innocent unless the contrary has been established, natural justice, civil law and canon law demand that he should not be punished on the basis of mere allegation. Where an allegation is not subsequently substantiated, a grave injustice will have been caused to the accused person.
  - 9.2.2. If the civil authorities decide not to prosecute (or if there is an unsuccessful prosecution) and the Regional Director/Mission Unit Coordinator is satisfied after consideration of the facts and

circumstances of the complaint that the Columban has been wrongly accused, appropriate steps should be taken to restore the good name of the Columban with those among whom it has been called into question, and to repair such harm and scandal as has been caused. Where the allegation has been withdrawn and admitted to be false, similar steps should be taken as required.

### 9.3. Treatment for a convicted offender or person deemed to be a risk

- 9.3.1. Where, as a result of assessment or penal process, an accused Columban is deemed to require treatment, it is recommended that he be offered treatment and be encouraged to take it. While the effectiveness of treatment programmes must be regarded with some caution, certain offenders do appear to benefit from particular types of intervention. The most effective programmes combine individual and group methods which focus on the pattern of abusive behaviour and the cognitive distortions and deviant fantasies which support the abuse. The success of these programmes is dependent on the capacity of the abuser to empathise with victims, the development of the ability to establish and maintain appropriate interpersonal relationships, and compliance with a system of monitoring to prevent relapse.
- 9.3.2. In order to benefit from treatment, the offender must acknowledge that he has committed an offence and be prepared to accept responsibility for it. The offender must be brought to see the abuse as a grave problem not only for the victim[s] but also for himself, and must be willing to enter and participate actively in the treatment.
- 9.3.3. The treatment programme should provide a structured environment which allows for a detailed observation of the person sent for treatment as well as an opportunity to determine the ability of the person to begin a process of change in his life. One of the aims for such a programme should be to facilitate disclosure and to act against the denial and minimisation which are characteristic of the abuser. The treatment programme should also strive to provide a supportive environment in which strategies designed to prevent relapse can be developed and practised and a change in lifestyle for the abuser can be consolidated.
- 9.3.4. Because the needs of offenders are complex, multi-disciplinary and multi-agency collaboration is essential if offenders are to be offered effective treatment and management. There is need to expand existing programmes for abusers and to develop new services, including residential services. The Society should consider how it can co-operate with statutory and voluntary agencies towards the provision of such additional services.

## 10. Record Keeping

- 10.1. When the RMUCPO receives information, she/he must immediately open a case file.
- 10.2. The salient details of the case should be recorded in a Case Summary at the beginning of the file. This Case Summary should be kept up to date by the RMUCPO and should record reviews of the file etc.
- 10.3. A template Case Summary record is set out at Appendix 1 and should at least record the following:

- 10.3.1. The nature and details of the complaint
- 10.3.2. Reports made to civil authorities
- 10.3.3. Details of all investigations, civil authorities, canonical, CDF and by the Society
- 10.3.4. Details of risk assessment, copies of the written precept etc.
- 10.4. The Case Summary should act as a prompt and work file for the steps required in each case.
- 10.5. The file should record facts and should be maintained in a disciplinary manner – it should not contain long winded impressions or opinions but should stick to being a written record of events, conversations and phone calls.
- 10.6. Where any member or associate of the Society has contact with any agency, person or authority, a memo of the contact should be created as soon as possible, dated and signed and placed on the Case File. If any correspondence is received or sent, a copy should be placed on the Case File. The Case File must be comprehensive and accurate.
- 10.7. Records must be signed by the person who prepared them, and dated.
- 10.8. Records must be recorded carefully, preferably typed but in any event using clear handwriting.
- 10.9. Records must be prepared contemporaneously or as soon as possible after an incident or meeting.
- 10.10. Personal information is recorded and stored confidentially and may only be accessed by the RMUCPO or their Deputy.  
Where files are stored on computer or in electronic form, they should be password protected and encrypted.
- 10.11. [In maintaining the Case File and preparing notes for it, one must be mindful of the fact that in some jurisdictions, if a person is mentioned in the file, they may be entitled to copies of any information concerning them]. One must also be mindful that the portions of the Case File may later be used or read out in civil or criminal proceedings. Care should be taken to ensure that what is recorded or filed is correct (in so far as this is possible)
- 10.12. Each Case File should be reviewed annually by the Region/Mission Unit's Child Protection Committee and by the RMUCPO. These reviews should be recorded in the Case Summary
- 10.13. When local leadership changes, there should be a formal handover of each file and briefing from the outgoing to the incoming leadership and these should be recorded in the Case Summary.
- 10.14. Case Files should be both comprehensive and definitive and there should not be secondary or alternative files kept elsewhere. The Case File should include all correspondence and issues relating to that case.
- 10.15. Case Files need to be securely stored and accessible only by appropriate personnel.
- 10.16. All records relating to child protection will be stored indefinitely and will not be destroyed.

## **11. Confidentiality and information sharing**

- 11.1. We recognise the importance of preserving people's rights to confidentiality. We are committed to maintaining a strict code of confidentiality. However, in relation to child protection and welfare, we

acknowledge that confidential information must be shared with the appropriate civil authorities in order to serve the best interests of the child or vulnerable adult. The following procedures apply to all child protection records held by the Society (including but not limited to reports of disclosures, suspicions/concerns, third party information, retrospective disclosures etc).

- 11.2. No undertaking of secrecy should be given. Information will be kept confidential but will be shared where this is necessary to protect or safeguard any child from ongoing or potential abuse or where the information is requested by the Police or [INSERT NAME OF STATE/GOVERNMENT CHILD PROTECTION AGENCY] as part of an ongoing child protection or criminal investigation.
- 11.3. [In [Insert name of country here] anyone who becomes aware of information which may assist the civil authorities in investigating or prosecuting an offence, is legally bound to furnish that information to the civil authorities.] OR [Although in [Insert name of country here] there is currently no legal obligation to pass on information about suspected abuse to the civil authorities, it is the strict practice of the Society to do so]. THIS SECTION WILL NEED TO BE CAREFULLY WORDED DEPENDING ON CIRCUMSTANCES IN THE PARTICULAR COUNTRY.
- 11.4. INSERT PROVISION HERE IN RELATION TO ANY CIVIL MANDATORY REPORTING REQUIREMENTS WHICH MAY CONFLICT WITH THE CANON LAW POSITION ON SEAL OF THE CONFESSORIAL
- 11.5. Records will be stored as follows:
  - 11.5.1. Physical records will be stored in a locked filing cabinet located, where possible, in a room to which only the RMUCPO and their Deputy have a key. This room is locked when either the RMUCPO or their Deputy is not occupying the room.
  - 11.5.2. Electronic records (including those in email form, documents/records stored on a computer, stored on a USB stick, or stored on any other portable format) are password protected and encrypted with an appropriate level of encryption software.
- 11.6. All records kept in relation to the Society's handling of any child-protection matter (including correspondence, notes of meetings/discussions, incident report logs etc) shall be treated as highly confidential and stored securely in the RMUCPO's secure filing system (as detailed above). Where the documents are stored electronically (i.e. on a computer, on a USB stick) they must be password protected and have an adequate level of encryption.
- 11.7. Parents/Guardians, children and young people have the right to know if personal information is being shared, unless doing so could put the child at further risk. The RMUCPO (or their Deputy) who suspects child abuse or neglect should inform the parents or guardians that a report is being submitted to the civil law enforcement agency and child protection authority, unless doing so is likely to endanger the child.
- 11.8. Where a priest is being transferred from a particular Region/Mission Unit to another Region/Mission Unit or is being transferred to a different ministry within a particular Region/Mission Unit, the transfer cannot take place until there has been a full transfer of all relevant child protection related information to

the receiving Region/Mission Unit/body/diocese including all relevant notifications being made to the civil law enforcement agencies and child protection authorities in both the sending and receiving state.

## 12. Recruitment and vetting

- 12.1. *[Insert here the local procedure in relation to State vetting of persons working with children .e.g. who is required to be vetted, who undertakes the vetting, what forms and documents must be used, who is responsible in the Society for overseeing that process etc. This section may require substantial amendment depending on local practices and regulations relating to vetting. What follows is a sample wording where a country has a sophisticated system of vetting. It may be sufficient to state only that the Region/Mission Unit is committed to appropriate systems vetting for Child Protection purposes].*
- 12.2. Records relating to vetting outcomes will be stored securely and for an appropriate period.
- 12.3. The Society follows very strict protocol in relation to recruiting associates who will come into contact with children during their work (whether through outreach programs, work with schools, chaplaincy work or otherwise). The Society carries out several steps in the recruitment and selection process in order to make sure that those selected are fully suited to working with children. The following steps must be adhered to for every staff appointment:
  - 12.3.1. The post must be advertised/publicised as widely as possible.
  - 12.3.2. The advertisement for the post must stipulate a clear definition of the role and responsibilities, as well as the expected skills of the successful applicant.
  - 12.3.3. Candidates are required to complete an application form which contains a clear job description and asks for all relevant information about the applicant, including, where appropriate to the position in question, past experience of working with children.
  - 12.3.4. Candidates are furnished with information about the organisation and its activities.
  - 12.3.5. Candidates are furnished with an application form for completion, prior to being called for interview.
  - 12.3.6. The application form shall require the applicant to provide the following:
    - Their name
    - Their address
    - A photograph of themselves
    - Their signature
  - 12.3.7. Candidates will be asked to sign a declaration stating that there is no reason why they would be unsuitable to work with children or young people. The declaration will also state that they have never been the subject of a prosecution, conviction or workplace disciplinary procedure relating to child protection or welfare issues.
  - 12.3.8. An interview with each applicant will be carried out by a panel of two or more representatives from the Society, using an agreed set of criteria.



12.3.9. At least two written references should be supplied by each candidate, and these must be subsequently confirmed by phone, letter or a personal visit. References from family members are not acceptable. There shall be a rigorous checking of all references prior to any candidate being offered a position.

12.3.10. Candidates must be asked to consent to appropriate vetting. Vetting is a condition of employment with the Society. Vetting will be carried out by the appropriate state body (INSERT NAME OF BODY HERE)

12.3.11. Vetting clearance must be sought before the final selection is made, and any appointment is made subject to a clear vetting outcome. There may be certain minor offences/convictions which may not exclude a candidate from being offered a job (eg. a conviction for failure to pay a TV licence). A decision will be made by the recruiting panel on a case by case basis. The recruitment panel will take the following considerations into account when reaching such a decision:

- The paramount importance of child protection, child welfare.
- The reputation and Catholic ethos of the Society.
- The need to maintain and uphold an orderly, respectful workplace.
- The importance of harmony within the Society and its wider community, and in particular the preservation of the good working relationship which the Society has with local law enforcement .

12.3.12. Taking into account all information received about the candidates through application forms, interviews and vetting, the person deemed most suitable for the position should be selected and then contacted.

12.3.13. Once the position has been filled, all unsuccessful candidates must be notified.

12.3.14. All successful candidates will be offered a written contract of employment, containing a probationary period. They will be monitored closely during their probationary period to ensure satisfactory performance.

12.3.15. The [Contract of employment and the Employee Handbook] requires the employee to comply with all Policies currently in place within the Society, including the Child Protection Policy. Failure to comply with the Child Protection Policy constitutes a disciplinary matter and will be dealt with under the Society's [Disciplinary Procedure]/[Code of Conduct/Code of Behaviour].

12.3.16. The Contract of Employment must state that it is the duty of all employees/volunteers to make full disclosure of all issues which may affect their employment with the Society. This includes, but is not limited to the requirement for staff to disclose any convictions or charges against them since they commenced employment.

12.4. A database should be maintained by the RMUCPO to ensure that members and associates undergo vetting at [whatever intervals are required by local legislation or regulations].

### **13. Boundaries and safe contact**

- 13.1. All members and associates must have a clear understanding of the appropriate boundaries between adults and children/vulnerable adults. Appendix Three of this policy sets out a Code of Practice for contact and boundaries with children and vulnerable adults.
- 13.2. Due to the potential for abuse of trust in our ministry, and the child protection concerns which obviously arise, members, lay missionaries, employees and volunteers are prohibited from having any relationship with any child or vulnerable adult (either under or over 18 years old) beyond what is strictly necessary and appropriate for the purposes of exercising one's ministry or priestly role. Unsolicited contact outside this role should be considered with care and the priest, volunteer or employee should always be mindful of maintaining appropriate boundaries with all persons but especially children and vulnerable adults.
- 13.3. For employees, failure to respect appropriate boundaries may be a disciplinary matter and may lead to the employee being dismissed.

### **14. Training, Education and Support for members and associates**

- 14.1. *This clause will need to be tailored to the circumstances of the particular Region / Mission Unit.*
- 14.2. Prior to commencing employment, and where it is relevant to their work, all volunteers/employees must undergo induction training in the Region/Mission Unit's Child Protection Policy and Procedures.
- 14.3. Appropriate training will be provided for all members and associates who come into contact with children during their work or ministry whether in schools, home visits, parish work or otherwise.
- 14.4. No member or associate of the Society should be allowed to have contact with children through work or ministry if they have not undergone child protection training within the previous 12 months.
- 14.5. A database will be maintained by the RMUCPO to ensure that members and associates undergo annual refresher training for this work.
- 14.6. The support person(s) for complainants and the support person for respondents will receive appropriate training and refreshers to allow them undertake their work properly. They may also require support or access to advisory services themselves.
- 14.7. Members, lay missionaries, employees and volunteers are encouraged to talk to their local Regional Director/Mission Unit Coordinator in the event that they feel that they require any additional support.

### **15. Publication and Promulgation of the Policy**

- 15.1. A copy of the Society's Child Protection Policy should be distributed to all members and associates of the Society.
- 15.2. Each member, lay missionary, volunteer and employee of the Region/Mission Unit should sign and return the letter of acknowledgement and commitment contained in Appendix 3.
- 15.3. A copy of the Society's Child Protection Policy should be available for review in all the Society's houses and premises.
- 15.4. The Society's Child Protection Policy must be placed on the Region/Mission Unit's website.

- 15.5. The Region/Mission Unit's website should have an icon or link on the homepage to allow victims of abuse communicate with the RMUCPO by email or otherwise via a "Safeguarding" icon.
- 15.6. The website should list the appropriate contact details for the RMUCPO (and deputy if one is appointed).
- 15.7. The contact details for the RMUCPO should be displayed at appropriate public places in Society buildings and premises together with the contact details for the appropriate civil authorities.

## **16. Role of Regional/Mission Unit Child Protection Officer**

- 16.1. The Regional/Mission Unit Child Protection Officer (RMUCPO) can be a member of the Society or a lay person with appropriate qualifications or experience.
- 16.2. The RMUCPO will act the primary conduit for information between complainants and the Society and between the Society and the civil authorities.
- 16.3. The RMUCPO will have primary responsibility for:
  - 16.3.1. Receiving and managing complaints relating to children and vulnerable adults,
  - 16.3.2. Contact and communicating with complainants,
  - 16.3.3. Reporting to and liaising with the civil authorities,
  - 16.3.4. Where legal proceedings issue, liaising with the Society's lawyers,
  - 16.3.5. Creation and maintenance of Case Files,
  - 16.3.6. Management of all child protection matters,
  - 16.3.7. Organising training for Society members and associates,
  - 16.3.8. Updating and reviewing Society child protection policies and procedures,
  - 16.3.9. Ensuring the Regional Director/Mission Unit Coordinator is kept informed of new cases and the current status of existing cases,
  - 16.3.10. If it is felt appropriate, putting in place and monitoring the implementation of a contract of good behaviour with a wrongdoer or respondent.

## **17. Regional/Mission Unit Child Protection Committee**

- 17.1. The Region/Mission Unit of [INSERT NAME OF REGION] has appointed a Regional/Mission Unit Child Protection Committee (RMUCPC). THIS MAY NOT BE RELEVANT FOR SMALL MISSION UNITS.
- 17.2. The current members of that committee are:
  - (a)
  - (b)
  - (c)
- 17.3. This committee meets quarterly/biannually/annually, or more often where this is required.
- 17.4. The role of the committee shall be to oversee the work of the Regional/Mission Unit Child Protection Officer, report back to the Regional Director/Council/Mission Unit Coordinator/Coordinating

Committee and make recommendations/take decisions in relation to child protection matters affecting the Society in that jurisdiction.

- 17.5. The RMUCPC has appointed a Child Protection Advisory Panel composed of experts in the various fields including canon law, civil law, child care, risk management, psychology and victim support. The Child Protection Advisory Panel can be asked for input in particular cases or can be mandated to review each case file quarterly on a 'no names' basis. Appropriate [confidentiality and data processing] agreements have been put in place with the members of the advisory panel. The recommendations of the advisory panel are put before the RMUCPC for consideration.

## **18. Annual Review of Policy**

- 18.1. The Region's child protection policy is reviewed three years to gauge its effectiveness, use and implementation.
- 18.2. The annual review is undertaken by the RMUCPO and the Regional/Mission Unit Child Protection Committee [or such external experts as may be contracted by the Society to undertake such a review].
- 18.3. The outcome of each review is recorded and a report is given to the Regional Council/Mission Unit Coordinating Committee highlighting whatever action may be necessary with regards to updating or improving the policy.

## **19. Annual Review of Child Protection Files**

- 19.1. Each Case File shall be reviewed [insert period here], or more often where necessary by the RMUCPO and the Regional/Mission Unit Child Protection Committee. If necessary or appropriate, the annual review may be undertaken, resources allowing, by an external child protection consultant or social work agency, to ensure that it is fully independently audited.
- 19.2. This review, and any recommendations or actions arising from it, shall be recorded on the Case Summary.

**Appendix One:**  
**Case Summary – [INSERT NAME OF ALLEGED ABUSER]**  
**Allegation made by [INSERT NAME OF COMPLAINANT]**

<b>Summary</b>	
Allegation against	
Allegation made by	
Respondent's date of birth	
Respondent's date of death	
<b>Details of Allegation</b>	
Details of Alleged Incident(s) (Name of victim, age at time of incident, location and outline circumstances of abuse)	
Date of incident	
Date of first report to Columbans	
Source/contact person for first report to Columbans	
<b>Statutory Authority Reports and investigations</b>	
Circumstances of First Report	
Child Protection Agency Report – Date and contact details	
Details of Child Protection Agency investigation	
Date and contact details	
Details of Investigation by Police/Law Enforcement (Statements given, interviews with Columban leadership/individual Columban)	
Details of Criminal Proceedings (if any):	
Details of Civil Proceedings (Proceedings issued, settlement meeting, current position of legal proceedings etc):	
<b>Contact with Victim</b>	
Approach made directly to victim/legal representative?	
Details of approach made to victim/legal representative (Pastoral meeting offered, Offer declined/accepted, details of any pastoral meeting)	
Counselling/support offered?	
Details of Counselling/support	

<b>Dealing with Respondent</b>	
Date and Details of Risk assessment/Psychiatric Assessment:	
Details of Supervision and Risk Monitoring plan(if any):	
Details of report to CDF:	
Brief History of Investigation by Columbans/CDF	
Details of discussions/input from Advisory Panel:	
Current Clerical Status (reinstated to Ministry, laicised, restricted Ministry etc.) and location of Columban:	
Outline details of Precept and date given	
Copy of Public Announcement re Leave from Ministry etc (if relevant):	
<b>Columbans RMUCPO Notes</b>	
RMUCPO Comments/notes:	
Provision for Handover to incoming leadership:	
Review History of File:	
Date for next review of file (no later than 2 years from last review but sooner if necessary):	
Date of last file update:	

### **Guidance in Filling form out:**

Please use a different Case Summary Page for each separate victim of abuse. If one victim makes multiple allegations against one priest/respondent, these should all be detailed on this page (and cross referenced with any other files in relating to that priest/respondent). If one victim makes multiple allegations against multiple priests, a separate Case Summary Page should be opened for each priest and should be cross referenced with the victim's other case files.

## APPENDIX TWO: Recognising potential signs of abuse.

### Signs of abuse

It is sometimes of assistance to be aware of some typical signs of abuse. Sometimes, a member or associate will not be directly aware of these signs but may be told of them. This may be sufficient to trigger concern or to ensure that a child is monitored for other signs of abuse.

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

- mood change, e.g. child becomes withdrawn, fearful, acting out;
- lack of concentration, especially in an educational setting;
- bed wetting, soiling;
- pains, tummy aches, headaches with no evidence of physical cause;
- skin disorders;
- reluctance to go to bed, nightmares, changes in sleep patterns;
- school refusal;
- separation anxiety;
- loss of appetite, overeating, hiding food.

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

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

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

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

- bleeding from the vagina/anus;
- difficulty/pain in passing urine/faeces;

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



### APPENDIX THREE

#### CODE OF GOOD PRACTICE FOR COLUMBANS AND ASSOCIATES IN DEALING WITH CHILDREN, YOUNG PEOPLE AND VULNERABLE ADULTS

In dealing with children, young people and vulnerable adults Society members and associates must at all times observe professional boundaries. The following guidelines are offered to assist people in these roles (in these guidelines, references to children should be taken as referring also to vulnerable adults):

1. Be aware of the imbalance in power that can exist in adult-child relationships.
2. Treat all children and young people with equal respect; favouritism is not acceptable.
3. Bear in mind that vulnerable adults may have very specific physical and emotional needs and may require assistance that is not within your training or experience to provide. Do not undertake an activity that requires special care or assistance that you are not qualified to give.
4. Written consent must be obtained from parents/guardians before organizing activities for the children/young people in your care.
5. Ensure that adequate and appropriate supervision is in place before organizing activities with children and young people. The Society recommends that for children 8 years and over the ratio should be: Two members of staff to 20 children (15 children for outdoor activity). There should be one additional staff member for every 10 children.
6. Do not engage in or tolerate any behavior – verbal, psychological or physical – that could be construed as bullying.
7. Children/young people have the right to privacy and this must be respected at all times. Particular care should be taken to ensure that the privacy of children/young people is respected in places such as swimming pools, showers, toilets, changing rooms and sleeping quarters. However, a member or associate must never do for a child or young person things of a personal nature, which they can do for themselves.
8. Displaying photographs is an area of special sensitivity. A policy on the display of children's photographs should be negotiated with the parents of those children. Taking photographs of children/young people while they are in changing areas (e.g. a locker room or bathing facility) is prohibited at all times.
9. Under no circumstances give alcohol, tobacco or drugs to children/young people and do not allow these to be used by carers/volunteers during church related activities.
10. Staff must ensure that the buildings and/or facilities used for activities with children/young people are suitable, safe and secure.

11. It is advisable that pastoral ministry to a child/young person should only take place in a publicly accessible place, e.g. designated office or room, preferably with easy visibility from the outside.
12. Clergy and associates should plan, in so far as possible, never to be alone in a building, car or a closed room with a child/young person. If such an encounter should take place the matter should be recorded.
13. Children and young people should not be permitted to work or remain on Society property unless there are at least two adults present.
14. Employees may engage in appropriate contact with a child/young person in situations where such contact is necessary to ensure the safety and wellbeing of the child, e.g. where a child is distressed. Never allow or engage in inappropriate touching of any form, including rough physical play, physical reprimand and horseplay.
15. When working with children and young people use only age appropriate language, media products and activities. Sexually explicit materials are never appropriate. Never make sexually suggestive comments about or to a child, even in fun.
16. Children/young people have a right to form and express their own opinions. Employees and volunteers must encourage openness and be prepared to listen to the young people's view.

**APPENDIX FOUR:****Acknowledgement of receipt of Child and Vulnerable adult  
Protection Policy for XXXXX YYYY Region/Mission Unit**

I acknowledge receipt of the Child and Vulnerable Adult Protection Policy for the XXXX YYYYYY Columban Region/Mission Unit. I confirm that I have read and understood the contents of the Code and that I will comply with the policies set out therein.

Signed : \_\_\_\_\_

Print Name : \_\_\_\_\_

Dated \_\_\_\_\_

*Please provide a copy of this acknowledgement to the Regional Director or the HR manager*